

**A19 Downhill Lane Junction Improvement**  
**Scheme Number: TR010024**  
**1.1 Introduction to the Application**

APFP Regulation 5(2)(q)  
Planning Act 2008  
Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
Regulations 2009

## Infrastructure Planning

### Planning Act 2008

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

# A19 DOWNHILL LANE JUNCTION IMPROVEMENT

## The A19 (Downhill Lane Junction Improvement) Development Consent Order 201[ ]

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### INTRODUCTION TO THE APPLICATION

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<b>Regulation Number:</b>	Regulation 5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010024
<b>Application Document Reference</b>	TR010024/APP/1.1
<b>Author:</b>	A19 Project Team & Highways England

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev 0	January 2019	Application Issue

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## **1 INTRODUCTION**

### **1.1 Purpose of this document**

1.1.1 Highways England (the “Applicant”) has submitted an application under Section 37 of the Planning Act 2008 (the “2008 Act”) for an order to grant development consent (a DCO) for the A19 Downhill Lane Junction Improvement (the “Scheme”).

1.1.2 This document provides an accessible guide to the Scheme, Applicant and application, and it will assist those in reviewing the application documentation.

### **1.2 Structure of this document**

1.2.1 This document comprises 11 sections as described below:

- Section 1 introduces this document;
- Section 2 provides a high level description of the proposed Scheme;
- Section 3 introduces the Applicant;
- Section 4 gives an overview of the application documentation; and
- Sections 5 – 11 explain the purpose of each of the documents submitted.

## 2 THE SCHEME

### 2.1 Scheme Description

#### 2.1.1 The Scheme comprises

- The construction of a new bridge spanning the A19 south of the existing junction bridge. The new bridge and the existing bridge will be used to form a grade separated roundabout junction layout above the A19.
- The realignment of the existing northbound and southbound A19 slip roads to tie in with the new roundabout layout. The slip roads north of the junction will serve as link roads between Downhill Lane Junction and the proposed Testo's junction. The slip roads south of the junction will continue to provide direct access to and from the A19.
- The realignment of the A1290, Downhill Lane (West), Downhill Lane (East) and Washington Road (East) local roads to suit the new junction layout.
- The construction of a segregated non-motorised user facility featuring a dedicated overbridge for walkers, cyclists, horse riders and wheelchair users to the south of the junction.

2.1.2 For a detailed description of the Scheme, refer to Chapter 2 of the Environmental Statement (**Application Document Reference: TR010024/APP/6.1**)

### 2.2 Scheme Objectives

#### 2.2.1 The key objectives of the proposed Scheme are to:

- Support economic growth.
- Provide a safe and serviceable network.
- Provide a more free flowing network.
- Improve the environment.
- Provide an accessible and integrated network.
- Maintain access for local traffic whilst improving the conditions for strategic traffic.

2.2.2 The need for the Scheme is comprehensively set out in the Planning Statement (**Document Reference: TR010024/APP/7.1**) and the Statement of Reasons (**Document Reference TR010024/APP/4.1**).

### 2.3 Scheme History, Timeline and Future Milestones

#### 2.3.1 The history of the Scheme and future milestones are summarised below:

Year	Activity
November 2016	Non Statutory Consultation
June 2017	Preferred Route Announcement (PRA)

<b>September 2017</b>	Full Statutory Consultation
<b>March 2018</b>	Additional Consultation – Changes to land take
<b>July 2018</b>	Additional Consultation – Change in Non-motorised user crossing
<b>November 2018</b>	Additional Consultation – Stopping up a cycleway
<b>September 2020</b>	Start of Works
<b>March 2022</b>	Open for Traffic

