

Downhill Lane Development Consent Order - TR0100024

South Tyneside Council's response to the examining authority - Written Questions and Requests for Information (ExQ1).

Q No.	Respondent	Question	Answer
1.1.1	Applicant, Interested Parties (IPs), Affected Persons (APs)	<p>Schedule 1 of the dDCO provides for various works listed (a) to (o). These are not located by reference to the works numbers shown on the Works Plans [APP-008]. Some of these works are substantial and as such could give rise to emissions and effects, the assessment of which would need to rely on a precise understanding of their location.</p> <p>IPs/APs are invited to comment of the location and/or effects of the proposed works (a) to (o), identifying any concerns and/or suggested changes</p>	<p>South Tyneside Council (STC) has no concerns or suggested changes.</p>
1.1.4	IPs, APs and Local Authorities (LAs)	<p>The Register of Environmental Actions and Commitments (REAC) is at Appendix 1.3 of the ES [APP-032] and provides a summary of mitigation measures. The relationship between the REAC, the Construction Environmental Management Plan (CEMP) and the Handover Environmental Management Plan (HEMP) is set out in section 5 of the CEMP [APP-051].</p> <p>Do parties wish to comment on the scope of the REAC as a means of delivering mitigation?</p> <p>Are IPs, APs and the LAs content about the extent of and relationship between the CEMP and the HEMP? What changes, if any would you wish to see?</p>	<p>STC is supportive of the REAC as a means of delivering mitigation.</p> <p>STC are content with the extent and relationship between the CEMP and HEMP and requires no changes.</p>
Q1.1.6	LAs	<p>Paragraph 2.15.8 of the ES describes the creation of haul</p>	<p>STC is content in principle that haul road can be created within</p>

		roads. Are LAs content that in principle haul roads can be created within the temporary land take areas which would minimise the use of the local road network?	the temporary land take areas to minimise the use of the local road network.
Q1.2.7	LA's	The LAs are asked to confirm whether or not they agree with the methodology, baseline conditions and conclusions of the air quality assessment and whether they wish to make any other comments in relation to air quality. Specifically, the LAs are asked to comment on the identification of receptors.	STC agrees with the methodology, baseline conditions and conclusions of the air quality assessment. STC is content with the identification of receptors.
Q1.3.1	Applicant / IPs / LAs	Paragraph 9.3.15 of the ES [APP-020] states that the range of surveys, their spatial and temporal scope and the survey methods to be applied were consulted upon with Natural England, Durham Wildlife Trust and the Local Planning Authority as part of the formal EIA Screening Process. Natural England, South Tyneside Council and Sunderland City Council are asked to confirm whether they are content that their responses as part of the Screening Process are adequately addressed by the Applicant. The Applicant is asked to confirm whether, in the absence of any formal response to the Scoping Report from Durham Wildlife Trust, there was any further dialogue with the Trust and if so, what was their response.	STC is content that the applicant has adequately addressed matters identified in the screening process.
1.5.1	IPs other than the Applicant	With respect to matters raised in RRs or WRs but which were	At this time, STC has no concerns or required changes to the dDCO.

		<p>not discussed in ISH1 and in your view require changes to the dDCO please identify the changes that you require, referring to Articles, Requirements and any other provisions as necessary, providing your preferred drafting where possible and explain why it is proposed and what it aims to achieve.</p> <p>Please cross-reference responses to this question to your RR, WR and to other questions in ExQ1 as necessary.</p>	
Q1.8.1	Applicant LAs	<p><i>As set out in paragraph 8.3.5 of the ES [APP-020] both local authorities were consulted about the number and location of photomontages.</i></p> <p><i>What were the comments of the local authorities? Were their comments taken into account?</i></p> <p><i>What are the views of the local authorities on the methodology, baseline and conclusions of the landscape and visual impact assessment?</i></p>	<p>STC were content with the proposed number and location of photomontages.</p> <p>STC are content with the methodology, baseline and conclusions of the landscape and visual impact assessment.</p>
Q1.8.2	Applicant South Tyneside Council	<p>The local planning policies and designations shown on Figure 8.1 are based on published documentation as of October 2018, which has not yet been updated to take account of Testo's junction, as described in paragraph 8.4.1 of the ES [APP-020].</p> <p>Whilst published documentation does not reflect the Testo's scheme South Tyneside Council and the Applicant are asked how Fig 8.1 would reflect any change in circumstance arising from the Testo's approval?</p>	<p>STC considers that it might be advantageous for figure 8.1 to be updated and to reflect that Testo's DCO has been consented.</p>
Q1.8.6	Applicant	In paragraph 8.7.3 of the ES	STC is content with the proposed

