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To Interested Parties and Statutory  
Parties invited to the Preliminary  
Meeting

Your Ref:

Our Ref: TR010024

Date: Wednesday 21 August 2019

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Dear Sir/ Madam

## **The Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8 etc**

### **Application by Highways England for an Order Granting Development Consent for the A19 Downhill Lane Junction Improvement**

#### **Examination Timetable and procedure and notification of hearing(s)**

This letter provides you with the Examination Timetable, details of the publication of the Examining Authority's (ExA) Written Questions and other important information about the Examination.

All documentation associated with this project, including a note of the Preliminary Meeting and the audio recording taken at that meeting, can be found using this link:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a19-downhill-lane-junction-improvement/?ipcsection=docs>

#### **The Examination Timetable**

I have made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A**.

The Examination Timetable replaces the draft timetable that was included in the Rule 6 letter dated Friday 12 July 2019<sup>1</sup>. In finalising the Examination Timetable, I have sought to accommodate requests and suggestions made at the Preliminary Meeting and in representations submitted in advance of that meeting.

Please note that the Examination Timetable contains a number of deadlines for receipt of information by the Planning Inspectorate. All deadlines are at 12 noon on the date

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<sup>1</sup> Your invitation to the Preliminary Meeting

specified. Please ensure submissions arrive by the deadline. If you do not make your submissions by the dates specified in the timetable, I may disregard them.

Recognising that Deadline (D)1 falls immediately after a Bank Holiday, and in response to a request at the Preliminary Meeting, I have extended the deadline for D1 to 11.59pm on Tuesday 27 August 2019.

I request that Interested Parties send, where practicable, electronic copies of their submission as email attachments to the project mailbox on or before the applicable deadline.

[A19DownhillLaneJunction@planninginspectorate.gov.uk](mailto:A19DownhillLaneJunction@planninginspectorate.gov.uk)

Electronic attachments should be clearly labelled with the subject title and not exceed **12MB** for each email. Providing links to websites where your submissions can be viewed is not acceptable. All submissions must be made in a form that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

If I consider it necessary to vary the Examination Timetable during the Examination, notification will only be sent to Interested Parties and Statutory Parties invited to the Preliminary Meeting. The changes will be published on the A19 Downhill Lane Junction Improvement project page of the National Infrastructure Planning website.

I have considered the request at the Preliminary Meeting from the Applicant to accelerate the Examination timetable, amending certain deadlines to facilitate closing the Examination before the end of the calendar year. There was no opposition to this from other attendees at the Preliminary Meeting.

I have made a Procedural Decision to examine the application as originally proposed in the draft Examination Timetable. Nevertheless, if I am satisfied that all relevant matters have been addressed and discussed I may decide to close the Examination earlier than currently timetabled but to do so would require parties to demonstrate commitment to the timetable and for submissions to be provided on time.

## **Other Procedural Decisions**

**Annex B** contains important details and clarifications about my other Procedural Decisions made at, or following, the Preliminary Meeting. These include:

- Examination Timetable;
- Examining Authority's Written Questions;
- Statements of Common Ground (SoCG);
- Local Impact Reports (LIR);
- Habitats Regulation Assessment;
- Accompanied Site Inspection (ASI) and
- Proposed changes to the application

## **Written Representations**

All Interested Parties are now invited to submit Written Representations and any comments on the Relevant Representations already submitted. These should be submitted by **Deadline 1** in the Examination Timetable (**Annex A**).

Written Representations can cover any relevant matter and are not restricted to the matters set out in my Initial Assessment of Principal Issues discussed at the Preliminary Meeting and included in my Rule 6 letter<sup>2</sup>. Nor are they restricted to the content of my Written Questions (see next heading, below).

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why<sup>3</sup>. Interested Parties should also provide with their Written Representations “*the data, methodology and assumptions used to support their submissions*”<sup>4</sup>.

Further written submissions will be requested by the ExA at various points in the Examination.

Any Written Representations, and any further written submissions requested by the ExA in the course of the Examination which exceed 1500 words should also be accompanied by a summary which should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

## ExA’s Written Questions

I have compiled Written Questions (WQ) about the application and the representations received so far. These questions are published on the National Infrastructure Planning website and can be accessed through the following link:

[https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010024/TR010024-000255-Written%20Questions%20\(ExQ1\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010024/TR010024-000255-Written%20Questions%20(ExQ1).pdf)

Answers to my WQs must be provided by **Deadline 2** in the Examination Timetable (**Annex A**).

If you require a hard copy of my WQs, please contact the Case Team who will send you a copy.

## Hearings

I have decided to hold a series of hearings between Tuesday 15 and Thursday 17 October 2019. Notice of the dates, times and places of these hearings is provided at **Annex C** along with other important information about these events including details

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<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010024/TR010024-000197-rule%206%20plus%20anxess.pdf>

<sup>3</sup> Required under Rule 10(4) of The Infrastructure Planning (Examination Procedure) Rules 2010

<sup>4</sup> <https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>

about what Interested Parties should include in a request to be heard at a hearing and the procedure that will be followed at hearings.

