

## A1 Birtley to Coal House

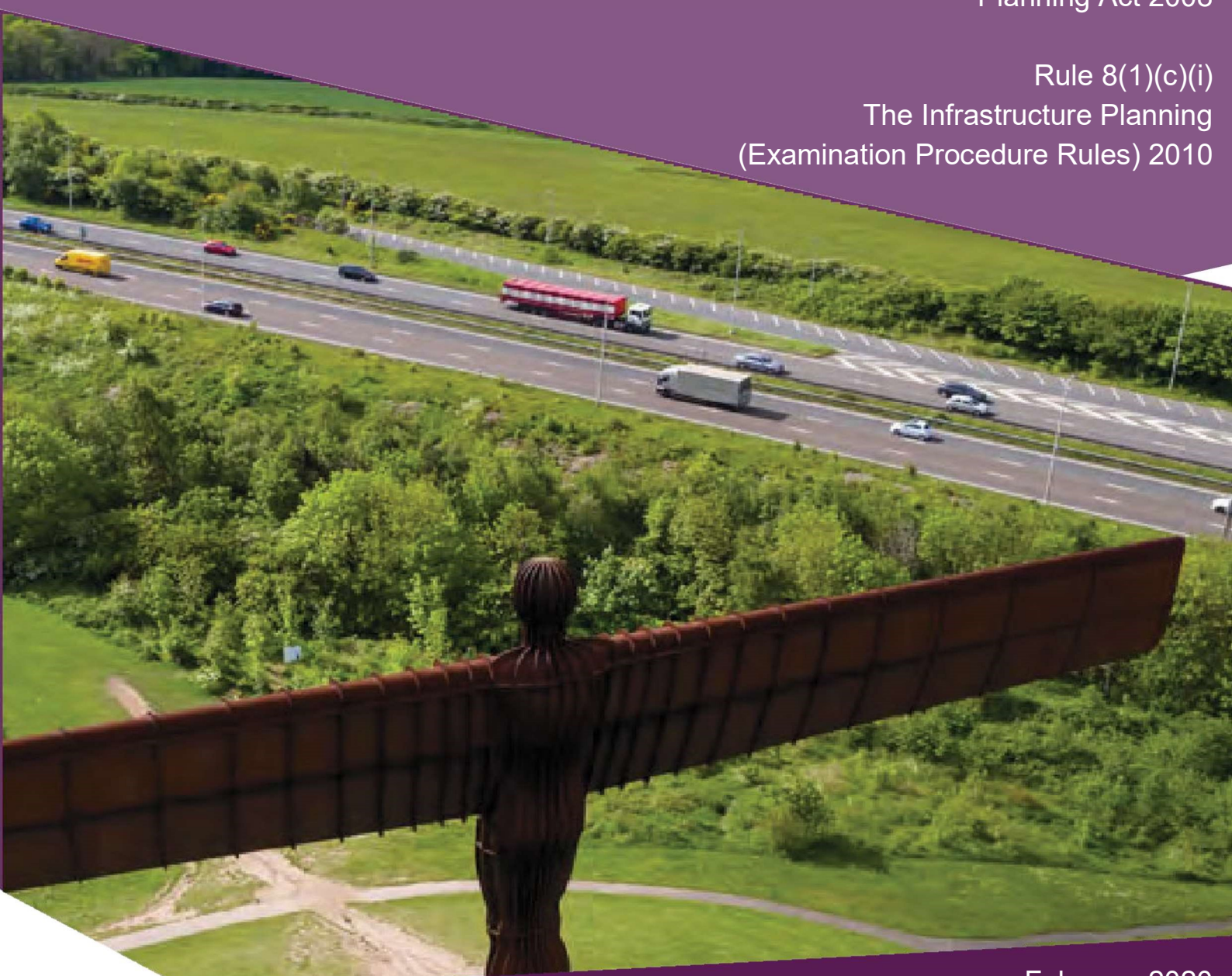
Scheme Number: TR010031

# EXA/D1/002 Responses to Relevant Representations

Planning Act 2008

Rule 8(1)(c)(i)

The Infrastructure Planning  
(Examination Procedure Rules) 2010



Infrastructure Planning

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(Examination Procedure Rules) 2010**

**The A1 Birtley to Coal House  
Development Consent Order 20[xx]**

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**RESPONSES TO RELEVANT REPRESENTATIONS**

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<b>Rule Number:</b>	Rule 8(1)(c)(i)
<b>Planning Inspectorate Scheme Reference</b>	TR010031
<b>Application Document Reference</b>	EXA/D1/002
<b>Author:</b>	A1 Birtley to Coal House Project Team, Highways England

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev 0	04/02/2020	Examination Deadline 1

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## **1 RESPONSES TO RELEVANT REPRESENTATIONS**

- 1.1.1 The purpose of this document is to set out Highways England's ("the Applicant's") comments on the Relevant Representations (RR) from the interested parties.
- 1.1.2 These can be found in Table 1.1 below.

**Table 1.1 – Applicant’s comments on the Relevant Representations**

Reference Number	Comment from Relevant Representation	Response to Relevant Representation
<b>RR-001 Environment Agency</b>		
1.1	The Environment Agency are a statutory consultee on Nationally Significant Infrastructure Projects. Therefore, we will be making representations regarding matters within our remit such as flood risk, ecology and water quality matters.	Noted. Highways England has consulted the Environment Agency on the A1 Birtley to Coal House (the “Scheme”) and is preparing a Statement of Common Ground for agreement between the two parties.
<b>RR-002 Peter Talbot</b>		
2.1	What steps will be taken to minimise noise and disruption to the residents of North Dene, Birtley during the works.	<p>The potential construction noise impacts from the Scheme are described in Chapter 11, Noise and Vibration of the Environmental Statement (ES) [APP-032] and are supported by Figures 11.1 – 11.11 [APP-077 – 088] and Appendices 11.1 – 11.17 [APP-145 – 161]. Their assessment is described in Section 11.8 and mitigation options are considered in Section 11.9 of Chapter 11 of the ES [APP-032].</p> <p>Assessment Location 5 (AL5) is representative of noise sensitive receptors on North Dene. The location of AL5 is shown in Figure 11.1 of the ES [APP-077] and noise predictions are presented in Appendix 11.5 of the ES [APP-149].</p> <p>It is recognised that some noise impacts are likely to arise at AL5 during certain phases of construction of the Scheme, although these are not expected to be significantly adverse apart from during worst case conditions when construction activities are in particularly close proximity.</p> <p>Potential noise mitigation measures have been set out at paragraph 11.9.5 of Chapter 11 of the ES [APP-032] and the adoption of these would amount to the Best Practicable Means (BPM) of control. BPM is an established standard which is defined in the Control of Pollution Act 1974 and is routinely used as a benchmark for minimising impacts from construction noise.</p> <p>As detailed in the Draft Development Consent Order (DCO) [APP-013] Schedule 2 Requirements Part 1 Requirements 4(1) <i>‘no part of the authorised development is to commence until a CEMP, substantially in accordance with the Outline CEMP has been submitted to and approved... by the Secretary of State (SoS)’</i>. An Outline Construction Environmental Management Plan (Outline CEMP) [APP-174] has been submitted with the DCO Application and states that the CEMP will be developed by the appointed contractor prior to the construction techniques and phasing being submitted to the SoS for approval in consultation with the local authority. There are particular provisions in the CEMP relating to managing noise impacts. The approved CEMP will be implemented during construction of the Scheme commencing and will set out the control measures that will be applied to minimise noise impacts during construction.</p>
2.2	What proposals are there for control/abatement of noise and general traffic pollution during and after completion of the works to the residents of North Dene, Birtley	<p>There are two primary noise reduction measures proposed which will benefit residents of North Dene in terms of road traffic noise arising from the operational phase of the Scheme as follows:</p> <ul style="list-style-type: none"> <li>• A Thin Course Surface System (TSCS) is proposed for all the sections of the A1 and the slip roads included in the Scheme. This type of road surface, commonly referred to as a ‘low noise road surface’ reduces road traffic noise arising from interaction of vehicle tyres with the road surface.</li> <li>• A road side acoustic barrier with a height of 3m is proposed adjacent to the north-bound carriageway of the A1 next to North Dene. The height of this barrier would ensure that upper floor windows of adjacent two storey properties would be fully screened. The alignment of this section of barrier is shown in Figure 11.7A of the ES [APP-083].</li> </ul>

