



# **Responses to ExQ2**

**Ref: 20018303**

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

**TR010016**

ExQ2	Question to:	Question:	HCC response:
2.3	<b>Compulsory Acquisition and Temporary Possession</b>		
2.3.3	The Applicant	<p><b>Special category land</b></p> <p>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.</p>	<p>Although this question is drafted to the Applicant, HCC wishes to submit written comment on the situation with regard to Special Category Land, following discussions at Compulsory Acquisition Hearing 2.</p> <p>HCC understand that the land at Trinity Burial Ground, hitherto intended to be acquired by compulsory acquisition, is now to be secured by the Applicant through voluntary agreement, negating the need for Article 34 of the dDCO pertaining to Special Category Land. As HCC understand it, the replacement land as identified in the DCO submission would then only be subject to Work No. 13 of the authorised development under Schedule 1 to the dDCO, which refers to ‘construction of green space’, and Requirement no.5 to Schedule 2, Part 1 on ‘Landscaping’.</p> <p>Paragraph 5.166 to the NN NPS states that <i>“Existing open space, sports and recreational buildings and land should not be developed unless the land is surplus to requirements or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Applicants considering proposals which would involve developing such land should have regard to any local authority’s assessment of need for such types of land and buildings”</i>.</p> <p>In the event that the parcels previously identified as special category land essentially become extensive areas of scheme landscaping, HCC queries whether the dDCO sufficiently recognises the status of the replacement land in the context of</p>

ExQ2	Question to:	Question:	HCC response:
			<p>compliance with paragraph 5.166.</p> <p>Furthermore, Requirement No.5 requires details of hard and soft landscaping only, whereas the public open space scheme described in the submitted Environmental Statement also makes reference to play equipment, wayfinding and signage, lighting, seating, litter bins, and defined access points.</p> <p>HCC suggest that an additional requirement to secure the public open space, involving the submission of details of its design, including the aspects referred to above, along with hard and soft landscaping, routing, and crime prevention measures, phasing for implementation, and handover, all matters upon which the local planning authority should be consulted, should be included within the dDCO.</p>
<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).	<p><b>A2 Interpretation</b></p> <p>The Council supports the ExA's proposed amendment with regard to the scope of the term 'commence' as set out within the undertakers submitted dDCOs for the reasons set out by the ExA in support of the proposed amendment.</p> <p><b>A18 Protective Work to Buildings</b></p> <p>The Council supports the ExA's proposed amendment for the reasons set out by the ExA in support for the same, and the Council's Deadline 3 and Deadline 4 submissions, and draft SoCG.</p>

ExQ2	Question to:	Question:	HCC response:
			<p><b>A29 Temporary use of land for carrying out the authorised development.</b></p> <p>The Council supports the ExA’s proposed amendment for the reasons set out by the ExA in support for the same, and the Council’s Deadline 3 and Deadline 4 submissions, and draft SoCG.</p> <p><b>A35 Felling or lopping of trees and removal of hedgerows.</b></p> <p>The Council supports the ExA’s proposed amendment for the reasons set out by the ExA in support for the same, and the Council’s Deadline 3 and Deadline 4 submissions, and draft SoCG.</p> <p><b>A41 Deemed Marine Licence</b></p> <p>The Council has no objection to the deletion of the article pertaining to the deemed marine licence.</p> <p><b>Schedule 1 Work No.30</b></p> <p>Given the concerns expressed at Issue Specific Hearing 5 over the inability for the DCO to approve or control development beyond the order limits, and in light of HCC’s suggestion in response to ExQ2 2.5.1. to utilise a planning obligation under Section 106 to deliver such development by way of mitigation, HCC considers that Work No. 30 would no longer be required.</p>

ExQ2	Question to:	Question:	HCC response:
			<p><b>R4 Construction and Handover Environmental Management Plan.</b></p> <p>The Council supports the ExA’s proposed amendment for the reasons set out by the ExA in support for the same, and in section 2.2 of the Council’s Deadline 3 and section 2.4 of the Deadline 4 submissions, and section 5.6.2. of the LIR.</p> <p>HCC notes the Applicant’s comments in its response to HCC’s submission at Deadline 3. HCC’s concern over the management of flood water extends beyond the management of the development site from a health and safety perspective, and relates also to the interaction of the scheme during construction, with its various topographical implications for the flow of flood water across the wider city area. As Lead Local Flood Authority, HCC considers that this issue should be addressed through the requirement as proposed, following consultation with HCC in that capacity.</p> <p><b>R5 Landscaping</b></p> <p>The Council supports the ExA’s proposed amendment for the reasons set out by the ExA in support for the same, and in section 4.4 of the Council’s Deadline 3 submission, and section 3.2 of the Deadline 4 submission.</p> <p><b>R6 contaminated land and ground water.</b></p> <p>The Council has no objection to the proposed change.</p>

ExQ2	Question to:	Question:	HCC response:
			<p><b>R7 Protected Species.</b></p> <p>The Council has no objection to the proposed change.</p> <p><b>R8 Surface and foul water drainage.</b></p> <p>The Council has no objection to the proposed change.</p> <p><b>R9 Archaeological remains.</b></p> <p>The Council has no objection to the proposed change, and consider that it would enhance the effectiveness of the requirement.</p> <p><b>R10 Traffic Management.</b></p> <p>The Council has no objection to the proposed change.</p> <p><b>R12 Fencing and Barriers.</b></p> <p>HCC welcomes the inclusion of the change to the requirement, for the reasons set out by the ExA in support for the same, and in section 1.1 of the Council’s Deadline 3 submission, and section 2.9 of the Deadline 4 submission, sections 5.3.3., 5.4.3., and 9.4 of the LIR, and draft SoCG.</p> <p>Notwithstanding the above, HCC’s preference would be for detailed design with regard to the central barrier to be agreed in</p>

