

## **Application by Highways England for A63 Castle Street Improvement, Hull**

### **The Examining Authority's further written questions and requests for information (ExQ2)**

**Issued on 11 July 2019**

The following table sets out the Examining Authority's (ExA's) further written questions and requests for information – ExQ2.

Questions are set out using the same issues-based framework use in the first round of written questions (ExQ1).

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all parties named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a party to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 2 (indicating that it is from ExQ2) and then has an issue number and a question number. For example, the first question on the historic environment is identified as Q2.5.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact [A63CastleStreet@PlanningInspectorate.gov.uk](mailto:A63CastleStreet@PlanningInspectorate.gov.uk) and include 'A63 Castle Street Improvement, Hull' in the subject line of your email.

Responses are due by **Deadline 5: Monday 5 August 2019**.

## Abbreviations used

<b>PA2008</b>	<i>The Planning Act 2008</i>	<b>LIR</b>	<i>Local Impact Report</i>
<b>Art</b>	<i>Article</i>	<b>LPA</b>	<i>Local planning authority</i>
<b>ALA 1981</b>	<i>Acquisition of Land Act 1981</i>	<b>MP</b>	<i>Model Provision (in the MP Order)</i>
<b>BoR</b>	<i>Book of Reference</i>	<b>MP Order</b>	<i>The Infrastructure Planning (Model Provisions) Order 2009</i>
<b>CA</b>	<i>Compulsory Acquisition</i>	<b>NPS</b>	<i>National Policy Statement</i>
<b>CPO</b>	<i>Compulsory purchase order</i>	<b>NSIP</b>	<i>Nationally Significant Infrastructure Project</i>
<b>dDCO</b>	<i>Draft DCO</i>	<b>R</b>	<i>Requirement</i>
<b>EM</b>	<i>Explanatory Memorandum</i>	<b>SI</b>	<i>Statutory Instrument</i>
<b>ES</b>	<i>Environmental Statement</i>	<b>SoS</b>	<i>Secretary of State</i>
<b>ExA</b>	<i>Examining authority</i>	<b>TP</b>	<i>Temporary Possession</i>
<b>HCC</b>	<i>Hull City Council</i>		

## The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010016/TR010016-000261-Examination%20Library%20A63%20Castle%20Street.pdf>

It will be updated as the examination progresses.

<b>ExQ2 Question to:</b>		<b>Question:</b>
<b>2.0</b>	<b>General and Cross-topic Questions</b>	
2.0.1	The Applicant	<p><b>Plans</b></p> <p>Please clarify the following matters:</p> <ul style="list-style-type: none"> <li>• Do the Works Plans need to be amended to reflect the addition of Work No 18A and 18B in dDCO Schedule 1?</li> <li>• Non-Motorised user route plan sheet 3: Are the existing routes shown by the solid blue line to be removed? If so, should that be made clear in the key (as has been done for footways)?</li> <li>• Drainage engineering drawings: What do the asterisks on Sheet 3 denote?</li> </ul>
2.0.2	HCC	<p><b>Documents</b></p> <p>Please provide the following documents:</p> <ul style="list-style-type: none"> <li>• Network Management Plan 2009</li> <li>• Humber LEP Strategic Economic Plan 2014-2020</li> <li>• Air Quality Management Plan</li> </ul>
<b>2.1.</b>	<b>Air Quality and Related Emissions</b>	
2.1.1.	N/A	No written questions on this topic at this stage.
<b>2.2.</b>	<b>Biodiversity</b> (including Habitats Regulations Assessment (HRA))	
2.2.1.	Natural England	<p><b>Likely significant effects</b></p> <p>The Applicant's Screening Report <a href="#">[APP-069]</a> advises that:</p>

<b>ExQ2 Question to:</b>		<b>Question:</b>
		<ul style="list-style-type: none"> <li>• without mitigation, the proposed development will cause no significant effects to European Sites located within 2km of the Scheme, either alone or in-combination with other projects and plans;</li> <li>• there are no European Sites for which bats are one of the qualifying interests within 30km of the site; and that</li> <li>• in view of the above, no further stages of HRA are necessary.</li> </ul> <p>Please confirm whether or not you accept that assessment.</p>
2.2.2.	Applicant	<p><b>HRA and 'mitigation measures'</b></p> <p>It is noted that the Applicant's responses to ExQ1 [REP2-003] and Hull City LIR [REP2-016] mention "mitigation measures" to prevent effects upon the Estuary designated sites (see in particular the Applicant's response to 1.2.3 where the Applicant states "The mitigation measures to prevent effects upon the Estuary designated sites have been accepted by Natural England.").</p> <p>Can the Applicant please consider whether there is any contradiction between this and response 1.0.11 [REP2-003], which says, 'As a consequence, the Screening Report does not take into account mitigation measures, including aspects such as timing restrictions'. Are mitigation measures required to prevent likely significant effects to the European sites?</p>
<b>2.3.</b>	<b>Compulsory Acquisition and Temporary Possession</b>	
2.3.1.	The Applicant	<p><b>Annex B of the Statement of Reasons</b></p> <p>The final column of the Statement of Reasons - Status of objection and negotiations with land interest – is often filled in with the words, 'Not applicable'. It is not clear from this answer whether there is an objection or not, or whether any negotiations have taken place. Could a more informative answer please be given.</p> <p><b>Please note that this matter was raised at ExQ1 but has yet to be</b></p>