Reference Number	Comment from Relevant Representation	Response to Relevant Representation
		<p>As a result of these mitigation measures it is expected that road traffic noise at North Dene will reduce following the completion of the Scheme giving rise to a significant beneficial effect. This is shown visually in Figure 11.10 [APP-087] (short-term noise level change) and Figure 11.11 [APP-088] (long-term noise level change) of the ES. These measures are detailed within the Draft DCO [APP-013] Schedule 2 Requirements Part 1 Requirements Section 3 - Detailed Design (1) and (2) and Section 4 Construction and Handover Environmental Management Plans (1) – (6) and this will ensure that these noise reduction measures are delivered and appropriately maintained in the long-term. The relevant provisions of the Outline CEMP [APP-174] that secure this mitigation are at N1 and N2.</p> <p>The potential impacts to air quality from the Scheme during its construction and operation are described in Chapter 5, Air Quality of the ES [APP-026]. Their assessment is described in Section 5.8 and mitigation options are considered in Section 5.9 of Chapter 5 of the ES [APP-026].</p> <p>Emissions of dust will increase within parts of North Dene that lie within the Study Area for construction dust (see Figure 5.5 of the ES [APP-046]) during certain phases of the construction work, however with the application of mitigation measures and standard practice, no impacts are anticipated. The measures proposed are good practice measures for reducing emissions of dust, following Annex 1 of the Minerals Policy Statement 2: Controlling and mitigating the environmental effects of mineral extraction in England. These measures are set out within Section 5.9 of Chapter 5 of the ES [APP-026], and within the Outline CEMP [APP-174], submitted with the ES. The relevant provisions of the Outline CEMP [APP-174] that secure this mitigation are at A1.</p> <p>During the operation of the Scheme, pollutant concentrations are within the air quality standards (levels of pollution concentration, set for the protection of human health) at all selected receptors in the Scheme opening year. Whilst some areas experience an increase in exposure to pollutants, these increases do not cause any exceedance of air quality standards where residents may be exposed, and do not result in any significant effects. As such, no Scheme specific mitigation is required to be put in place during operation, as explained in Section 5.10 of Chapter 5 of the ES [APP-026].</p>
2.3	What investigative work has or will be taken to determine the effect on Tyne Tunnel revenue in the event of a (probable) consequential increase in the amount of private and haulage traffic using the "improved" A1 scheme and subsequent reduction of traffic using the Tyne Tunnel and A19/A194 route North/South Routes.	As shown in section 5 of the Transport Assessment Report [APP-173], traffic modelling predicts that changes in flow of greater than 10% will be constrained to an area close to the Scheme, well away from the Tyne Tunnel. The impact on Tyne Tunnel revenue is therefore not a material consideration in relation to the Scheme.
<b>RR-003</b>	<b>George Smith</b>	
3.1	The traffic problems that will arise when work commences with traffic coming through a housing estate with narrow roads and young children playing also the nearness of two schools.	<p>During the works, the contractor will maintain 2 running lanes of traffic (as there is now) during the peak periods of traffic, thereby maintaining the existing capacity as detailed in Annex N Table 29, Section 6 "Construction Issues" of the Consultation Report [APP-019]. During off peak periods when lane closures and junction closures are required, traffic will be diverted via diversion routes agreed with Gateshead Council as detailed in Appendix 11.12 of the ES [APP-156], which will not include routes through housing estates and close to schools.</p> <p>This will be secured in the next iteration of the Outline CEMP [APP-174].</p>
<b>RR-004</b>	<b>David John Barlett</b>	
4.1	What will be the impact of this work when finished on the	We have interpreted the respondent's reference to a "motorway" as a reference to the A1 Trunk Road following

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	<p>access to the proposed motorway from the A1231 link road from Washington/Sunderland when no alterations are proposed to that road in the submitted plans. The traffic builds up on and off this access link is already unacceptable resulting in tails backs on the A1231, often for several miles resulting in traffic attempting to access the motorway taking short cuts and abusing the existing roundabouts.</p>	<p>completion of the Scheme, which is not a Motorway by definition currently, or after the Scheme's completion. The issues raised are interpreted to relate to the local routes leading to Junction 65 (Birtley) of the A1 and allowing travel northbound. Locally, the roundabout on the A1231 which gives access to the northbound on slip to the A1 is known as the "Arnold Clark" roundabout. Table 2 of the Consultation Report [APP-019] sets out the following response to a similar representation: <i>"The issues at Arnold Clark Roundabout will be addressed by the proposed Scheme which will adopt two lanes along the length of the A1231 northbound slip road at junction 65 (Birtley), removing the need for the uncontrolled merge on the existing slip road. The proposed improvements to the off-slip road at junction 65 will increase capacity and alleviate the issues on the A1231. The Mill House roundabout is the responsibility of Gateshead Council. However, the Applicant will work with Gateshead Council to review and understand the issues raised"</i>.</p> <p>The provision of two lanes is shown on Sheet 7 of the General Arrangement Plans [APP-010].</p>
<b>RR-005</b>	<b>Roderick Matthew Crawley</b>	
5.1	<p>How will the works affect the areas of Allerdene, Harlow Green and Lowfell?</p>	<p>The main aspects of the Scheme that could have the potential to affect the areas of Allerdene, Harlow Green and Low Fell are located to the north of the A1 between Junction 66 (Eighton Lodge) and Junction 67 (Coal House) and include Kingsway Viaduct widening, the A1 online widening and the offline realignment of the A1 carriageway to facilitate replacement of the existing Allerdene Bridge. The land required to build and operate the Scheme is shown on the Land Plans [APP-006]. A more detailed description of the works is presented in the Chapter 2, The Scheme of the ES [APP-023].</p> <p>South of Harlow Green, the non-designated heritage assets of Lamesley Wagonway (4124) would be affected during construction due to temporary land-take associated with the Scheme. Further details are provided in paragraph 6.10.8 of Chapter 6, Cultural Heritage [APP 027] and Figure 6.2 of the ES [APP-052].</p> <p>In the areas of Allerdene, Harlow Green and Low Fell, the works would temporarily affect the local landscape and views for residential and recreational receptors due to the construction of Allerdene Bridge which will involve some vegetation removal. Further details are provided in Section 7.8 of Chapter 7, Landscape and Visual of the ES [APP-028].</p> <p>In Low Fell, and more specifically at dwellings in the vicinity of Salcombe Gardens, there would be significant adverse noise effects during construction from night-time works when rail possessions are anticipated to be required for the removal of the existing Allerdene Bridge and formation of the new Allerdene Bridge. The majority of such out-of-hours works will be occasional, with each period associated with a limited area of works. Local residents would be provided with advanced notice via means of a local letter drop, public notice or other such communication. Further details are provided in paragraph 11.9.5 of Chapter 11, Noise and Vibration of the ES [APP-032].</p> <p>During construction, adverse effects are predicted due to driver stress and disruption to communities' ability to access or cross the Scheme. Once the Scheme is operational however, the reduction in traffic congestion would improve safety for Walkers, Cyclists and Horse riders (WCH) using the adjacent footways and cycleways. Overall these improvements would result in a significant beneficial effect. Further details are provided in Section 12.10 of Chapter 12, Population and Human Health of the ES [APP-033].</p> <p>Upon completion of the Scheme, the traffic modelling undertaken to assess the impact of the Scheme predicts</p>

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		that these areas will generally see a reduction in traffic on the local road network as the capacity of the A1 is improved. This is described in Section 5 of the Transport Assessment Report [APP-173].
<b>RR-006</b>	<b>Andy Blanchflower on behalf of The Green Party</b>	
6.1	<p>These works must involve minimal destruction of the natural environment. In particular of trees, shrubs and vegetation, and of wildlife. The environmental impact statement must require ecological surveys before any work commences. Of course, The Green Party opposes these works in principle. They may stop Gateshead Council from being carbon neutral by 2030 as it has declared. There is a CLIMATE EMERGENCY!</p>	<p>The mitigation hierarchy (avoid, mitigate, compensate) has been adhered to when addressing impacts of the Scheme to the natural environment. This includes avoidance of loss of habitat everywhere that this was achievable. If this was not possible, the landscape design includes replacement habitat creation as part of the Scheme to mitigate loss of habitats. The mitigation design includes creation and reinstatement of habitats located in strategic locations to ensure connectivity of green habitat corridors. Once established this will provide a green corridor along the south of the Scheme from Ravensworth Pond and Woods Local Wildlife Site (LWS) down to Long Acre Dene LWS. Compensatory habitat provision is not required.</p> <p>A full suite of ecology surveys has been carried out to inform the Environmental Impact Assessment (EIA) for the Scheme and reported in the ES, Chapter 8, Biodiversity (Sections 8.4 and 8.7 [APP-029]) and associated appendices (8.1 to 8.14 [APP-123 to APP-136]). This includes an extended phase I habitat survey, a full suite of bat surveys, red squirrel suitability assessments, and great crested newt, badger, reptile, breeding and wintering bird surveys.</p> <p>There would be some significant effects on biodiversity as a result of the Scheme during construction (see Section 8.10 of Chapter 8 of the ES [APP-029] for further details). Biodiversity Net Gain (BNG) has been applied but not met for all habitats given the restricted Scheme Footprint. The joint biodiversity and landscape design includes the creation of semi-natural woodland which, although a smaller area to that lost due to the Scheme, would be of a higher quality by creating a structure comprising varying tree ages, and with a management regime that creates gaps allowing light to reach the understorey layer in patches. The newly created woodland habitats would however take time to establish and, given the permanent loss of some habitats would result in a short term significant adverse effect. There would also be a temporary significant effect on the Longacre Wood LWS as a result of the loss of woodland in an area required to enable the Scheme to be built. The earthworks design has been revised to minimise this loss as far as possible and this means that no permanent land take in this area would be required. This area would be replanted following construction and the LWS would be linked to habitats in the wider area.</p> <p>A climate assessment has been carried out as part of the EIA. The climate assessment considers how the Scheme could affect climate, for example by releasing more greenhouse gases from activities associated with construction and operation and compares these figures to the UK carbon budgets set by the government (Department of Energy and Climate Change) as required under the Climate Change Act 2008. The assessment also considers the vulnerability of the Scheme to climate change, in particular impacts on the Scheme from extreme weather and long-term climate change during construction and operation phases over the Scheme lifetime (60 years for roads and 120 years of bridges).</p> <p>The potential impacts of the Scheme on climate are detailed within Sections 14.8.1 to 14.8.6 of Chapter 14, Climate of the ES [APP-035] and associated design, mitigation and enhancement measures have been identified in Section 14.9.2 of Chapter 14 of the ES [APP-035]. Total estimated GHG emissions for the Scheme options are presented and compared in percentage terms to the respective National Carbon Budgets in Table 14-15 of Chapter 14 of the ES [APP-035]. This information was used to assess the significance of effects on climate (see Sections 14.10.15 to 14.10.20 of Chapter 14 of the ES [APP-035]).</p>