The dates and times of these hearings are also confirmed in the Examination Timetable at **Annex A**.

### **Site Inspections**

Information about the Accompanied Site Inspection, scheduled to take place on Tuesday 15 October 2019, is also contained in **Annex B**.

I also enclose, in **Annex E**, a note of the Unaccompanied Site Inspection which I undertook on Monday 12 August 2019.

### **Availability of application documents and representations submitted to the Examination**

All documentation and audio recordings associated with the examination of this application can be found using this link:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a19-downhill-lane-junction-improvement/?ipcsection=docs>

**Annex D** provides details of locations in the vicinity of the Proposed Development at which all Examination documents can be viewed electronically, free of charge.

Advice to Interested Parties about how to access and navigate the Examination Library is also provided at **Annex D**.

### **Your status in the Examination**

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) of the Planning Act 2008 (PA2008).

If you have made a Relevant Representation, have a legal interest in the land affected by the application, or are a relevant Local Authority where the development is proposed within your boundary (reference numbers beginning with 'A19D-000', 'A19DAFP', 'A19D-S57' or '2002'), you have a formal status as an Interested Party in the Examination.

Interested Parties will receive notifications from the Planning Inspectorate about the Examination throughout the process and may make written and oral submissions regarding the application. If you are a Statutory Party (ie body specified in the relevant regulations supporting the PA2008) or a Local Authority bordering the Local Authorities in which the development is proposed; but have not made a Relevant Representation (reference number beginning with 'A19D-SP') you will not automatically be an Interested Party. However, you do have a further opportunity to notify the ExA that you wish to be treated as an Interested Party.

If you are not sure whether you are an Interested Party, please contact the Case Manager using the details at the top of this letter. Information regarding the formal

status of Interested Parties and how you can get involved in the process is set out in the Planning Inspectorate Advice Note 8 Series on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/legislationandadvice/advice-notes/>

## **Award of costs**

You should be aware of the possibility of the award of costs against parties who behave unreasonably.

To assist understanding of what 'unreasonable behaviour' means in the context of an Examination under the PA2008, you may find it helpful to read the government guidance 'Awards of costs: examinations of applications for development consent orders' (July 2013)<sup>5</sup>. It is in everyone's interest that information is brought forward as early as possible in the examination process so you are encouraged to do so.

## **Management of information**

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the ExA) and a record of any advice which has been provided, is published at:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a19-downhill-lane-junction-improvement/?ipcsection=overview>

All Examination documents can also be viewed electronically at the locations listed in **Annex D**.

Please note that in the interest of facilitating an effective and fair examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our Privacy Notice.

I look forward to working with all parties in the examination of this application.

Yours faithfully

*Kevin Gleeson*

**Examining Authority**

## **Annexes**

- A** Examination Timetable
- B** Procedural Decisions made by the Examining Authority
- C** Notice of hearings and requests to appear and procedure to be followed at hearings
- D** Availability of representations and application documents
- E** Note of Unaccompanied Site Inspection 12 August 2019

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<sup>5</sup> <https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

This communication does not constitute legal advice.  
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.



## Examination Timetable

The Examining Authority (ExA) is under a duty to **complete** the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

Item	Matters	Due Dates
1	<b>Preliminary Meeting</b>	<b>Tuesday 13 August 2019 (10.00am)</b>
2	<b>Issue Specific Hearing 1 (ISH1)</b>  ISH1 on the draft Development Consent Order (dDCO)	<b>Tuesday 13 August 2019 (2.00pm)</b>
3	<b>Open floor Hearing (OFH1)</b>	<b>Tuesday 13 August 2019 (6.30pm)</b>
4	<b>Issue by the ExA of:</b> <ul style="list-style-type: none"> <li>• Examination Timetable</li> <li>• The ExA's Written Questions (ExQ1)</li> </ul>	As soon as practicable following the Preliminary Meeting
5	<b>Deadline 1</b> For receipt by ExA of: <ul style="list-style-type: none"> <li>• comments on any updates to application documents submitted by the Applicant before or at the PM</li> <li>• comments on Relevant Representations (RRs)</li> <li>• summaries of all RR's exceeding 1500 words</li> <li>• Written Representations (WRs) by all Interested Parties (IPs)</li> <li>• summaries of all WRs exceeding 1500 words</li> </ul>	<b>Tuesday 27 August 2019  (11.59pm)</b>