ExQ2	Question to:	Question:	HCC response:
			<p>advance of the examination close, thereby allowing for the submitted engineering drawings and sections, upon which the dDCO proposes that design must be based, to be revised to reflect alternative solutions to the concrete barrier depicted on Structures Details Regulations 5(2)(o) &amp; 6(2) (Porter Street Bridge) Sheet 1 of 2 – TR010016/APP/2.6(F), Structures Details Regulations 5(2)(o) &amp; 6(2) (Underpass) Sheet 3 of 4 – TR010016/APP/2.6(K), Structures Details Regulations 5(2)(o) &amp; 6(2) (Underpass) Sheet 4 of 4 – TR010016/APP/2.6(L), Structures Details Regulations 5(2)(o) &amp; 6(2) (Princes Quay Bridge) Sheet 2 of 4 – TR010016/APP/2.6(Q), thereby providing clarity and certainty over the delivery of an appropriate and sensitive design solution.</p> <p><b>R13 Applications made under requirements.</b></p> <p>The Council has no objection to the proposed change.</p> <p><b>Additional requirement: Myton Bridge Underpass Improvement Works.</b></p> <p>The Council supports the ExA’s proposed amendment for the reasons set out by the ExA in support for the same, and in paragraph 1.2 of the Council’s Deadline 3 submission, para. 2.9 of the Deadline 4 submission, paras. 5.41, 5.93, 6.15, 6.16, and 9.3 of the LIR, and SoCG, and to accord with the Applicant’s own strategy on cycling and accessibility.</p>

ExQ2	Question to:	Question:	HCC response:
			<p><b>Additional requirement : Pumping Station</b></p> <p>HCC supports the ExA’s proposed additional requirement for the reasons set out by the ExA in support for the same, and in para. 2.1 of the Council’s Deadline 3 submission, paras 2.9 and 4 of the Deadline 4 submission, paras. 5.3.3, 5.4.3, 5.6.1, 6.1.5, 6.22, and 9.2 of the LIR.</p> <p><b>Additional requirement: Earl de Grey Public House</b></p> <p>Given the concerns expressed at Issue Specific Hearing 5 over the inability for the DCO to approve or control development beyond the order limits, and in light of HCC’s suggestion in response to ExQ2 2.5.1. to utilise a planning obligation under Section 106 to deliver such development by way of mitigation, HCC considers that the additional requirement would no longer be required in that eventuality, the dismantling, storage, relocation, and rebuilding of the Earl de Grey having been assessed and secured through the HCC approved permissions and associated conditions compliance procedures. Should the ExA consider that mitigation needs to be recognised through the DCO process, a Conservation Management Plan requirement could be introduced.</p> <p><b>Schedule 2, Paragraph 13</b></p> <p>HCC supports the ExA’s proposed additional requirement for the reasons set out by the ExA in support for the same, and in para. 4.5 to the Council’s Deadline 3 submission, para.3.2 to the Deadline 4 submission, and SoCG.</p>



ExQ2	Question to:	Question:	HCC response:
			<p><b>Schedule 3, Part 3/Part 4</b></p> <p>HCC supports the ExA's proposed additional requirement for the reasons set out by the ExA in support for the same.</p> <p><b>Schedule 9 – Deemed Marine Licence</b></p> <p>The Council has no objection to the deletion of the schedule pertaining to the deemed marine licence.</p>
<b>2.5</b>	<b>Historic Environment</b>		
2.5.1.	The Applicant, HCC, Historic England	<p><b>Earl de Grey public house</b></p> <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 considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State</li> </ul>	<p>Following the grant of planning permission and listed building consent on 5<sup>th</sup> June 2019, HCC awaits receipt of conditions compliance submissions in connection with the approved scheme. HCC understands that agreement in principle has been reached between the Applicant and Castle Buildings LLP (the applicant for the redevelopment scheme in question) and that financial arrangements have been identified to the broad satisfaction of both parties.</p> <p>HCC cannot see any reason why the permitted redevelopment scheme referred to in the question cannot be implemented instead of the scheme proposed under work no.30.</p> <p>At Issue Specific Hearing 5 the Applicant contended that there was no actual need for the Earl de Grey to be relocated in accordance with the HCC approved scheme, but that the delivery of the road improvement scheme only necessitates that the building be moved to the extent described under Work No. 30 of the authorised development in the dDCO. HCC notes that within the Applicant's response to its Deadline 3 submission, reference is</p>

ExQ2	Question to:	Question:	HCC response:
		<p>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?</p>	<p>made to 'substantial additional cost' which would be incurred were the Earl De Grey to be moved further than proposed under Work No.30, but notes that no explanation of the cause of this additional cost is provided.</p> <p>HCC maintains its position that the relocation of the building through the utilisation of the HCC approved permissions is indeed necessary for the scheme to comply with NN NPS and NPPF policy, which require decisions to minimise conflict between the conservation of heritage assets and any aspect of the proposal (NN NPS para. 5.129 &amp; NPPF para.190), take into account the economic viability of heritage assets and give great weight to their conservation (NN NPS paras. 5.130 – 131 &amp; NPPF para. 193). Both documents set out that substantial harm to Grade II listed buildings should be exceptional, especially given that, in HCC's view, clear and convincing justification for that harm has not been presented, nor that that harm is actually necessary, in the context of a less harmful, available alternative solution (NN NPS para. 5.131 and 5.133, &amp; NPPF paras. 194 and 195).</p> <p>Similarly, relevant Local Plan Policy 16 states that 'Development that would cause harm to the significance of a designated heritage asset will only be approved where it has been convincingly demonstrated that the harm cannot be avoided and there would be public benefits sufficient to outweigh the harm or loss caused.' Again, whilst HCC accept that harm to the asset cannot be avoided, and that public benefits set to accrue from the scheme would be sufficient to outweigh harm, the greater degree of harm set to be caused by the relocation proposed under Work No.30 has not been convincingly justified, given that the alternative relocation scheme would serve to minimise that harm by comparison</p>

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			<p>HCC understands the Applicant’s preference for avoiding the involvement of third parties, and straying beyond the envelope of the Order Limits for the delivery of mitigation measures. At Issue Specific Hearings 3 and 5, and within Deadline 3 and Deadline 4 written submissions, HCC made reference to a recent example of where the inclusion of land for mitigation purposes outwith the order limits of a DCO have been accepted and consented subject to a legal agreement with Natural England, namely the Able Marine Energy Park (AMEP) NSIP scheme (TR030001), and which, in fact is currently the subject of a non-material amendment application to include yet further land outside of the order limits for mitigation purposes. At Issue Specific Hearing 5, the Applicant pointed out a distinction between the AMEP scenario and this improvement scheme, in that the parcels of land outwith the order limits in the former were within the applicant’s ownership, whereas the site for the relocation of the Earl de Grey as approved by HCC, is not.</p> <p>The applicant also contended that the DCO could not grant consent for works outwith the order limits.</p> <p>HCC draw the ExA’s attention to the Ferrybridge Multifuel 2 (FM2) Power Station NSIP (EN010061), the DCO for which came into force in November 2015. This NSIP has subsequently been subject to an Amendment Order which came into force in September 2018, following consideration of an application for non-material amendment. The amendment in question involved the substitution of land identified within the original order, and located within the order limits for the provision of landscape and biodiversity enhancement, with alternative land outside of the order limits, and within the ownership of a third party. The</p>

