

# **A19 / A184 Testo's Junction Improvement TR010020**

**7.15 Written Submission of Applicant's case put orally at Issue Specific Hearing (2)  
into the interrelationship of major proposals in the area, environmental and  
landscape/visual impact assessment issues on 17 January 2018**

Planning Act 2008

Rule 8(1)(k)

Infrastructure Planning (Examination Procedures) Rules 2010





## **Infrastructure Planning**

### **Planning Act 2008**

#### **The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009**

# **A19 / A184 TESTO'S JUNCTION IMPROVEMENT**

## **The A19 / A184 (Testo's Junction Improvement) Development Consent Order 201[ ]**

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**WRITTEN SUBMISSION OF APPLICANT'S CASE PUT ORALLY  
AT ISSUE SPECIFIC HEARING (2) INTO THE INTERRELATIONSHIP OF  
MAJOR PROPOSALS IN THE AREA, ENVIRONMENTAL AND  
LANDSCAPE/VISUAL IMPACT ASSESSMENT ISSUES ON 17 JANUARY 2018**

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| <b>Author:</b>                                | A19 Project Team, Highways England & Jacobs |

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## **A19/A184 TESTO'S JUNCTION IMPROVEMENT SCHEME (THE SCHEME)**

### **ISSUE SPECIFIC HEARING 2**

**17 JANUARY 2018 AT 10:00**

**ROYAL STATION HOTEL, NEWCASTLE**

#### **1 Introduction**

- 1.1 This document summarises the case put by Highways England (**the Applicant**), at the Issue Specific Hearing (**ISH 2**) which took place at the Royal Station Hotel, Newcastle on 17 January 2018.
- 1.2 In what follows, the Applicant's submissions on the points raised broadly follow the Agenda for ISH 2 set out in the Examining Authority's (**ExA**) letter which was published on the Planning Inspectorate's website on 9 January 2018.

#### **2 Agenda Item 1 - Welcome, Introductions and Arrangements for ISH 2**

- 2.1 Tom Henderson (**TH**), Partner at Bircham Dyson Bell LLP, who was representing the Applicant at ISH 2, introduced the Applicant. In particular, TH introduced Phil Emison (**PE**), a Senior Agent within the Infrastructure Division at Costain, who TH noted would speak on construction matters, Matthew Sinnott (**MS**), the Traffic and Economic Lead at Arup who would speak to the traffic case for the Scheme, Dan Johnston (**DJ**), a Senior Consultant at Jacobs, who TH noted would speak on matters relating to environmental assessment matters and the Environmental Statement (**ES**) (**document reference TRO10020/APP/6.1**) and Paul Ahdal (**PA**), Projector Manager for the Applicant who could speak on matters pertaining the inter-relationship between the Applicant's forthcoming schemes.
- 2.2 TH discussed a preliminary matter in relation to the early utility diversion works being carried out by Northern Powergrid (**NPG**) which the ExA had observed during his Accompanied Site Inspection (**ASI**). TH confirmed that it was the Applicant's understanding that these were being carried out under NPG's permitted development rights, a submission which was confirmed by South Tyneside Council (**STC**) at ISH 2.

#### **3 Agenda Item 2 – Traffic case for the Scheme**

- 3.1 MS set out the traffic case for the Scheme. MS noted that the need to upgrade the Testo's junction was identified in the Tyneside Area Multi Modal Study in 2002 as part of a package of improvements to the A1 and A19 which also included the construction of a second Tyne Tunnel. It is the last at grade junction on the A19 between Dishforth and the Tyne Tunnel (see paragraph 2.1.1-2.1.3 of the Planning Statement (**document reference TR010020/APP/7.1**) for the history and context of the Scheme).
- 3.2 Para 1.9.2 – 1.9.7 of the Transport Assessment Report (**document reference TR010020/APP/7.4**) present the existing traffic flows and queues at the Testo's junction. The second Tyne Tunnel opened in 2011 and the effect of the resultant traffic growth from the Tyne Tunnel can be seen at the Testo's junction. In the peak hour the observed growth is between 19% and 28%. In particular the

A19(T) North approach shows growth of greater than 50% in the peak AM period. MS noted that this increase in traffic flow results in queues and delays at the Testo's junction. Queues of 250m or more were consistently reported at all approaches to the junction during peak AM and PM times. This shows that the Testo's junction is congested during peak periods and cannot cater for any more traffic growth.

