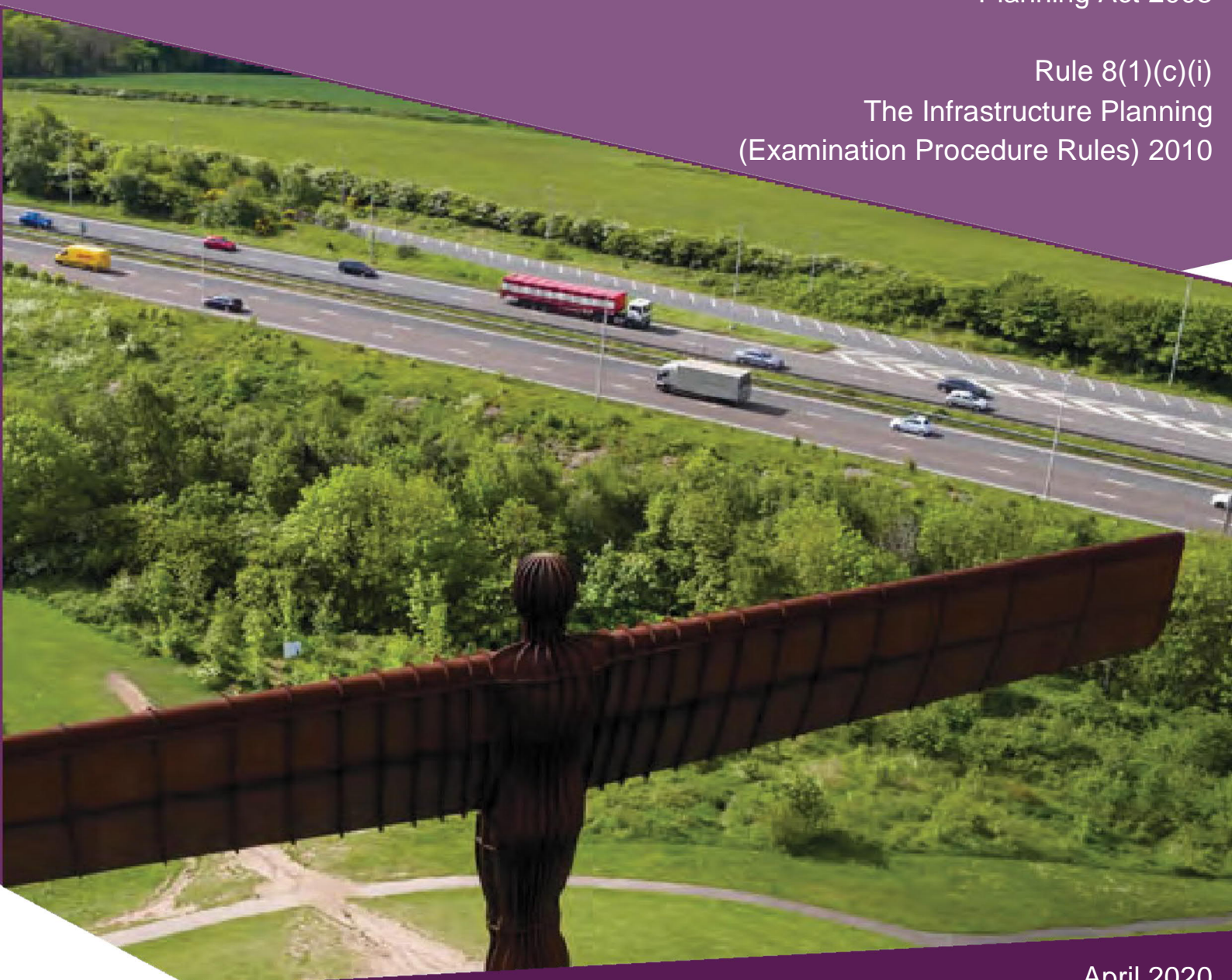


A1 Birtley to Coal House
Scheme Number: TR010031
Addendum to Statement of Reasons

Planning Act 2008

Rule 8(1)(c)(i)
The Infrastructure Planning
(Examination Procedure Rules) 2010



Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Examination Procedure Rules) 2010**

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

ADDENDUM TO STATEMENT OF REASONS

Rule Number:	Rule 8(1)(c)(i)
Planning Inspectorate Scheme Reference	TR010031
Application Document Reference	EXA/D4/003
Author:	A1 Birtley to Coal House Project Team, Highways England