	<ul style="list-style-type: none"> <li>• Statements of Common Ground (SoCG) requested by ExA – see <b>Annex G of the Rule 6 letter</b></li> <li>• notification by Statutory Parties of their wish to be considered as an IP by the ExA</li> <li>• notification of wish to speak at any subsequent Issue Specific Hearings (ISH)</li> <li>• notification of wish to speak at a Compulsory Acquisition Hearing (CAH)</li> <li>• notification of wish to speak at any subsequent Open Floor Hearing (OFH)</li> <li>• notification of wish to attend an Accompanied Site Inspection (ASI)</li> <li>• provision of suggested locations and justifications for site inspections for consideration by the ExA</li> <li>• Draft Itinerary to be provided by the Applicant for an ASI</li> <li>• post-hearing submissions including written submissions of oral cases and</li> <li>• notification of wish to have future correspondence received electronically</li> </ul>	
<p><b>6</b></p>	<p><b>Deadline 2</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• comments on WRs</li> <li>• any revised/updated SoCGs</li> <li>• Local Impact Reports (LIR) from any Local Authorities</li> <li>• responses to ExA’s Written Questions (ExQ1)</li> <li>• comments on any updates to Application Documents submitted by the Applicant</li> <li>• the Applicant’s revised dDCO</li> <li>• post-hearing submissions including written submissions of oral cases</li> <li>• response to any further information requested by the ExA for this deadline</li> <li>• comments on any additional information/submissions received by Deadline 1</li> </ul>	<p><b>Tuesday</b></p> <p><b>10 September</b></p> <p><b>2019</b></p> <p><b>(12 noon)</b></p>



	<ul style="list-style-type: none"> <li>Applicant to submit report on consultation undertaken about proposed change to the Application – <b>see Annex B</b></li> <li>Applicant to submit clarification document on how the proposed changes would be secured through the DCO</li> </ul>	
<b>7</b>	<p><b>Accompanied Site Inspection (ASI)</b></p> <p>Date reserved to hold an ASI (if required)</p>	<p><b>Tuesday</b> <b>15 October</b> <b>2019</b></p>
<b>8</b>	<p><b>Open floor Hearing (OFH2)</b></p>	<p><b>Tuesday</b> <b>15 October</b> <b>2019</b> <b>(6.00pm)</b></p>
<b>9</b>	<p><b>Issue Specific Hearing 2 (ISH2)</b></p> <p>ISH2 on the interrelationship of major proposals in the area, environmental &amp; landscape/visual issues and transport matters</p>	<p><b>Wednesday</b> <b>16 October</b> <b>2019</b>  <b>(10.00am)</b></p>
<b>10</b>	<p><b>Compulsory Acquisition Hearing (CAH1)</b></p>	<p><b>Thursday</b> <b>17 October</b> <b>2019</b>  <b>(10.00am)</b></p>
<b>11</b>	<p><b>Issue Specific Hearing 3 (ISH3)</b></p> <p>ISH3 on the draft Development Consent Order (dDCO)</p>	<p><b>Thursday</b> <b>17 October</b> <b>2019</b>  <b>(2.00pm)</b></p>
<b>12</b>	<p><b>Deadline 3</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>any revised/updated SoCGs</li> <li>comments on LIRs</li> </ul>	<p><b>Tuesday</b> <b>29 October</b> <b>2019</b>  <b>(12 noon)</b></p>

	<ul style="list-style-type: none"> <li>• comments on responses to ExA's Written Questions (ExQ1)</li> <li>• post-hearing submissions including written submissions of oral cases</li> <li>• the Applicant's revised dDCO</li> <li>• responses to any further information requested by the ExA for this deadline</li> <li>• comments on the Applicant's proposed changes to the Application</li> <li>• comments on any additional information/submissions received by Deadline 2</li> </ul>	
<b>13</b>	<p><b>Deadline 4</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• comments on the Applicant's revised dDCO</li> <li>• comments on any revised/updated SoCGs (if any)</li> <li>• comments on any additional information/submissions received by Deadline 3</li> <li>• responses to any further information requested by the ExA for this deadline</li> </ul>	<p><b>Tuesday</b> <b>5 November</b> <b>2019</b></p> <p><b>(12 noon)</b></p>
<b>14</b>	<p><b>Publication by ExA of:</b></p> <ul style="list-style-type: none"> <li>• Further Written Questions (ExQ2) (if required)</li> <li>• the ExA's preferred dDCO or dDCO commentary (if required)</li> <li>• Report on the Implications for European Sites (RIES) (if required)</li> </ul>	<p><b>Tuesday</b> <b>19 November</b> <b>2019</b></p>
<b>15</b>	<p><b>Deadline 5</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• responses to ExQ2 (if issued)</li> </ul>	<p><b>Thursday</b> <b>28 November</b> <b>2019</b></p> <p><b>(12 noon)</b></p>

	<ul style="list-style-type: none"> <li>• comments on the ExA's preferred dDCO or dDCO commentary (if issued)</li> <li>• comments on any additional information/submissions received by Deadline 4</li> <li>• responses to any further information requested by the ExA for this deadline</li> </ul>	
<b>16</b>	<p><b>Issue Specific Hearing 4 (ISH4)</b></p> <p>ISH4 on any outstanding issues (if required)</p>	<p><b>Tuesday</b> <b>10 December</b> <b>2019</b></p>
<b>17</b>	<p><b>Compulsory Acquisition Hearing (CAH2)</b></p> <p>CAH2 (if required)</p>	<p><b>Wednesday</b> <b>11 December</b> <b>2019</b> <b>(morning)</b></p>
<b>18</b>	<p><b>Issue Specific Hearing 5 (ISH5)</b></p> <p>ISH5 on the draft Development Consent Order (dDCO) (if required)</p>	<p><b>Wednesday</b> <b>11 December</b> <b>2019</b> <b>(afternoon)</b></p>
<b>19</b>	<p><b>Deadline 6</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• comments on the ExA's RIES (if required)</li> <li>• post-hearing submissions including written submissions of oral cases</li> <li>• final signed SoCGs</li> <li>• comments on any additional information/submissions received by Deadline 5</li> <li>• responses to any further information requested by the ExA for this deadline</li> </ul>	<p><b>Tuesday</b> <b>17 December</b> <b>2019</b>  <b>(12 noon)</b></p>
<b>20</b>	<p><b>Deadline 7</b></p> <p>For receipt by ExA of:</p>	<p><b>Tuesday</b> <b>7 January</b> <b>2020</b></p>