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		No significant adverse or beneficial effects have been identified for the construction or operational phases of the Scheme for Climate.
<b>RR-007</b>	<b>Craig Robson</b>	
7.1	I disagree with the whole project as I believe the information it was based on was flawed as when you did the survey, your sensors [sic] were based in an area that was affected by the work taking place at Lobley Hill Roundabout to the Coal House Roundabout, and on to the Metro Centre.	The traffic modelling used to assess the Scheme was based on existing data sources that were chosen to avoid the construction period of the A1 Coal House to Metro Centre improvements when traffic volumes, routing and speeds could be affected by traffic management. The data used included Mobile Phone origin-destination data from 2015 (prior to construction), the model was updated to represent Spring 2017 (post construction) using traffic counters which continually count traffic volumes and journey time data (derived from in-vehicle GPS systems) collecting data from March to June 2017. This is as detailed in Section 2 of the Transport Assessment Report [APP-173].
7.2	The area adjacent to my house [] is earmarked to be used as a "building site" for want of a better word. I would suggest the land next to the roundabout at the angle which was the old A167 it has boulders blocking the entrance. This would not inconvenience anybody as there is no dwellings either side.	<p>It is not clear which compound this comment relates to. To facilitate the construction of the Scheme, there will be two main compounds. The first is located at Junction 67 (Coal House) to the south of the A1 between Lamesley Lane and the East Coast Main Line. The second is located to the north of the A1 at Junction 66 (Eighton Lodge) between the B1296 and the access slip road to the A1 Southbound carriageway. During the preliminary design stage, we consulted with an experienced contractor to determine the compound space required during the construction of the works. The key elements considered in the selection of the compounds was their proximity to the major junctions on the A1 to ensure that construction traffic will travel on the A1 (as it is a major trunk road) as much as possible and thereby minimise construction traffic on the local road network. Secondly, we needed a plot close to the East Coast Main Line to support the construction of the new bridge at Allerdene. Thirdly we looked at plots that were big enough to accommodate the site buildings and storage required during the works. The site compounds will be managed by the contractor throughout the works to minimise disruption to the residents.</p> <p>There are also two working compounds which will be smaller compound areas set up to enable specific works at Longbank Bridleway Underpass (widening) and Allerdene Bridge (demolition) and will comprise a secure fenced and gated area with site welfare, parking and materials storage.</p> <p>The management of the construction compounds is controlled by the Development Consent Order and the Construction Environment Management Plan (CEMP).</p> <p>In particular, activities in the compounds will be undertaken in accordance with environmental good practice, in particular CIRIA Environmental Good Practice on Site Guide (C741) (see paragraph 1.1.3 on page 1 of the Outline CEMP [APP-074]). The final layout of the construction compounds will also be governed by the CEMP. Thereupon, measures for mitigating impacts as a result of the operation of the construction compounds would be described in the CEMP which would be developed by the Main Contractor, taking forward the commitments in the Outline CEMP [APP-074].</p> <p>The specific management plans detailed in paragraph 1.1.4 of the Outline CEMP, which will govern the carrying out of the Scheme, would be produced by the Main Contractor - of particular relevance with regards to minimising disturbance on local residents would be:</p>

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		<ul style="list-style-type: none"> <li>The Communications Plan detailing how residents would be kept up to date on the activities happening on site and also how the Contractor could be contacted in the event of any concerns; and</li> <li>The Construction Traffic Management Plan which would detail how construction traffic would be managed.</li> </ul> <p>Working hours would be strictly adhered as detailed in paragraph 1.3.12 of the Outline CEMP and provided in the Requirements contained in the DCO.</p> <p>Roles and responsibilities for complying with the CEMP would be assigned to people within the Main Contractor's organisation to ensure that the measures in the CEMP are implemented - these are detailed in Table 2-1 of the Outline CEMP.</p> <p>The measures in the Register of Environmental Actions and Commitments, Table 3-1, of the Outline CEMP, would be adhered to when operating the construction compounds as a result of the Requirements contained in the DCO. Of particular relevance for this question would be the following: "general" measures [G1 to G9], air quality [A1 and A2], landscape and visual [L1-L3], geology and soils [GS1, GS4], noise [N5, N6, N7], population and health [PH4-PH5, PH9-PH10] and water [W14-W18].</p> <p>Regular monitoring of the construction works would also be carried out by the Main Contractor including air quality and noise and vibration monitoring, and regular environmental inspections and audits; details of these are provided within Table 6-1 of the CEMP.</p>
<b>RR-008</b>	<b>Lesley Shotton on behalf of The Shotton Family</b>	
8.1	<p>Whilst we do not object to the planned A1 improvement. Our property is one of the closest to the road. Therefore, we have initial short term concerns as to the noise (night time workings etc.) and pollution impact on our day to day life whilst these improvements are ongoing. Upon completion of the works we would like information as to how you intend to reduce the impact of noise and pollution given the fact we are led to believe that the A1 is to become circa 3 metres closer to our property than it is at present. Any attention to our concerns would be greatly appreciated. Kind Regards The Shotton Family</p>	<p>The location of this property has not been provided.</p> <p>In terms of potential construction noise impacts – noise mitigation measures have been set out in paragraph 11.9.5 of Chapter 11, Noise and Vibration of the ES [APP-032] and the adoption of these would amount to the BPM of control. BPM is an established standard which is defined in the Control of Pollution Act 1974 and is routinely used as a benchmark for minimising noise impacts from construction noise.</p> <p>With regards to atmospheric emissions during construction, at certain phases of the construction work there may be some increases of dust, for example, however with the application of mitigation measures and standard practice, no significant effects are anticipated. Air quality mitigation measures during construction are detailed in Section 5.9.3 of Chapter 5, Air Quality of the ES [APP-026] and are good practice measures for reducing emissions of dust, following Annex 1 of the Minerals Policy Statement 2: Controlling and mitigating the environmental effects of mineral extraction in England.</p> <p>As detailed in the Draft DCO [APP-013] Schedule 2 Requirements Part 1 Requirements 4(1) 'no part of the authorised development is to commence until a CEMP, substantially in accordance with the Outline CEMP has been submitted to and approved... by the Secretary of State (SoS)'. The CEMP would detail those measures that would be implemented in order to avoid, reduce or mitigate environmental impacts during construction including noise and air quality. An Outline CEMP [APP-174] was submitted with the DCO Application. The relevant provisions of the CEMP that secure this mitigation are at A1, A2, N5 and N6.</p> <p>In terms of potential noise impacts from road traffic using the completed Scheme, as detailed in Table 11-28, paragraph 11.10.52 of Chapter 11 of the ES [APP-032], the vast majority of noise impacts will be beneficial with only a small number of localised adverse impacts of a minor magnitude (not significant) predicted at receptors. It</p>

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		<p>is generally anticipated that the reduction in noise level arising from the Scheme wide (mainline and slip roads) low noise surfacing would offset any increase resulting from road realignment.</p> <p>During the operation of the Scheme, pollutant concentrations are within the air quality standards (levels of pollution concentration, set for the protection of human health) at all selected receptors in the Scheme opening year. Whilst some areas experience an increase in exposure to pollutants, these increases do not cause any exceedance of air quality standards where residents may be exposed, and are not predicted to result in any significant effects. As such, no Scheme specific mitigation was required during operation, as set out in Section 5.10 of Chapter 5 of the ES [APP-026].</p>
<b>RR-009</b>	<b>Lady Park and Lamesley Residents Association</b>	
9.1	<p>We have serious concerns regarding the effect this development will have on the village of Lady Park and our health, quality of life and environment. There will be loss of vegetation and wildlife habitat. Loss of trees at a time when the importance of tree planting is being stressed. Trees provide a barrier against road noise and pollution. Our village is still recovering from the effect of the previous Highways scheme (Metro Centre to Coal House). We lost a great deal of trees and mature vegetation which were replaced with very small whips which will take years to grow. Most will now be uprooted anyway for the new scheme. We need reassurances that if this scheme goes ahead we will be consulted on the replanting and landscaping so that our village is not ruined by the road scheme. We will also have increased road noise due the new development bringing the highway closer and need to know how this will be alleviated</p>	<p>In response to the point raised on loss of vegetation and wildlife habitat:</p> <p>As a result of consultation and the EIA changes were made to the Scheme design in order to minimise impacts at Lady Park. In particular the A1 carriageway centreline has been moved further away (to the north) from the residential properties at Lady Park and a retaining wall has been included on the north bound on slip, which has enabled significant parts of the existing junction to be retained and has reduced land take and impacts on trees at this location. Similarly, the overall design of the Scheme has aimed to avoid any unnecessary removal of vegetation and a strategy for replacing vegetation removed has been developed that does not result in an overall net loss in biodiversity, that includes areas of woodland. It is not anticipated that trees would be removed in the small area of woodland immediately between Lady Park and the northbound slip road at junction 67 of the A1. Highways England recognises the importance of tree planting and its beneficial impact on the environment, as detailed in Highways England “Our plan to protect and increase biodiversity”, published in June 2015, and the Landscape Mitigation Design (Figure 7.6 of the ES [APP-061]) proposes the planting of more trees within this area.</p> <p>In response to the point raised on trees providing a barrier against road noise:</p> <p>Trees and foliage do not provide meaningful protection from noise, due to sound waves being able to go through and around the vegetation. Only a physical, solid structure will provide meaningful sound attenuation. Therefore, the vegetation at Lady Park has very little effect on noise levels. Paragraph 4.5 of the Design Manual for Roads and Bridges HD 213/11 confirms this stating: <i>‘The use of shrubs or trees as a noise barrier has been shown to be effective only if the foliage is at least 10m deep, dense and consistent for the full height of the vegetation.’</i></p> <p>With regard to noise mitigation, the existing noise barrier at Lady Park will be retained with minor realignment to account for a revised north bound on slip alignment change. This can be seen in Figure 11.7b of the ES [APP-084]. No significant operational noise impacts are predicted at Lady Park or Lamesley, as detailed within Table 11-28 of the ES [APP-032]. This is secured by N3 in the Outline CEMP [APP-174], which is secured by Requirement 4.</p> <p>With regard to the points raised on health and pollution:</p> <p>Air quality in Lady Park has been considered in the detailed dispersion modelling reported in Chapter 5, Air Quality of the ES [APP-026]. This model output, specifically that at Receptor R21 (Banesley Lane), shows that,</p>