ExQ2	Question to:	Question:	HCC response:
			<p>proposed amendment was accepted as non-material, with limited revision of associated documentation, and the land and the enhancement works thereon were secured through a Section 106 agreement signed by the applicant, the local authority, and third party landowner in question.</p> <p>With regard to this improvement scheme, given the Applicant's stated support for the HCC approved Earl de Grey relocation proposals and positive efforts to reach agreement with the applicant for that HCC approved scheme over financial arrangements for the same, and the support for such an approach expressed by a representative of the latter at both Issue Specific Hearings 3 and 5, HCC recognises no obvious and insurmountable impediment to such off-site mitigation being secured through a Section 106 agreement. Such a vehicle would not require any amendment to the order limits or significant change to the dDCO.</p> <p>Concerns expressed about the efficacy of HCC's proposed additional requirement for the rebuilding of the Earl de Grey on land outwith the order limits would also be addressed thereby. No additional permission beyond the order limits would be required, as the proposed S.106 agreement would facilitate the Applicant's utilisation of the existing HCC consents.</p> <p>Within HCC's written submission at both Deadline 3 and Deadline 4, concern was expressed about the absence of information within the submission on the impact upon or mitigation in connection with the Earl de Grey, and the absence of evident compulsion upon the undertaker to implement every work listed under authorised development at schedule 1 of the dDCO, or indeed any such work to its full extent. Consequently, such an obligation under S.106 may be considered necessary to address such</p>

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			<p>concerns. HCC would be pleased to work with the Applicant, landowner for the HCC approved scheme, and Historic England on the content and wording of a draft S.106 agreement, and could submit its recommendations for such a draft to the ExA .</p> <p>The HCC approved scheme has been through full public consultation, and in so doing has garnered the approval and support of Historic England, The Georgian Society, and Hull Civic Society, and attracted no outstanding objections despite widespread consultation. It has been assessed as constituting less than substantial harm to the the Earl de Grey by the applicant's expert heritage consultants, HCC's own conservation officers, and Historic England, and would serve to minimise harm to the significance of the heritage asset in question, constituting the optimal available mitigation for the scheme's currently proposed impact upon the same.</p>
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'.  In view of this:  • Please provide your views regarding the</p>	<p>It is difficult to fully understand the impact of the utilities upon Beverley Gate without detailed knowledge of the extent of works. However, HCC understand that although the final design for the required utilities is not yet available, it is believed that there is adequate spare capacity in the existing duct network to accommodate the cables required.</p> <p>If the impact upon the Scheduled Monument is not clear by the close of the examination, this could be addressed through amended wording to Requirement no. 9 on Archaeological Remains, to ensure that the design, along with mitigation works, are agreed by Historic England.</p>

ExQ2	Question to:	Question:	HCC response:
		<p>degree of detail and certainty regarding the effect on the Scheduled Monument that is necessary in order for development consent to be granted.</p> <ul style="list-style-type: none"> <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>	
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>	<p>Following the issue specific hearing sessions in June, the undertaker has provided imagery (see appendix A, image ) of an example of a central barrier from another city centre location (namely Liverpool) for discussion with a view to identifying a mutually agreeable solution. The example forwarded depicts a trief kerb atop which a pedestrian guardrail can be installed. The Council favours this design solution in principle, and has identified an example of a higher specification but not bespoke guardrail design ( see appendix A, image 2) which, subject to agreement, and confirmation of colour and finish, it would support along the centre line of the raised and kerbed central island, in combination with a high containment (trief) kerb, as appropriate to the location and context of the improvement scheme.</p> <p>A subsequent design meeting with Highways England held on the 27<sup>th</sup> July was positive and constructive in affording a more informed understanding of both parties imperatives and concerns, and in exploring and in some cases discounting potential barrier solutions. As reported at Deadline 4 and Issue Specific Hearing 5, further assessment and analysis information to be provided by the Applicant is still awaited.</p> <p>The Applicant has suggested that the trief kerb and guardrail combination described could be limited to the extent of the improvement scheme which abuts the Old Town Conservation</p>

ExQ2	Question to:	Question:	HCC response:
			<p>Area, with a concrete barrier employed elsewhere, and at Issue Specific Hearing 5, it was suggested that HCC has been inconsistent regarding the physical extent along the improvement scheme to which its concerns over the impact of the proposed concrete barrier relate. HCC would draw the ExA's attention to the content of its submissions in the draft SoCG (Draft DCO Schedule 2 Part 1 Article 12) at Deadline 1, LIR (pages 18, 21, 59), ExQ1 (response to 1.4.1.), Post Issue Specific Hearing at Deadline 3 (para. 1.1), and Written Submission at deadline 4 (page 13).</p> <p>Whilst HCC has appropriately emphasised the sensitivity of the Conservation Area within its submissions and at earlier issue specific hearings, it has also been consistent in expressing concern over the potential impact of the proposed concrete barrier on the settings of listed and locally listed heritage assets, which extend beyond the Old Town Conservation Area, indeed virtually from the western extent of the improvement scheme within the city's boundary to the eastern extent.</p> <p>Similarly, the Council has from the outset, expressed concern over the impact of the same on visual amenity within the city centre, and the built environment generally, and its effect on the enhanced connectivity and severance reduction objective of the scheme, from both visual and psychological perspectives.</p> <p>This is particularly concerning from a socio-economic perspective with regard to the Thornton Estate, to the west of Mytongate, and outside of the Old Town Conservation Area. The prospect of the improvement scheme delivering a perceived increase in visual severance through the introduction of a solid, and utilitarian central reserve, of patently inferior material and design quality to that used elsewhere along the corridor, interfacing with one of</p>