<b>ExQ2 Question to:</b>		<b>Question:</b>
		<b>addressed. It is imperative that the status of objections and discussions relating to compulsory acquisition and temporary possession is clear before the close of the Examination.</b>
2.3.2.	The Applicant	<b>Crown Land</b> Please provide an update in accordance with question number ExQ1.3.3.
2.3.3.	The Applicant	<b>Special category land</b> Please provide an update of proposals relating to the open space to be compulsorily acquired for the scheme and how s131 of the Act is to be addressed.
<b>2.4.</b>	<b>Draft Development Consent Order (DCO)</b>	
2.4.1.	All IPs	Please review the Examining Authority's Schedule of Proposed Changes to the draft Development Consent Order, published 11 July, and provide any comments by Deadline 5 (Monday 5 August).
<b>2.5.</b>	<b>Historic Environment</b>	
2.5.1.	The Applicant, HCC, Historic England	<b>Earl de Grey public house</b> <ul style="list-style-type: none"> <li>• Please provide an update on any further progress and discussions in respect of proposals for the partial rebuilding/relocation of this listed building.</li> <li>• What bearing should the recent grant of planning permission and listed building consent for a development which includes the partial reconstruction/relocation of the Earl de Grey public house (reference nos. 19/00333/FULL and 19/00334/LBC) have on the ExA's assessment of the Applicant's current proposal for this listed building? Is there any reason why that permitted scheme should not be implemented instead of the proposal within Work No 30 of the DCO if circumstances permit?</li> <li>• Paragraph 5.131 of the National Networks NPS advises that, 'When</li> </ul>

<b>ExQ2 Question to:</b>		<b>Question:</b>
		considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation.' Additionally, both Historic England [REP1-017] and HCC [REP3-215] have expressed concern about the limited information provided regarding the Applicant's proposals for the Earl de Grey. With that in mind, what further information does the Applicant intend to provide regarding its proposals for this listed building and when will that be provided?
2.5.2.	The Applicant, Historic England, HCC	<p><b>Beverly Gate Scheduled Monument</b>            In response to ExQ 1.5.8, The Applicant advised that:            'Utility diversions for the Scheme could impact the significant element of the scheduled monument. The detailed design stage will provide clarification on the requirement for utilities diversions prior to construction' [document ref REP2-003]. It also states that, 'the DCO would require the equivalent level of documentation to scheduled monument consent'.</p> <p>In view of this:</p> <ul style="list-style-type: none"> <li>• Please provide your views regarding the degree of detail and certainty regarding the effect on the Scheduled Monument that is necessary in order for development consent to be granted.</li> <li>• If the impact on the Scheduled Monument is not clear by the close of the Examination, how should the matter be addressed in the DCO?</li> </ul>
<b>2.6.</b>	<b>Social, Economic and Land-Use Effects</b>	
2.6.1.	The Applicant	<p><b>Low carbon economy</b>            What is the evidence that the scheme will help move towards a low carbon economy (whether as the result of reducing congestion or otherwise), as stated in Table 5.1 of the Planning Statement [APP-070]?</p>