Version	Date	Status of Version
Rev 0	20/04/2020	Deadline 4 Submission

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1. Introduction

1.1. Summary

- 1.1.1. This Addendum to the “Statement of Reasons revision 2 [TR010031/APP/4.1]” submitted to the Examining Authority on 20 April 2020 (this “Addendum”) relates to an application made by Highways England (the “Applicant”) to the Secretary of State for Transport via the Planning Inspectorate (the “Inspectorate”) under the Planning Act 2008 (the “2008 Act”) for a Development Consent Order (DCO). If made, the DCO would grant consent for A1 Birtley to Coal House (the “Scheme”). The Applicant submitted the application on 14 August 2019 (PINS Reference: TR010031) (the “Application”) and on 10 September 2019, the Inspectorate confirmed that the Application had been accepted for examination. Examination of the Application began on 21 January 2020.
- 1.1.2. The Applicant has continued to undertake further design development in relation to the Scheme to bring about design benefits and efficiencies. The Applicant wishes to amend the Application to comprise the following changes (the “Proposed Amendments”):
1. Allerdene three-span viaduct option (change 1): inclusion of further design flexibility in relation to the proposed replacement Allerdene Bridge over the East Coast Main Line. The draft DCO [REP2-044 and 045] currently allows for the replacement of Allerdene Bridge by a single span integral bridge or a 6/7-span viaduct. It is further proposed to enable the inclusion of a design for a 3-span viaduct under the DCO.
 2. Narrower lane over Kingsway Viaduct at junction 67 (change 2): Providing flexibility as to the formation and the road layout of the Scheme to enable narrower lanes to be provided between the existing narrow lanes north of junction 67 and approximately chainage 11150 over Kingsway Viaduct at junction 67. The current Scheme proposes full width lanes. The new proposal is to allow narrower lanes extending over approximately 750m of the length of the Scheme to be introduced.
 3. Additional land (change 3): The inclusion of additional land within the application at junction 67 for an extension of the proposed site compound, to be used for material stockpiling (the “Additional Land”). This land currently sits outside the proposed Order limits and it is proposed that powers of temporary occupation are extended to the land during construction of the Scheme. This additional land plot is located entirely within the Green Belt.
- 1.1.3. The purpose of this Addendum is to explain whether the Proposed Amendments have changed the findings of the Statement of Reasons revision 0 [APP-016] and updated and resubmitted on 14 January 2020 [AS-014]. This Addendum is split into the original chapters and sub-headings of the Statement of Reasons revision 2 [TR010031/APP/4.1] with an explanation of any differences as a result of the Proposed Amendments.

- 1.1.4. As a result of the Proposed Amendments, several application documents have been updated. Where other documents have been updated or produced, their references have been updated in Rev 2 of the Statement of Reasons revision 2 [TR010031/APP/4.1], submitted alongside this Addendum on 20 April 2020.

1.2. The Scheme

- 1.2.1. As a result of Proposed Amendments, paragraph 1.2.3 of the Statement of Reasons revision 2 [TR010031/APP/4.1] now reads:

- 1.2.2. In summary the Scheme comprises:

“i. Widening of the southbound carriageway from three to four lanes, and widening of the northbound carriageway from two to three lanes (with an additional lane between junctions) between junction 67 (Coal House) and junction 65 (Birtley).

ii. Changes to signage and road markings on the southbound carriageway between just south of junction 68 (Lobley Hill) and junction 67 (Coal House).

iii. ~~The Scheme includes a~~ A replacement bridge structure where the A1 crosses over the East Coast Main Line (ECML), 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). The replacement bridge would consist of either a single span option (the Embankment Option), a 6/7 span viaduct option, or a 3 span viaduct option.

iv. The Scheme would include a replacement of North Dene Footbridge located between junction 66 (Eighton Lodge) and junction 65 (Birtley) to accommodate the widening of the A1 and

v. Diversion of existing utilities.”

- 1.2.3. Paragraph 1.2.4 of the Statement of Reasons revision 2 [TR010031/APP/4.1] has been updated to include a reference to the Addendum to the Environmental Statement [AS-016] as follows:

*“A more detailed description of the Scheme can be found in **Chapter 2** of the Environmental Statement (~~Application Document Reference: TR010031/APP/6.1~~) [APP-023] and the Addendum to the Environmental Statement [AS-016].”*

- 1.2.4. The remainder of the text within section 1.2 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

1.3. Compulsory acquisition

- 1.3.1. The principle of including Compulsory Acquisition within the Scheme has not changed as a result of the proposed changes to the application. The text within

Section 1.3 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

1.4. Land Interests

1.4.1. The principle of including Land interests within the Scheme has not changed as a result of the proposed changes to the application. The text within Section 1.4 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged except new paragraph 1.4.6 has added to introduce a reference to the updated Land Plans.

1.4.2. [“1.4.6 The Land Plans TR010031/APP/2.2 revision 3 have been updated to show the “Additional Land” that now forms part of the Application.”](#)

1.5. The Case for Compulsory Acquisition

1.5.1. The text within section 1.5 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged and chapters 4 and 5 include considerations that are unchanged by the inclusion of the additional land.

1.6. Human Rights

1.6.1. Human Rights aspects of the Scheme have not changed as a result of the Proposed Amendments, and the analysis at Chapter 6 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains accurate. The text within Section 1.6 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

1.7. Special Considerations

1.7.1. Special Considerations within the Scheme have not changed as a result of the Proposed Amendments. The Additional Land is not special category land as defined by the 2008 Act. The analysis at Chapter 7 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains accurate. The text within Section 1.7 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

1.8. Compliance with Statutory Requirements and Policy Guidance

1.8.1. Paragraphs 1.8.1 and 1.8.2 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remain unchanged. The documents listed in paragraph 1.8.3 of the Statement of Reasons should be updated as follows:

- The draft DCO [\[TR010031/APP/3.1 Rev 3\] \(specifically Work No 5a\) and Schedule 2 \(Requirement 14 relating to options\);](#)
- Explanatory Memorandum [\[TR010031/APP/3.2 Rev 2\];](#)
- [Introduction to the Application \[APP-003\]](#)
- [Change Request \[EXA/D4/002\];](#)
- Consents and Agreements Position Statement [APP-015];

