

**Consultation Response from
Derbyshire County Council
High Speed Two: Phase 2b
Design Refinement Consultation**

1 INTRODUCTION

1.1 Response to Design Refinement Consultation

- 1.1.1 This document provides Derbyshire County Council's comments on the proposed changes to HS2 Phase 2b route. The comments are provided in the context that HS2 is current Government policy; in its active engagement and consultation responses with HS2 Ltd, the Council has consistently sought to maximise the economic benefits and mitigate the negative impacts of the proposals.
- 1.1.2 The comments should be read as an addendum to the suite of documents that formed DCC's response to the WDES consultation Dec 2018, (in particular for LA06: Stapleford to Nuthall).
- 1.1.3 It has not been possible to conduct a full analysis of the proposals due to the limited data available and the inadequate explanation of all the associated changes. It is the Council's expectation that HS2 Ltd pays due regard to the concerns raised in this response, addresses each point and mitigates accordingly prior to the deposit of the full ES. This will provide a robust position statement in which communities can have confidence and will negate the necessity to seek amendments through the Parliamentary process in the Commons and Lords.
- 1.1.4 DCC continues to be disappointed and frustrated by the lack of cross sections and photomontages of the proposals – both in this consultation and the WDES. It has been argued repeatedly that such information is essential in helping understand and assess the extent of the physical and visual impact of the proposed route through the area.

1.2 Question number 5.

What are your comments on the proposal to realign the route as it passes Trowell to avoid the need to realign the M1?

- 1.2.1 DCC supports the proposed refinement as set out on drawing 2DE02-ACI-CV-DPP-L002-000011 which will remove a number of previously expressed concerns associated with proposed realignment of the M1. The revised proposal not to realign the M1 in this area will reduce the negative impacts on highway resilience and congestion, however, the Council does regret the need for additional property demolitions.
- 1.2.2 The proposed reduction in the length and height of the Stanton Gate Viaduct will also remove some of the previous concerns regarding the visual impact of this structure at its northern end.

Agriculture, forestry and soils

- 1.2.3 See also WDES response December 2018.

Air Quality

- 1.2.4 DCC welcomes the potential reduction in traffic disruption and possible consequential reduction in air quality impacts for residents in the surrounding area as a result of the current proposal.
- 1.2.5 It was noted that the risk of dust effects and human health effects could be "medium" in this area. The Council is concerned that no further assessment in the formal ES is mentioned. DCC requests that further work is undertaken as part of the formal ES.
- 1.2.6 Given the lack of assessment, DCC strongly advises continued engagement with borough and district Environmental Health teams throughout the process in order to ensure consideration of local impacts, suitable monitoring and appropriate mitigation measures. The Council has consistently advised the need to engage directly with the district team on these matters.
- 1.2.7 The Council requests that more detailed dialogue with the Highway Authority is undertaken as soon as possible on the Transport Assessment. The lack of detailed engagement and available information has been a consistent source of frustration and feedback through the WDES and beyond.
- 1.2.8 The Council reserves its position on these matters until such time as more detailed information is available.

Community

- 1.2.9 See also WDES response December 2018.
- 1.2.10 The Council remains concerned over the likely impact of the route on the area to the north of Sandiacre. This area is largely rural, much of which was formerly industrial and has been turned over to recreational use. With regard to the current proposals, the land is still adversely affected, limiting access for local people. The area is currently popular for walking, dog walking and cycling.
- 1.2.11 The Council requests that suitable (well designed) sound mitigation near footpaths including the Erewash Valley Trail is implemented to ensure the current level of attractiveness is maintained to users.
- 1.2.12 The view from the towpath of the Erewash Canal of the Grade I listed St Giles Church in the vicinity of the Grade II listed canal bridge is particularly valued and will remain impacted by the Stanton Gate Viaduct in the revised proposals. The viaduct will cut across the middle of this view and requires significant mitigation. This major adverse impact will be evident both during construction and operation.
- 1.2.13 Preliminary analysis suggests that from the bridge, the Church may be visible underneath the viaduct. If that is the case then design features to maximise this view, e.g. placement of viaduct piers to frame and not obscure the view, should be provided. If the precise geometry clips the view of the steeple, this might be addressed by flattening the horizontal curve of the viaduct to bring it slightly closer to the bridge and so increase the vertical arc of vision under the viaduct. Again,

without sections and photographic mock ups, it is difficult to provide any more meaningful comments and the Council wishes to reserve its position on this matter.