Reference Number	Comment from Relevant Representation	Response to Relevant Representation
		<p>whilst the Scheme results in a small increase in concentrations due to increased traffic volume, the total pollutant concentrations are well within the air quality standards and, as such, no significant health effects are likely – please see paragraph 5.8.12 to 5.8.13 and 5.10.4 in the ES [APP-026].</p> <p>The air quality assessment undertaken for the Scheme utilises a dispersion model to quantify the dispersion of pollutants across the study area for the Scheme.</p> <p>The dispersion modelling has been verified against observed pollutant concentrations along the A1 and is robust. This is demonstrated in Appendix 5.7 [APP-113] of the ES.</p>
<b>RR-010</b>	<b>Network Rail Infrastructure Limited</b>	
10.1	I refer to the proposed Development Consent Order and I write to formerly object to the Order on behalf of Network Rail Infrastructure Limited on the grounds that operational railway land is adversely affected. Whilst Network Rail does not object to the principle of the proposed Order, it does object to the compulsory acquisition of operational railway land and the compulsory acquisition of rights over operational railway land where that would compromise Network Rail's ability to perform its statutory undertaking.	It is noted that Network Rail Infrastructure Limited (“NRIL”) do not object to the principle of the proposed DCO. In respect of NRIL’s objection to the extent of any adverse effect on the operational railway, Highways England have been engaging with NRIL since before the submission of the application and as such NRIL have had an extensive period in which to engage on the land and rights which are subject to compulsory purchase powers. Justification for the extent of compulsory purchase powers can be found in the Statement of Reasons [APP-016] and both contractual and protective provisions are being negotiated to protect the operation of NRIL’s statutory undertaking.
10.2	Network Rail has interests in several of the Plots identified in the Book of Reference which affect sections of the operational railway as well as providing access to the operational railway. Network Rail objects to the seeking of powers to carry out works on/over/under the operational railway without first securing appropriate protections for Network Rail's statutory undertaking.	As set out above, Highways England has attempted to liaise with Network Rail Infrastructure Limited (“NRIL”) on protective provisions for several months with no success. NRIL has very recently appointed external lawyers to negotiate protective provisions and we are now in dialogue with them. We have sought to agree protective provisions in advance, but in the absence of engagement to date (now taking place) Highways England cannot be criticised for not having sought to agree such protective measures.
10.3	The safe and efficient operation of the railway has not been adequately addressed within the application documents and there is insufficient explanation or justification for the extent and nature of the land and rights being sought.	<p>No works are proposed that would affect the safe and efficient operation of the railway. Indeed, by the replacement of Allerdene Bridge with a modern structure and removing the need for Network Rail’s overhead line electrification equipment to be mounted on Highways England’s structure (as at present) the safe and efficient operation of the railway will be improved as a result of the Scheme.</p> <p>Further, it is incorrect to state that the safe and efficient operation of the railway was not addressed in the application documents. On the contrary, whilst no works or operations are proposed which would adversely affect safe and efficient operation, the draft DCO [APP-013] contained protective provisions at Part 3 of Schedule 11 to the Order. Highways England has already negotiated an asset protection agreement with Network Rail Infrastructure Limited (“NRIL”) concerning the new Allerdene Bridge and will shortly be negotiating the protective provisions and a Statement of Common Ground with NRIL.</p>
10.4	It should be noted that prior to the release of any land and rights or extinguishment of any existing rights or restrictive covenants, as detailed within the Book of Reference, such land and rights and any extinguishment will require submission for approval through Network Rail’s Land Clearance process and if such approval is not granted then	Highways England notes that NRIL Land Clearance Process refers to its internal process of governance for the extinguishment of rights and the compulsory acquisition of land. This does not have any bearing on the DCO process and is merely a mechanism governing its own ability to approve land disposals. NRIL is required to submit its representations to the DCO and can reserve its position in respect of any new information or design detail that comes to light following amendments or additions to the DCO during the pre-examination and examination process. NRIL was first consulted on the Scheme in 2016 and it has taken over 6 months for NRIL

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	this may give rise to further grounds of objection to the proposed Order. Network Rail is unable to release any land and rights for disposal without Clearance approval having first been obtained.	to appoint legal advisors to negotiate protective provisions. It is considered that all of NRIL's concerns are capable of being addressed provided that it engages with Highways England.
10.5	Before Network Rail is able to consider withdrawing its objection it requires: a) detailed information as to the precise nature of all works proposed on/over/under the operational railway;	<p>Highways England has engaged with NRIL extensively on the proposals for the Scheme.</p> <p>The detail of all works to be carried out in the vicinity of the operational railway is found in the Works Plans [APP-007], the Engineering Section Drawings [APP-009], the Structures Engineering Drawings and Sections [APP-011], the General Arrangement Plans [APP-010] and Schedule 1 of the DCO [APP-013], specifically work numbers 5a and 5b dealing with the demolition and replacement of the Allerdene Bridge.</p> <p>In summary, the works affecting the operational railway comprise the demolition of the Allerdene Bridge and construction of the replacement bridge structure where the A1 crosses over the East Coast Main Line, 40m to the immediate south of the existing Allerdene Bridge structure which would tie into the existing carriageways at junction 67 (Coal House) and north of junction 66 (Eighton Lodge).</p>
10.6	b) clarity on the land and various rights being acquired on/over/under the operational railway;	The detail of all land and rights subject to compulsory acquisition is set out in the Book of Reference [APP-018] which has been made available to NRIL and which was the subject of consultation with NRIL.
10.7	c) clarity on any existing rights and restrictive covenants to be extinguished;	The detail of all rights and restrictive covenants subject to compulsory acquisition is referred to in the Book of Reference [APP-018] which has been made available to NRIL and which was the subject of consultation with NRIL.
10.8	d) justification for the extent of the compulsory acquisition powers sought;	Highways England considers that section 122(2) and 122(3) of the Planning Act 2008 (the "2008 Act") have been satisfied. The justification for the compulsory acquisition and temporary possession powers sought can be found in the Statement of Reasons [APP-016]. Annex A of the Statement of Reasons sets out why compulsory acquisition powers are necessary in relation to each individual parcel of land with reference to the relevant DCO works numbers and the nature of the works. It is considered that the land included in the draft DCO is the minimum land-take required to construct, operate, maintain and mitigate the Scheme and in this context, the limits of deviation have been drawn as tightly as possible to avoid unnecessary land take. In the event that less land proves to be required in a particular area following the detailed design stage, Highways England would only seek to acquire that part of the land that is required and, in all events, will seek to minimise effects on landowners. Further, there are no reasonable alternatives to the Scheme that would reduce the amount of land that would be subject to compulsory acquisition.
10.9	e) agreement from the applicant that the acquisition of operational land is on terms to be agreed with Network Rail for the protection of its statutory undertaking and an undertaking that compulsory powers will not be exercised in relation to such land and rights; and	As stated above, Highways England are in the process of negotiating protective provisions with NRIL's legal advisors, having only recently been provided with their details.
10.10	f) that sufficient protections for Network Rail's statutory undertaking are put in place for the carrying out of works on/over/under the operational railway.	As stated above, Highways England are in the process of negotiating protective provisions with NRIL's legal advisors, having only recently been provided with their details.
10.11	Without further details being provided and adequate	As stated above, we are in the process of negotiating protective provisions with NRIL's legal advisors, having only

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	<p>protections put in place, Network Rail considers that the proposed Order would cause serious detriment to Network Rail's statutory undertaking and therefore the proposed Order should not be made. Until such time as Network Rail is given the adequate protection and assurances requested as detailed in this objection, Network Rail's objection to the proposed Order will not be withdrawn. Network Rail reserves the right to raise further issues in evidence and intends to take a full part in the examination process, including attending and making oral representations at relevant hearings.</p>	<p>recently been provided with their details.</p>
<b>RR-011</b>	<b>Sunderland City Council</b>	
11.1	<p>I refer to correspondence received from Highways England dated 2nd October 2019 with the reference TR010031/S56/2795078, accompanying section 56 notice and enclosures. Sunderland City Council are supportive of the objectives of the proposed scheme; however, the Council wishes to reserve its position should any specific matters arise which impact on Sunderland's road network. These matters are likely to relate to scheme delivery with regards to temporary traffic management and any necessary diversion routes on the local road network during the construction phase. I trust this is of assistance.</p>	<p>It is noted that Sunderland City Council (SCC) wishes to reserve its position should any specific matters arise which impact on SCC's highway network. We would note in particular that, upon completion, the traffic modelling undertaken predicts that the local areas adjacent to the Scheme will generally see a reduction in traffic as the capacity of the A1 is improved. This is as shown in Section 5 of the Transport Assessment Report [APP-173].</p> <p>The Applicant will engage with SCC in relation to the need for traffic management measures and diversionary routes as part of negotiating a Statement of Common Ground with the Council.</p>
<b>RR-012</b>	<b>Galbraith on behalf of David Hankey</b>	
12.1	<p>I act for Mr Hankey who is the tenant [] and the owner [] of Dunkirk Farm, an agricultural holding of about 70 ha (173 acres). The farm is run principally as an arable enterprise with some grazing land. The size of the farm requires a very precise and intensive form of management to make it economically viable. Although my client has no objection in principle to the scheme it is very important that the disruption to his operations is kept to a minimum and that access to his fields in the south part of the farm is available at all times despite the need to include parcel nos. [] in the operational area. The representation is to ensure that Mr Hankey suffers as little financial and practical disruption as possible.</p>	<p>Appendix A of the Outline CEMP [APP-174] , shows the proposed locations of the 2 site compounds and working compounds that are required to construct the Scheme and an indication of the layout and use of these sites. Mr Hankey is a tenant of the land identified as a working compound located to the south of junction 66 (Eighton Lodge).</p> <p>Objection 7 of Annex B of the Statement of Reasons [APP-016], confirms that dialogue has taken place between the District Valuer working on behalf of Highways England and the land agent acting on behalf of Mr Hankey. Discussions will continue through the DCO process and once the contractor is undertaking detailed design and construction of the Scheme. This will be to ensure disruption to Mr Hankey's operation of the land can be understood and is minimised. Appropriate compensation will be paid for any impact on Mr Hankey's use of the land and any suitable accommodation works will also be considered and implemented.</p> <p>Insofar as Mr Hankey may suffer loss as a result of the Scheme, this would be a matter to be addressed by means of the National Compensation Code rather than for this examination.</p>
<b>RR-013</b>	<b>Northern Gas Networks Limited</b>	
13.1	<p>Network Gas Networks Limited ("NGN", "us", "we", "our"), owns, operates and maintains the gas distribution network in the North of England pursuant to a network license granted under section 7 of the Gas Act 1986. We ask to be</p>	<p>We note the comments of Northern Gas Networks (NGN) and are grateful for the acknowledgement that discussions have already taken place. In relation to the amount of land required, Highways England confirms that as shown on the Land Plans [APP-006] the following plots in which NGN are a Freeholder are required:</p>

