

# A1 Birtley to Coal House

## Scheme Number: TR010031

**Responses to Deadline 5 submission from other parties - Historic England - Appendix 2A - Consultation with Lee McFarlane, Historic England**

Planning Act 2008

Rule 8(1)(b)

Infrastructure Planning (Examination Procedure Rules) 2010



Infrastructure Planning

Planning Act 2008

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

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

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**Responses to Deadline 5 submissions from other parties  
- Historic England - Appendix 2A - Consultation with Lee  
McFarlane, Historic England**

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<b>Rule number:</b>	Rule 8(1)(b)
<b>Planning Inspectorate Scheme Reference</b>	TR010031
<b>Application Document Reference</b>	N/A
<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	19 May 2020	Application Issue

**From:** Murray, Elizabeth  
**Sent:** 07 May 2020 10:01  
**To:** McFarlane, Lee; Ashworth, Nicola  
**Cc:** Bienfait, Tiffany  
**Subject:** Drainage at Longbank bridleway and access onto the monument

Good morning Lee,

Further to our teleconference of the 28/04/2020 (action points noted below) please note the following in regard to the reinstated access on to the SM:

The sloped bridleway access will be reinstated as per the current situation, but 17m further along.

The stepped access will be reinstated, again as per the current arrangement adjacent to the end of the underpass, but 17m from its current location or at the end of the extended section (i.e. 15-17m or as per the DCO wording).

The stepped access will be set in to the embankment, but there is no detailed design as yet. The gradient is less steep at this point, so it won't be a like for like replacement – presumably requiring fewer steps.

We would like to have these issues closed out by Deadline 6, where possible, and therefore require confirmation on whether a mechanism for dealing with the access reinstatement needs to be included in any documents. The requirement for a method statement for the works could perhaps be included in the CEMP and any ensuing necessity for monitoring picked up in the Outline/final WSI if there is concern about a potential impact on the monument?

Once we have confirmation of any requirements (or lack of) the updated version of the WSI can be shared for comment.

In response to action point 3 below, the typo was picked up and amended to public in the draft DCO submitted at Deadline 5.

Further information on the drainage issues will be provided in due course.

In order to address any further concerns you may have is it possible to arrange another call for Monday or Tuesday next week?

Kind Regards,

Liz

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**From:** McFarlane, Lee <[Lee.McFarlane@HistoricEngland.org.uk](mailto:Lee.McFarlane@HistoricEngland.org.uk)>  
**Sent:** 28 April 2020 14:22  
**To:** Murray, Elizabeth <[elizabeth.murray@wsp.com](mailto:elizabeth.murray@wsp.com)>; Ashworth, Nicola <[Nicola.Ashworth@wsp.com](mailto:Nicola.Ashworth@wsp.com)>  
**Subject:** Actions and update from teleconference

Dear Nicola and Liz

Just wanted to confirm action points (please add if I've missed any)

1. WSP to issue a WORD version of the updated WSI so I can track changes/add comments
2. I will confirm by tomorrow if we are happy with principle of the wording to Req 9 now
3. I noted a possible typo in schedule 10 – use of word “private” rather than “public” in ref to the PROW
4. WSP to provide clearer plan showing the new (reinstated) access onto the SM so I can be confident that it is either (a) on same alignment and simply re-joins existing; or (b) follows new alignment and may require monitoring.
  - a. NB: there is a black dotted line shown on a drawing in REP4–053 (Updated Land & Works Plans) which I **\*think\*** is showing the PROW/Bridleway joining the existing SM path?? (see drawing TR...AS-017 (E) to see what I mean. Could this be clarified (may not need a new drawing?)
5. WSP to confirm what the HE lawyers have said regarding changes to the living doc CEMP and consultation with Hist Eng within our remit
6. WSP to share an updated SOCG with me on May 13<sup>th</sup> prior to Deadline 6 (May 21<sup>st</sup>) so we can hopefully agree it is “good to go”?

Hopefully I captured everything but let me know!