## **2.4 Qualification as a Nationally Significant Infrastructure Project**

- 2.4.1 The Scheme is a nationally significant infrastructure project (“NSIP”) within sections 14(1)(h) and 22(1)(b) of the 2008 Act. Under section 22 an NSIP must fall within one of the three categories specified which are expressly stated to be alternatives. This Scheme is the “alteration” of a highway within the meaning of section 22(1)(b). This is because the existing highway will be raised on a new bridge; and a realignment of the A1290 intersections and slip roads to tie in with the new elevated highway; with a speed limit in excess of 50 miles per hour in an area in excess of 17.42 hectares. In particular, the land required for the alteration, and the adjoining land required in connection with the alteration, is approximately 36.81 hectares (30.68 hectares excluding the plots required for the Testo’s site compound).
- 2.4.2 Moreover, the Scheme is wholly located in England and the Applicant, a strategic highways company, will be the highway authority for the highway to be altered under the Scheme. The Scheme therefore complies with the requirements of sections 22(2) and 22(4).
- 2.4.3 As the proposed development is an NSIP, consent under the 2008 Act is required (section 31 of the 2008 Act). Under section 37 of the 2008 Act, an order granting development consent may only be made if application for it is made (through the Planning Inspectorate) to the Secretary of State.

### 3 THE APPLICANT

#### 3.1 Highways England

3.1.1 The Applicant is appointed and licensed by the Secretary of State for Transport as the strategic highways company for England. It is responsible for operating, maintaining and improving the strategic road network in England on behalf of the Secretary of State for Transport. The network is made up of England's motorways and all-purpose trunk roads (the major "A" roads) and the existing A19 is part of the trunk road network for which the Applicant is responsible. Following construction of the Scheme, the Applicant will be responsible for operating, maintaining and improving (under its general statutory powers in respect of the latter) the new route of the A19.

3.1.2 The Scheme contact details are as follows:

**A19 Downhill Lane Junction Improvement Project Team, Major Projects**

Highways England

3rd Floor South

Lateral

8 City Walk

Leeds

LS11 9AT

**Email:** A19DownHillLane@highwaysengland.co.uk

**Telephone:** 0300 470 2705

#### 3.2 The A19 Project Team

3.2.1 The Scheme is managed by the Applicant from its Leeds office by the A19 Downhill Lane Junction Improvement Project Team, which is responsible for delivering the Scheme in accordance with the Scheme requirements.

## 4 APPLICATION DOCUMENTS

- 4.1.1 A list of documents within the application is set out in the Covering Letter (**Application Document Reference: TR010024/APP/1.2**); further detail on the documents within the application is provided in the following chapters.
- 4.1.2 If you require a copy of any of the application documents, or parts of them, please contact the A19 Downhill Lane Improvement project team (contact details in Chapter 3 of this Introduction to the Application). A USB containing these documents will be provided free of charge; a reasonable charge for printing and distribution of hard copies may be made.



## 5 VOLUME 1 - APPLICATION INFORMATION

- 5.1.1 The Introduction to the Application (**Application Document Reference: TR010024/APP/1.1**) is this document.
- 5.1.2 The **Covering Letter** has the **Schedule of Compliance with Section 55 (Application Document Reference: TR010024/APP/1.2)** included. This is completed to evidence how the application fulfils the conditions for acceptance by the Planning Inspectorate under Section 55 of the 2008 Act. The Schedule of Compliance with Section 55 will also be completed by the Planning Inspectorate on receipt of the DCO application.
- 5.1.3 The **Application Form (Application Document Reference: TR010024/APP/1.3)** is a standard form and provides a high-level summary of the Scheme and the documents that have been submitted. It is a form that originates from Schedule 2 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.
- 5.1.4 The **Application Document Tracker (Application Document Reference: TR010024/APP/1.4)** provides a summary status of each document that has been submitted to enable tracking of amendments and reviews.

