

Inspector's Written Questions for Birtley to Coal House DCO – Deadline 4 20.4.2020

Ref	Question		Comment
2.0.4	<p>The National Policy Statement for National Networks (NNNPS) (paragraph 4.29) states that visual appearance should be a key factor in considering the design of new infrastructure, as well as functionality, fitness for purpose, sustainability and cost. The general design of structures is provided by the Structures Engineering Drawings and Sections [REP2-042].</p> <p>Given the limited level of detail contained with these drawings, what further measures (including but not limited to requirement(s)) could be secured within the draft DCO in order to ensure that the Proposed Development achieves the level of good aesthetics sought by NNNPS?</p>		<p>Securing further detail via requirements is considered to be sufficient.</p>
2.0.11	<p>Gateshead Council has confirmed in its response to ExQ1.0.11 [REP2-066] that it has no issues with the proposed construction working hours.</p> <p>Please can the Council provide its reasoning for the acceptability of the proposed construction working hours?</p>		<p>For the most part, the majority of the more intensive works, namely constructing the new crossing over the ECML, will be located away from residential properties. Furthermore, the widening works closest to the residential areas of 'Northdene' and 'Crathie' will be located on the eastern side of the carriageway in order to minimise any impacts. The Council also acknowledges the importance of completing these strategic improvement works in a timely manner, and therefore, all considered the construction working hours of 7am-7pm are considered acceptable.</p> <p>A caveat to this is the replacement Northdene footbridge, where it is felt that final details of the method of demolition, construction and timings are agreed to minimise impacts on the residents is of Northdene and Crathie.</p>
2.2.3	<p>Further to the Council's Written Representation [REP1-005] and Local Impact Report [REP2-075] and the subsequent comments from the Applicant on these submissions [REP2-061 and REP3-005], please set out the current position on the outstanding matters, including those matters that have been resolved between the two parties and those that remain outstanding. This may be provided within the Statement of Common Ground (if agreed).</p>		<p>The Council continues to work with the applicant to try and resolve the outstanding matters.</p>

2.4.1	<p>Article 2 Interpretation: Commence – The Examining Authority notes that additional wording has been added to the dDCO [REP2-045] for the meaning of commence. This includes, in relation to certain Requirements, a reference to any material operation as defined in Section 56(4) of the Town and Country Planning 1990 Act.</p> <p>c) The comments of Gateshead Council and any other Interested Parties (IPs) are invited on the effectiveness of the proposed drafting, particularly in relation to mitigation that is sought by draft ‘pre-commencement’ requirements.</p>		The Council considers the drafting is appropriate.
2.4.3	<p>Article 7 Limits of deviation – At ISH1 [REP1-003] the Applicant explained that limits of deviation of up to 1 metre are required as the Proposed Development is located within an undulating area and therefore requires flexibility of design for element such as the surface of the carriageways.</p> <p>b) In the case of structures and buildings, could such limits of vertical deviation result in the possibility of unintended consequences. For example, for the impact of the proposed gantries and the replacement North Dene footbridge upon views of the Angel of the North?</p>		A deviation of up to 1m is likely to have a significant impact upon views of the Angel of the North and is not a level of flexibility that the Council would normally support through a planning submission.
2.4.8	<p>Schedule 2, Part 1 Requirement 3 (Detailed design) Requirement 3 has been amended to include the approval of the external appearance of Work No.10 (gas transfer station building) [REP2-044].</p> <p>a) Should there be provision for consultation with the relevant planning authority before any approval by the Secretary of State.</p>		a) The Council considers that would be beneficial.
2.4.11	<p>The Applicants list of updated Requirements is set out within Schedule 2, Part 1 of the dDCO [REP2-044].</p> <p>Please review these Requirements and set out any suggested amendments or any additional Requirements you consider to be necessary, along with reasons for any such suggestions.</p>		The Council requests an extension until Deadline 5 – May 1st to respond.