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			<p>the most deprived residential areas within the city, would seem wholly inappropriate to HCC. Such a move would fail to ensure that the benefits set to accrue from the scheme would be delivered, and perceived to be delivered, in an inclusive and progressive manner, but would risk reinforcing, or being seen to reinforce, the exclusion and marginalisation of more disadvantaged communities, disconnecting the neighbourhood from existing economic activities to the south of the A63, including the future redevelopment and regeneration potential of the proposed compound site at Waverley Street.</p> <p>The Applicant, at the design meeting referred to, identified a need to protect a central pier, located in the underpass, and required to support the proposed Mytongate overbridge. HCC have requested that justification for this measure be provided, along with a reasoned explanation of the minimum effective length of linear protection to either side of the pier, in order for the townscape and visual impacts of any such structure to be minimised, both within but particularly beyond the limits of the Mytongate overbridge, and awaits receipt of that information.</p> <p>In advance of such receipt, and from its own desktop review and reference to multiple locations elsewhere on the Strategic Road Network, HCC find it difficult to envisage that such a barrier would need to extend beyond a relatively short distance from the central pier referred to.</p> <p>HCC hope that the outstanding information referred to is provided by the Applicant as soon as possible, and in advance of Deadline 6, to enable due consideration and response, given that concern over the barrier has been long held, and that those concerns were first raised formally, as part of this process, at Deadline 1.</p>



ExQ2	Question to:	Question:	HCC response:
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>	<p>HCC wishes to reiterate that this element of the scheme remains a distinct and fundamental concern. Given the removal of at grade NMU crossings over the A63 at the eastern end of the city centre, this route is set to become critical in connecting the city centre to its waterfront and associated regeneration areas, and providing an accessible alternative for all users, both during construction and operation.</p> <p>HCC consider that an environmental upgrade of the underpass is justified and necessary for the scheme to deliver truly on its objective to enhance connectivity, and mitigate for extended travel distances for NMUs, and comply fully with the DfT’s Cycling and Walking Investment Strategy, the Applicant’s Accessibility and Cycling Strategy, paras.3.16 and 3.17 of the NN NPS, and Policy 25 of the Local Plan.</p> <p>In the continued absence of sufficient design details for the proposed base scheme, and reliance on frozen designated funds for uplift, notwithstanding constructive consultation around the issue with the both council officers and representatives from HAIG, including a beneficial walk through held on 2nd July, and discussion around broad design principles at a subsequent landscaping design meeting, HCC consider that it is essential that the additional requirement features within the DCO.</p> <p>The Council and its partners in the ‘Living with Water’ project have identified the underpass as a location suitable to benefit from secured public art funding associated with flood risk and water management. Adjacent to the River Hull and near to its confluence with the Humber estuary, in the shadow of the River Hull tidal surge barrier, and on one of the main pedestrian approaches to the Deep aquarium, the site is considered to have great potential, and the Council is very keen to work with the</p>

ExQ2	Question to:	Question:	HCC response:
			Applicant to pool ideas and resources towards maximising the quality of experience for route users.
2.7.3.	The Applicant, HCC	<p><b>Article 35 – Trees</b> Should Article 35 and/or Requirement 5 include additional protection for trees which are the subject of a preservation order?</p>	HCC consider that it would be appropriate for Article 35 to include additional protection for trees which are the subject of a tree preservation order, given that the article confers powers to carry out works to any tree within the order limits. Such an amendment would also have effect through paragraph 5(3)(c) of Requirement No.5.
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>	<p>Although this question is directed to the Applicant only, HCC wish to provide written comment on the matter. This issue has become of increasing concern to the Council, due to the absence of clarification and further information to address points raised by HCC in previous submissions, and inconsistencies apparent within the applicant’s submission.</p> <p>In terms of the latter, HCC draws the ExA’s attention to the submitted Environmental Statement at:</p> <p>Para. 2.6.50 which describes how a ‘combined footway and cycleway along the length of both sides of the A63 would be provided where possible as shown on Volume 2, Figure 2.5 Sheets 2, 3 and 5 The Scheme proposals. The shared facility would generally be 3m wide, however there are some locations where space is restricted and the width would be reduced to a minimum of 2m as follows:</p> <p>.....</p> <ul style="list-style-type: none"> <li>• in front of Humber Dock Marina, Holiday Inn and Trinity Burial Ground on the south side of the A63 for approximately 400m</li> </ul>

ExQ2	Question to:	Question:	HCC response:
			<ul style="list-style-type: none"> <li>• adjacent to Kingston Retail Park and in front of Arco on the south side of the A63 for approximately 450m;</li> </ul> <p>Para. 2.6.52 which describes cycle and pedestrians would ‘..re-join the A63 either via Queen Street or by continuing along Blanket Row and Humber Dock Street..’;</p> <p>Table 14.10 which describes upgrades from footway to combined footway and cycle path at locations 3 and 19 along the A63;</p> <p>Para. 15.7.6 which states that ‘A combined footway and cycleway would be provided on both sides of the A63, along its length..’;</p> <p>Table 15.11 which describes upgrades along the A63 to provide a continuous combined footway cycleway in the context of access to the Holiday Inn;</p> <p>Table 15.13 which describes combined footway and cycleway in the context of locations 17 and 19;</p> <p>Para 15.9 and table 16.8 which state that ‘adverse effects would be partially offset through the provision of upgraded facilities such as the combined footway and cycleway on either side of the A63’.</p> <p>HCC consider that it is essential that the scheme delivers credible improvements to enable and encourage journeys to be made both on foot and by cycle, not least given that one of the scheme’s stated objectives is to reduce severance through improved connectivity.</p>