	<ul style="list-style-type: none"> <li>• comments on any final signed SoCGs</li> <li>• comments on responses to ExQ2 (if required)</li> <li>• the Applicant's Final Preferred DCO in the SI template validation report</li> <li>• comments on any additional information/submissions received by Deadline 6</li> <li>• responses to any further information requested by the ExA for this deadline</li> </ul>	<b>(12 noon)</b>
<b>21</b>	<p><b>Deadline 8</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• comments on the Applicant's Final Preferred DCO</li> <li>• comments on any additional information/submissions received by Deadline 7</li> <li>• responses to any further information requested by the ExA for this deadline</li> </ul>	<p><b>Tuesday</b> <b>14 January</b> <b>2020</b></p> <p><b>(12 noon)</b></p>
<b>22</b>	<p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p> <p>The ExA may close the examination before the end of the six month period if he is satisfied that all relevant matters have been addressed and discussed.</p>	<p><b>Thursday</b> <b>13 February</b> <b>2020</b></p>

### Publication dates

All information received will be published on the project page of the National Infrastructure Planning website as soon as practicable after each deadline for submissions.

### Hearing agendas

We will aim to publish a draft agenda for each hearing on the project page of the National Infrastructure Planning website at least five working days in advance of the hearing date. The actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

## **Report on the Implications for European Sites**

Where the Applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the DCO application, the ExA may decide to issue a Report on the Implication for European Sites (RIES) during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of the Habitats Regulations<sup>1</sup> and/ or Regulation 28 of the Offshore Marine Regulations.

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<sup>1</sup> The Conservation of Habitats and Species Regulations 2017

## Procedural Decisions made by the Examining Authority

I have made a number of Procedural Decisions following the Preliminary Meeting<sup>1</sup>:

### 1. Examination Timetable

Recognising that Deadline (D)1 falls immediately after a Bank Holiday, and in response to a request at the Preliminary Meeting, I have extended the deadline for D1 to 11.59pm on Tuesday 27 August 2019.

I have also considered the request at the Preliminary Meeting from the Applicant to accelerate the Examination timetable, amending certain deadlines to facilitate closing the Examination before the end of the calendar year. There was no opposition to this from other attendees at the Preliminary Meeting.

I have made a Procedural Decision to examine the application as originally proposed in the draft Examination Timetable. Nevertheless, if I am satisfied that all relevant matters have been addressed and discussed I may decide to close the Examination earlier than currently timetabled but to do so would require parties to demonstrate commitment to the timetable and for submissions to be provided on time.

### 2. Examining Authority's Written Questions

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010024/TR010024-000255-Written%20Questions%20\(ExQ1\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010024/TR010024-000255-Written%20Questions%20(ExQ1).pdf)

Some of my Written Questions (WQ) are directed to specific Statutory Parties which have not, at the time of writing, confirmed that they wish to become Interested Parties for the purposes of the examination of the application.

All relevant Statutory Parties will receive this correspondence and I request for each to check my WQs carefully in order that they may identify and respond to any questions posed to them. No party should feel inhibited or restricted in responding to any question I ask, even if it is directed elsewhere.

For the avoidance of doubt, Statutory Parties are defined as the parties listed in Schedule 1 to The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015<sup>2</sup>.

### 3. Statements of Common Ground (SoCG)

The Applicant is taking the lead in the preparation of SoCGs and it will aid the smooth running of the Examination if all Interested Parties who are participating in the preparation of SoCGs liaise and co-operate with the Applicant in respect of their production. Final signed versions of the SoCGs listed below are requested to be submitted by **Tuesday 17 December 2019 (Deadline 6, Annex A)**.

SoCGs are requested to be prepared between the Applicant and:

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<sup>1</sup> Section 89(1) of the Planning Act 2008

<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/legislation/>

A. **South Tyneside Council**, to include:

- Development Consent Order
- Economic and Social impacts
- Environmental Impact Assessment, including issues related to Cumulative effects
- Noise and disturbance including construction and operational
- Landscape and visual impact
- Air quality
- Ecology, habitats and nature conservation effects
- Traffic and transport
- Effects on motorised road traffic
- Effects on the Public Rights of Way (PRoW) network and on cyclists, pedestrians and horse riders
- Construction Environmental Management Plan.