## 6 VOLUME 2 - PLANS / DRAWINGS / SECTIONS

- 6.1.1 There are six sets of plans as described below. Where a plan comprises three or more separate sheets, a key plan is provided, showing the relationship between the different sheets. The exceptions to this are the **Location Plan** and the **Scheme Layout Plan**. Each plan (and each sheet within a set of plans) includes a key, which explains the use of symbols/lines/shading to denote features and information in the plans.
- 6.1.2 The **Location Plan (Application Document Reference: TR010024/APP/2.1)** identifies the location of the proposed development in its wider context.
- 6.1.3 The **Scheme Layout Plan (Application Document Reference: TR010024/APP/2.2)** provides a technical illustration of the Scheme shown against an Ordnance Survey base map.
- 6.1.4 The **Land Plans (Application Document Reference: TR010024/APP/2.3)** correspond to the **Book of Reference (Application Document Reference: TR010024/APP/4.3)** and, in summary, set out:
- the limits of land to be acquired or used permanently or temporarily;
  - the land to be acquired or used permanently for construction, operation and maintenance works for the Scheme;
  - any land over which temporary possession may be taken; and
  - any land to be used temporarily and for rights in the land to be acquired permanently.
- 6.1.5 The **Works Plans (Application Document Reference: TR010024/APP/2.4)** show the centre line of the proposed works and the limits of deviation within which the development and works may be carried out. More importantly, the plans will show the extents of the individual works.
- 6.1.6 The **Streets, Rights of Way and Access Plans (Application Document Reference: TR010024/APP/2.5)** show any new or altered means of access, stopping up of streets, roads and any diversions, extinguishment or creation of rights of way.
- 6.1.7 The **Engineering Drawings and Sections (Application Document Reference: TR010024/APP/2.6)** include general arrangement drawings, and section drawings which show the levels of the proposed works including:
- ground levels;
  - the height of proposed bridges, viaducts and embankments;
  - the depth of cuttings; and
  - drainage outfall details.

## 7 VOLUME 3 - DRAFT DEVELOPMENT CONSENT ORDER AND RELATED DOCUMENTS

7.1.1 The **Draft Development Consent Order (Application Document Reference: TR010024/APP/3.1)** sets out the powers that the Applicant is seeking to enable it to construct and maintain the Scheme. It sets out the parameters for what development would be permitted. It consists of 7 parts and 10 schedules as set out below:

- Part 1 – Preliminary
- Part 2 – Principal Powers
- Part 3 – Streets
- Part 4 – Supplemental Powers
- Part 5 – Powers of Acquisition and Possession of Land
- Part 6 – Operations
- Part 7 – Miscellaneous and General

7.1.2 This is accompanied by 8 schedules as outlined below: -

- **Schedule 1 Authorised Development** - lists the works that would be authorised by the grant of development consent, which are shown on the works plans and to which the schedule refers.
- **Schedule 2 Requirements** - sets out the conditions that the Applicant would be required to accord with when implementing the development authorised by the DCO.
- **Schedule 3 Classification of Roads, etc.** - lists the road classifications and the new and amended highways.
- **Schedule 4 Permanent Stopping up of Streets and Private Means of Access** - sets out the public rights of way and private means of access that would be permanently stopped up as a result of the Scheme (and any relevant replacements).
- **Schedule 5 Land in which only New Rights etc. may be Acquired** - limits the Applicant's powers of compulsory acquisition in relation to specified plots
- **Schedule 6 Modification of Compensation and Compulsory Purchase Enactments for Creation of New Rights and Imposition of Restrictive Covenants** - amends relevant compulsory acquisition legislation to ensure that it can apply to the DCO (particularly in relation to compensation provisions in connection with land and rights compulsorily acquired under the DCO).
- **Schedule 7 Land of which Temporary Possession may be taken** - sets out the land which the Applicant is seeking to possess temporarily for the purpose of constructing the Scheme.
- **Schedule 8 Protective Provisions** - includes provisions to protect the interests of various bodies in the context of the Scheme (e.g. statutory

undertakers).

- **Schedule 9 Amendments to the A19 Testo's Junction Alternation Development Consent Order 2018** - sets out modifications to the A19/A184 Testo's Junction Alteration Development Consent Order 2018
- **Schedule 10 Documents to be certified** - sets out those documents to be certified by the Secretary of State for the purposes of the DCO.

- 7.1.3 **The Explanatory Memorandum to Draft Development Consent Order (Application Document Reference: TR010024/APP/3.2)** - explains the purpose and effect of each provision in the draft order including why it is considered necessary.
- 7.1.4 **The Consents and Agreements Position Statement (Application Document Reference: TR010024/APP/3.3)** sets out the intended strategy for obtaining the consents and associated agreements needed to implement the proposed Scheme.
- 7.1.5 **The DCO Validation Report (Application Document Reference: TR010024/APP/3.4)** This is a report produced to ensure the draft DCO conforms to the statutory instrument template issued by Government.

