



Historic England

**COMMENTS ON STATEMENT OF COMMON GROUND
FOR DEADLINE 3**

ON BEHALF OF THE

**HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR
ENGLAND
(HISTORIC ENGLAND)**

Application by

**Highways England for an Order granting
Development Consent for the
A1 Birtley to Coal House Improvement Scheme, Tyne & Wear**

**PINS Reference No: TR010031
Historic England Reference No: PL00552195**

**Deadline 3 Submission
10th March 2020**

1. INTRODUCTION

- 1.1. Historic England is more formally known as the “*Historic Buildings and Monuments Commission for England*”. We are the government’s statutory adviser on all matters relating to the historic environment, including world heritage. It is our duty under the provisions of the *National Heritage Act 1983* (as amended) to secure the preservation and enhancement of the historic environment.
- 1.2. This document provides our comments on the “Draft Statement of Common Ground: Historic England” (REP2-055) submitted by the Applicant at Deadline 2 (25th February 2020).
- 1.3. Historic England are disappointed that this draft of the Statement of Common Ground (SoCG) was not submitted to us for comments prior to submission to the Examining Authority at Deadline 2.
- 1.4. However, we have now had an opportunity to review the draft and have responded back to Highways England with our comments. For information, we have highlighted our comments below on the SoCG and identify where there is still a need for discussion and agreement. In particular, these relate to:
 - Table 3-1 – Chapter 6 of the Environmental Statement (ES)
 - Table 3-3 – Other Issues
- 1.5. We have annotated the tables presented in the SoCG with our comments in red text for ease of reference.
- 1.6. If we agree with the Applicant we have not commented further.

2. COMMENTS ON THE DRAFT SoCG

2.1 Table 3-1- Issues related to chapter 6 of the Environmental Statement (ES):

ES Chapter	Paragraph Reference	Sub-section	Historic England Comment	Highways England Response	Status
Chapter 6: Cultural Heritage (APP-027)	Para 6.8.7 and 6.9.6	Design, Mitigation and Enhancement Measures	The removal of part of the above wall and the foundations required for the new extended underpass tunnel may expose and/or remove features associated with the Bowes Railway. It will therefore be necessary to agree a mitigation strategy to inform the DCO process to ensure adequate archaeological monitoring of all groundworks within the scheduled area as noted in Para 6.8.7 of the ES. Para 6.9.6 is slightly confusing as we haven't advised excavation but rather direct archaeological monitoring / watching brief of the works here. It may be that the initial groundworks are directly overseen by your appointed archaeological contractor - this will need to be agreed in	Agreed. The text in paras 6.8.7 and 6.9.6 have been updated to reflect Historic England's advice. The preparation of a suitable WSI has been included as a requirement in the Construction Environmental Management Plan (CH3) as follows: The dismantling of the section of masonry retaining wall associated with Bowes Railway SM (1003723) during construction will be monitored by a suitably qualified archaeologist to record any archaeological features which may be uncovered. A method statement must be produced by the Main Contractor for how and when the dismantling will occur in order to inform the archaeological monitoring; the method statement will be required as part of the Final	Historic England Position – whilst we note that Highways England have amended the Outline CEMP, we have not yet seen the draft Outline WSI for us to provide comments on.

ES Chapter	Paragraph Reference	Sub-section	Historic England Comment	Highways England Response	Status
			<p>a WSI either in advance of the DCO being submitted or as a condition of the DCO. We advise that the Applicant provides a more detailed outline WSI to be agreed and submitted in support of the DCO.</p>	<p>WSI. The methodology, including the timing of the works, will be submitted in writing to and approved by the Local Planning Authority in consultation with Historic England.</p> <p>An outline detailed Written Scheme of Investigation (WSI) is now in production and will be submitted in support of the DCO. The WSI will form the basis of the work to be detailed in the final WSIs produced by the archaeological contractor/s.</p>	