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	<p>treated as an Interested Party and wish to participate fully in the examination including attending, and making oral submissions at, relevant hearings. We make this representation both as a statutory undertaker and as freehold landowner of the land registered under title TY377084. (Reference: TR010031-000428-2.2 Land Plan - Plot 3/6c). We have been in discussions with Highways England (“HE”) regarding their project for over two years and through these discussions we understand that HE may not need to temporarily acquire the quantity of land indicated in the DCO. Specifically, our objections are: Highways England may not need to acquire the quantity of our land indicated in their DCO.</p>	<ul style="list-style-type: none"> <li>• Plot 3/6e is required permanently</li> <li>• Plot 3/6b is required to provide permanent rights of access</li> <li>• Plots 3/6d, 3/6f, and 3/6k are required to provide permanent rights over subsoil for grouting, in addition to temporary possession during construction</li> <li>• Plots 3/6a and 3/6c are required temporarily during construction</li> </ul> <p>The entirety of each of these plots is required for the purposes of the Scheme on the bases set out in the application documents. It is not the case that only part of the NGN land subject to temporary acquisition might be required. The justification for each plot of land required (and all parcels required from any party) is included in Annex A of the Statement of Reasons [APP-016].</p>
13.2	<p>Insufficient effort has been made to negotiate a lease, or to agree the quantity and location of land required, prior to submission of a DCO.</p>	<p>Highways England has sought to engage with NGN over a protracted period. NGN has only recently appointed external legal advisers in order to advance negotiations, which Highways England welcomes. However, as such Highways England cannot be criticised if no agreement for lease is yet in place. The latest discussion with NGN took place on 28 January 2020. Annex B of the Statement of Reasons [APP-016] set out the current status of negotiations with NGN as at the date of the application and will be updated at Deadline 2 in line with the responses to the questions raised by the Examining Authority.</p>
13.3	<p>There are viable alternatives for Highways England to consider. For example, using less or alternative land, or acquiring the land for a shorter time period. It is incumbent on HE to demonstrate these alternatives have been considered, and we do not consider this has been done. We will expand on this within our Written Representations.</p>	<p>The detail of all land and rights subject to compulsory acquisition is referred to in the Book of Reference [APP-018] which has been made available to NGN and which was the subject of consultation with NGN. The justification for the compulsory acquisition and temporary possession powers sought can be found in the Statement of Reasons [APP-016]. Annex A of the Statement of Reasons sets out why compulsory acquisition powers are necessary in relation to each individual parcel of land with reference to the relevant DCO works numbers and the nature of the works. It is considered that the land included in the draft DCO is the minimum land-take required to construct, operate, maintain and mitigate the Scheme and in this context, the limits of deviation have been drawn as tightly as possible to avoid unnecessary land take. In the event that less land proves to be required in a particular area following the detailed design stage, Highways England would only seek to acquire that part of the land that is required and, in all events, will seek to minimise effects on landowners. Further, there are no reasonable alternatives to the Scheme that would reduce the amount of land that would be subject to compulsory acquisition.</p>
	<p>Our objective is to retain 1.35 acres of the approximately 25 acres which HE seeks to temporarily acquire from NGN at Plot 3/6c, in order to progress the development of a Compressed Natural Gas refuelling station, which we consider to be in the wider public interest particularly in respect of improvements to air quality.</p>	<p>The proposal which NGN refers to has not yet been submitted for consideration by the local planning authority or to Highways England itself. No assessment has been carried out which demonstrates that the NGN proposal is similarly supportable on a policy basis or acceptable in environmental terms. No assessment has been carried out which demonstrates that the NGN proposal could operate in tandem with the Scheme and indeed, the predicted traffic modelling which has been provided suggests a substantial increase in heavy goods vehicles at Plot 3/6c. As the Scheme is of national significance and is supported by policy, both local and national, the delivery of the Scheme should not be adversely affected by a proposal which may or may not be consented by the relevant planning authority and may not even be delivered.</p>
	<p>NGN further objects to the powers sought to carry out works in the vicinity of our network assets and wider land holdings without appropriate protective provisions being included in the DCO to safeguard the integrity of NGN’s statutory</p>	<p>Highways England is in the process of negotiating an agreement and protective provisions with NGN to ensure continuity and protection for NGN’s statutory undertaking during the construction and operational stages of the Scheme.</p>

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	undertaking.	
	For us to be able to withdraw our objection we require: (a) an agreement with HE that regulates: (i) how rights over NGN's land and third-party land required for the operation of our network (including the extinguishment of any rights) will be exercised, including terms which protect our statutory undertaking, and agreement that compulsory acquisition powers will not be exercised in relation to such land; and (ii) the carrying out of works in the vicinity of our land to safeguard our statutory undertaking.	Highways England is in the process of negotiating an agreement and protective provisions with NGN to ensure continuity and protection for NGN's statutory undertaking during the construction and operational stages of the Scheme.
	(b) the inclusion of more comprehensive protective provisions in the DCO for our benefit. We welcome the fact that there are protective provisions in the DCO. However, we will be proffering our own proposed protective provisions when we submit our detailed Written Representations in due course. We note the effective collaboration that we have had with HE in relation to its project and we look forward to continuing this positive relationship. However, until such time that all matters have been satisfactorily agreed we cannot fully support the application and therefore we issue this objection.	Highways England is in the process of negotiating protective provisions with NGN to ensure continuity and protection for NGN's statutory undertaking during the construction and operational stages of the Scheme.
<b>RR-014</b>	<b>Wardell Armstrong LLP on behalf of The Rt Hon The Lord Ravensworth 9th Baron</b>	
14.1	I am registering interest on behalf of Lord Ravensworth who has mineral interests which would have to be acquired as part of the DCO process and who wishes to be kept up to date with any relevant developments in the DCO application process. Lord Ravensworth is agreeable in principle with the overall scheme and the proposed acquisition of his minerals subject to appropriate compensation.	The text set out at Objection 35 of Annex B of the Statement of Reasons [APP-016], confirms dialogue has taken place between the District Valuer working on behalf of Highways England and the land agent for Lord Ravensworth. Highways England is aware of the mineral rights owned by Lord Ravensworth in the vicinity of the Scheme. Discussions will continue through the DCO process and during detailed design and development and construction of the Scheme and appropriate compensation will be paid for any impact on these minerals.  It is noted that Lord Ravensworth has agreed to the compulsory acquisition of his property and agreed for these parcels to be included in the DCO.
<b>RR-015</b>	<b>Tyne &amp; Wear Joint Local Access Forum</b>	
15.1	Our representation is focused on the need to maintain/improve footpaths and bridleways adjacent to this development. All existing footpaths and bridleway should either remain in situ or where that is not possible due to encroachment be replaced by sustainable alternatives. Ideally all adjacent footpaths should have surfaces suitable for use by mobility scooters.	There are number of improvements to the footways and bridleways included within the proposed works comprised in the Scheme. This includes the new footbridge at North Dene, which will have improved ramped access. For further details refer to the Works Plan [APP-007] and the Statement of Reasons [APP-016]. Lighting is proposed for Longbank Bridleway and improvements to the access from the bridleway to Junction 66 (Eighton Lodge) will be improved. Improvements will also be implemented to pedestrian crossings at Junction 67 (Coal House). Any temporary closures to footways and bridleways during the construction of the Scheme will be managed by the contractor and suitable temporary diversion routes will be provided.
<b>RR-016</b>	<b>Natural England</b>	



Reference Number	Comment from Relevant Representation	Response to Relevant Representation
<p>Section 1</p> <p>16.1</p> <p>16.2</p> <p>16.3</p>	<p><b>NATURAL ENGLAND'S RELEVANT REPRESENTATIONS IN RESPECT OF THE A1 BIRTLEY TO COAL HOUSE SCHEME</b> Planning Inspectorate Reference: TR010031 1. <b>Introduction</b></p> <p>Natural England is a non-departmental public body established under the Natural Environment and Rural Communities Act 2006 ('NERC Act'). Natural England is the statutory adviser to Government on nature conservation in England and promotes the conservation of England's wildlife and natural features. Natural England's remit extends to the territorial sea adjacent to England, up to the 12 nautical mile limit from the coastline.</p> <p>Natural England is a statutory consultee:            16.2.1 in respect of plans or projects that are subject to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) (the "Habitats Regulations") which are likely to have a significant effect on European protected sites – that is, sites designated as Special Areas of Conservation ("SACs") and Special Protection Areas ("SPAs") for the purposes of the EU Habitats and Birds Directives;            16.2.2. in respect of proposals likely to damage any of the flora, fauna or geological or physiographical features for which a Site of Special Scientific Interest ("SSSI") has been notified pursuant to the Wildlife and Countryside Act 1981 (the "1981 Act"); and            16.2.3. in respect of all applications for consent for Nationally Significant Infrastructure Projects which are likely to affect land in England.</p> <p>It is also the Government's policy to consult Natural England in respect of sites listed for the purposes of the Convention on Wetlands of International Importance especially as Waterfowl Habitat signed at Ramsar on 2nd February 1971 ("Ramsar sites") as if they were European protected sites.</p>	<p>We note but do not comment on this part of the representation.</p>
<p>16.4</p>	<p>Natural England's advice in these relevant representations is based on information submitted by Highways England in support of its application for a Development Consent Order ('DCO') in relation to the A1 Birtley to Coal House Scheme ('the project').</p>	<p>We have no comment in respect of this part of the representation.</p>