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- [Book of Reference \[TR010031/4.3\];](#)
 - [Land Plans \[TR010031/2.2\];](#)
 - [Works Plans \[TR010031/2.3\];](#)
 - [Special Category Land Plans \[REP2-043\];](#)
 - [Funding Statement \[APP-173\];](#)
 - [Planning Statement \[TR010031/APP/7.1\]](#)
 - [Planning Addendum \[EXA/D4/005\];](#)
 - [NNNPS Accordance Table \[APP-172\];](#)
 - [Documents to be Certified \[REP3-002\];](#)
 - [Transport Assessment Report \[APP-173\];](#)
 - [Environmental Statement \[APP-022 to 037\];](#)
 - [Addendum to the Environmental Statement \[AS-016\];](#)
 - [Construction Environmental Management Plan \(CEMP\) \[TR010031/APP/7.4\]](#)

2. The Scheme

2.1. Description of the Scheme

- 2.1.1. Paragraphs 2.1.1 and 2.1.3 of the Statement of Reasons revision 2 [TR010031/APP/4.1] refer to the Allerdene Bridge. They do not specifically refer to the different design options for the bridge and, as such, this section remains accurate and unchanged. The Proposed Amendments describe the inclusion of an additional option of a 3-span viaduct option for Allerdene Bridge. Further details of this option are added to the Statement of Reasons revision 2 [TR010031/APP/4.1] by section 2.4 below.
- 2.1.2. Paragraph 2.1.4 of the Statement of Reasons revision 2 [TR010031/APP/4.1] has been updated to include a reference to the Addendum to the Environmental Statement [AS-016] as follows:
- 2.1.3. *“2.1.4 A more detailed description of the Scheme can be found in **Chapter 2** [The Scheme of the Environmental Statement \[APP-023\]](#) (~~Application Document Reference: TR010031/APP/6.1~~) and within the Addendum to the Environmental Statement [AS-016].”*

2.2. Need for and benefits of the Scheme

- 2.2.1. The description of the need for and benefits of the Scheme at Section 2.2 of the Statement of Reasons revision 2 [TR010031/APP/4.1] has not changed as a result of the Proposed Amendments. With the exception of the updated references detailed below, the text within Section 2.2 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged. Details of the benefits of the specific benefits that the Allerdene Bridge will bring are set out in Section 5.4 of this Addendum below. However, that does not affect section 2.2 of the Statement of Reasons.
- 2.2.2. Paragraph 2.2.14 of the Statement of Reasons revision 2 [TR010031/APP/4.1] has been updated to include a reference to the Addendum to the Environmental Statement [AS-016]:
- “Updated 2.2.14 The Scheme is designed to provide an overall environmental enhancement, in particular through improved landscaping, water management (through Sustainable Urban Drainage Systems (SuDS) and other measures), and noise reduction (through improved carriageway surfacing and additional noise barriers). There would also be some initial improvements in air quality and carbon emissions through reduced congestion, although increased capacity may mean that benefits are offset as traffic levels increase. The assessment of effects on the environment, including climate change, is set out in the ES (Application Document Reference: TR010031/APP/6.1) [and the Addendum to the Environmental Statement \[AS-016\].”](#)*
- 2.2.3. Paragraph 2.2.4 and 2.2.15 of the Statement of Reasons revision 2 [TR010031/APP/4.1] has been updated to include a reference to Planning Statement [TR010031/APP/7.1] revision 2 and Addendum to the Planning Statement [EXA/D4/005] as follows:

Updated paragraph 2.2.4 “The Planning Statement [\[EXA/D4/006\]](#)) [revision 2, Addendum to the Planning Statement \[EXA/D4/005\] revision 2](#) and NNNPS Accordance Table (TR010031/APP/7.2) set out the need for the Scheme by reference to the NNNPS and other national and local policy.”

and

“Updated paragraph 2.2.15 “Further details about the development of the Scheme and the benefits it is expected to bring can be found in the Planning Statement [\[EXA/D4/006\]](#) (~~Application Document Reference: TR010031/APP/7.1~~) [revision 2 and the Addendum to the Planning Statement \[EXA/D4/005\]](#).”

2.3. The authorised works

- 2.3.1. The authorised works of the Scheme as described at Section 2.3 of the Statement of Reasons revision 2 [TR010031/APP/4.1] have not changed as a result of the Proposed Amendments. The text within Section 2.3 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

2.4. Allerdene Bridge Options

- 2.4.1. As a result of the inclusion of the additional replacement Allerdene Bridge option: the Allerdene three-span viaduct option (change 1) paragraph 2.4.1 of the Statement of Reasons revision 2 [TR010031/APP/4.1] has been updated as follows:

“The Application provides for ~~two~~ [three](#) options in respect of the replacement of Allerdene Bridge. These are described in full at paragraphs 2.7.11 to 2.7.18 of the Environmental Statement (Application Document Reference: TR010031/APP/6.1) [and assessed in the Addendum to the Environmental Statement \[EXA/D4/009\]](#). The following section of this Statement explains why the Application and the proposed DCO allow options to be provided for the construction of the new structure over the ECML.”