- 3.3 Contractors were appointed by the Applicant in 2002 to assess improvement options including A19 north/south grade separation – on and offline line schemes together with east/west and south to west separations (see further Chapter 3 of the Planning Statement).
- 3.4 North/south grade separation has been seen consistently as the preferred solution as this traffic movement dominates the Testo's junction, as confirmed by 2014 traffic surveys (paragraph 1.8.1 to 1.8.3 and Tables 1 to 3 of the Transport Assessment shows that the major movements at the junction are between the A19 north/south approaches). It is for this reason that east-west overbridge is not the optimal solution: only 12% of vehicle movements are along this path compared with 45% on the north/south approaches. This confirms, from a traffic case perspective, that the conclusions drawn from the optioneering exercise remain valid. The preferred solution has, further, consistently met with approval at public consultation.
- 3.5 The impact of the Scheme on traffic flows and journey times is informed by the extensive modelling exercise undertaken in support of the traffic and economic assessment of the Scheme. This includes forecasts based on inputs from the National Trip End Model and the National Transport Model which expect car kilometres to increase by 25% between 2012 and 2036, the design year for the scheme. By 2036, the design year, with the scheme in place traffic flows increase by more than 37% in the peak hours compared to the 2012 base scenario. However, due to the transfer of trips onto the mainline flyover traffic flow on the roundabout has decreased by more than 25% in the peak hours. As a consequence the Scheme has a significant effect on reducing the delay on all arms of the junction. By 2036, the average peak hour delay is reduced by the Scheme from over 4 minutes to 45 seconds (see further paragraph 3.1 to 3.3.2 of the Transport Assessment Report).
- 3.6 The economic assessment of the Scheme has been based on a 60 year appraisal period. The assessment considers the calculation of impacts, both positive and negative, that are typically expressed in monetary terms. This includes the capital cost of the Scheme and tax revenues generated by the Scheme, and compares them against benefits such as travel time and accident savings. The results of the assessment shows a BCR of 3.43 which represents high value for money (see paragraph 4.1.1 to 4.2.6 of the Planning Statement).
- 3.7 MS confirmed that the traffic case for the Scheme would remain valid if the Downhill Lane Junction improvement scheme (**DLJ**) was not progressed (see paragraph 2.8.1 of the Transport Assessment Report).

#### **4 Agenda Item 3 - Environmental Effects**

##### **Item (a) – Construction Noise**

- 4.1 The ExA was directed to paragraphs 12.7.23 to 12.7.22 of Environmental Statement Addendum (**ESA**) (**document reference TR010020/APP/6.11**), including Table 12-8, which identify the impacts identified through the assessment of construction noise. Table 12-7 of the ESA and Appendix 12.5 of

the ES (**document reference TRO10020/APP/6.3**) set out the construction information on which the assessment was based.

- 4.2 Mitigation for construction related noise is described in paragraphs 12.8.1 to 12.8.5 of ESA and the assessment of the significance of impact is given in paragraphs 12.10.1 to 12.10.3 of the ESA. Table 4 of the outline Construction Environmental Management Plan (**CEMP**) (**document reference TRO10020/APP/7.2**) sets out 'Disturbance to sensitive receptors due to Construction Phase Noise and Vibration' as an environmental risk.
- 4.3 Table 5 of the CEMP sets out 'Construction noise and vibration affecting residential locations' as an 'impact/potential impact' and notes 'Location specific measures to be developed in Dust Noise & Nuisance Management Plan in line with good construction practise' as the summary of mitigation. PE noted that for those sensitive receptors which would be particularly affected, Appendix G of the CEMP sets out the best practices that would be followed including but not limited to:
- 4.3.1 Control at source (e.g. silencers, vibration dampers, enclosure, construction method, selection of plant);
  - 4.3.2 Control along path of noise from source to receiver (e.g. barriers, screening, location of plant); and
  - 4.3.3 Control at receiver (e.g. noise refuges, ear defenders).
- 4.4 PE noted that some overnight activities in particular would affect West House Farm for short periods. During these periods, alternative accommodation would be offered to the occupiers. These overnight activities were necessary in order to avoid disruption on the strategic road network. PE stated that the Applicant would be providing the resident of West House Farm a letter of comfort setting out the procedures that would be followed (see **document reference TRO10020/APP/7.21**).
- 4.5 PE further confirmed that temporary land immediately adjacent to the lane at West Pastures, opposite West Pastures Caravan Site would be used for the storage of earthworks materials in the form of bunds which would give visual and acoustic relief throughout the construction period.
- 4.6 As regards the DLJ interface with the Scheme, the cumulative effects were assessed and reported in chapter 15 of the ES. TH noted that the use of the construction compound as part of DLJ had not been specifically assessed in the Scheme ES. This would of course be appropriately assessed and dealt with in the DLJ DCO. (*Post-hearing note – In ISH3, it was agreed that the Applicant would produce for the ExA a supplementary “desktop” note covering the cumulative effects of the Testos construction compound being used simultaneously for DLJ, based on current knowledge at Deadline 4*).