ExQ2	Question to:	Question:	HCC response:
			<p>The proposed landmark Princes Quay Bridge will facilitate vastly improved connectivity in an inclusive, attractive, and safe manner, but in order for such benefits to be realised to their maximum in the interests of sustainable development, it is essential that the scheme provides the means to travel to and from it, within the area of the DCO scheme itself, with connections onwards to the local authority network. The provision of such comprehensive infrastructure is consistent with DfT's Cycling and Walking Investment Strategy, the Applicant's Accessibility and Cycling Strategy, paras.3.16 and 3.17 of the NN NPS, and Policy 25 of the Local Plan, which to seek to ensure that sustainable travel (particularly for shorter journeys) by both pedestrians and cyclists is something of a default option. This is particularly important in a city where travel to work by cycle, and cycling activity in general remains one of the highest in the country.</p> <p>In previous submissions, HCC has recognised that the improvement scheme, in general terms, is supportive of the regeneration of the City's waterfront, Fruit Market and Digital Quarter, and objectives for economic growth, tourism, and cultural and leisure activity in the city centre, supporting the delivery of development sites allocated in the local plan, including 2,500 new homes within the city centre. A significant proportion of this growth is planned, programmed, or emerging to the south of the A63, and otherwise alongside or proximate to the A63 corridor. This is expected to result in significant increases in demand for relatively short and local journeys to and from the various development parcels, and existing employment, leisure, and residential accommodation, as well as the transport interchange, with an uplift during the traditional commuter peak hours, the shoulder periods due to flexible working hours, and at weekends and evenings, accessing the city's retail, leisure and</p>

ExQ2	Question to:	Question:	HCC response:
			<p>cultural offer.</p> <p>Princes Quay Bridge and its interconnectivity with surrounding networks will be critical to accommodating this predicted and policy-aligned growth in demand. An example of such a redevelopment and derived demand would be the scheme-related office development at Blackfriargate for ARCO, set to host In the region of 500 employees, with a Travel Plan to be developed to ensure that travel by sustainable modes is encouraged and facilitated, and cycle parking to be provided on-site.</p> <p>The provision of an improved, well-connected network including the south side of the A63 is particularly important given the fact that potential alternative routes through the Fruit Market area display a lack of cycling facilities, prohibitive orders, inappropriate materials, and in the case of Wellington Street, the impediment of a route over the lock gates, providing a circuitous alternative with the deterrent, particularly in the summer months, of regular lock openings to allow the movement of vessels in and out of the marina.</p> <p>Taking all of these factors into account, HCC consider it imperative that the scheme delivers the maximum benefit for pedestrians and cyclists, and consequently the Non-Motorised User routes within the scheme must provide for access and movement on both the north and south sides of A63, and clear and direct access to Princes Quay Bridge from both east and west on both sides of the trunk road.</p> <p>It is accepted that the provision of NMU routes on both sides of Castle Street will be in the form of shared facilities, used also by pedestrians, and HCC are aware and familiar with relevant</p>

ExQ2	Question to:	Question:	HCC response:
			standards, guidance, and best practice, including the Design Manual for Roads and Bridges, and the scope for professional interpretation therein. HCC would welcome the Applicant providing further information at the earliest opportunity, setting out the scope and extent of proposed pedestrian and cycle facilities, with a view to identifying optimal design solutions informed by local circumstance and knowledge.
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>	<p>HCC understand that the Applicant has concerns about the potential for vehicular traffic to back up on the off-slip roads, possibly affecting the main A63 carriageway.</p> <p>Should controlled crossings be retained/provided, the situation described above may have the potential to compromise highway safety in terms of shunt accidents.</p> <p>Should controlled crossings not be retained/provided in these locations, as identified the safety audit, there is a significant risk to the safety of NMUs seeking to cross Market Place or Queen Street in an east-west direction. The scheme removes the at grade crossing between Market Place and Queen Street, thereby placing greater emphasis on E-W NMU movements in order to access alternative crossing points at Princes Quay Bridge and the High Street underpass. In addition, the proposed upgrade of the carriageway footpath along the northern side of the A63, (and notwithstanding a lack of consistency within the Applicant's submission in this respect, HCC hopes and expects along the southern side of the A63 also) to shared user standard for cyclists and mobility scooter users, will also see the latter two categories of travellers approaching the crossings at higher speeds, with the lack of control compromising connectivity, and disincentivising usage when vehicular traffic flows are heavy, and removing the</p>

ExQ2	Question to:	Question:	HCC response:
			<p>certainty which a controlled crossing provides in directing cyclists and mobility scooter users to proceed or stop, thereby increasing the likelihood of collisions with oncoming vehicles.</p> <p>Loss of controlled crossings would also put at risk more vulnerable users, including those with mobility issues, and visual and hearing impairments, already subject to further travel distances as a consequence of the scheme, removing confidence over when it is safe to cross, and certainty over time available to do so.</p> <p>HCC's concerns in this regard are compounded by related concerns over speed limit demarcation discussed in response to ExQ2 2.8.3. below, and the absence of progress on this issue, despite it having been raised in the SoCG at Deadline 1.</p>
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>	<p>The timing of any decision relating to the potential repositioning of speed limits is not within HCC's control, though it is noted that the issue was raised by the Council prior to Deadline 1, as evidenced by the content of the SoCG at that time.</p> <p>The Traffic Regulation Plans will need to be revised to reflect the requested changes to the slip road speed limits.</p>
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>	<p>HCC consider that the non-exhaustive Temporary Traffic Management measures identified in section 1.6 of REP3-215 referred to should form part of the Traffic and Transport Management Plan (TTMP) to be secured under Requirement 4. (2)(d)(xv) as part of the Construction and Handover Environmental Management Plan. Within section 1.6 referred to, HCC were seeking to emphasise the need for the TTMP to remain an adaptable, live document throughout the construction period, to ensure that unexpected events and consequences, and any</p>

ExQ2	Question to:	Question:	HCC response:
			deviation between modelled and actual outcomes can be effectively responded to.
2.8.5.	The Applicant and HCC	<p><b>Weight restrictions</b> Why are weight restrictions shown on the Traffic Regulation Plans (e.g. Princess Dock Street) now that there is no longer any schedule within the DCO specifying a weight restriction?</p>	HCC cannot directly account for the continued presence of identified weight restriction zones on the Traffic Regulations Plans, but knows of no requirement or justification for the same, and assumes that simple oversight is responsible for the Applicant not removing such restrictions from the plans in question.
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 documentation?</li> </ul>	<p>The Princes Quay bridge element of the scheme was brought forward in advance of the main improvement scheme with the benefit of funding from the LEP, and on the understanding that the bridge could be delivered and, subject to the outcome of the DCO process, serve as a fundamental element of that, or operate functionally, and within the surrounding cityscape, independently of the main scheme.</p> <p>As approved, the footbridge approach from the north-west was faced with the base of a series of steps leading up to the intermediate ramp platform, giving very clear legibility along a logical desire line, whilst gradating the bulk and sheer face of the northern retaining wall, itself mitigated by a lower walled planter alongside the face of the main wall (see appendix B image 1).</p> <p>Prior to the submission of the DCO application, the local planning authority received an application for a non-material amendment to the original planning permission for the bridge, which described the loss of the lower planter, and a re-orientation of the ramp access steps. The NMA application form submitted describes the rationale behind the amendments on the basis of alignment with future design of the A63. Although the LPA were not at this stage privy to the draft designs, or indeed the extent of land to be including within the order limit envelope and therefore what</p>