- 2.4.2. Paragraph 2.4.3 and 2.4.4 of the Statement of Reasons revision 2 [TR010031/APP/4.1] have been updated to reflect the introduction of the three span viaduct option for the replacement Allerdene Bridge:

“2.4.3 In order to mitigate this issue and to retain flexibility for the detailed design stage, ~~two~~ [three](#) design solutions are proposed in the DCO application for the replacement of Allerdene Bridge. ~~Both~~ [All](#) options are in all respects acceptable engineering solutions and ~~both~~ [all options](#) include ground improvement works to mitigate the settlement risk, but address it in different ways which will be deployed based upon the final engineering design. The options are:

- i. Construction of a single span bridge supported by its abutments ([the embankment option](#)), and approached by embankments which utilise ground improvements in the form of rigid inclusions e.g. controlled modulus columns; and*
- ii. Construction of a multi [6/7](#) span viaduct option (the 6/7 span viaduct option) supported on piled foundations 40-45m deep which ties into shorter embankment structures at either end and requires no or fewer rigid inclusions.*

iii. *Construction of a 3 span viaduct structure (the 3 span viaduct option) supported by its abutments and reinforced by embankments. The 3-span viaduct option would comprise a central span (of approx. 65m in length), which would pass over the railway, with back spans to the east and west of "the railway (each approx. 45m in length). The proposed 3 span viaduct option would be supported on rigid piled foundations. The depths are expected to vary between 40m and 50m in length, all founded in competent rock.*

"2.4.4.As a result, ~~two~~ three options for the replacement of Allerdene Bridge are proposed in the application: the embankment option, ~~and~~ the 6/7 span viaduct option and the 3 span viaduct option. Further detail for each option is outlined below:"

2.4.3. *The subtitle paragraph 2.4.8 of the Statement of Reasons revision 2 [TR010031/APP/4.1] has been amended from "Viaduct Option" to "6/7 Span Viaduct Option."*

2.4.4. *As a consequence of the inclusion of the 3 span viaduct option, the following paragraphs (2.4.10A-2.4.10F) have been inserted into the Statement of Reasons revision 2 [TR010031/APP/4.1] after paragraph 2.4.10.*

2.4.10A *3 Span Viaduct Option - the existing Allerdene Bridge would be replaced with a 3-span viaduct with a central span (of approx. 65m in length), which would pass over the railway, with back spans to the east and west of "the railway (each approx. 45m in length). The form of the superstructure would be a composite deck comprising a reinforced concrete deck slab atop steel girders as for the other options. The proposed form of the superstructure is the same as the 6/7 span viaduct option.*

2.4.10B *It is also proposed that reinforced soil is used to form the approach embankments to the east and west of the railway. This would result in slopes at a maximum angle of 60 degrees (in contrast to the 1 (vertical) in 3 (horizontal) slope under the 6/7 span viaduct option).*

2.4.10C *The reinforced earth slopes would be seeded with a species rich grass mix appropriate to the location. The seed specification and final seed mix would include a nursery crop for quick establishment as well as slower growing species. The design of the grass mix will support minimal frequency maintenance to encourage biodiversity interest over time.*

2.4.10D *A road restraint system, in the form of a bridge parapet atop a concrete ground beam, would be required to extend over the length of the steepened earth embankment. The bridge substructure at the intermediate piers would be reinforced concrete leaf piers supported by piled foundations, following the engineering principles in for the 6/7 span viaduct option.*

2.4.10E *Abutments would be similar in appearance to the 6/7 span viaduct option.*

with reinforced concrete vertical walls supported by piled foundations. The only difference in respect of the abutments would arise from the interface between the structure and the approach embankments, due to the introduction of reinforced earth, which is internal to the structure and embankment.

2.4.10F For the purposes of understanding how the 3 span viaduct option differs from the Embankment Option and the 6/7 span Viaduct Option, the illustrative design for the 3 span viaduct option should be compared with the elevations contained in document 2.7 Structures Engineering Drawings and Sections (Application Document Reference: TR010031/APP/2.7), in which the Embankment option is on Sheet 3 TR010031/APP/2.7(D), the 6-span viaduct option is on Sheet 4 TR010031/APP/2.7(E); and the 7-span viaduct option is on Sheet 5 TR010031/APP/2.7(F). Further details are found in the Change Request submitted at Deadline 4 [EXA/D4/002].

2.4.10G The alignment of the proposed structure is the same for all three options. The footprint would have minor differences between the 3 options, but is not considered to be materially different to reflect the division between embankment and bridge/viaduct, and the embankment required for the 3 span viaduct option would differ from that for the embankment option as a result of the steepening of its slopes (as described at paragraph 2.1.3 above). For the 3 span viaduct option, the treatment of the culvert which carries Allerdene Burn would be as for the embankment option, as shown on Sheet 3 of the Structures Engineering Drawings and Sections (Application Document Reference. TR010031/APP/2.7)."

2.5. Grouting Works

- 2.5.1. The grouting works required for the Scheme have not changed as a result of the Proposed Amendments and will be the same for all of the Allerdene Bridge options. The text within Section 2.5 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

3. Compulsory acquisition

3.1. Scope of compulsory acquisition powers sought

3.1.1. The scope of compulsory acquisition powers sought have not changed as a result of the Proposed Amendments. The text within Section 3.1 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

3.2. Main compulsory acquisition powers

3.2.1. The main powers authorising the compulsory acquisition of land, or interests in, or rights over land has not changed as a result of the Proposed Amendments. The text within Section 3.2 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

3.3. Other compulsory acquisition powers

3.3.1. While the temporary possession of the Additional Land will suspend and render all private rights over that land unenforceable for as long as the Applicant is in lawful possession of the land, the text at Section 3.3 of the Statement of Reasons revision 2 [TR010031/APP/4.1] relating to the 'other compulsory acquisition powers' sought by the Applicant in the DCO has not changed as a result of the Proposed Amendments. The text within Section 3.3 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged and valid.