#### **Item (b) – Construction Air Quality**

- 4.7 PE noted that with mitigation measures, there would be no significant effects on air quality during the construction phase of the Scheme (Paragraph 6.7.3 of the ES). The relevant outline control measures are also set out in Appendix 6.6 of the ES and Appendix G of the CEMP. PE confirmed that it was not anticipated that anyone would require rehousing as a result of dust impacts.

#### **Item (c) – Construction Water Quality**

- 4.8 No submissions.

#### **Item (d) – Operational Noise Effects**

- 4.9 The ExA sought confirmation of the corridor of noise assessments undertaken, in particular whether this extended more than 100 metres from the A19. DJ confirmed that the receptor locations for the operational noise effects were Make Me Rich Farm, Scott House, West House Farm, 79 Fox Homes (Hayworth) (ESA Tables 12.5 and 12.6, and Figure 12.2). These include receptors both within and beyond 100m from the A19; for instance, Scot's House is located approximately 1km west of the A19. Monitoring locations were chosen to represent particular groups of receptors that were potentially vulnerable to the effects of the Scheme. The chosen individual receptor in each case is a 'worst case' example for the relevant group.. DJ informed the ExA that a much wider area (i.e. further than these receptors) was modelled (ESA paragraphs 12.4.4 and 12.4.5 for explanation of the noise study area and calculation area, and Figure 12.1).
- 4.10 TH confirmed that the single bridge option has been assessed in the ESA (see broadly, paragraph 1.4.4 of the ESA) in accordance with the Rochdale Envelope.
- 4.11 MS confirmed that the IAMP development was incorporated into the assessments undertaken for the Scheme. MS further stated the A1 Birtley to Coal House was outside of the detailed modelling area for the Scheme as its distance from the Scheme would not have made any difference to the traffic assessment. Accordingly A1 Birtley to Coal House would not affect the noise impact conclusions.
- 4.12 TH noted that no further monitoring is proposed for the operational noise impacts (Paragraph 12.9.2 of the ESA). (*Post-hearing note – this position has now been agreed with STC (document reference TR010020/APP/7.11(1))*).
- 4.13 The ExA queried whether the baseline noise assessment had been carried out in accordance with BS7445 (*post hearing note – the Applicant confirms that the baseline noise assessment was carried out in accordance with BS7445*).

#### **Item (e) – Operational Air Quality**

- 4.14 No submissions.

#### **Item (f) – Operation Water Quality**

- 4.15 DJ referred to the operational impacts as set out in paragraphs 14.6.1 and 14.6.7 - 14.6.34 of the ES. The section dealing specifically with the risks of pollutants and accidental spills affecting surface waters, including the River Don, is in paragraphs 14.6.21 to 14.6.29, and in Appendix 14.1 of the ES. DJ noted the Scheme will not result in additional pollutants but less pollutants so it can only contribute positively to reaching the goals under the Water Framework Directive (**WFD**).
- 4.16 DJ provided background on the HAWRAT risk assessment tool to place it in context. It is a risk assessment tool whose conclusions are 'pass' or 'fail' against each of the relevant categories. Any broader conclusions arising from this are drawn in Chapter 14 of the ES, rather than in the Appendix where the HAWRAT test results appear.