B. **Sunderland City Council**, to include:

- Development Consent Order
- Economic and Social impacts
- Environmental Impact Assessment, including issues related to Cumulative effects
- Noise and disturbance including construction and operational
- Landscape and visual impact
- Air quality
- Ecology, habitats and nature conservation effects
- Traffic and transport
- Effects on motorised road traffic
- Effects on the Public Rights of Way (PRoW) network and on cyclists, pedestrians and horse riders
- Construction Environmental Management Plan.

C. **Natural England**, to include:

- Development Consent Order
- Ecology, habitats and nature conservation, including issues related to:
  - Protected sites
  - Protected species
  - European sites and features relevant to Habitat Regulations Assessment
- Air quality
- Water Quality

D. **The Environment Agency**, to include:

- Development Consent Order
- Environmental Permits
- Water environment effects including abstraction and discharge, drainage, flooding and the Water Framework Directive
- Contaminated land
- Construction Environmental Management Plan

- E. **IAMP LLP**, to include:
- Development Consent Order
  - The evolving relationship between IAMP and the Proposed Development
- F. **National Grid Electricity Transmission PLC and National Grid Gas**, to include:
- Protective Provisions

The SoCGs should cover the following topics where relevant:

- Methodology for Environmental Impact Assessment including assessment of cumulative effects
- Data collection methods
- Baseline data
- Data/ statistical analysis, approach to modelling and presentation of results (including forecast methodologies)
- Full expression of expert judgements and assumptions
- Identification and sensitivity of relevant features and quantification of potential impact
- Likely effects (direct and indirect) on special interest features of sites designated or notified for any nature conservation purpose
- Feasible and deliverable mitigation and method for securing such mitigation within the Development Consent Order

**All of the SoCGs listed above should cover the Articles and Requirements in the draft DCO.** Any Interested Party seeking for an Article or Requirement to be reworded should provide in the SoCG the form of words which are being sought.

Where a particular SoCG cannot be agreed between the parties by **Deadline 6**, or in so far as any local authority position represents an officer level view only, draft versions of that SoCG are requested to be submitted **by the Applicant** to **Deadline 3**. The position of the relevant Interested Parties should then be confirmed in the course of the Examination.

The content of SoCGs is necessary to help inform me as to the need to hold any Issue Specific Hearings in December 2019, and to enable me and the Applicant to give notice of such hearings at least 21 days in advance of them taking place.

#### **4. Local Impact Reports (LIRs)**

A LIR is a report in writing giving details of the likely impact of a Proposed Development on a local authority's area (or any part of that area). For more information about the importance and content of LIRs see our Advice Note One: Local Impact Reports<sup>3</sup>.

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<sup>3</sup> <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>



Local authorities<sup>4</sup> are invited to submit LIRs by Tuesday 10 September 2019 (**Deadline 2, Annex A**).

## **5. Habitats Regulations Assessment**

Under the Habitats Regulations<sup>5</sup>, in order to inform the Secretary of State as the competent authority, certain information needs to be provided and consultation undertaken during the course of the Examination. It appears from the submitted application documents that there is no pathway for any effect on the qualifying features of designated European sites, and therefore I currently see no need to request completed screening or integrity matrices.

## **6. Accompanied Site Inspection (ASI)**

Time has been reserved in the Examination Timetable to undertake an ASI on Tuesday 15 October 2019.

The Applicant, Interested Parties and Statutory Parties are requested to submit requests for site inspections at specific locations; reasons for those requests; indications of the time required to access the land; a list of any special safety or other equipment required to access the land; and consent for the ExA and attendees to enter the land by Deadline 1 (Annex A). Persons making requests are asked to review the ExA's USI Notes (Annex E). The ExA will not normally agree to hold an ASI at a location that it has already inspected during a USI, unless there is a clear reason why an ASI is required.

Interested Parties requested to attend the ASI include representatives of the Applicant, South Tyneside Council and Sunderland City Council, together with other Interested Parties (or their representatives).

It may be necessary to limit the numbers of persons who accompany me for logistical and safety reasons, but it should be possible for arrangements to be made for Interested Parties (or their representatives) to join the inspection at specified locations within the itinerary. Please contact the Case Team if you wish to meet the inspection at a specific location within the itinerary, or at a new location, as proposed in your comments.

The final itinerary for the ASI (if held) will be published on the project page of the National Infrastructure Planning website at least five working days in advance of the ASI.

Interested Parties should be aware that **ASIs are not an opportunity to make any oral representations to the ExA about the Proposed Development**. However, I may invite participants to indicate specific features or sites of interest.

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<sup>4</sup> Defined in s56A of the Planning Act 2008

<sup>5</sup> The Conservation of Habitats and Species Regulations 2017

## 7. Proposed changes to the application

On 24 July the Applicant submitted to the Planning Inspectorate a number of additional documents in relation to the application. These comprised:

- Cover letter;
- ES Addendum assessing the environmental effects of a potential variation to NMU provision;
- Amended draft DCO and Explanatory Memorandum (the dDCO was omitted and subsequently submitted on 12 August);
- Updated Interrelationship with Testo's Junction, A1 Birtley to Coalhouse Scheme and IAMP;
- Application Document Errata;
- Clarification to Town End Partnership Relevant Representation; and
- Updated Document Tracker.