3.4. Temporary possession powers

3.4.1. While the Additional Land will be subject to temporary possession powers, the text relating to temporary possession powers has not changed as a result of the Proposed Amendments. The inclusion of the Additional Land within Tables 2, 5 and 6 of Annex A of the Statement of Reasons revision 2 [TR010031/APP/4.1] addresses the requirement for the Additional Land to be subject to temporary possession powers, and the text within Section 3.4 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

3.5. Other rights and powers

3.5.1. The text at Section 3.5 of the Statement of Reasons revision 2 [TR010031/APP/4.1] relating to other rights and powers has not changed as a result of the Proposed Amendments to the Statement of Reasons revision 2 [TR010031/APP/4.1].

4. Land interests

4.1. The extent of the land subject to compulsory acquisition powers

4.1.1. Paragraph 4.1.1 has been updated to include the updated document references:

“The full extent of the Land subject to powers of compulsory acquisition and required in order to enable the Applicant to construct the Scheme as described in Chapter 2 of this Statement is shown on the Land Plans (Application Document Reference: TR010031/APP/2.2) [revision 3](#) and the Works Plans (Application Document Reference: TR010031/APP/2.3) [revision 3](#). It is further described in the Book of Reference (Application Document Reference: TR010031/APP/4.3) [revision 3](#).”

4.1.2. The following additional text has been added to paragraph 4.1.2:

“The Land comprises approximately ~~85.57~~ [90](#) hectares (ha). Of this, approximately ~~57.24~~ ha will be acquired permanently, ~~294.08~~ ha will be subject to temporary possession, ~~1.07~~ ha will be subject to acquisition of permanent rights and ~~3.18~~ ha will be subject to acquisition of permanent rights and temporary possession.”

4.1.3. Apart from the amendments noted in Section 4.1 of this Addendum and the updated plans, the remainder of Section 4.1 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

4.2. Location

4.2.1. Although the Additional Land will expand the Order Limits, the Scheme location as described at Section 4.2 of the Statement of Reasons revision 2 [TR010031/APP/4.1] has not changed as a result of the Proposed Amendments. The text within Section 4.2 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged other than the addition of updated revision numbers for the Location Plan at paragraph [4.2.2] as follows:

4.2.2. *Updated paragraph 4.2.2: “The location of the Land is shown on the ~~Scheme~~ [Revised](#) Location Plan (Application Document Reference: TR010031/APP/2.1 [revision 2](#)). “*

4.3. Existing Land Use

4.3.1. To include the following additional text in paragraph 4.3.1 of the Statement of Reasons revision 2 [TR010031/APP/4.1] as a result of the Proposed Amendments:

“The area is characterised by a combination of land uses (residential, rural, industrial, recreational, open space and urban fringe). Much of the area within the Scheme Footprint falls within designated Green Belt, namely the Tyne & Wear Green Belt. Approximately ~~66-61.29~~ ha of the ~~90~~ [85.57](#) ha of land required for the Scheme is within the Green Belt. The rest comprises the existing A1 road and associated infrastructure.”

- 4.3.2. The following text has been included as paragraph 4.3.9 in the Statement of Reasons to explain the existing use of the land parcel 3/13a. Other than the inclusion of the Additional Land, the land use and character of the Scheme described in the Statement of Reasons has not changed as a result of the Proposed Amendments.

“4.3.9 The Order limits have been extended to include an additional construction compound. The additional area of land is currently agricultural land (a mixture of 3a and 3b classifications). It is currently used for horse grazing. This additional area of land will be required on a temporary basis and will be returned to its previous condition once construction works have been completed.”

- 4.3.3. The remainder of Section 4.3 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

4.4. Identifying persons with an interest in the Land

- 4.4.1. The text within paragraph 4.4.1 relating to diligent inquiry has not changed.

- 4.4.2. To include the following additional text in paragraph 4.4.2 of the Statement of Reasons revision 2 [TR010031/APP/4.1] as a result of the Proposed Amendments:

*“Those persons who were identified by the Applicant are listed in the Book of Reference (**Application Document Reference: TR010031/APP/4.3**) revision 3 and have been consulted about the Application in accordance with section 42 of the 2008 Act as described in the Consultation Report (**Application Document Reference: TR010031/APP/5.1**). The Applicant has also identified those persons with an interest in the additional land. These persons are also listed in the Book of Reference and have been consulted as part of a targeted non-statutory consultation which took place between 17 March 2020 and 14 April 2020.”*

- 4.4.3. The remainder of Section 4.4 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

4.5. Category 1 and 2 persons

- 4.5.1. There have been several additions to the category 1 and 2 persons as a result of the Proposed Amendments. These category 1 and 2 persons have been identified as having an interest in the Additional Land and are listed in Annex B of the Statement of Reasons. The Applicant is in active dialogue with these persons in relation to the Proposed Amendments with a view to seeking agreement regarding the use of the Additional Land.

- 4.5.2. The remainder of Section 4.5 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

4.6. Category 3 persons – section 10 of the Compulsory Purchase Act 1965 (CPA 1965) and/or section 152(3) of the 2008 Act.