<b>ExQ2 Question to:</b>		<b>Question:</b>
<b>2.7.</b>	<b>Townscape and Visual Impact</b>	
2.7.1.	The Applicant and HCC	<p><b>Central reservation barrier</b></p> <p>The Council's suggested amendment to R12, which would require details of the design of the barrier, is noted (HCC's Post-Issue specific Hearings submission [REP3-215]). What progress has there been in seeking to address the design of the barrier and what evidence is there that a mutually satisfactory design can be achieved?</p>
2.7.2.	The Applicant, HCC, HAIG, East Yorkshire and Derwent Area Ramblers	<p><b>Myton underpass design</b></p> <p>The Council's suggested additional requirement, which would require details of the design of the Myton Bridge underpass, is noted (HCC's Post-Issue specific Hearings submission [REP3-215]). Have any design principles or details yet been agreed? If not, what evidence is there that a mutually satisfactory design can be achieved?</p>
2.7.3.	The Applicant, HCC	<p><b>Article 35 – Trees</b></p> <p>Should Article 35 and/or Requirement 5 include additional protection for trees which are the subject of a preservation order?</p>
<b>2.8.</b>	<b>Transportation and Traffic</b>	
2.8.1.	The Applicant	<p><b>Cycle routes</b></p> <ul style="list-style-type: none"> <li>• Please provide details of how the proposed cycle routes will link in with the cycle network in the immediate area surrounding the NSIP site. Please ensure that all illustrative material is consistent with the project plans.</li> <li>• At Deadline 3 the Applicant advised that it wishes to review the shared cycleway/footpath provision along the A63 [see document REP3-007]. Has that review now taken place and, if so, when will any revised details be submitted?</li> </ul>

<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
2.8.2.	The Applicant, HCC, HAIG, East Yorkshire and Derwent Area Ramblers	<p><b>Pedestrian crossings at Market Place and Queen Street</b></p> <ul style="list-style-type: none"> <li>• Is there any reason not to amend the scheme to introduce/retain signalised crossings at these slip roads as the Council suggests?</li> <li>• What are the safety implications of providing or not providing signalised crossings at these points and what information is that view based on?</li> </ul>
2.8.3.	The Applicant, HCC, HAIG, East Yorkshire and Derwent Area Ramblers	<p><b>Speed limits on the Market Place and Queen Street slip roads</b></p> <ul style="list-style-type: none"> <li>• Please provide a timescale for when any decision regarding the potential extension of the 30mph zone on the slip roads will be made.</li> <li>• Please advise how any such change will be reflected in revisions to the application documents.</li> </ul>
2.8.4.	The Applicant, HCC and EPIC (No2) Ltd	<p><b>Temporary Traffic Management</b></p> <p>HCC's comments concerning mitigating traffic impacts during the construction period at section 1.6 of its Post-Issue specific Hearings submission [REP3-215] are noted. If the ExA comes to the view that such measures are necessary, how should that be reflected in the DCO and related documents?</p>
2.8.5.	The Applicant and HCC	<p><b>Weight restrictions</b></p> <p>Why are weight restrictions shown on the Traffic Regulation Plans (eg Princess Dock Street) now that there is no longer any schedule within the DCO specifying a weight restriction?</p>
2.8.6.	The Applicant, HCC, HAIG, East Yorkshire and Derwent Area Ramblers	<p><b>Princes Quay Bridge</b></p> <ul style="list-style-type: none"> <li>• Can HCC please provide further information, with illustrative material if necessary, explaining its concerns in respect of the design of the Princes Quay Bridge and the way it relates to the pedestrian/cycle route on the north side of the A63.</li> <li>• Please provide an update of progress towards agreeing a solution to the above concerns.</li> <li>• If a revised design is necessary, how should that be addressed in the NSIP</li> </ul>



<b>ExQ2 Question to:</b>		<b>Question:</b>
		documentation?
2.8.7.	The Applicant, HCC, HAIG, East Yorkshire and Derwent Area Ramblers	<p><b>NMU Connectivity</b>            Are any changes to the dDCO and other application documents needed to address HCC’s desire for greater detail about pedestrian and cyclist routing and access during the construction period, as set out in section 1.3 of its Post-issue specific hearings submission [REP3-215]? If so, please specify the changes required.</p>
2.8.8.	Applicant, EPIC (No 2) Ltd, HCC	<p><b>Traffic management during construction</b></p> <ul style="list-style-type: none"> <li>• Further to the unsigned Statement of Common Ground with EPIC, has any further progress been made in respect of proposals for traffic modelling and specific mitigation measures relating to Daltry roundabout and the routes for customers using the Kingston Retail Park during the construction phase?</li> <li>• To what extent will this matter have been addressed by the close of the Examination, and how should it be reflected in the DCO and associated documents?</li> </ul>
<b>2.9.</b>	<b>Utility Infrastructure</b>	
2.9.1.	N/A	No written questions on this topic at this stage.
<b>2.10.</b>	<b>Water Environment</b>	
2.10.1.	The Applicant, HCC	<p><b>Early warning flood signage</b>            Should the project include early warning flood signage as described by HCC in section 2.3 of its Post-Issue specific Hearings submission [REP3-215]? If so, how should this be addressed in the DCO and/or related documents?</p>