



South Tyneside Council

Deadline 3 responses to the ExA's written questions ExQ1 [PD-007]

A19 / A184 Testo's Junction Improvement Project (TR010020)

1.0	General and Cross-topic Questions
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ExQ1	Question	Comments
1.04	<p>Description of the Development: Certainty and Security for the Location of Lettered Works</p> <p>Schedule 1 of the dDCO itemises numbered works (Work No.1 to Work No.30), which are located with reference to Plot Nos. utilised on the Land Plans [AS-004], the SoR [AS-009] and the BoR [AS-011], and lettered works (a) to (p), for which locations are not clearly shown on the Land Plans. This issue was raised with the Applicant in ISH1 at Questions 56 and 57.</p> <ul style="list-style-type: none"> • Are the locations of the lettered works sufficiently clearly recorded in the dDCO and the Works Plans, and if not, what if any change to the application documents is required in your view? • Have the effects of the lettered works been sufficiently clearly recorded and assessed in the ES, and if not, what if any additional action needs to be taken in your view? • Do you have any particular concerns about the location or effect of any of the lettered works? If so, please set these out in a table recording the lettered work, the location (if known), the effect(s) of concern and any particular steps that you consider ought to be taken. 	<p>South Tyneside Council is content with responses provided by Highways England regarding this question plus ExQ1 1.01, 1.02, 1.03.</p>

ExQ1	Question	Comments
1.0.5	<p>Description of the Development: Preliminary Design Elements</p> <p>In describing the elements of the scheme, ES paragraph 2.5.7 (referring to paragraphs 2.5.8 – 2.5.20) [APP-018] states that listed elements (gantries and signs, lighting and cabling, fencing, barriers and road surfacing) are 'based on the current preliminary design and are subject to the potential for change at the detailed design stage'.</p> <ul style="list-style-type: none"> • Against each of the topic areas and each of the elements listed in these paragraphs, can the Applicant explain how flexibility in location or specification of these elements has been captured as part of the worst case assessment in the ES? The response to this question should make clear whether and if so how the 'preliminary design' has formed the basis of the assessment in the ES and hence the Rochdale Envelope. • Can the Applicant explain the relationship between the ES and the Engineering Drawings and Sections [APP-009]? • As per ExQ1.0.3, please explain the effect and benefit of the flexibility provided by the current drafting. • IPs, APs and the LPA are requested to consider the Applicant's response to this question and respond in a comment at Deadline 3. 	<p>South Tyneside Council is content with the responses provided by Highways England.</p>

ExQ1	Question	Comments
1.0.6	<p>Description of the Development: Operational Maintenance</p> <p>Maintenance proposals are described at in the ES at section 2.15 [APP-018] although there is limited reference as to what activities could be required as part of this (foreseen or unforeseen). The dDCO articles that deal with maintenance do not clearly limit the definition to that which has been assessed in the ES.</p> <ul style="list-style-type: none"> • Working from section 2.15 of the ES, the Applicant is asked to clarify the extent to which the need to maintain the proposed development has been assessed in the ES and describe the foreseeable maintenance activities that have been considered? • The Applicant is asked to comment on the need for the dDCO to limit the extent of maintenance activities to those that have been considered as part of the ES? • At ISH1, the Applicant referred to the general need to enable the operational management and maintenance of a highway permitted as an NSIP to be conducted in a manner broadly equivalent to (and subject to the same absence of legal constraints) as a highway that formed part of the national network prior to the inception of PA2008. With reference to this concept, the Applicant is asked to confirm whether the suite of maintenance activities assessed in the ES is broadly equivalent to those routinely carried out on a highway that formed part of the national network prior to the inception of PA2008? Would any significant activities be anticipated that have not been assessed in the ES? • IPs, APs and the LPAs are requested to consider the Applicant's response to this question and respond in a comment at Deadline 3. 	<p>South Tyneside Council is content with the responses provided by Highways England.</p> <p>We would also refer the ExA to the Deadline 3 SoCG between Highways England and South Tyneside Council, in particular its para. 3.1.12 (c), as this might have some relevance to this ExQ.</p>