## 8 VOLUME 4 - COMPULSORY ACQUISITION INFORMATION

8.1.1 In order to implement the Scheme, the Applicant will need to use statutory powers to acquire land and rights in land, and to possess and use land temporarily. The Applicant is required to provide evidence that the use of these powers would be justified, proportionate and in the public interest and this evidence is set out in a **Statement of Reasons (Application Document Reference: TR010024/APP/4.1)**, **Funding Statement (Application Document Reference: TR010024/APP/4.2)** and **Book of Reference (Application Document Reference: TR010024/APP/4.3)** as explained below.

8.1.2 **Statement of Reasons (Application Document Reference: TR010024/APP/4.1)** - explains that there is a compelling case in the public interest which would justify the Applicant's exercise of powers of compulsory acquisition in order to acquire land and rights permanently and to use land temporarily to enable it to construct, operate and maintain the Scheme.

8.1.3 **Funding Statement (Application Document Reference: TR010024/APP/4.2)** - explains how the Scheme, including any compulsory purchase acquisition, would be funded.

8.1.4 **Book of Reference (Application Document Reference: TR010024/APP/4.3)** - identifies all Parties who own or occupy land and/or have an interest in or right over the land affected by the Scheme, and/or who may be entitled to make a 'relevant claim' as defined in Section 57 of the 2008 Act. It is structured in five parts in accordance with relevant regulatory requirements. The five parts are:

- **Part 1:** Names and addresses for service of each person/organisation within Categories 1 and 2 defined as set out in Section 57 of the 2008 Act in respect of any land which it is proposed shall be subject to:
  - powers of compulsory acquisition;
  - rights to use land, including the right to attach brackets or other equipment to buildings; or
  - rights to carry out protective works to buildings.

Category 1 interests are owners, lessees, tenants or occupiers of the land

Category 2 interests are those who have an interest in the land or who have the power to sell, convey the land or release the land.

- **Part 2:** Names and addresses for service of each person within Category 3. These are interests who might be entitled to make a relevant claim if the DCO were consented and implemented eg; potential claimants under Part 1 of the Land Compensation Act 1973 (c. 26), Section 10 of the Compulsory Purchase Act 1965 & Section 152(3) of the 2008 Act.
- **Part 3:** Names of those persons entitled to enjoy easements or other private rights over land which it is proposed shall be extinguished, suspended or interfered with in the proposed DCO.
- **Part 4:** Owner of any Crown interest in the land which is proposed to be used for the purposes of the order for which application is being made.

- **Part 5:** Land the acquisition of which could be subject to special parliamentary procedure, is special category land, or is replacement land.

## 9 VOLUME 5 - CONSULTATION REPORT

- 9.1.1 **The Consultation Report (Application Document Reference: TR010024/APP/5.1)** provides an account of the pre-application consultation undertaken on the Scheme. The report includes details of the statutory consultation which the Applicant is required to undertake in accordance with the 2008 Act, the informal engagement that has taken place, and how the comments received have been taken into account when developing the Scheme.
- 9.1.2 A range of appendices that support the report are provided in the **Consultation Report Appendices (Application Document Reference: TR010024/APP/5.2)** are described below:

Appendix Reference	Title of Appendix
Appendix A	Non Statutory Consultation Brochure
Appendix B	Section 46 letter to the Inspectorate
Appendix C	Statutory Consultation
Appendix D	Statement of Community Consultation
Appendix E	Copies of Section 47 and Section 48 notices
Appendix F	Section 48 responses to Autumn 2017 Statutory Consultation
Appendix G	Figure showing existing road arrangement and key features
Appendix H	Drawings of NMU options consulted on
Appendix I	List of section 42 prescribed consultees
Appendix J	Copies of exhibition boards
Appendix K	Brochure drop distribution area
Appendix L	Section 47 responses to open questions
Appendix M	Natural England additional request for consultation response
Appendix N	Additional Consultation material – March/April 2018
Appendix O	Additional Consultation material – July/August 2018
Appendix P	Section 48 responses to July/August 2018 Consultation
Appendix Q	Additional Consultation material – November/December 2018
Appendix R	Applicant responses to November/December 2018 Consultation
Appendix S	Northern Powergrid response to Consultation
Appendix T	Consultee Summary Table

## 10 VOLUME 6 - ENVIRONMENTAL IMPACT ASSESSMENT (EIA) INFORMATION & RELATED DOCUMENTS

### 10.1 Environmental Statement

10.1.1 The Applicant has undertaken an environmental impact assessment (EIA) of the Scheme to consider what significant effects the Scheme is likely to have on the environment. The **Environmental Statement (Application Document Reference: TR010024/APP/6.1)** reports the findings of the EIA. The findings of the EIA are also summarised in the **Environmental Statement Non-Technical Summary (Application Document Reference: TR010024/APP/6.4)**.