ExQ2	Question to:	Question:	HCC response:
			<p>flexibility had been factored in to accommodate NMU routing approaching and around the bridge, nor the routing strategy within the emerging main scheme, discussions at the time and subsequently have revealed that the amendments were sought in order to accommodate the number of carriageway lanes required for the main scheme, along with sufficient width along the adjacent carriageway for shared cycle and pedestrian use. The north-western approach to the bridge is depicted with an existing footpath terminating in the region of the base of the steps as re-orientated 'to be retained' (see appendix B image 2).</p> <p>On submission of the improvement scheme application, and submission perusal of the application plans and supporting documents, it became apparent that the NMU routing as described would require users to make an acute right angled turn from the NMU route shown adjacent to the A63 carriageway in order to access the steps or indeed the secondary ramp beyond. This is in part due to the fact that the parcel of land to the south of the Princes Quay shopping centre car park, namely land parcel 5/2c, is identified to be occupied or used in connection with the scheme for a temporary period of time only. This outcome is of concern to the Council in terms of legibility, given the significance that this route is set to take on as a key connection across the A63 between Paragon transport interchange, past the Bonus Arena to the bridge and the Marina, Fruit Market, and Victoria Dock Village beyond. The diminished user experience and weakened legibility would be compounded by the impact of the resultant high blank corner wall which would present on approach due to the re-orientation of the steps. Furthermore, the acuteness of this angle and the impact of the high wall on legibility raises the potential for travellers, particularly the partially those with visual impairment, cognitive impairment, or cyclists and mobility scooter users</p>

ExQ2	Question to:	Question:	HCC response:
			<p>travelling at any speed to miss the turn and consequently direct and convenient access to the bridge (see Appendix B images 3 &amp; 4).</p> <p>At this juncture, the Council can report that constructive discussions held with the undertaker have resulted in the tabling of an amended draft design by the later, which the Council, subject to confirmation of final design details, can support, and which address, in large measure, the concerns described above, by returning the steps, albeit in a different position and arrangement, to their original orientation.</p> <p>In developing this revision, the Applicant identified a pinch point between the foot of the re-orientated steps as described, and the corner of the retaining wall to land parcel 5/2c. The Council owns the freehold of the land in question, and an agreement between the Council and the relevant leaseholder over the control of that land is imminent, which would enable the Council to facilitate the provision of a more generous approach route and remove the identified pinch-point.</p> <p>Subject to the completion of the agreement referred to above, understood to be imminent, a further non-material amendment submission to the local planning authority would be required in order to enable the works on site to continue in advance of the SoS's determination of the DCO application. HCC understand that the Applicant is about to submit this NMA application in the coming days, and HCC will forward relevant details to the ExA, both upon receipt and following determination.</p> <p>Similarly, the Council would recommend that the relevant plans and drawings which depict the bridge steps and the NMU route</p>

ExQ2	Question to:	Question:	HCC response:
			connection with the same be amended to reflect the changes described.
2.8.7.	The Applicant, HCC, HAIG, East Yorkshire and Derwent Area Ramblers	<p><b>NMU Connectivity</b></p> <p>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>	HCC consider that no changes to the submitted dDCO and accompanying documentation in connection with details requested within section 1.3 to REP3-215 are required at this stage in proceedings. Rather, such details should be included within the Traffic and Transport Management Plan (TTMP) to be secured under Requirement 4. (2)(d)(xv) as part of the Construction and Handover Environmental Management Plan.
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>	<p>To date, HCC have yet to receive any further information from the Applicant relating to traffic modelling or specific mitigation measures for the Daltry Street roundabout and/or routing to Kingston Retail Park during construction.</p> <p>HCC are unable to comment on the likelihood or degree of progress having been made in this respect prior to the close of the examination.</p> <p>HCC consider that the most appropriate means of capturing such measures through the DCO and/or associated documents would be their inclusion within the Traffic and Transport Management Plan (TTMP) to be secured under Requirement 4. (2)(d)(xv) as part of the Construction and Handover Environmental Management Plan.</p>
2.10.1.	The Applicant, HCC	<p><b>Early warning flood signage</b></p> <p>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</p>	<p>HCC are of the view that the project should include the provision of early warning signage for the reasons discussed at the Issue Specific Hearing 2 on Water and Flood Risk, and within section 2.3 referred to.</p> <p>HCC consider that the most appropriate vehicle for addressing such provision through the DCO and/or related documents would</p>

ExQ2	Question to:	Question:	HCC response:
		DCO and/or related documents?	be inclusion within the Flood Emergency and Evacuation Plan (FEPP) to be secured under Requirement 4. (2)(d)(xvii) as part of the Construction and Handover Environmental Management Plan.