	LAs	<p>[APP-020] it is explained that mitigation for landscape and visual effects would be subject to a maintenance period of two years, prior to handover to the future maintaining authority for on-going highway maintenance.</p> <p>The Applicant is asked to confirm on what basis the period of two years was identified and to explain how this would be secured through the DCO.</p> <p>The LAs are asked for their views on the effectiveness of the proposed monitoring and maintenance regime.</p>	monitoring and maintenance regime.
Q1.9.1	LAs / Environment Agency / Applicant	<p>Paragraphs 12.3.23 and 12.3.24 of the ES [APP-020] indicate that South Tyneside Council and Sunderland City Council were consulted by the Applicant in relation to the methodology to be used for the noise assessment, construction assessment and noise monitoring locations and durations. It is noted that comments and feedback were taken into account during the assessment with support received for the assessment approach used and the monitoring locations and durations agreed with the local authorities.</p> <p>Can the LAs please confirm that they are content with these reported comments?</p> <p>Was the Environment Agency consulted on sensitive receptors and the assessment methodology as specified in the Scoping Opinion?</p> <p>If the Environment Agency</p>	STC is content with the approach adopted by the applicant.

		were not consulted, can the Applicant explain why not?	
Q1.9.2	Applicant / LAs	<p>In paragraph 12.5.2 of the ES [APP-020] it is explained that noise monitoring was undertaken at two locations, namely Make-Me-Rich Farm and 35 Benton Avenue.</p> <p>The Applicant and LAs are asked to comment on the appropriateness of these locations for long term unattended monitoring, whether other locations should also have been included and the relevance of surveys undertaken in 2014.</p>	STC is content with the appropriateness of the long term noise monitoring undertaken and locations selected.
Q1.9.5	LAs	<p>The proposed construction working hours are set out in paragraph 12.6.5 of the ES [APP-020].</p> <p>Are LAs content with the proposed working hours including activities outside of core hours?</p>	STC is content with the proposed working hours including activities outside of core hours.
Q1.9.10	Applicant / LAs	<p>Paragraphs 12.7.5 and 12.7.9 of the ES [APP-020] indicate that a scheme of noise and vibration monitoring containing a schedule of monitoring and agreed noise and vibration limits would be drafted and consulted upon with the local authorities as part of the Construction Environmental Management Plan (CEMP).</p> <p>The Applicant is asked why is it not possible to provide the required information before the completion of the Examination?</p> <p>Is this to be secured through the CEMP, REAC or through the dDCO or is it part of the Dust, Noise and Nuisance Management Plan?</p>	STC is content that these matters can be agreed within the CEMP rather than during the examination.

		<p>As the schedule of monitoring is yet to be agreed, no details have been provided in the ES. Please can the applicant provide an indicative plan of what these monitoring measures would involve, who would carry these measures out, over what temporal scale and considering what thresholds?</p> <p>Are the LAs content with the matters being addressed through the CEMP rather than during the Examination?</p>	
Q1.12.6	Environment Agency LAs	<p>A flood risk assessment was undertaken and is included as Appendix 14.3 of the ES [APP-041].</p> <p>Do the Environment Agency and the LAs wish to make any comment on the methodology adopted?</p>	STC is content with the methodology adopted.