ExQ1	Question	Comments
1.0.11	<p>The applicant Materials and Earthworks <i>The ES at Section 2.13 [APP-018] explains the potential use of fill material from the nearby and consented A19 / A1084 Coast Road project. Chapter 11 of the ES considers the materials balance in further detail, including cut and fill volumes. In that chapter, it is explained that the magnitude of residual impact would be slightly reduced should the A19 / A1084 Coast Road project material be suitable for re-use, but that the residual effect is not reliant on this as a mitigation measure. The data source for that conclusion is described as “[d]esign information (locations, indicative land take proposals, estimates of materials quantities, cut and fill balance) provided by Costain and Jacobs”, but there is no further statement of detail.</i></p> <ul style="list-style-type: none"> <i>• Can the Applicant provide a description of the earthworks required to facilitate the development, itemising the assumptions which have formed the basis of the assessment presented in the ES and the cut and fill volumes presented in ES Chapter 11, tabulating the material volumes (in terms of a range between maximum and minimum volumes) and types that could be sourced from the A19 / A1084 Coast Road project.</i> 	<p><i>The applicant’s question opposite is shown for information purposes and given its relevance to the South Tyneside Council Deadline 3 question shown below.</i></p>
1.0.11	<p>Materials and Earthworks IPs, APs and the LPA are requested to comment on the Applicant’s response to ExQ1.0.11 at Deadline 3.</p>	<p>South Tyneside Council is content with the responses provided by Highways England.</p>

1.6A	Historic Environment
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ExQ1	Question	Comments
1.6A.1	<p>The adequacy of the historic environment assessment in the ES</p> <p>HistE makes clear in its RR [RR-003] that it 'has no further comments to make on this application'. However, in reaching that conclusion, it identified that it has 'a degree of concern about the Historic Environment section of the ES...' The ExA notes that a degree of concern has been raised and needs to understand if this relates to any important and relevant matter that should be addressed in this examination.</p> <ul style="list-style-type: none"> • To the extent that it feels able to do so, having regard to its general conclusion on the application proposal, HistE is invited to provide a brief summary of the basis for its expression of concern on this point and to identify why nevertheless the sources of its concern are matters that require no further action by it. • If HistE makes a response at Deadline 2 which identifies that it had concerns about the characterisation of or response to the local historic environment but that these related to matters more properly within the remit of the LPA, the LPA is invited to respond at Deadline 3, making clear its view as to whether there are any outstanding local historic environment matters that require to be addressed. 	<p>South Tyneside Council does not consider that there is a need to make any comments upon the HistE Deadline 2 response (and having regard to our previously submitted LIR).</p>

ExQ1	Question	Comments
1.6A.2	<p>The desirability of enhancing heritage assets</p> <p>In its RR [RR-003], HistE also expresses some disappointment that the Applicant has chosen not to follow its pre-application advice in relation to NPS policy on the desirability of enhancing heritage assets. The ExA notes that a possible instance of policy non-conformity has been raised and needs to understand if this relates to any important and relevant matter that should be addressed in this examination.</p> <ul style="list-style-type: none"> • To the extent that it feels able to do so, having regard to its general conclusion on the application proposal, HistE is invited to provide a brief summary of the basis for its identification of policy concerns on this point (including whether they relate to any individual heritage assets) and to identify why these are matters that require no further action by it. • If HistE makes a response at Deadline 2 which identifies that it had concerns about NPS conformity in relation to opportunities for heritage asset enhancement, but that these related to matters more properly within the remit of the LPA, the LPA is invited to respond at Deadline 3, making clear its view as to whether there are any outstanding enhancement opportunities that desirably ought to be addressed. 	See our response at 1.6A.1 [above].