2.2 Table 3-2 - Issues related to the Construction Environmental Management Plan

CEMP Section	Paragraph Reference	Sub-section	Highways England Position	Historic England Response	Status
Section 3: REAC (APP-174)	Table 3 -1 REAC	CH2, CH3, CH5, CH6 and N8	We note that some refinement of wording is needed in CH2, CH3, CH5, CH6 and N8 to provide clarity; be enforceable; and, provide assurance that works to the Scheduled Monument will have the appropriate oversight of Historic England. An additional Action point (CH7?) is required in REAC tables for access onto the scheduled monument from Compound 4.	The Applicant discussed Historic England’s proposed changes to the Outline CEMP in a meeting on 30 January 2020. These changes have further been clarified in Historic England’s Written Representations Reference No: PL00552195 dated 04 February 2020. These changes have been made to the Outline CEMP which will be submitted at Deadline 2.	Under discussion Historic England position – we note that some changes have been made as requested and some have not (see Historic England Comments on Other Matters for Deadline 3). We are continuing discussion with Highways

Comment [ML1]: This should be changed to “Historic England Comment”

Comment [ML2]: Historic England understand that this column should read “Highways England Response”.

CEMP Section	Paragraph Reference	Sub-section	Highways England Position	Historic England Response	Status
					England on how these points will be addressed.

Comment [ML1]: This should be changed to "Historic England Comment"

Comment [ML2]: Historic England understand that this column should read "Highways England Response".

2.3 Table 3-3 – Other Issues

Issue	Document Reference	Historic England Comment	Historic England Response	Status
Scheduled Monument Consent	Historic England Advice Letter_HERef_PL005 52195_L340286 dated 13 March 2019	Please note, it is our understanding that for Development Consent Orders (DCO) Scheduled Monument Consent (SMC) will be wrapped up in the DCO itself and there will not be a standalone SMC as is usually required for works to a scheduled monument.	Agreed	Under discussion Historic England position – Historic England note that the principle regarding Scheduled Monument Consent is agreed, however as a consequence

Comment [ML3]: Historic England understand that this column should read "Highways England Response".

Issue	Document Reference	Historic England Comment	Historic England Response	Status
				<p>of this we do not yet have reassurance that the complete list of works to the Scheduled Monument has been produced and detailed in Schedule 10.</p>
DCO wording	<p>Historic England's Written Representations Reference No: PL00552195 dated 04 (...some text is missing here...?)</p>	<p>Draft DCO Schedule 10 Scheduled Monuments: Historic England considers that Schedule 10 does not accurately nor clearly state the extent of demolition that is being proposed. We have therefore set out what we understand to be the extent of demolition required within Appendix 6 [of Historic England Written Representations Reference No: PL00552195 dated 04 February 2020] and would advise that this clarification is provided and Schedule 10 amended to reflect this. The suggested change to the wording is as follows: Schedule 10</p>	<p>Historic England have sought to limit the extension of Longbank Bridleway Underpass to a maximum of 17m. The ability to accommodate such a requirement is being considered and further work is being undertaken to evaluate and agree the limitation to the extension, should it be possible. Highways England is intending to resolve this matter prior to the completion of the Examination.</p>	<p>Under discussion</p> <p><u>Historic England position</u> – Historic England notes that the length of 17m is from the Applicant's own drawings, and is not a requirement of Historic England. Works to the</p>

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Issue	Document Reference	Historic England Comment	Historic England Response	Status
		<ul style="list-style-type: none"> Demolition of stone retaining walls (up to a maximum of 17m in length) on either side of the former trackbed of the monument. 		<p>scheduled monument are required to be explicit. It is very important that Schedule 10 fully and accurately reflects ALL works to the scheduled monument including demolition, construction, consolidation & repair, as well as access for construction and for PROW / bridleway after construction. The erection of the interpretation panel on the monument</p>

Comment [ML3]: Historic England understand that this column should read "Highways England Response".

Historic England Comments on Other Matters for Deadline 3 (10th March 2020) for TR010031

Issue	Document Reference	Historic England Comment	Historic England Response	Status
				should also be included

Comment [ML3]: Historic England understand that this column should read "Highways England Response".