- 4.6.1. The category 3 persons has not changed as a result of the Proposed Amendments. The text within Section 4.6 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

4.7. Assessment of Category 3 persons which fall under Part I of the Land Compensation Act 1973 (LCA 1973)

4.7.1. The assessment of category 3 persons has not changed as a result of the Proposed Amendments. The text within Section 4.7 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

4.8. Contact referencing

4.8.1. The contact referencing has not changed as a result of the Proposed Amendments. The text within Section 4.8 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged. As detailed in paragraph 4.5.1, the Applicant is in active dialogue with those category 1 and 2 persons identified as having an interest in the Additional Land.

4.9. Negotiations to acquire by agreement

4.9.1. The negotiations to acquire by agreement has not changed as a result of the Proposed Amendments. The text within Section 4.9 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

4.10. Utility Diversions

4.10.1. The utility diversions have not changed as a result of the Proposed Amendments since no additional or changed interfaces with statutory undertakers will occur. The text within Section 4.10 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

5. The case for compulsory acquisition

5.1. Introduction

- 5.1.1. The introduction for compulsory acquisition has not changed as a result of the Proposed Amendments. The text within Section 5.1 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

5.2. The statutory conditions and CA Guidance

- 5.2.1. The text relating to statutory conditions and CA Guidance has not changed as a result of the Proposed Amendments. The text within Section 5.2 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

5.3. Need for the Land and the purposes for which the compulsory acquisition powers are sought

- 5.3.1. The text relating to the need for the land and the purposes for which the compulsory acquisition powers are sought has not changed as a result of the Proposed Amendments. The Additional Land is needed to facilitate the development of the Scheme. The assessment of the Scheme's compliance with s122(2) of the 2008 Act detailed at section 5.3 of the Statement of Reasons is equally applicable with the inclusion of the Additional Land, and the quantity of Additional Land represents the minimum land take required to ensure delivery of the Scheme. The other Proposed Amendments do not involve additional land take. The text within Section 5.3 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

5.4. Compelling case in the public interest

- 5.4.1. The compelling case in the public interest has not changed as a result of the Proposed Amendments. The inclusion of the Additional Land facilitates the development of the Scheme, and so the need for and benefits of the Scheme are equally applicable to the Additional Land. The text within Section 5.4 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

5.5. Consideration of alternatives

- 5.5.1. To include the following additional text in paragraph 5.5.5:

“Between [the 6/7 Span Viaduct Option](#), [the 3 Span Viaduct Option](#) and the [Embankment Option](#), the land required on a temporary basis for construction is identical. Whilst there might be minor variations in the final footprint of ~~either~~ [the three options](#) resulting from the comparative width of an embankment and the viaduct, it is also the case that the permanent land take can be expected to be the same.”

5.6. Reasonable prospect of funding

- 5.6.1. The prospect of funding has not changed as a result of the Proposed Amendments. The text within Section 5.6 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

5.7. Acquisition by agreement

- 5.7.1. Evidence of the discussions with the owners of the additional land can be found in the Consultation Statement [EXA/D4/004] and Appendix 1.3A CA Objections Schedule [REP2-012] rev 1 updated at Deadline 4. The Applicant's approach to

acquisition by agreement has not changed as a result of the Proposed Amendments. The text within Section 5.7 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

5.8. Conclusions

- 5.8.1. The conclusions in relation to the case for compulsory acquisition have not changed as a result of the Proposed Amendments. With the exception of the below amendment to paragraph 5.8.2, the text within Section 5.8 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.
- 5.8.2. The text in paragraph 5.8.2 to be updated:
- 5.8.3. Updated paragraph 5.8.2 *“All of the Land subject to compulsory acquisition and temporary possession powers is necessary to construct, operate, maintain and mitigate the Scheme and is necessary to achieve the objectives of the Scheme. The extent of the Land sought is reasonable and proportionate.”*

6. Human rights

- 6.1.1. As set out in paragraph 1.6 of the Statement of Reasons revision 2 [TR010031/APP/4.1] in preparing the DCO, the Applicant has had regard to the European Convention for Human Rights and the Human Rights Act 1998. The same methodology was applied to the Additional Land, and the inclusion of the Additional Land in the Scheme does not affect the Applicant's conclusion that it would be appropriate and proportionate for the Secretary of State to make the DCO including the grant of compulsory acquisition powers.
- 6.1.2. The entirety of Section 6 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

7. Special considerations

7.1. Crown land

7.1.1. The text relating to crown land has not changed as a result of the Proposed Amendments, as the Additional Land is not Crown Land. The text within Section 7.1 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

7.2. Special category land comprising land forming part of a common, open space, or fuel or field garden allotment

7.2.1. The Additional Land is agricultural land in its entirety, currently used for grazing horses as such it does not fall within the definition of special category land. The text relating to special category land has not changed as a result of the Proposed Amendments. The text within Section 7.2 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

7.3. National Trust Land

7.3.1. The text relating to National Trust land has not changed as a result of the Proposed Amendments, as the Additional Land is not National Trust "inalienable" land for the purposes of s130 of the 2008 Act. The text within Section 7.3 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

7.4. Statutory Undertaker Land

7.4.1. The text relating to statutory undertaker land has not changed as a result of the Proposed Amendments. The Additional Land is not in the ownership of any statutory undertaker and the other Proposed Amendments do not involve additional land take. The text within Section 7.4 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

7.5. Other consents

7.5.1. The additional consents required outside of the DCO have not changed as a result of the Proposed Amendments as no additional consents that affect the Consents and Position Statement area are required for the Additional Land. The text within Section 7.5 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

8. Conclusions

8.1. Overview

- 8.1.1 The Proposed Amendments do not change the findings of the conclusion of the Statement of Reasons. The text within section 8.1 of the Statement of Reasons revision 2 [TR010031/APP/4.1] remains unchanged.

