

A19 / A184 Testo's Junction Improvement TR010020

7.19 Applicant's Comments on Responses to the ExA's First Written Questions

Planning Act 2008

Rule 8(1)(c)(ii)

Infrastructure Planning (Examination Procedure) Rules 2010



Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

A19 / A184 TESTO'S JUNCTION IMPROVEMENT

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

APPLICANT'S COMMENTS ON RESPONSES TO THE EXA'S FIRST WRITTEN QUESTIONS

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A19/A184 Testo's Junction Improvement TRO10020

Planning Act 2008

Rule 8(1)(c)(ii) of the Infrastructure Planning (Examination Procedure) Rules 2010

Applicant's comments on responses and other submissions submitted at deadline 2 in response to the ExA's first written questions at Deadline 2

Groundwork South Tyneside & Newcastle (GWSTAN)

Response to ExA First Written Questions and other comments	Response from Highways England (the Applicant)
<p>(ExQ1 ref 1.2.1 1 bullet points 3 and 4)</p> <p>paths on west side of WBEEC will be impacted but it does not reference this" –</p> <p>"yes, reinstatement of paths on the west side"</p>	<p>The Applicant confirms that the existing footpath, which will be severed by the new permanent highway boundary on the west of the GWSTAN site will be recreated to re-establish the route in that area. The route of the path will be agreed with GWSTAN. The route will require some sensitive clearance over a small area (approximately 50m in length and 3m wide).</p>

Mr Dennis Gilhespy

Response to ExA First Written Questions and other comments	Response from Highways England (the Applicant)
<p>"The terms of my Agricultural Holding Act Tenancy state that the tenant must live in the farm house at West House Farm"</p>	<p>As confirmed by the Applicant at the open floor hearing (OFH) on 16 January 2018 and set out in the Applicant's written submission of the case put orally at the OFH (document reference TR010020/APP/7.14), the Applicant, having discussed with Mr Gilhespy, does not consider any</p>

	<p>provision of temporary overnight accommodation whilst certain construction works are undertaken, if taken up by Mr Gilhespy, would put him in breach of his agricultural tenancy. Any such measure would be occasional and short term in nature and would not prevent Mr Gilhespy using the farm house at any time, e.g. during day time working hours.</p>
<p>“it is important that the utility connections to West House Farm are suitably protected, including drainage pipes/ tanks”</p>	<p>The Applicant notes this, and suitable protection measures are to be put in place in accordance with Schedule 9 of the dDCO.</p>
<p>“my only other concern relates to dust generated by the works and the effect on my property, farm vehicles and equipment”</p>	<p>As set out by the Applicant at the OFH a Construction Environmental Master Plan (CEMP) will be provided under Requirement 4 of the Development Consent Order (DCO) (document reference TR010020/APP/3.1). The CEMP will include a Dust, Noise and Nuisance Management Plan.</p> <p>The outline CEMP (document reference TR010020/APP/7.2) at page G3 specifies strategies for dust control.</p>
<p>“I would like advanced notice of any out of hours working”</p>	<p>As set out by the Applicant at the OFH Mr Gilhespy will be informed of any activities which may occur outside of normal working hours.</p> <p>As set out in the outline CEMP “<i>The majority of construction works will normally take place between 07:30 - 18:00 Monday to Friday and 08:00 to 13:00 on Saturday. There will be exceptions to these hours for example for:</i></p> <ul style="list-style-type: none"> • <i>Night-time closures for bridge demolition and installation;</i> • <i>Any oversize deliveries or deliveries where daytime working would be excessively disruptive to normal traffic operation; and</i> • <i>Junction tie-in works.”</i>

<p>"I understand that access to the farm house and my other buildings will be maintained at all times, this is essential to the day to day working of my farm"</p>	<p>This is correct, access will be maintained.</p>
<p>"I have raised two further concerns with Highways England relating to security during construction and the amount of retained land behind my buildings for the purposes of maintenance. I understand from my discussions with Highways England representatives that both these concerns will be addressed"</p>	<p>The Applicant has provided a "letter of comfort" to Mr Gilhespy (document reference TR010020/APP/7.21) addressing these concerns.</p>
<p>"I hope you will use the field to south of farmhouse to store soil and not field north of house as soil storage north of house will stop vision of farm buildings from house which could cause a lot of security problems"</p>	<p>The Applicant has provided a "letter of comfort" to Mr Gilhespy addressing this concern.</p>

South Tyneside Council

The Applicant considers that all outstanding matters are now addressed – the ExA is referred to the updated Statement of Common Ground between the Council and the Applicant submitted at deadline 3 (**document reference TR010020/APP/7.11(1)**), and the Applicant's response to the Local Impact Report (**document reference TR010020/APP/7.18**).

Historic England

The Applicant notes the comments made and has no further response. The ExA is referred to the Applicant's earlier comments in respect of Historic England's relevant representations submitted at deadline 1 (**document reference TR010020/APP/7.8**).