Reference Number	Comment from Relevant Representation	Response to Relevant Representation
16.5	<p>Natural England has been working closely with Highways England and their consultants WSP to provide advice and guidance since 6 April 2018. Natural England met with WSP on 7 March 2019 to discuss the draft Biodiversity chapter, protected species issues and biodiversity net gain requirements and has subsequently reviewed the draft net gain report. We expect to have further correspondence to finalise a SoCG as part of the examination process.</p>	<p>As identified within Natural England's relevant representation there has been ongoing liaison between Natural England and Highways England regarding the Scheme. This liaison will continue in the form of discussions relating to the European Protected Species (EPS) licensing requirements for the Scheme, and the draft Nationally Significant Infrastructure Project EPS license application. Additionally, this liaison will continue with the production and agreement of a Statement of Common Ground and provision of a Letter of No Impediment (LoNI) from Natural England. This liaison will continue during subsequent stages of the Scheme as further liaison will be required for the final license application.</p> <p>Some of the main points that we consider have been agreed through discussions between Highways England and Natural England, which are also confirmed within Natural England's relevant representation, are:</p> <ul style="list-style-type: none"> <li>• The Scheme currently supports habitats of negligible ecological interest and all protected species issues have already been addressed as far as possible. Natural England expects to be in a position to issue a LoNI for protected species during the course of the examination.</li> <li>• The habitat mitigation and enhancement proposals as set out in Chapter 8, Biodiversity of the ES [APP-029], are welcomed by Natural England and have a positive effect on the natural environment by increasing the overall area of biodiversity priority habitats, including hedgerows, in the locality of the Scheme.</li> <li>• Subject to the mitigation and enhancements detailed in the application being implemented as described, the Scheme will not have a detrimental effect on European sites, European Protected Species, or nationally designated sites, species or landscapes.</li> </ul>
16.6	<p>These relevant representations contain a summary of what Natural England considers the main nature conservation issues to be in relation to the DCO application and indicate the principal submissions that it wishes to make at this point. Natural England will develop these points further as appropriate during the examination process. It may have further or additional points to make, particularly if further information about the project becomes available.</p>	<p>Any development of the points raised in these representations will be incorporated into Natural England's LoNI and Statement of Common Ground.</p>
16.7	<p>Part 1 of these representations provides an overview of the issues and a summary of Natural England's advice.</p> <p>Section 2 identifies the natural features relevant to this application.</p> <p>Section 3 summarises Natural England's overall view of the application and the main issues which it considers need to be addressed by the Secretary of State.</p>	<p>We have no further comment in respect of this part of the representation.</p>
16.8	<p>Part 2 of these representations sets out all the significant issues which remain outstanding, and which Natural</p>	<p>We have no further comment in respect of this part of the representation.</p>

Reference Number	Comment from Relevant Representation	Response to Relevant Representation
16.9	<p>England advises should be addressed by Highways England and the Examining Authority as part of the examination process in order to ensure that the project can properly be consented. These are primarily issues on which further information would be required in order to allow the Examining Authority properly to undertake its task or where further work is required to determine the effects of the project.</p> <p>Section 4 identifies the matters where further details about the project are required in order to assess its impacts.</p> <p>Section 5 contains initial comments on the draft DCO itself.</p>	
16.10	<p>Natural England intends to continue discussions with Highways England and WSP to produce a Letter of No Impediment (LoNI) for protected species and a Statement of Common Ground (SoCG).</p>	<p>Highways England will continue discussions with Natural England to produce a LoNI for protected species and a Statement of Common Ground during the course of the examination.</p>
16.11	<p>The Examining Authority may wish to ensure that the matters set out in these relevant representations are addressed as part of the Examining Authority's first set of questions to ensure the provision of information early in the examination process.</p>	<p>We have no further comment in respect of this part of the representation.</p>
<p>Part 1, Section 2 16.12</p>	<p><b>PART 1: OUTLINE OF NATURAL ENGLAND'S PRINCIPAL SUBMISSIONS</b> The natural features potentially affected by this application.</p> <p>16.12.1 The following European protected species may be affected by the proposed project:</p> <p>16.12.2 Roosting common pipistrelle bats.</p> <p>16.12.3 The main issues raised by this application are potential impacts to bat roosting sites on the Eighton Lodge South underbridge. WSP has been working with Natural England to ensure adequate survey have been undertaken and mitigation proposals put forward to enable a LoNI to be produced. These discussions are ongoing, and Natural England hopes to be in a position to issue a LoNI during the course of the examination.</p>	<p>Highways England will continue with discussions with Natural England with regards to protected species in order to assist Natural England in being able to issue a LoNI during the course of the examination.</p> <p>We agree that this is the sole European Protected Species of relevance to the Scheme.</p>
<p>Section 3 16.13</p>	<p>The overall position of Natural England Section 3 Natural England has no objection to the project</p>	<p>Confirmation of this positive position is welcomed, and we have no further comment.</p>

Reference Number	Comment from Relevant Representation	Response to Relevant Representation
16.14	<p>for the following reasons:</p> <p>16.13.1 There are no European sites, Ramsar sites or nationally designated landscapes located within the vicinity of the project that could be significantly affected.</p> <p>16.13.2 Natural England is satisfied that the project is unlikely to have a significant impact on any Sites of Special Scientific Interest.</p> <p>16.13.3 The project site currently supports habitats of negligible ecological interest and all protected species issues (including any licensing requirements under the Habitats Regulations or the 1981 Act) have already been addressed as far as possible. Natural England expects to be in a position to issue a LoNI for protected species during the course of the examination.</p> <p>16.13.4 Natural England welcomes the habitat mitigation and enhancement proposals as set out in EIA Chapter 8 Biodiversity, paragraphs 8.9.4 – 8.9.13 and Appendix 8.13 which will have a positive effect on the natural environment by increasing the overall area of biodiversity priority habitats, including hedgerows, in the locality of the scheme. This is in accordance with the principles set out in paragraph 118 of the National Planning Policy Framework. Natural England notes that this commitment is reflected in proposed Schedule 2, Paragraph 5 of the draft DCO.</p> <p>Natural England’s headline points are that on the basis of the information submitted:</p> <p>16.14.1 Natural England is satisfied that, subject to the mitigation and enhancements detailed in the application being implemented as described, the project will not have a detrimental effect on European sites, European Protected Species, or nationally designated sites, species or landscapes.</p> <p>16.14.2 Natural England advise that, if approved, the project must be subject to all necessary and appropriate requirements which ensure that unacceptable environmental impacts either do not occur or are sufficiently mitigated.</p>	

Reference Number	Comment from Relevant Representation	Response to Relevant Representation
<p>Part 2 – Section 4 and Section 5</p> <p>16.15</p> <p>16.16</p>	<p><b>PART 2: OUTSTANDING MATTERS REQUIRING ATTENTION</b></p> <p>Section 4 Further details about the project in order to enable assessment.</p> <p>16.15.1 Natural England does not consider it necessary to obtain further information about the project in order to enable a full assessment of the potential implications.</p> <p>Section 5. Comments on the draft DCO.</p> <p>16.16.1 Natural England is satisfied that the draft DCO includes sufficient safeguards to ensure that the proposed landscaping scheme, and the environmental benefits resulting from it will be delivered.</p> <p>16.16.2 Natural England is satisfied that the DCO ensures that any European and nationally protected species which have not been identified during survey work but are subsequently discovered during construction will be protected, and that the necessary licenses will be obtained prior to works continuing should this be required.</p>	<p>Confirmation of this positive position is welcomed, and we have no further comment.</p>
<p>16.17</p>	<p>The Habitats and Species Regulations have been updated a number of times in recent years, with the most recent iteration being the Conservation of Habitats and Species Regulations 2017 (as amended), rather than 2010 as identified at Schedule 2, Paragraph 1. This reference should be updated throughout the document. Natural England 12 November 2019.</p>	<p>These updates will be made in the updates to the Draft DCO.</p>
<p><b>RR-017</b></p>	<p><b>George F White on behalf of B, C, &amp; G Askew</b></p>	
<p>17.1</p>	<p>I wish to raise on behalf of my Clients a number of concerns and objections as follows: - The Land Referencing carried out by the Acquiring Authority is inaccurate and incomplete due to the refusal of the Acquiring Authority to compensate my Clients for the reasonable cost of legal advice required in order to provide clarification. My Clients are unclear as to their status in regard to this matter because they could not instruct Solicitors without incurring costs. - There has not been sufficient justification of the need, or extent of the need in respect of the proposed acquisition areas. - There has not been provided sufficient detail in regard to drainage</p>	<p>Highways England disagrees that the land referencing undertaken in support of the Application is inaccurate or incomplete. However, it is open to the respondent to make submissions containing the information that it considers to be omitted.</p> <p>Section 4: Land Interests of the Statement of Reasons [APP-016] sets out the approach Highways England has taken to Land Referencing and identifying land interests. In preparing the DCO application Highways England has carried out diligent inquiry in order to identify all persons with an interest in the Land as defined in section 44 of the 2008 Act. Part of this process involved issuing Land Interest Questionnaires to further establish who has an interest in land or property. It is in the interest of both parties that the information held by Highways England is accurate and up to date. It is not Highways England's policy to use public money to compensate a land interest for completion of the Land Interest Questionnaire. Objection 3 of Annex B of the Statement of Reasons [APP-</p>