**APPENDIX A**

**Image 1 – Trief Kerb example**



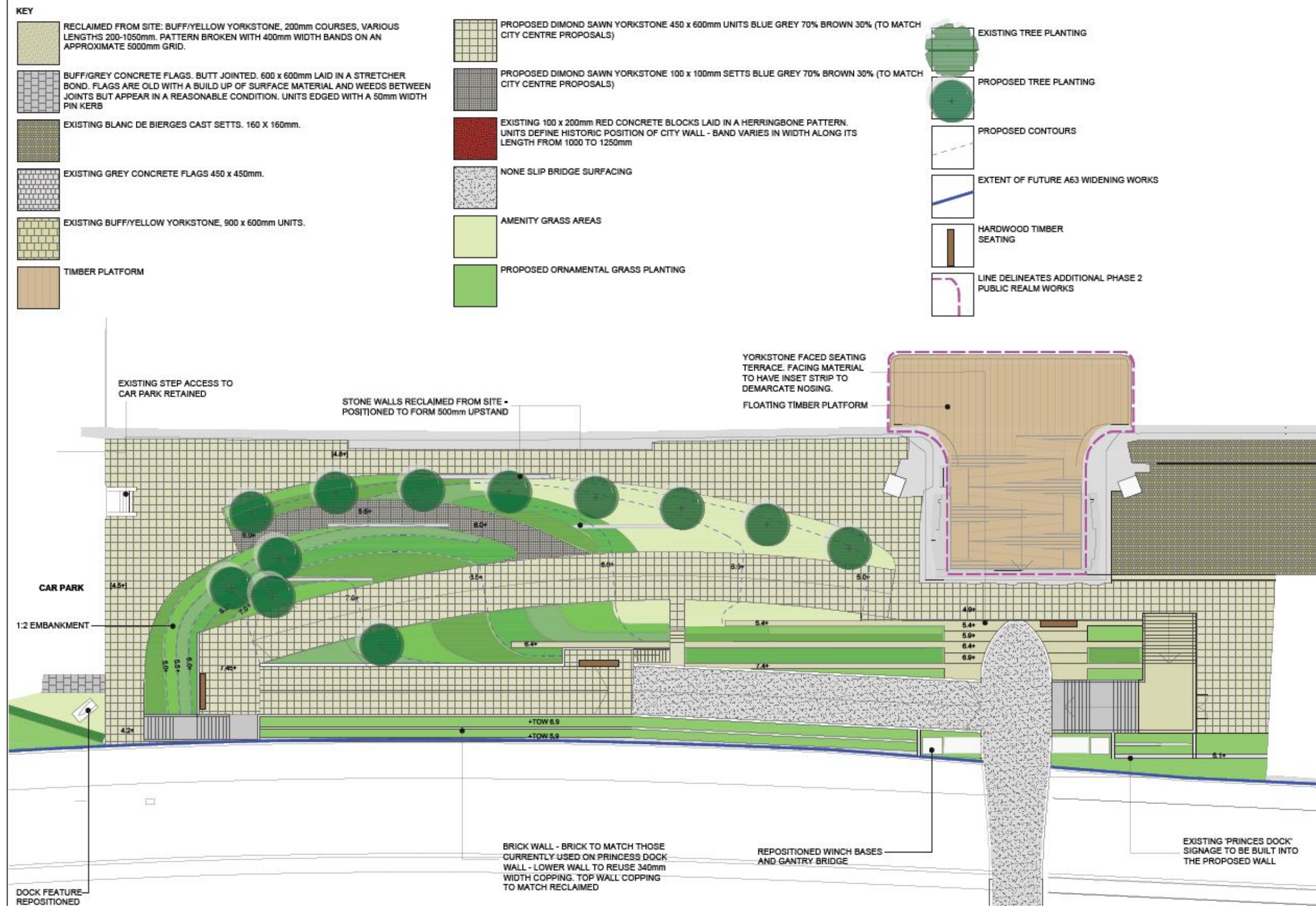
APPENDIX A

Image 2 – Example pedestrian guardrail. Hugh Logan Engineering – Hamilton




## APPENDIX B

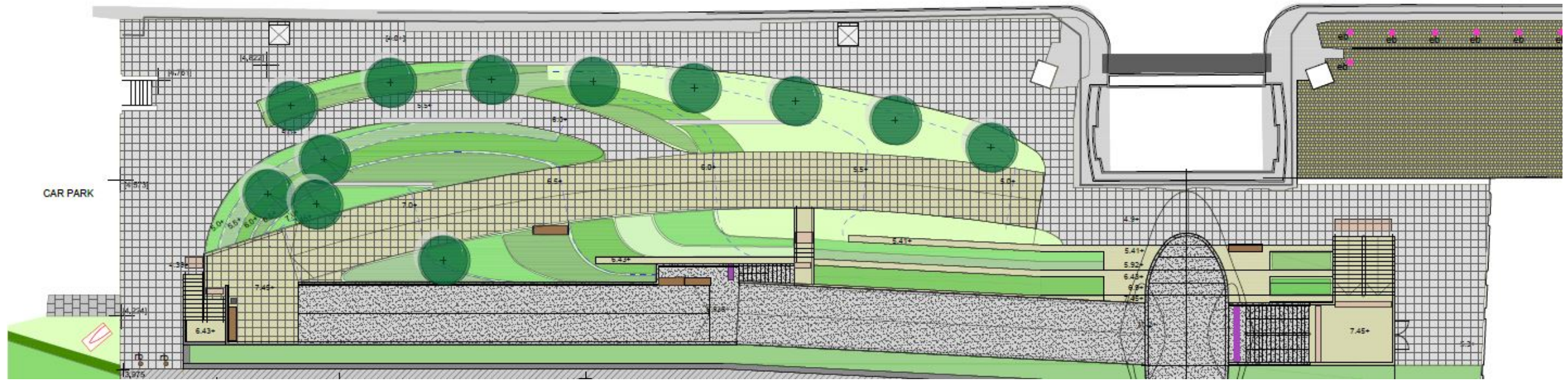
**Image 1 – extract of originally approved plan showing NW steps arrangement.**