<b>Document as described on the National Infrastructure Project Webpage</b>	<b>Examination Library Reference</b>
Proposed changes to the Application. Covering letter	[AS-016]
Proposed changes to the Application. 1.4(3) - Application Document Tracker	[AS-017]
Proposed changes to the Application. 3.1(2) - Draft Development Consent Order (Tracked Changes)	[AS-018]
Proposed changes to the Application. 3.1(2) - Draft Development Consent Order	[AS-019]
Proposed changes to the Application. 3.2(2) - Explanatory Memorandum (Tracked Changes)	[AS-020]
Proposed changes to the Application. 3.2(2) - Explanatory Memorandum	[AS-021]
Proposed changes to the Application. 6.11 - ES Addendum assessing the environmental effects of a potential variation to NMU provision	[AS-022]
Proposed changes to the Application. 7.3(1) - Updated Interrelationship with Testo's Junction, A1 Birtley to Coalhouse Scheme and IAMP (Tracked Changes)	[AS-023]
Proposed changes to the Application. 7.3(1) - Updated Interrelationship with Testo's Junction, A1 Birtley to Coalhouse Scheme and IAMP	[AS-024]
Proposed changes to the Application. 7.6 - Application Document Errata	[AS-025]
Clarification to Town End Partnership Relevant Representation	[AS-026]

These documents formed part of the discussion at both the Preliminary Meeting and the Issue Specific Hearing (ISH1) on 13 August.

At this stage I have made a Procedural Decision not to accept any of these documents apart from the Clarification to Town End Partnership Relevant Representation which is independent of all of the other submissions. In respect of the remaining documents I am making a Procedural Decision to request that the Applicant undertakes consultation on the proposed changes. Subsequently, by D2 (10 September 2019) the Applicant should provide a report on the consultation undertaken as well as a clarification document setting out how the proposed changes would be secured through the dDCO. Any IP wishing to comment on these submissions should do so by D3 (29 October 2019). Having received the submissions and any comments I will then decide whether or not to accept the proposed changes.

## Notice of hearings and requests to appear and procedure to be followed at hearings

The notifications below are for the hearings due to be held in October 2019.

<b>Date</b>	<b>Hearing</b>	<b>Start time</b>	<b>Venue</b>	<b>Access and parking</b>
Tuesday 15 October 2019	Open Floor Hearing (OFH2)	6.00pm	George Washington Hotel Stone Cellar Road High Usworth Washington Newcastle upon Tyne NE37 1PH	Free parking available at the venue
Wednesday 16 October 2019	Issue Specific Hearing on the interrelationship of major proposals in the area, environmental & landscape/visual issues and transport matters (ISH2)	10.00am	George Washington Hotel Stone Cellar Road High Usworth Washington Newcastle upon Tyne NE37 1PH	Free parking available at the venue
Thursday 17 October 2019	Compulsory Acquisition Hearing (CAH1)	10.00am	George Washington Hotel Stone Cellar Road High Usworth Washington Newcastle upon Tyne NE37 1PH	Free parking available at the venue
Thursday 17 October 2019	Issue Specific Hearing into the draft Development Consent Order (dDCO) (ISH3)	2.00pm	George Washington Hotel Stone Cellar Road High Usworth Washington Newcastle upon Tyne NE37 1PH	Free parking available at the venue

Information about hearings is included in the Planning Inspectorate's 'Advice Note 8.5: The examination: hearings and site inspections', available on the National Infrastructure Planning website here:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

## Requests to appear at hearings

The Examination Timetable reserves three periods of time for a series of hearings to be held. Hearings in the first period have already taken place being the Issue Specific Hearing (ISH1) into the draft Development Consent Order (dDCO) on 13 August 2019, and an Open Floor Hearing on 13 August 2019. Subsequent hearings are scheduled to take place between 15 and 17 October 2019 and between 10 and 11 December 2019.

Interested Parties are required to notify the Examining Authority (ExA) in writing of their wish to take part in an Open Floor Hearing (OFH) or Compulsory Acquisition Hearing (CAH). I remind Interested Parties of the Procedural Decision issued with the Rule 6 letter requesting notification from Interested Parties in this regard on or before Tuesday 27 August 2019 (**Deadline 1, Annex A**).

If you wish to attend any of these hearings please contact the Case Team using the details at the top of this letter no later than **Tuesday 8 October 2019** stating:

- whether you wish to speak at the hearing and the issues about which you wish to make oral representations; and
- notifying us of any special needs you may have (eg disabled access, hearing loop etc).

Seating will be available at the venue 30 minutes prior to the start of the hearing to enable a prompt start. The hearing will finish as soon as the Examining Authority (ExA) deems that all those present have had their say and all matters have been covered. Depending on the numbers wishing to speak at the hearing, it may be necessary for the ExA to limit the time allocated to each speaker.

If an Interested Party wishes to attend an OFH or ISH they should indicate which topics in their Relevant Representation or Written Representation they wish to address at the hearing. Similarly, any Affected Person wishing to attend a CAH should identify clearly the plots of land about which they wish to speak.