10.1.2 The Environmental Statement also provides general information on the Scheme including context, description of the Scheme and its construction, main alternatives considered, the consultation process that was part of the EIA and technical information on a range of topics. This chapter provides an overview of the structure of the document to assist with navigation.

10.1.3 The Environmental Statement includes the following chapters:

- Chapter 1 - Introduction
- Chapter 2 - The Scheme
- Chapter 3 - Consideration of Alternatives
- Chapter 4 - Consultation
- Chapter 5 - Approach to the Assessment
- Chapter 6 - Air Quality
- Chapter 7 - Cultural Heritage
- Chapter 8 - Landscape and Visual Effects
- Chapter 9 - Ecology and Nature Conservation
- Chapter 10 - Geology and Soils
- Chapter 11 - Materials
- Chapter 12 - Noise and vibration
- Chapter 13 - People and Communities
- Chapter 14 - Road Drainage and the Water Environment
- Chapter 15 - Cumulative Effects
- Environmental Masterplan
- Figures



10.1.4 The Environmental Statement Non-technical summary is structured as follows::

- Introduction
- Why the improvement is needed
- Scheme objectives
- Scheme history and development
- Alternatives considered
- Scheme description
- Construction
- Environmental design features
- Environmental effects
- The application documents
- What happens next?

10.1.5 The Environmental Statement is accompanied by a series of figures which support the findings of the EIA. These are provided in the **Environmental Statement Figures, Environmental Statement Volume 2 of Volume 6: Figures (Application Document Reference: TR010024/APP/6.2)**.

10.1.6 The Environmental Statement is accompanied by a series of Appendices which support the findings of the EIA. These are provided in the **Environmental Statement Volume 3 of Volume 6: Appendices (Application Document Reference: TR010024/APP/6.3)** and are listed below.

Appendix Reference	Title of Appendix
Appendix 1.1	PINS Scoping Opinion responses log
Appendix 1.2	Review of environmental effects associated with removing rights to create Bridleway B46 diversion under the Testo's scheme DCO
Appendix 1.3	Register of Environmental Actions and Commitments (REAC)
Appendix 1.4	Other Regulatory Regimes
Appendix 6.1	Air Quality Policy and Legislation
Appendix 6.2	Air Quality Assessment Methodology
Appendix 6.3	Air Quality Dispersion Model Setup
Appendix 6.4	Model Verification and Adjustment
Appendix 6.5	Receptor Results
Appendix 6.6	Mitigation Measures for construction impacts
Appendix 6.7	TAG Assessment

Appendix Reference	Title of Appendix
Appendix 7.1	Cultural Heritage - Methodology
Appendix 7.2	Geophysical Survey
Appendix 7.3	Cultural Heritage Gazetteer
Appendix 8.1	Landscape and Visual Impact Assessment - Methods
Appendix 8.2	Landscape - Baseline Information Sources
Appendix 8.3	Landscape Character Assessment
Appendix 8.4	Landscape and Visual Effects Schedules
Appendix 9.1	Baseline Ecology Reports
Appendix 9.1A	Phase 1 Habitat Survey Report
Appendix 9.1B	Great Crested Newt Environmental DNA and Habitat Suitability Index Survey Report
Appendix 9.1C	Breeding Birds Survey Report
Appendix 9.1D	Wintering Birds Survey Report
Appendix 9.1E	Barn Owl Survey Report (confidential)
Appendix 9.1F	Bat Roost Potential and Activity Report
Appendix 9.1G	Water Vole and Otter Survey Report
Appendix 9.1H	Badger survey report (confidential)
Appendix 9.2	Relevant Wildlife Legislation, Section 41 and Durham BAP
Appendix 9.3	Evaluation and impact Assessment Methodology
Appendix 9.4	Characterisation Impact Tables
Appendix 12.1	Acoustic Context and Definitions
Appendix 12.2	Legislative and Policy Background
Appendix 12.3	Assessment Approach
Appendix 12.4	Construction Information
Appendix 12.5	Construction Noise Modelling Data
Appendix 12.6	Noise Modelling Data
Appendix 13.1	Non-Motorised User Context report
Appendix 13.2	Non-Motorised User Survey Results
Appendix 13.3	Journey Time Calculations
Appendix 13.4	Driver Stress Calculations
Appendix 14.1	Results from Routine Run-off and Spillage Risk