Figures and Annexes

Annex A

Table 2 in Annex A has been updated to include additional entries in respect of the Additional Land, under land parcel 3/13a.

Table 2 – Temporary possession and use of land – by plot number		
Plot Number/Land Plan sheet	DCO Work No.	Purpose for which the land is required:
3/13a	N/A	Required for the construction compound for Allerdene Bridge and associated access.

All other aspects of Annex A remain unchanged.

Annex B

Annex B has been updated through the insertion of the below entry to reflect engagement with one additional party (Mr Barnaby and Skoyles) for land parcel 3/13a, which relates to the Additional Land.

Obj No:	Land Interest Name/Organisation and Land Agents Name (if applicable):	Type of Interest:	Permanent/Temporary:	Plot(s):	Compulsory Acquisition (Y/N):	Status of objection and negotiations with land interest:
10	Environment Agency (Update/correction, not related to Additional Land)	Category 1 - Occupier Category 2 - Rights	(a) Permanent (b) Temporary (c) Rights (d) Rights and Temporary	(a) 3/2b, 3/3m, 3/3o, 3/3t, 3/3u, (b) 3/3c, 3/3k, 3/3n, 3/3p, 3/3q, 3/3r, 3/3w, 3/3x, 3/3y (c) N/A (d) N/A	(a) Y (b) N (c) N/A (d) Y	<p>The Applicant has engaged with the Environment Agency (EA) during design development to inform the EIA methodology and assessment, as well as the proposed environmental mitigation for the Scheme.</p> <p>The Applicant has held several meetings with the EA between 2017 and 2019 (alongside Gateshead Council) on the water and ecology receptors potentially affected by the Scheme. The Applicant has shared documents with the EA for comment and discussed their feedback at a meeting on 11 April 2019.</p> <p>The District Valuer contacted the EA on 9 July 2019 to discuss their land plots near to the River Team and land take requirements for the Scheme.</p>
25	Network Rail Limited (Update/correction only, not related to Additional Land)	Category 1 - Owner and/or Occupier Category 2 - Rights	(a) Permanent (b) Temporary (c) Rights (d) Rights and Temporary	(a) 3/3nn , 3/6e, 3/10b, 3/10c, 3/10g, 3/10j, 3/10k, 3/11, 3/12a, 3/12d, 3/12f (b) 3/3jj, 3/3ss, 3/5, 3/6a, 3/6c, 3/9, 3/10a, 3/10i (c) 3/6b, 3/10e, 3/10f, 3/12c, 3/12e (d) 3/3mm, 3/6d, 3/6f, 3/6k, 3/10d, 3/10h, 3/12b	(a) Y (b) N (c) Y (d) Y	<p>The Applicant has held a series of meetings with Network Rail between 2016 and 2019 to discuss the Scheme and proposals for Allerdene Bridge demolition and replacement over the East Coast Main Line. The District Valuer has sought written confirmation from Network Rail on their stance in relation to the Scheme proposals.</p> <p>Discussions with Network Rail have taken place in relation to an agreement for Allerdene Bridge and the draft protective provisions contained in Schedule 11 of the draft DCO (Application Document Reference: TR010031/APP/3.1). Network Rail responded on 16 July 2019 to an email by the Applicant's legal representatives to confirm that the protective provisions sent to them are in a similar format to Network Rail's standard provisions and they are generally satisfied. Network Rail are consulting with their own legal team to confirm. Discussions are ongoing.</p>

Obj No:	Land Interest Name/Organisation and Land Agents Name (if applicable):	Type of Interest:	Permanent/Temporary:	Plot(s):	Compulsory Acquisition (Y/N):	Status of objection and negotiations with land interest:
34	The Coal Authority	Category 2	(a) Permanent (b) Temporary (c) Rights (d) Rights and Temporary	(a) 3-2h, 3-2i, 3-2j, 3-2n, 3-3a, 3-3g, 3-3h, 3-3l, 3-3m, 3-3o, 3-3t, 3-3u, 3-3ff, 3-3hh, 3-3ii, 3-3rr, 3-3zz, 3-3ddd, 3-3iii, 3-3mmm, 3-4c, 3-4d, 3-4g, 3-4i, 3-4o, 3-6j, 4-1b, 4-1e, 4-1g, 4-1i, 4-1n, 4-1o, 4-1r, 4-1s, 4-1t, 4-3c, 4-3e, 4-3r, 4-3s, 4-3t, 4-6c, 4-7a, 5-2a, 5-2b, 5-4c (b) 3-3c, 3-3d, 3-3k, 3-3p, 3-3s, 3-3w, 3-3x, 3-3y, 3-3bb, 3-3cc, 3-3ee, 3-3oo, 3-3xx, 3-3bbb, 3-3fff, 3-3ggg, 3-3jjj, 3-4e, 3-4f, 3-4h, 3-4j, 3-4k, 3-4r, 3-4t, 3-6g, 3-6h, 3-6i, 3-6m, 3/13a , 4-2a, 4-2e, 4-3a, 4-5, 4-6a, 4-7c (c) 3/3yy, 3/3hhh, 3/3lll, 3/6l (d) 3-3e, 3-3f, 3-3i, 3-3z, 3-3dd, 3-3gg, 3-3pp, 3-3qq, 3-3tt, 3-3aaa, 3-3kkk, 3-3nnn, 3-4q, 3-6d, 3-6f, 3-6k, 4-2d, 4-3b, 4-6b, 4-7b, 5-4d	(a) Y (b) N (c) Y (d) Y	The Applicant has had discussions with the Coal Authority in 2018, in relation to the potential effects from changes to the mine water pumping regime as a result of the Scheme. The Applicant has shared design information and drawings with the Coal Authority for comment and it is understood that any changes associated with rising mine waters will not impact the above ground features of the Scheme. Therefore, no further consultation on this particular topic is required at this stage. As the construction method for the Allerdene Bridge (Embankment or Viaduct option) and the Kingsway Viaduct pier widening will involve piling, further consultation is proposed with the Coal Authority once the detailed design is progressed.