## APPENDIX B

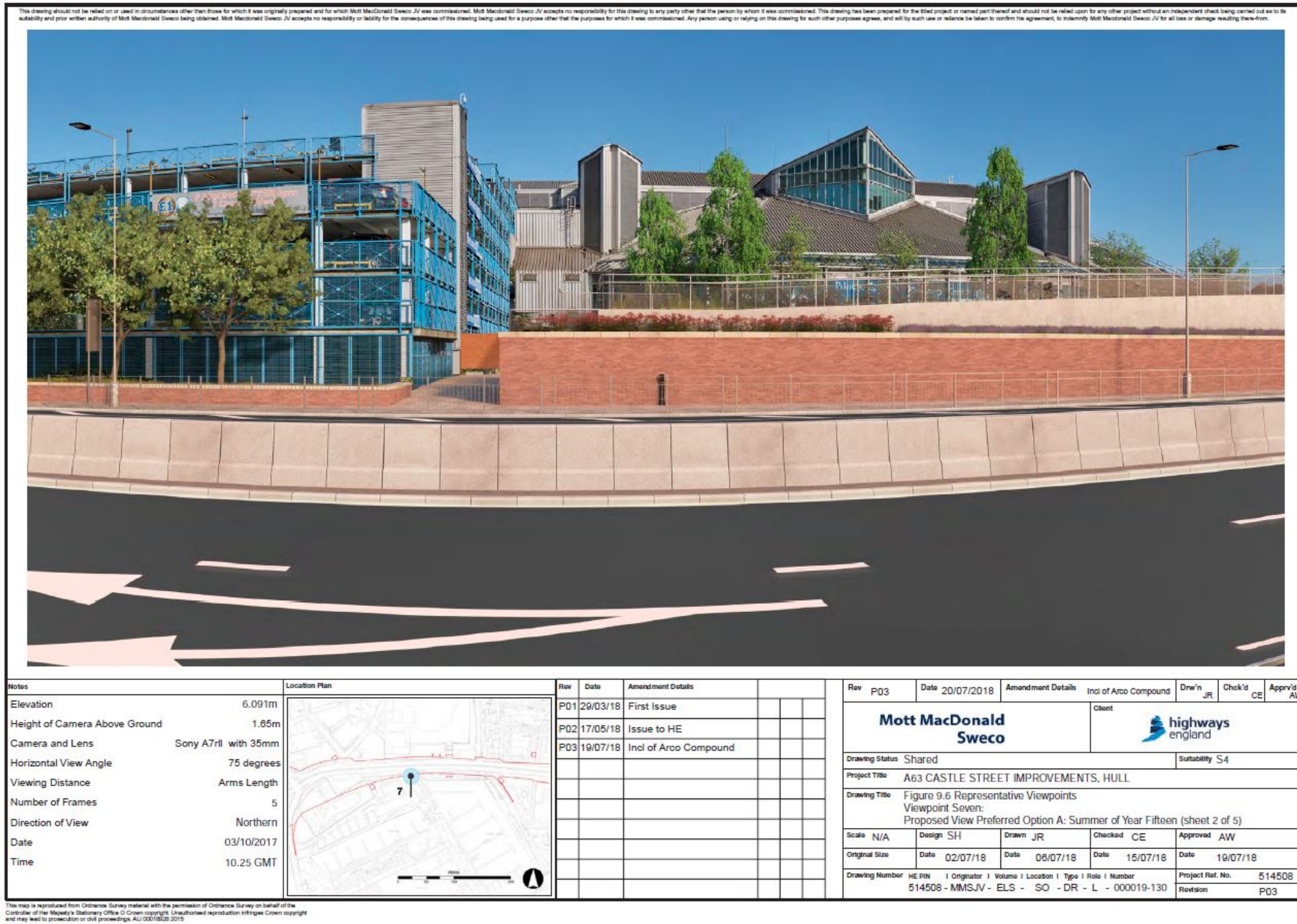
**Image 2 – Extract from approved NMA plan showing steps reorientated.**

<p><b>KEY</b></p> <div style="display: flex; flex-direction: column; gap: 5px;"> <div> RECLAIMED FROM SITE: BUFF/YELLOW YORKSTONE, 200mm COURSES, VARIOUS LENGTHS 200-1050mm. PATTERN BROKEN WITH 400mm WIDTH BANDS ON AN APPROXIMATE 5000mm GRID.</div> <div> EXISTING AND RETAINED IN SITU: BUFF/YELLOW YORKSTONE, 200mm COURSES, VARIOUS LENGTHS 200-1050mm. PATTERN BROKEN WITH 400mm WIDTH BANDS ON AN APPROXIMATE 5000mm GRID.</div> <div> GREY PAVING FLAGS - 850 x 600mm. RETAINED INSITU</div> <div> EXISTING BLANC DE BIERGES CAST SETTS. 160 x 180mm.</div> <div> EXISTING BUFF/YELLOW YORKSTONE, 900 x 600mm UNITS. REMAINING IN SITU AND REUSED TO INFILL REVISED AREAS</div> <div> EXISTING DECK</div> <div> HARDSCAPE: KELLEN GRIJS PAVING BLOCKS 100x300x80mm</div> </div>	<div style="display: flex; flex-direction: column; gap: 5px;"> <div> PROPOSED DECK</div> <div> HARDSCAPE: MAGMA GRANITE PAVING SLABS 200x200-500x80mm</div> <div> HARDSCAPE: CHARCOAL GRANITE PAVING SETTS 100x200x80mm</div> <div> EXISTING 100x200mm RED CONCRETE BLOCKS LAID IN A HERRINGBONE PATTERN. UNITS DEFINE HISTORIC POSITION OF CITY WALL - BAND VARIES IN WIDTH ALONG ITS LENGTH FROM 1000 TO 1250mm</div> <div> NONE SLIP BRIDGE SURFACING</div> <div> BROWNRED BLOCK PAVING RETAINED INSITU</div> <div> CHARCOAL GREY GRANITE BLOCKS 130 x 200mm RETAINED INSITU</div> </div>	<div style="display: flex; flex-direction: column; gap: 5px;"> <div> 100 x 200mm YELLOW CONCRETE BLOCKS LAID IN A HERRINGBONE PATTERN RETAINED INSITU</div> <div> BLISTER PAVING BLOCKS - RETAINED INSITU</div> <div> BLACKTOP SURFACE</div> <div> PROPOSED CONTOURS</div> <div> HARDWOOD TIMBER SEATING</div> <div> HAZARD WARNING PAVING, MAGMA GRANITE</div> <div> HAZARD WARNING PAVING, GRP CORDUROY, GREY</div> </div>	<div style="display: flex; flex-direction: column; gap: 5px;"> <div> EXISTING (3.943)</div> <div> PROPOSE (FOR CON) 4.055</div> <div> BINS: BAIL</div> <div> EXISTING</div> <div> PROPOSE rb</div> <div> REPOSITI</div> </div>
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## APPENDIX B



**Image 3 – Figure 9.6 Representative Viewpoints Viewpoint Seven: Proposed View Preferred Option A: Summer of Year Fifteen (sheet 2 of 5)**

APPENDIX B

Image 4 – Extract from NMU provisions 2.6 - NON MOTORISED USER ROUTE PLANS REGULATION 5(2)(o) SHEET 5 OF 6