Appendix Reference	Title of Appendix
Appendix 14.2	Flood Risk Assessment
Appendix 14.3	Water Framework Directive Assessment
Appendix 15.1	Long List of Developments
Appendix 15.2	Short-List of Developments
Appendix 15.3	Screening for Identifying Shared Receptors for Cumulative Effects Assessment

10.1.7 In addition, the **Scoping Opinion** received from PINS (**Application Document Reference: TR010024/APP/6.9**) is a report which is produced to identify the scope and content of the Environmental Assessment.

## 10.2 Environmental Related Documents

10.2.1 A **Statement on Statutory Nuisance (Application Document Reference: TR010024/APP/6.5)** identifies the matters set out in Section 79 of the Environmental Protection Act 1990 in respect of statutory nuisances and considers, whether the proposed development would engage one or more of those matters. Where any matters may be potentially engaged, this statement sets out its proposals for mitigating or limiting them.

10.2.2 A **Flood Risk Assessment (Application Document Reference: TR010024/APP/6.6)**. This report documents the approach taken to assess sources of flood risk to the Scheme and to quantify any flood risk impacts. The findings of the assessment have both informed the Scheme design and flood risk mitigation requirements

10.2.3 An **Assessment of Nature Conservation (Application Document Reference: TR010024/APP/6.7)**.

10.2.4 An **Assessment of Historical Environmental Information (Application Document Reference: TR010024/APP/6.8)**.

10.2.5 A **Scoping Report and Scoping Opinion (Application Document Reference: TR010024/APP/6.9)** Environmental Scoping Report and Scoping Opinion received from the Inspectorate which is produced to identify the scope and content of the environmental assessment.

10.2.6 A **Habitat Regulations Assessment (Application Document Reference: TR010036/APP/6.10)** – this is prepared to inform the Secretary of State's role as a competent authority for the purposes of the Conservation of Habitats and Species Regulations 2017.

## 11 VOLUME 7 - OTHER DOCUMENTS

- 11.1.1 A range of additional documents have been submitted with the DCO application. These documents are not legally required, but are intended to provide useful information on the Scheme and aid detailed understanding of the application and its justification.
- 11.1.2 The **Planning Statement and National Networks National Policy Statement (NNNPS) Accordance Table (Application Document Reference: TR010024/APP/7.1)** sets out the need for the Scheme, the objectives that it seeks to address, options and alternatives considered and an explanation of the Scheme over time. It sets out how the Scheme meets its objectives and how it aligns with government policy in the NNNPS.
- 11.1.3 The **Outline Construction Environmental Management Plan (OCEMP) (Application Document Reference: TR010024/APP/7.2)** provides an essential Scheme specific tool to manage on-site construction activities that may affect the environment. The key aims of the OCEMP are to ensure all environmental mitigation, DCO requirements consents and licences are met and to minimise and manage the risk of adverse environmental impacts.
- 11.1.4 The **Interrelationship between A19 Downhill Lane, A19/A184 Testos, Birtley to Coalhouse and IAMP Schemes (Application Document Reference: TR010024/APP/7.3)** describes the connections between the 4 schemes in the local area along with the reasons for the requirement for 2 separate DCO applications for this Scheme and A184/A19 Testo's Junction Improvement scheme.
- 11.1.5 The **Transport Assessment Report (Application Document Reference: TR010024/APP/7.4)** provides information relating to the transport analysis that has been undertaken as part of the development of the Scheme.
- 11.1.6 The **Revised Plans, drawings and sections for the A19/A184 Testo's Junction Alteration Scheme (Application Document Reference: TR010024/APP/7.5)**. This document summarises the proposed changes to the made A19/A184 Testo's Junction Alteration Development Consent Order 2018 which comprise of revised plans, drawings and sections for a replacement non-motorised user route.