- 4.17 A 'fail' can indicate either an unacceptable impact, a need to move on to the next (more detailed) assessment step within HAWRAT, or a need to refer the situation to specialist judgement. The assessment is made against Environmental Quality Standards that are set with reference to the WFD.
- 4.18 For Testo's, a HAWRAT test for the existing situation showed that it would pass the HAWRAT test for the relevant dissolved pollutants (copper and zinc) but fail for sediment-bound pollutants. However, HAWRAT results for the proposed Scheme indicate that it would pass the test for the relevant dissolved pollutants (copper and zinc) and also for sediment-bound pollutants. This indicates that the Scheme would be compliant with the WFD and would result in an improvement on the existing situation and therefore can only contribute positively towards the goals under the WFD.
- 4.19 This test was performed without taking into account any effect from attenuation ponds, although these are included in the scheme design. Such ponds would result in significant additional reductions in both dissolved pollutants and sediment-bound pollutants compared to the results of the test. It is therefore suggested that these ponds already achieve the additional benefit sought by the Environment Agency (**the EA**).
- 4.20 The Applicant is in discussions with the EA regarding the mitigation proposed to address the impacts of the Scheme on discharge into the River Don. The parties will confirm whether agreement has been reached or not by Deadline 4.

**Item (g) - Landscape and visual and related biodiversity and ecological impacts – focussing on the mitigation of works to trees subject to Tree Preservation Orders (TPOs) and on landscape and ecological mitigation affecting the West Boldon Lodge Environmental Education Centre site**

- 4.21 No submissions were made but the Applicant refers to the updated Statement of Common Ground (**document reference TR010020/APP/7.11(1)**) with STC which confirms that STC has no outstanding ecological concerns.
- 4.22 TH confirmed that in relation to the West Boldon Lodge Environmental Education Centre, the Applicant would seek to agree a position with Groundwork.

**Item (h) Social and economic effects on nearby residents and businesses.**

- 4.23 No submissions.

**5 Agenda Item 4 - Relationships Between the Proposed Development and Other Major Proposals**

**Item (a) – Downhill Lane Junction**

- 5.1 MS confirmed that the traffic assessment assumed that DLJ would proceed (see paragraph 2.8.1 of the Transport Assessment Report). MS noted this follows Webtag guidance and DLJ is sufficiently progressed to believe that it will go ahead. MS said that the Scheme was not dependent on the DLJ scheme and the core A19 Testo's Junction traffic will be there independently of DLJ.

5.2 DJ confirmed that the ES for the Scheme does not include a specific assessment of the use of the construction compound on the Scheme for the purposes of DLJ. This reinforces the earlier submission made by TH that DLJ's impacts would be assessed and be dealt with as part of the DLJ application. (*Post-hearing note – In ISH3, it was agreed that the Applicant would produce for the ExA a supplementary “desktop” note covering the cumulative effects of the Testos construction compound being used simultaneously for DLJ, based on current knowledge at Deadline 4).*

5.3 The Applicant's approach to screening development for potential cumulative effects is set out at Appendix 15.1 of the ES. The ExA is referred to paragraph 15.5 of Chapter 15 of the ES which sets out the predicted impact of the Scheme in combination with DLJ.

5.4 PE confirmed that the Applicant intends to follow the programme as shown in Appendix B of the Interrelationship with Downhill Lane Junction, A1 Birtley to Coalhouse Improvement and International Advanced Manufacturing Park document (**document reference TR010020/APP/7.3(1)**) and would update the document if any timings change.

**Item (b) – IAMP**

5.5 No submissions.

**Item (c) – A1 Birtley to Coal House**

5.6 MS confirmed that that the modelling from Testo's has shown the A1 section is outside of the area affected and so there is no interrelationship between the schemes.

5.7 PA referred to 1.4.1 of Interrelationship Document and noted that Delivery Plan showed the A1 Birtley to Coal House scheme would begin construction in 2020. There would be a small overlap of 3 months. PA said that Applicant has an internal group which looks at major projects and maintenance activities to highlight and prevent conflicts. PA said that it would not cause any issues for the Scheme or the strategic road network.

**Item (d) – Other Projects**

5.8 TH stated there were no other relevant projects.

**6 Agenda Item 6 – Local Policies**

6.1 TH confirmed that the Scheme is in accordance with and complies with relevant local policies.