Notifications from Interested Parties in respect of the above should be sent separately from any other written submission, and appropriately titled to allow us to quickly identify which event the notification relates to.

## Procedure at hearings

The procedure to be followed at hearings is set out in The Infrastructure Planning (Examination Procedure) Rules 2010<sup>1</sup>. Any oral representations must be based on either the Relevant Representation or Written Representation made by the person by whom, or on whose behalf, the oral representations are made.

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<sup>1</sup> Rule 14

The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties<sup>2</sup>. My examination will be principally undertaken through the exchange of written submissions, and we will decide whether a hearing on a particular issue or topic is necessary. This decision is not connected to how relevant or important I consider an issue or topic to be.

### **Hearing agendas**

I will aim to publish a draft agenda for each hearing on the project page of the National Infrastructure Planning website at least five working days in advance of the hearing date. The actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

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<sup>2</sup> Rule 14(5)

## Availability of Examination Documents

The application documents and Relevant Representations are available on the project webpage on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a19-downhill-lane-junction-improvement/?ipcsection=overview>

All further documents submitted in the course of the Examination will also be published at the above location.

For ease of navigation, please refer to the Examination Library (EL) which is accessible via a blue button under the 'Documents' tab. The EL is updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the project webpage is also provided. Please use the unique reference numbers applied in the EL when referring to any Examination Documents in any future submissions that you make.

Documents can be viewed electronically, free of charge, at the following locations. Please note that you may need to bring a form of identification to use a computer at these locations.

### Electronic deposit locations

Local authority	Library/ address	Opening hours
South Tyneside Council	Hebburn Central Glen Street Hebburn NE31 1AB	Monday: 9.30am – 7pm Tuesday: 9.30am – 7pm Wednesday: 9.30am – 7pm Thursday: 9.30am – 7pm Friday: 9.30am – 5pm Saturday: 10am – 4pm Sunday: CLOSED
South Tyneside Council	Jarrow Library Cambrian Street Jarrow NE32 3QN	Monday: 9.30am – 7pm Tuesday: 9.30am – 7pm Wednesday: 9.30am – 7pm Thursday: 9.30am – 7pm Friday: 9.30am – 5pm

**Annex D**

		Saturday: 10am – 4pm Sunday: CLOSED
South Tyneside Council	The Word 45 Market Place South Shields NE33 1DX	Monday: 9am – 7pm Tuesday: 9am – 7pm Wednesday: 9am – 7pm Thursday: 9am – 7pm Friday: 9am – 5pm Saturday: 10am – 4pm Sunday: 10am – 4pm
<b>Printing costs</b>	<b>Black and white</b>	<b>Colour</b>
<b>A4</b>	Single-sided: 10p per sheet	Single-sided: 50p per sheet
<b>A3</b>	Single-sided: £1.00 per sheet	Single-sided: £1.00 per sheet
<b>Link to all council library locations</b>		
<a href="https://www.southtyneside.gov.uk/article/34340/Library-at-Hebburn-Central">https://www.southtyneside.gov.uk/article/34340/Library-at-Hebburn-Central</a> <a href="https://www.southtyneside.gov.uk/article/34341/Jarrow-Focus-Library">https://www.southtyneside.gov.uk/article/34341/Jarrow-Focus-Library</a> <a href="https://www.southtyneside.gov.uk/article/56249/The-Word-Library">https://www.southtyneside.gov.uk/article/56249/The-Word-Library</a>		



**Application for Development Consent for  
A19 Downhill Lane Junction Improvement  
Case Ref: TR010024**

**Examining Authority's Note of Unaccompanied Site Inspection on  
Monday 12 August 2019**

**Background**

As Examining Authority (ExA) I undertook my first Unaccompanied Site Inspection to support my examination of an application for development consent for the proposed A19 Downhill Lane Junction Improvement (the Application) on 12 August 2019. The application has been made by Highways England (the Applicant).

In the interests of efficiency, I commenced my unaccompanied inspections following my appointment but before the Preliminary Meeting (PM) which was held on 13 August 2019.

Inspections were undertaken from publicly accessible land including highways and public rights of way. No access to private land was sought and therefore I was able to undertake the inspection on an unaccompanied basis.

The inspections were undertaken to view the proposed Application site as shown on the Land Plans [APP-007]<sup>1</sup>, Works Plans [APP-008] and Engineering Drawings and Sections [APP-010] submitted with the Application. Locations within the setting of the development proposal were also inspected along with the relationship between the nearby major developments namely:

- the A19 Testo's Junction Improvement Scheme; and
- the International Advanced Manufacturing Park (IAMP).

I undertook the inspection alone. I did not encounter any interested parties or other persons during my inspection. Weather conditions were reasonable, being cloudy and dry. Visibility was good at all times. My inspection was undertaken by car and on foot.

The purpose of this note is:

- to inform the Applicant and interested parties (IPs) involved in the Examination of actions already taken by the ExA; and
- to enable the Applicant and IPs to consider which, if any, additional sites the ExA might need to inspect.

