

Application by Highways England for the A19 Downhill Lane Junction Scheme

The Examining Authority's Written Questions and Requests for Information (ExQ1)

Issued on 20 August 2019

The following table sets out the Examining Authority's (ExA's) Written Questions and requests for information – ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2. Responses are required by **Deadline 2 in the Examination Timetable, Tuesday 10 September 2019**. Please note that if this deadline is missed the ExA is not obliged to take account of your response.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex B to the Rule 6 letter of **12 July 2019**. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and Other Persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. If the answer to a question is set out in, for example, a statement of common ground (SOCG) then a cross reference to where the issue is addressed is acceptable.

This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 1 (indicating that it is from ExQ1) and then has an issue number and a question number. For example, the first question on General and Cross Topic Questions is identified as ExQ1.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

In some areas there may be a degree of overlap between the answers to questions and it is acceptable to provide a single answer which responds to multiple questions or answer questions individually and provide cross references between multiple answers where appropriate. If you do so, please use all number references and ensure all elements are addressed.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact A19DownhillLaneJunction@planninginspectorate.gov.uk and include A19 Downhill Lane Junction ExQ1 in the subject line of your email.

Responses are due by **Tuesday 10 September 2019**.

Abbreviations Used

PA2008	<i>The Planning Act 2008 as amended</i>	LPA	<i>Local planning authority</i>
Art	<i>Article</i>	MP	<i>Model Provision (in the MP Order)</i>
ALA 1981	<i>Acquisition of Land Act 1981</i>	MP Order	<i>The Infrastructure Planning (Model Provisions) (England & Wales) Order 2009</i>
BoR	<i>Book of Reference [APP-017]</i>	NPS	<i>National Policy Statement</i>
CA	<i>Compulsory Acquisition</i>	NSIP	<i>Nationally Significant Infrastructure Project</i>
CPO	<i>Compulsory Purchase Order</i>	R	<i>Requirement</i>
dDCO	<i>Draft DCO (Revision 1) [AS-002]</i>	SI	<i>Statutory Instrument</i>
EM	<i>Explanatory Memorandum [APP-012]</i>	SoS	<i>Secretary of State</i>
ES	<i>Environmental Statement [APP-020-043]</i>	SoR	<i>Statement of Reasons [APP-015]</i>
ExA	<i>Examining authority</i>	Testo's Order	<i>The A19/A184 Testo's Junction Alteration Development Consent Order, 2018</i>
LIR	<i>Local Impact Report</i>	TP	<i>Temporary Possession</i>

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010024/TR010024-000173-A19%20Exam%20Library%20PDF.pdf>

It will be updated as the examination progresses.

Citation of Questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg **ExQ1.1.1** – refers to question 1 in this table

9	Noise and Vibration	
<p>Q1.9.1</p>	<p>LAs / Environment Agency / Applicant</p>	<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>The Environment Agency was not consulted on the sensitive receptors and the assessment methodology with respect to noise and vibration.</p> <p>If the Environment Agency were not consulted, can the Applicant explain why not?</p>
<p>Q1.12.5</p>	<p>Environment Agency</p>	<p>Paragraphs 14.3.3 – 14.3.18 of the ES [APP-020] sets out the methodology for the water quality assessment. It indicates that the Environment Agency has approved the method of assessment used by the Highways Agency (now Highways England) Water Risk Assessment Tool (HAWRAT).</p> <p>Is the Environment Agency content with the way in which the water quality assessment methodology was applied in this case?</p> <p>The Environment Agency is satisfied with the water quality assessment methodology submitted to support the application.</p>
<p>Q1.12.6</p>	<p>Environment Agency LAs</p>	<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> <p>The Environment Agency have no further comments to make regarding the methodology in the flood risk assessment and appendix 14.3.</p>



Q1.12.7	Environment Agency	A Water Framework Directive assessment was undertaken as set out at Appendix 14.3 of the ES [APP-041]. Does the Environment Agency wish to comment on the methodology adopted in undertaking this assessment? The Environment Agency have no further comments to make regarding the methodology for the Water Framework Directive assessment.
Q1.12.10	Applicant / Environment Agency	Paragraph 14.4.31 of the ES [APP-020] indicates that the Environment Agency's Flood Zone Map will be updated in the near future. Has that update taken place? If so, what does it demonstrate? If not, when is it expected? The Flood Map has been updated and was published on the Gov.uk website on Wednesday 31 July 2019. The updated flood map shows a smaller extent of flood zones along the River Don, and a smaller risk area along the River Don including the application site.