Ecology and biodiversity

- 1.2.14 See also WDES response December 2018.
- 1.2.15 Only a short section of the route in this proposed realignment lies within Derbyshire. However the section in question runs through the Erewash valley and in close proximity to the Erewash Canal. As well as the various ecological designations found in this area, this section of the route is likely to be environmentally sensitive generally, and perhaps particularly in relation to the movement of protected and notable species. The use of a viaduct in this area should go some way to reducing ecological impacts and ensuring habitat connectivity in the longer term.
- 1.2.16 Because it is now not proposed to realign the M1, the associated concern regarding habitat connectivity no longer applies although the new cutting to the north HS2 may be a concern. HS2 Ltd should actively seek to demonstrate that opportunities have been sought to enhance long term habitat connectivity east-west in this area.
- 1.2.17 In the absence of ecological survey information to establish the existing ecological value of this area and detailed ecological mitigation and enhancement proposals, it has not been possible for the Council to undertake any kind of ecological loss/gain calculation or ascribe any ecological value to the enhancement proposals. More detailed information is awaited.

Health

- 1.2.18 See also WDES response December 2018.
- 1.2.19 It is noted that a further 20 residential properties would be demolished within Nottinghamshire as a result of the proposal. The erosion of social networks resulting from demolitions would have the potential to reduce social capital, reducing the beneficial health effects that are gained through social contact and support. Relocation, whether forced or voluntary, may cause stress impacting more on low income families and those with disabilities or poor social support.

Historic environment

- 1.2.20 The Church of St Giles (NHL: 1204475), Grade I Listed Building has a prominent hill top location within the Sandiacre Cloudside Conservation Area and semi-rural location. The Stanton Gate viaduct has the potential to have a major adverse impact on views of the Church from the towpath of the Erewash Canal. Careful consideration towards the design of the structure, with particular regards to views of the church, is essential to mitigate the impacts.

Land quality

- 1.2.21 See also WDES response December 2018.

Landscape and visual assessment

- 1.2.22 The Stanton Gate Viaduct should be designed to preserve the view of St Giles' Church from the listed bridge over the Erewash Canal. The proposed highway realignment of Stanton Gate will increase the impact on the public right of way.
- 1.2.23 North of the listed bridge, the paths of the Erewash Canal and Stanton Gate Viaduct diverge. A relatively small object or planting close to the canal could obscure the view of the viaduct, helping to preserve the rural nature of the location that is currently enjoyed.
- 1.2.24 It is not clear whether the Stanton Gate Main Construction Compound proposed in the Working Draft Environmental Statement at the south-east corner of Stanton Gate will be retained with the revised proposals. A shorter construction period is welcomed.
- 1.2.25 The proposals show grassland habitat creation. It is unlikely that the current ridge and furrow landscape here with its grassland biodiversity interest will survive, so there is an opportunity to create a new grazing meadow to replace the lost ecology.
- 1.2.26 The Stanton Gate Auto-transformer Station is still located in the middle of this field which would have a significant impact on openness, especially in views from Sandiacre Cloudside. A location nestled into the north-east corner of the field, or perhaps nearer the realigned Stanton Gate/Moorbridge Road to minimise impact would be more appropriate.
- 1.2.27 Additional photomontage locations are essential to enable the Council to provide more meaningful comment.

Socio Economic

- 1.2.28 See also WDES response December 2018.