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	and accommodation works, nor any detail as to the impact on my Client's retained land. - Any other reasons	<p>016] confirms dialogue has taken place between the District Valuer working on behalf of Highways England and George F White acting on behalf of B C and G Askew. Mr White was advised that the land questionnaire did not need to be completed by his client.</p> <p>It is understood that details of drainage requirements and accommodation works have not been raised by George F White before this submission. Discussions will continue through the DCO process and once the contractor is undertaking detailed design and construction of the Scheme. This will ensure disruption to the Askews' use of the land is minimised and will include understanding any drainage requirements for the plot. Appropriate compensation will be paid for any impact on B C and G Askew's land and any suitable accommodation works will also be considered and implemented.</p> <p>Appendix A of the Outline CEMP [APP-174], which is secured by Requirement 4, shows the proposed locations of the two site compounds and working compounds that are required to construct the Scheme and an indication of the layout and use of these sites. During the preliminary design stage an assessment was undertaken by an experienced contractor to determine the compound space that would be required during the construction of the works and also the most appropriate location. A key consideration was to minimise construction traffic on the local road network, to have plots that were big enough to accommodate the site buildings and storage required during the works and were in close proximity to key works.</p>
<b>RR-018</b>	<b>Galbraith on behalf of St Mary Magdalene and Holy Jesus Trustee Ltd</b>	
18.1	The Trust are the owners of Dunkirk Farm, Northside, the farm is let on an agricultural tenancy to David Hankey of Dunkirk Farm. A small area of approx. 0.12 of an acre is required under the scheme for permanent works and a rather larger area for operational occupation. The farm is only just large enough to be a viable holding and any loss of land would have a higher than average effect on the value. The Trust do not object to the scheme but would require undertakings that the restoration of the land to be returned to the farm is done to the highest possible standards and that all necessary accommodation works are carried out.	<p>Appendix A of the Outline CEMP [APP-174], shows the proposed locations of the 2 site compounds and working compounds that are required to construct the Scheme and an indication of the layout and use of these sites. Mr Hankey is a tenant of the land identified as a working compound located to the south of junction 66 (Eighton Lodge).</p> <p>Objection 7 of Annex B of the Statement of Reasons [APP-016], confirms dialogue has taken place between the District Valuer working on behalf of Highways England and the land agent acting on behalf of St Mary Magdalene and Holy Jesus Trustee Ltd. Discussions will continue through the DCO process and once the contractor is undertaking detailed design and construction of the Scheme. This will be to ensure disruption to the land and Mr Hankey's operation of it can be understood and is minimised. The land required for temporary use, will be returned to the Trust and restored to the same state as when Highways England takes access of it.</p> <p>Insofar as the Trust may suffer loss as a result of the Scheme, this would be a matter to be addressed by means of the National Compensation Code rather than for this examination.</p>
<b>RR-019</b>	<b>Antony Gormley</b>	
19.1	I would like to register my interest in this project as the artist who made the angel. I want to preserve the visibility of both the angel and the mound on which it stands. please respect the original vision of the work! yours sincerely Antony Gormley	<p>As the artist commissioned by Gateshead Council to design the Angel of the North sculpture, Highways England notes Mr Gormley's interest in preserving the visibility of the angel and the mound on which it stands and is particularly pleased that he has engaged with the DCO process.</p> <p>Highways England recognises the concept of the sculpture, marking the historic connections with the mining history of the area and its location within a broad valley landscape. Highways England has had discussions with Gateshead Council's heritage, landscape and planning officers to discuss their strategy to restore the contextual setting of the landscape around the Angel of the North. This has included how the mitigation design for the Scheme could contribute towards the vision they are developing for the sculpture.</p>

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		<p>The Scheme is contained within the existing A1 highway boundary and some vegetation on the adjacent slopes would be removed to facilitate construction. The extent to which this is restored and replaced would be informed by the proposals developed by Gateshead Council.</p>
<b>RR-020</b>	<b>Antony Gormley Studio on behalf of Antony Gormley</b>	
20.1	<p>Dear Sir or Madam, I am writing to register as an interested party on behalf of my employer, Sir Antony Gormley. The proposed development scheme between junctions 65 and 67 of the A1 could potentially impact Sir Antony Gormley's iconic work The Angel of the North. Sir Antony is concerned by how the proposed changes to the road and surrounding vegetation may affect the viewer or visitor's experience of The Angel of the North. At this early stage of the planning process, and without visuals, it is difficult to understand the full impact of the proposed changes. We would therefore be grateful if Sir Antony could be kept apprised as the planning process progresses. With further information, new concerns may be highlighted, whilst others are assuaged. As part of our registration we would like to impress upon the Planning Inspectorate that it is vital that the existing access and views to The Angel of the North are maintained. Sir Antony is anxious to ensure that current views to The Angel of the North - from both the train and the road - are not impaired by the proposed changes to the road and landscaping in near proximity to site of the work. This includes the proposed rerouting of the road, widening of the road, replacement of the existing bridge, vegetation management, and the erection of gantries and display signs across the road. It is essential that any new developments do not obscure these views. In turn, Sir Antony would like to guarantee that access routes to The Angel of the North, both by foot and by car, are not adversely affected by the proposed scheme. Sir Antony would of course support any changes that are designed to improve or safeguard views and access to The Angel of the North - and for Highways England to take a coordinated approach, involving consultation with Gateshead Council in the development of their plans. Many thanks for your time and understanding. Best wishes, Ella</p>	<p>As the artist commissioned to design the Angel of the North sculpture, Highways England notes the interest in the setting of the sculpture and how the Scheme may potentially impact the sculpture.</p> <p>An assessment of landscape and visual effects has been carried out and is reported in Chapter 7, Landscape and Visual of the ES [APP-028], and specifically the assessment of viewpoint 26 (refer to ES - Figures, Figure 7.5 Viewpoints Photos – C [APP-060]), which is a view south from the base of the sculpture. In addition, viewpoints 1, 4, 5, 6, 9, 14, 16, 21, 23, 30, and 31 (refer to 6.2 ES - Figures, Figure 7.5 Viewpoints Photos - A, B and C [APP-058 to APP-060]) represent a range of views within the broader Team Valley within which the Angel of the North is a feature, to a greater or lesser degree.</p> <p>With the exception of the proposed Allerdene Bridge, the proposed changes are limited to within the existing A1 corridor, and as such are not anticipated to significantly impact the majority of views, including those within which the Angel of the North forms a significant feature. Views from the Angel of the North are described under receptor O14 (refer to ES - Appendix 7.1 Visual Effects Schedule [APP-121]), which does identify potentially significant effects during the construction phase, due to the vegetation clearance and resulting increased awareness of traffic within filtered views. Following construction and through the operational period, significant effects are not anticipated to arise.</p> <p>Highways England is currently undertaking further work to provide additional information on the likely impact of the Scheme on the views of the Angel of the North and its setting on the mound. This includes considering the views from the A1 approaching the Angel of the North, both northbound and southbound and the effect that proposed gantries may have in disrupting views of the sculpture.</p> <p>Whilst some disruption (limited access or increased journey times) to access routes and public rights of way within the vicinity of the Angel of the North may occur during the construction phase, this would not continue following construction and into the operational phase, and access arrangements by foot and by car would be unchanged (refer to 6.1 of the ES, Chapter 12, Population and Human Health [APP-033]).</p> <p>Highways England has had discussions with Gateshead Council's heritage, landscape and planning officers to discuss their strategy to restore the contextual setting of the landscape around the Angel of the North. This has included how the mitigation design for the Scheme could contribute towards the vision they develop for the sculpture.</p>
<b>RR-021</b>	<b>Christine Delaney</b>	
21.1	<p>My concerns are regarding the underpass and bridleway at the top of Longbank. The pathway from the top of Longbank to the Eighton Lodge junction.</p>	<p>As Longbank Bridleway underpass is to be extended to the north as part of the works which is to be of similar construction to the existing structure. The bridleway path over the top of the bridleway will be reconstructed and the width will be increased with the fencing will also be improved. The path between Longbank Bridleway and the access track to the north (Public footpath Lamsley No.4 – refer to the land plans) will be improved as part of the</p>