Obj No:	Land Interest Name/Organisation and Land Agents Name (if applicable):	Type of Interest:	Permanent/Temporary:	Plot(s):	Compulsory Acquisition (Y/N):	Status of objection and negotiations with land interest:
35	Thomas Arthur Hamish Ninth Baron Ravensworth (as executor for Lord Arthur Waller Eighth Baron)	Category 1 - Owner and/or Occupier	(a) Permanent (b) Temporary (c) Rights (d) Rights and Temporary	(a) 1-1, 2-1, 3-2a, 3-2b, 3-2c, 3-2d, 3-2e, 3-2f, 3-2g, 3-2h, 3-2i, 3-2j, 3-2k, 3-2l, 3-2m, 3-2n, 3-3a, 3-3g, 3-3h, 3-3j, 3-3l, 3-3m, 3-3o, 3-3t, 3-3u, 3-3ff, 3-3hh, 3-3ii, 3-3kk, 3-3nn, 3-3rr, 3/3uu, 3-3vv, 3-3zz, 3-3ddd, 3-3iii, 3-3mmm, 3-4a, 3-4b, 3-4c, 3-4d, 3-4g, 3-4i, 3-4l, 3-4m, 3-4n, 3-4o, 3-4p, 3-4s, 3-6e, 3-6j, 3/10c, 3-10g, 3-10j, 3-10k, 3-12a, 3-12d, 3-12f, 4-1a, 4-1b, 4-1c, 4-1d, 4-1e, 4-1f, 4-1g, 4-1h, 4-1i, 4-1j, 4-1k, 4-1l, 4-1n, 4-1o, 4-1q, 4-1r, 4-1s, 4-1t, 4-2c, 4-3d, 4-3e, 4-3f, 4-3g, 4-3h, 4-3k, 4-3o, 4-6c, 4-7a, 5-2a (b) 3-3b, 3-3c, 3-3d, 3-3k, 3-3n, 3-3p, 3-3q, 3-3r, 3-3s, 3-3v, 3-3w, 3-3x, 3-3aa, 3-3bb, 3-3cc, 3-3ee, 3-3jj, 3-3oo, 3-3xx, 3-3y, 3-3bbb, 3-3ccc, 3-3fff, 3-3ggg, 3-3jjj, 3-4e, 3-4f, 3-4h, 3-4j, 3-4k, 3-4r, 3-4t, 3-5, 3-6a, 3-6c, 3-6g, 3-6h, 3-6i, 3-6m, 3-7, 3-9, 3-10i, 3/13a , 4-1m, 4-2b, 4-3a, 4-3i, 4-3j, 4-3m, 4-4a, 4-4d, 4-6a, 4-7c, 4-8 (c) 2-2, 3-1, 3-3ll, 3-3yy, 3-3hhh, 3-3lll, 3-6b, 3-6l, 3-10e, 3-10f, 3-12c, 3-12e (d) 3-3e, 3-3f, 3-3i, 3-3z, 3-3dd, 3-3gg, 3-3pp, 3-3qq, 3-3tt, 3-3ww, 3-3aaa, 3-3kkk, 3-3mm, 3-3nnn, 3-4q, 3-6d, 3-6f, 3-6k, 3-10d, 3-10h, 3-12b, 4-3b, 4-3q, 4-4b, 4-6b, 4-7b	(a) Y (b) N (c) Y (d) Y	The District Valuer received written confirmation from Thomas Arthur Hamish Ninth Baron Ravensworth on 11 January 2019 that there are no objections and he is willing to engage in negotiations.

Obj No:	Land Interest Name/Organisation and Land Agents Name (if applicable):	Type of Interest:	Permanent/Temporary:	Plot(s):	Compulsory Acquisition (Y/N):	Status of objection and negotiations with land interest:
48	Craig William Barnaby and Joseph Skoyles	Category 1 - Owner and/or Occupier	(a) Permanent (b) Temporary (c) Rights (d) Rights and Temporary	(a) N/A (b) 3/13a (c) N/A (d) N/A	(a) N/A (b) N (c) N/A (d) N/A	A meeting with Mrs Anna Skoyles (representing both Craig William Barnaby and Joseph Skoyles) took place in February 2020 to discuss the Scheme in relation to plot 3/13a, compensation rights and access to this land for surveys. An initial offer was made on 21 st February and a revised offer was made on 15 th April in writing with a favourable response received verbally. These discussions remain ongoing and are being progressed by the Applicant.