Sound, Noise & Vibration

- 1.2.29 See also WDES response December 2018.
- 1.2.30 Without the benefit of a noise assessment, it is not possible to provide meaningful comments on the revised proposals and concerns regarding any increased noise impacts for residents remain.

Traffic and transport, incorporating PROW, highway design and Traffic Safety

- 1.2.31 See also substantial comments provided in WDES response Dec 18.
- 1.2.32 The Council remains extremely concerned regarding the limited level of engagement from HS2 with the Highway Authority; the fact that an informed Transport Assessment (TA) has yet to be provided makes it impossible to provide informed and meaningful comment.
- 1.2.33 Where a highway section is to be severed by the route and the remaining sections of highway provide no public benefit, DCC will stipulate that these sections of highway be stopped up and ownership reverted to the subsoil owner/adjacent land owner. In depth consultation will need to be undertaken in relation to the stopping up of any highway section within Derbyshire. The current discussions undertaken by HS2 on property and asset matters do not include such issues and need to be addressed.
- 1.2.34 More detail is required of the proposed new road which will cross the line and replace the existing Moorebridge Lane/Stanton Gate. The design of the new road needs to be of an appropriate/ satisfactory standard to ensure any ongoing maintenance liability to DCC is limited, fully understood and compensated.
- 1.2.35 This area of the canal is extremely popular for recreation as identified in HS2's own survey, with 678 pedestrians and 400 cyclists using the Erewash Valley Trail in one day. Every effort needs to be made to minimise the impact on this important right of way to ensure its value to tourists and residents is maintained and protected.
- 1.2.36 The information sheet *Future Highway Maintenance Responsibilities* indicates that the responsibility for ongoing maintenance of new or altered highway will ultimately lie with the highway authority. DCC, as Highway Authority, will not adopt drainage infrastructure unless it purely drains the highway network, the responsibility will remain with the subsoil owner or a responsible body.
- 1.2.37 The project strategically identifies the need for both temporary and permanent Traffic Regulation Orders to be produced and implemented. Unfortunately, no reference has been made as to how these will be managed and by whom. The Highway Authority would like to inform HS2 that given the volume of Orders that will be needed, DCC does not have the resource currently available to support this activity. The Council would welcome detailed dialogue to understand how this work will be resourced to facilitate these orders.
- 1.2.38 The trails and public rights of way networks are affected in the vicinity of locations A and B (see attached plan) i.e. the Nutbrook Trail and several public footpaths. The proposed alignment of HS2 will still be on a viaduct through this area, however this may be on a lower vertical alignment than that previously proposed.
- 1.2.39 The Erewash Canal and the multi-user trail is routed along the towpath at both locations A and B. The towpath, also a public footpath, forms part of the Nutbrook

Trial and National Cycle Network Route 67 which is available for walkers, cyclists and horse riders. It is crucial to ensure sufficient height clearance at both locations.

- 1.2.40 There are also several public footpaths beneath the viaduct at location B (Sandiacre Nos 5, 6, 7, 16 and 24) and again it is important to ensure there is sufficient height clearance available for all these routes.

Water Resources & Flood Risk

- 1.2.41 DCC has continually raised concerns regarding adoption and maintenance of the Highway Balancing Ponds post construction (along with other assets). The HS2 factsheet suggests that all highway balancing ponds would be adopted by the Highway Authority, but with no additional funding to maintain them. The Council remains very concerned that the creation of assets as a result of HS2 is proposed to be transferred in this manner and considers the arrangements to be wholly unacceptable. More detailed dialogue is required with HS2 to resolve this matter satisfactorily.
- 1.2.42 The realigned Moorebridge Lane/Stanton Gate is shown on embankment, this embankment is within the flood plain and will need to be mitigated. Implications for forward maintenance, risks and liabilities need to be included in the discussions and revised proposals.
- 1.2.43 The removal of the various 'major' flood risk impacts associated with the previously proposed M1 alignment is welcomed.