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		works. Refer to Works Plan [APP-007] and Statement of Reasons [APP-016]. This is secured by PH1, PH4 and PH10 in the Outline CEMP [APP-174] .
<b>RR-022</b>	<b>Historic England</b>	
22.1	<p>A1 Birtley to Coal House Scheme Section 56: Registration of Interest by the Historic Buildings and Monuments Commission for England (Historic England) Introduction Historic England (HE) is the Government’s statutory adviser on the historic environment. It is our duty under the National Heritage Act 1983 to secure the preservation and enhancement of the historic environment. Our objective is to ensure that the historic environment generally and, in particular, designated heritage assets, are fully taken into account in the determination of this DCO. The proposal is to widen the A1 between J65, Birtley, and J67, Coal House, including replacing the Allerdene Bridge. This will directly impact on a scheduled monument known as the Bowes Railway. We have had pre-application with Highways England on this project and in principle support the scheme but note some issues which are not fully addressed within the DCO documents: a need for clarification of the Written Scheme of Investigation (WSI) which will be prepared following engagement with HE and then submitted for approval by the LPA in consultation with HE; and a need to clarify the implementation of restoration works and interpretation. 1) Nationally important designated archaeology: Bowes Railway Scheduled Monument: The Bowes Railway (1826) is the world’s only standard gauge rope hauled railway. A short portion of the railway is located in a tunnel to allow the A1M to over-sail the monument. The southbound extension will require an addition to the tunnelling arrangement to protect the route of the monument (also known as the Long Bank Bridleway PROW). These works will cause direct impact to it and result in permanent adverse impacts through the loss of two retaining wall sections. We have agreed proposed mitigation set out in the submitted CEMP document, but the relevant “Requirements” section of the draft DCO does not clarify that the WSI is to be prepared following engagement with both HE and the LPA. In addition, there needs to be specific “Requirements” for undertaking CH5 and CH6 in the CEMP as they will not form part of the WSI. We note that Schedule 10: Scheduled Monuments does not include agreed mitigation to repair sections of the railway retaining wall as part of the works to be carried out. These items</p>	<p>Highways England does not consider that further requirements are needed to safeguard CH5 and CH6 in the CEMP as whilst they do not form part of the WSI, they do form part of the CEMP which is secured through requirement 4(3) which states that <i>“the construction of the authorised development must be carried out in accordance with the approved CEMP”</i>. As regards the need for requirement 9(1) to reference Historic England, it is customary for the local planning authority to consult its own heritage officers and Historic England in cases which involve scheduled monuments. We do not consider an amendment to the requirements to be necessary.</p> <p>An assessment of landscape and visual effects has been carried out and is reported in Chapter 7, Landscape and Visual of the ES [APP-028], and specifically the assessment of viewpoint 26 (refer to ES - Figures, Figure 7.5 Viewpoints Photos – C [APP-060]), which is a view south from the base of the sculpture. In addition, viewpoints 1, 4, 5, 6, 9, 14, 16, 21, 23, 30, and 31 (refer to 6.2 ES - Figures, Figure 7.5 Viewpoints Photos - A, B and C [APP-058 to APP-060]) represent a range of views within the broader Team Valley within which the Angel of the North is a feature, to a greater or lesser degree.</p> <p>With the exception of the proposed Allerdene Bridge, the proposed changes are limited to within the existing A1 corridor, and as such are not anticipated to impact the majority of views significantly, including those within which the Angel of the North forms a significant feature. Views from the Angel of the North are described under receptor O14 (refer to ES - Appendix 7.1 Visual Effects Schedule [APP-021), which does identify potentially significant effects during the construction phase, due to the vegetation clearance and resulting increased awareness of traffic within filtered views. Following construction and through the operational period, significant effects are not predicted to arise – (see Section 7.10 of Chapter 7 of the ES [APP-028]).</p> <p>Highways England is currently undertaking further work to provide additional information on the likely impact of the Scheme on the views of the Angel of the North and its setting on the mound, to interested parties. This includes considering the views from the A1 approaching the Angel of the North, both northbound and southbound and the effect that proposed gantries may have in disrupting views of the sculpture.</p>



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	<p>need to be addressed. 2) Non-designated heritage assets (para 5.125 NPSNN): The Angel of the North: The Angel of the North sculpture by Anthony Gormley is an internationally recognised symbol of Gateshead and Tyneside and of considerable artistic and social value. Whilst the sculpture is not formally designated as heritage, it has a setting akin to many historic landmarks. We support the proposed mitigation to thin trees within the highway boundary to provide better views of The Angel. However, we do wish to see more information on the impact that proposed highway signage and gantries may have on views towards The Angel. We are content that the Local Authority leads on this matter. Conclusion: In view of the above comments, Historic England wish to ensure that the Examining Authority are aware of our position and have the necessary information in order to inform its decision on this application. For these reasons, Historic England wishes to register as an interested party for the DCO Examination. 14th November 2019</p>	
<b>RR-023</b>	<b>Public Health England</b>	
23.1	<p>Thank you for your consultation regarding the above development. We note that we have replied to an earlier consultation as listed below and this response should be read in conjunction with that earlier correspondence. Request for Scoping Opinion 5 December 2017 Section 42 22 March 2018 We have considered the submitted documentation and can confirm that we are broadly satisfied with the approach taken in preparing the submitted documentation. Improving air quality is a key public health priority and this is evidenced by its inclusion in the Public Health Outcomes for England (PHOF) as an indicator of mortality associated with air pollution, or specifically: “the fraction of adult mortality attributable to long-term exposure to human-made particulate air pollution (indicator 3.01).” We support measures to reduce sources of air pollution and people’s exposure. The applicant has identified a small number of receptors which would experience a slight increase in nitrogen dioxide (NO<sup>2</sup>) expressed as an annual mean; PM<sup>10</sup> concentrations were screened out during assessment as unlikely to have significant impacts. A comparison of “do nothing” and “do something” scenarios show a minor impact on air quality at receptors; this impact in some cases is positive; i.e., an improvement in air quality. As noted in our previous responses, construction impacts</p>	<p>The potential impacts to air quality from the Scheme during its construction and operation are described in Chapter 5, Air Quality of the ES [APP–026]. Their assessment is described in Section 5.8 and mitigation options are considered in Section 5.9 of Chapter 5 of the ES [APP–026]. No significant adverse or beneficial effects have been identified for the construction or operational phases of the Scheme for Air Quality.</p> <p>The CEMP would detail measures that would be implemented in order to avoid, reduce or mitigate impacts on air quality during construction. An Outline CEMP [APP–174] was submitted with the DCO Application and, as detailed in the Draft DCO [APP–013] Schedule 2 Requirements Part 1 Requirements 4(1), ‘no part of the authorised development is to commence until a CEMP (Construction Environmental Management Plan), substantially in accordance with the outline CEMP has been submitted to and approved... by the Secretary of State (SoS)’. The elements of the CEMP of particular relevance to air quality are visual inspections of off-site dust deposition, site plant, machinery and equipment inspection checks and implementation of a Construction Traffic Management Plan (CTMP).</p>

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	<p>are identified as possible and control measures proposed; we note that the applicant wishes to formalise these through a DCO-mandated CEMP. Public Health England (PHE) welcomes the opportunity to comment on your proposals at this stage of the project and can confirm that we have chosen NOT to register an interest with the Planning Inspectorate on this occasion. Please do not hesitate to contact us if you have any questions or concerns.</p>	
<b>RR-024</b>	<b>QE Facilities Limited</b>	
24.1	<p>I wish to make a request on behalf of the Gateshead Health NHS Foundation Trust, that signage for the Queen Elizabeth Hospital is incorporated into the scheme at junction 66, on both the northern and southern carriageways. The hospital is highly regarded and has a number of excellent services based at the QE site, and a significant number of patients visit from outside the Gateshead borough. Therefore, the Trust considers it to be essential that hospital signage is incorporated into the SRN to further assist its patients who travel from outside of the local area. Patients would then be directed onto the A167, and signage on the LRN will then direct patients to the hospital. The signage on the LRN has recently been upgraded and improved with the help and agreement of Gateshead Council. Junction 66 appears to be the only available junction whereby hospital signage could be incorporated onto the SRN without causing confusion to patients, as there is already signage for the Newcastle Hospitals (RVI &amp; Freeman Hospitals) heading north, situated between junctions 67 and 68. However, I'd be happy to discuss the matter with you further in due course to see whether any additional/alternative locations could be considered. If you require anything further at this stage, please do not hesitate to contact me.</p>	<p>Queen Elizabeth (QE) Hospital has been in contact with the Highways England project team to request the QE Hospital to be included as a destination at junction 66. During the development of the preliminary design, the direction signs proposals for the Scheme were reviewed and the practicality of including the QE Hospital as a destination was considered.</p> <p>The Highways England signing strategy defines the destinations to be used on the direction signs and is already at the maximum number recommended by standards. An increase in the number of destinations would reduce the legibility of the sign and divert driver's attention away from the road. This would be in a location where it is particularly important for drivers to be focusing on the road layout due to the junctions following in quick succession, the number of lanes reducing after a junction and would reduce the safe operation of the network. The close spacing between junctions also restricts the space available for additional signs.</p> <p>The review of the direction signs proposals concluded that in this area of the A1 further destinations or signs could not be included safely. Section 10 'Road Network' of Annex N, Table 26 of the Consultation Report [APP-019] confirms that QE Hospital have been advised of this decision and that Highways England will consider the direction signs further at detailed design once the contractor is on board. However, any changes to the decision to not include the signage, would require amendment to the Highway England's Signing strategy and the demonstration that it could be undertaken without undue impact to the safe operation of the road.</p>
<b>AS-007</b>	<b>Gateshead Council</b>	
Additional Submission – Accepted at discretion of the Examining Authority	<p>The scheme as a whole is supported, being consistent with Policy CS13 (2)(iv) of the joint Gateshead/Newcastle Core Strategy. It is particularly important in replacing the existing A1 bridge over the East Coast Main Line at Allerdene, whose deterioration poses a threat to the integrity of this important strategic route. This point is reinforced by recent problems in continuing to accommodate abnormal loads, which mean these may need to be diverted through Gateshead in future along roads which, in general, are far</p>	<p>A programme of measures to promote sustainable transport choices is outside the remit of the Scheme and is not the responsibility of Highways England – or within its ability to deliver. These are matters that fall within the responsibility of local highway and transport authorities as opposed to the operator of the strategic road network. Nonetheless, Highways England welcomes the efforts of Gateshead Council in this regard.</p> <p>Coal House Roundabout is part of the local highway network administered by Gateshead Council. To the extent that there are pre-existing issues associated with the use of the Roundabout by WCH users, these fall to the Council to address as opposed to Highways England.</p>

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	<p>less suited to such traffic.</p> <p>The selection of Option 1a as the preferred option for the scheme is similarly supported. This option should provide the desired improvement at a lower cost, shorter construction time and least disturbance to existing traffic on the route when compared with other options.</p> <p>Notwithstanding the overall support for the scheme there are two areas of concern from a transport perspective:</p> <ul style="list-style-type: none"> <li>- <i>Smarter choices.</i> The Council has commented previously that the absence of a complementary programme of measures to promote sustainable transport will be important if the benefits of the additional capacity are not to be undermined by additional traffic generation. This is made the more important by the recent declaration of a climate emergency, and the need to reduce carbon emissions wherever possible. Currently no such programme is proposed;</li> <li>- <i>Facilities for pedestrians and cyclists.</i> Previous comments have highlighted the poor nature of facilities for pedestrians and cyclists at Coal House roundabout at the south end of Team Valley. While Highways England have undertaken a review of provision for pedestrian, cyclists and horse riders as part of the scheme no substantive improvement to provision at this location is proposed.</li> </ul> <p>It is suggested the scheme should be amended to reflect the above concerns.</p>	