Further site inspections will be required. The site inspection programme was discussed at the PM held on Tuesday 13 August 2019. The Applicant and IPs were provided with an opportunity to provide comments to the ExA on the approach that I should take to site inspections and to nominate site inspection

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<sup>1</sup> The Application documents and other Examination documents are available in the Examination Library at the project website: <http://infrastructure.planninginspectorate.gov.uk/document/TR010024>. All Examination documents are provided with a unique identification number for referencing purposes, shown in square brackets [ ].

locations including to propose inspections of private land on an accompanied basis. However, before providing comments on the need for and nominations about locations for additional site inspections, the Applicant and IPs are requested to review the actions recorded in this note.

Before agreeing to any additional site inspections at particular locations, I will consider the degree to which it is necessary to visit a site that has been nominated for an inspection to inform the ExA about the application. I may decide not to visit nominated locations where I have already visited the location or I consider that it is not necessary to see the features to be observed there.

Further site inspection notes will be published following further site visits.

### **Particulars of the Inspection**

The purpose of the visit was for me as ExA to become familiar with the Application site and surrounds. My visit commenced at approximately 7.30am and was completed by approximately 12.00 noon.

I began my inspection at the Clarion Hotel Boldon and drove along Abingdon Way to join the A184 Newcastle Way and the A19 southbound leaving at the Downhill Lane Junction. In doing so I took note of the volume of early morning traffic and the traffic management arrangements in place associated with the Testo's Junction Improvement Scheme. I continued on the A1290 southbound, passing the IAMP One site and West Moor Farm, turning left into Cherry Blossom Way and right into Nissan Way, noting in passing the wind turbines within the vicinity of Hylton Plantation. In the vicinity of the Turbine Trade Park I noted the Washington Business Centre, Tyne and Wear Fire and Rescue Service, and Gateshead Future Technology Centre among other occupiers. From there I drove along the A1231 Sunderland Highway turning into Castletown and visiting Hylton Castle and Hylton Red House. I observed community facilities in Hylton Castle and drove along Washington Road and Ferryboat Lane noting commercial properties in the Sunrise Enterprise Park. I noted the presence of a substantial band of vegetation on the western side of Ferryboat Lane and the location of the Noise Action Planning Important Area 6637 (Figure 12.1 of the Environmental Statement (ES) [APP-028]).

In driving around Town End Farm and Hylton Castle I took account of the location of local community facilities including schools (Town End Academy), shops and other services as well as sensitive receptors identified in the ES in terms of the air quality assessment (Figure 6.2 of the ES [APP-023]). This included properties on Boston Crescent, Baltimore Avenue and Boston Street. In Hylton, I took note of the general location of Local Wildlife Sites and the Hylton Castle Cutting SSSI (Figure 9.1 of the ES [APP-026]). I also noted the substantial band of vegetation to the west of Baltimore Avenue.

From Washington Road I travelled eastwards along Downhill Lane and the A184 taking note of the character of West Boldon and East Boldon. On Downhill Lane I noted the character of the road, junction layouts at each end and the elevated position of the road to the northern end offering views back towards the A19. I then returned to Town End Farm via Hylton Lane, where I took note of the community facilities.

Returning to the application site via Washington Road I took note of the general extent of land being sought to be acquired permanently as well as the land to be acquired temporarily, particularly in the vicinity of Town End Farm.

I observed the extent of the Nissan Motor Manufacturing Plant and its extensive servicing and parking areas as well as the Gateshead College Skills Academy. In the vicinity of Washington Road West and Killingsby Lane South I noted a number of features including the North East Aircraft Museum, the footbridge across the A19 at the end of Washington Road, the Three Horse Shoes Public House (now Rustica), residential properties (Unsworth Cottages and The Chalet) and construction worksites. I also noted the location of the proposed NMU crossing on the A1290 and the general areas of proposed land acquisition / temporary use to the west of the A19.

To the west of the A1290 I observed the construction of IAMP One including the closure of Follingsby Lane. From Downhill Lane West and Follingsby Lane I noted the temporary access road to North Moor Farm, and other farm buildings including Hylton Bridge Farm and Hylton Grove Farm. I drove further west along Follingsby Lane noting the location of other farm buildings, the site of the Follingsby Max development and the Follingsby Park business area.

Returning to West Pastures, I drove north, again noting farm buildings in the distance, the location of the travellers' site and the location of the A19 Testo's Junction Improvement Scheme site compound. I continued westbound on the A184 as far as the junction with the A194(M) noting the general location of Scot's House and other listed buildings, (Figure 7.1 of the ES [APP-024]) before returning to the Testo's roundabout.

Further afield I also visited Sulgrave and the Bentall Business Park from my journey along the A1290 as well as driving to the Penshaw Memorial where I observed the wider context of the application site.

My visit finished with a drive along the A19 northwards from its junction with the A183 to the exit after the Testo's junction, returning to the Clarion Hotel via Abingdon Way and the Boldon Business Park.

### **Conclusion**

I have viewed the application site from numerous public vantage points from all directions. I have familiarised myself with the site's location and its context. Based on my visit I do not consider it necessary to visit the locations identified again, unless specifically requested to do so. In such a case I consider that a visit would only be to view specific identified features.

Kevin Gleeson  
Examining Authority