2.5.1	<p>The ExA notes that a meeting has been arranged between the Applicant and the Council to discuss the Proposed Development in the context of the Council's vision for the setting and views of the Angel of the North.</p> <p>a) Noting the current circumstances and the need for the cancellation of meetings etc, please provide an update on this and any other discussions that have taken place, and provide a timetable for any discussions that are considered necessary to take this matter forward.</p> <p>b) Please can the Council submit the two relevant publications it refers to in its Local Impact Report [REP2-075] namely the NECT study (2018) – A Study of the Significance which the Angel gains from its Setting and the Southern Green Options Appraisal for Managing and Enhancing the Angel (January 2020).</p>		<p>a) Discussions are ongoing, albeit the current circumstances have hindered progress.</p> <p>b) Requested documents attached alongside this document.</p>
2.6.2	<p>Further to the Council's Written Representation [REP1-005] and Local Impact Report [REP2-075] and the subsequent comments from the Applicant on these submissions [REP2-061 and REP3-005], please set out the current position on the outstanding matters, including those matters that have been resolved between the two parties and those that remain outstanding. This may be provided within the Statement of Common Ground (if agreed).</p>		<p>The Council reserves its view until it has had sight of the SoCG.</p>
2.7.6	<p>Item N2 of Table 3-1 of the Outline CEMP [REP2-051] provides for the construction of an acoustic barrier.</p> <p>a) Notwithstanding the Applicant's response to ExQ1.7.11 [REP2-060] should wording be added to ensure that the acoustic barrier is constructed prior to operation of the widened road in order to protect the living conditions of the occupiers of the adjacent residential properties? Should this also apply to item N3 (realigned noise barrier at Lady Park?).</p> <p>b) Taking account of the proximity to residential properties, should provision be made to ensure that the final details (including appearance) of the acoustic barrier are included in the CEMP?</p>		<p>a) The Council considers the noise barriers should be installed before the widened road becomes operational and this should be extended to the properties at Lady Park also.</p> <p>b) The Council agrees that final details, including the appearance of the acoustic barrier should be included in the CEMP.</p>

2.7.7	<p>The Applicant's response to ExQ1.0.12 [REP2-060] responds to the issue of construction works and Heavy Duty Vehicle (HDV) movements outside of standard construction hours.</p> <p>b) Is the Council satisfied with the measures proposed (N5 of the Outline CEMP [REP2-051]) to manage and mitigate out of hours noise impacts from HDV movements on local residential roads such as Woodford?</p>		The Council requests an extension until Deadline 5 – May 1st to respond.
2.7.8	<p>Item N5 of Table 3-1 of the Outline CEMP [REP2-051] includes proposed noise monitoring measures and these are explained further in the Applicant's response to ExQ1.7.12 [REP2-060].</p> <p>Is the Council satisfied with the proposed noise monitoring measures and the level of the detail provided within the Outline CEMP?</p>		The Council requests an extension until Deadline 5 – May 1st to respond.
2.8.1	<p>The Applicant's response [REP2-060] to ExQ1.8.9(a) regarding Longacre Wood explains that there may be a need to temporarily close the footpath through Longacre Wood during construction should it prove too difficult to access the headwall extension from the A1.</p> <p>Given the above, should any further measures be included within the Outline CEMP [REP2-051] in order to minimise, as far as is possible, the potential adverse impact upon the public enjoyment of Longacre Wood?</p>		The Council requests an extension until Deadline 5 – May 1st to respond.
2.9.3	<p>Gateshead Council's response to ExQ1.9.3 [REP2-065] sets out several issues that should be the subject of further discussion. The Applicant has responded to each of these [REP3-004].</p> <p>Could both parties provide an update on discussions and outstanding issues regarding the CTMP (this can be through an agreed Statement of Common Ground if appropriate)?</p>		The Council requests an extension until Deadline 5 – May 1st to respond.
2.9.4	<p>The Applicant's response to ExQ1.9.8 [REP2-060] provides further details of construction traffic movements along Woodford. It is acknowledged that the CTMP would address construction traffic movements and manage highways and pedestrian safety.</p>		Woodford is a traffic-calmed residential road which would not normally be considered suitable for this kind of traffic. It is noted from the applicant's response that some heavy traffic associated with demolition of the existing rail bridge will use the old (i.e. current) alignment of the

	<p>b) Does the Council have any comments on the Applicant's approach for the use of Woodford and any necessary highway/pedestrian safety measures?</p>		<p>A1. As a route for such traffic this is much to be preferred as it would avoid any disturbance to residential areas. Ideally all heavy traffic associated with this aspect of the works would use the A1 route. However if this is not possible the Council would wish to see the following:</p> <ul style="list-style-type: none"> <li>- Advance notification of local residents of plans for heavy traffic movement in the Woodford area;</li> <li>- Before and after surveys of road condition (including traffic calming measures) to be undertaken with any damage made good;</li> <li>- All traffic to use the access to Woodford from Hertford, not Smithy Lane.</li> </ul>
2.10.3	<p>The Council has made representations in its Local Impact Report [REP2-075] seeking more naturalistic design of the proposed watercourse realignments, inlet and outlet features and the drainage basin. The Applicant has provided a response to the Council's concerns [REP3-005] including measures contained within the Outline CEMP [REP2-050].</p> <p>Is the Council satisfied with the Applicant's response and current proposals in this regard? If not, does it suggest any further measures that could be introduced?</p>		<p>The Council is still concerned about the proposals in this regard and intends to discuss further with the applicant.</p>