Regards  
Lee

**Lee McFarlane**  
Inspector of Ancient Monuments (NE) | Historic England | Newcastle | North East & Yorkshire Region

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**From:** McFarlane, Lee <Lee.McFarlane@HistoricEngland.org.uk>  
**Sent:** 11 May 2020 15:02  
**To:** Murray, Elizabeth; Ashworth, Nicola  
**Cc:** Bienfait, Tiffany  
**Subject:** RE: Drainage at Longbank bridleway and access onto the monument

Hi Liz

Apologies I thought I'd replied last week to this but I don't think I have.

The principle of your proposals seem sound but I cannot "sign" this off until I've seen the changes to the CEMP and had the chance to respond officially. Obviously the new accesses taking into account the 17m extension will involve "change" to the monument and in normal SMC terms requires consent. Schedule 10 should refer to both these reinstated accesses as part of the list of work to the monument. Please confirm.

Also we raised an issue in our last submissions about various versions of the DCO being submitted which were not internally consistent in our view with regards to Requirement 9, schedule 10 and the CEMP. Has this been sorted out and all correct wording in the next version of the dDCO document?

Happy to chat via Zoom, Microsoft Teams (I can join but can't set this a meeting up) or via teleconference (like before) this week about the above and to try and get the SoCG agreed if possible. Can you share the latest draft? Finally, I note that Deadline 6 is now on May 19<sup>th</sup> not May 21<sup>st</sup> as I thought.

Regards  
Lee

**Lee McFarlane**  
Inspector of Ancient Monuments (NE) | Historic England | Newcastle | North East & Yorkshire Region

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**Sent:** 07 May 2020 10:01  
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Liz

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**Sent:** 28 April 2020 14:22  
**To:** Murray, Elizabeth <[elizabeth.murray@wsp.com](mailto:elizabeth.murray@wsp.com)>; Ashworth, Nicola <[Nicola.Ashworth@wsp.com](mailto:Nicola.Ashworth@wsp.com)>  
**Subject:** Actions and update from teleconference

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Lee

**Lee McFarlane**

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**From:** McFarlane, Lee <Lee.McFarlane@HistoricEngland.org.uk>  
**Sent:** 15 May 2020 16:38  
**To:** Ashworth, Nicola  
**Cc:** Murray, Elizabeth; Bienfait, Tiffany; Rothwell, Jodie; Grassam, Alex  
**Subject:** RE: A1BCH Update  
**Attachments:** A1BCH Outline CEMP P13 2 Hsitoric England comments on discussion document.docx; A1BCH\_Outline\_WSI\_P02 3 Historic England Comments on discussion document.docx; Bowes Railway Scheduled area.pdf

Dear Nicola

Thank you for this email.

I have read through the updated CEMP and have annotated it with new comments on CH2/9/10. I have tracked my changes on the attached document. There are still some issues to resolve.

I have read the updated Outline WSI and note that you have made many of the amendments requested. There are still a couple of things to iron out – I've tracked changes to them. You may want to consider including a figure showing the monument boundary.

Regarding the drainage drawing below. Does it show the grip being near the top of the wall? I would worry that there is potential for water damage down the face of the wall (and ultimately cause mortar loss/water ingress into the structure) if it is this high up? Could it be lower perhaps?

Regarding the dDCO at Deadline 5 (REVISED DRAFT DCO (Rev 4A) (REP5 – 003)) we agree that this version has the correct wording we had previously agreed. I believe that the inconsistencies we noted between the two versions at Deadline 4 have been addressed.

Please let me know if the meeting on Monday can be later between 12-2 or earlier 10-11?

Many thanks and have a good weekend

Lee

**Lee McFarlane**

Inspector of Ancient Monuments (NE) | Historic England | Newcastle | North East & Yorkshire Region

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**From:** Ashworth, Nicola [<mailto:Nicola.Ashworth@wsp.com>]

**Sent:** 15 May 2020 11:00

**To:** McFarlane, Lee

**Cc:** Murray, Elizabeth; Bienfait, Tiffany; Rothwell, Jodie; Grassam, Alex

**Subject:** A1BCH Update

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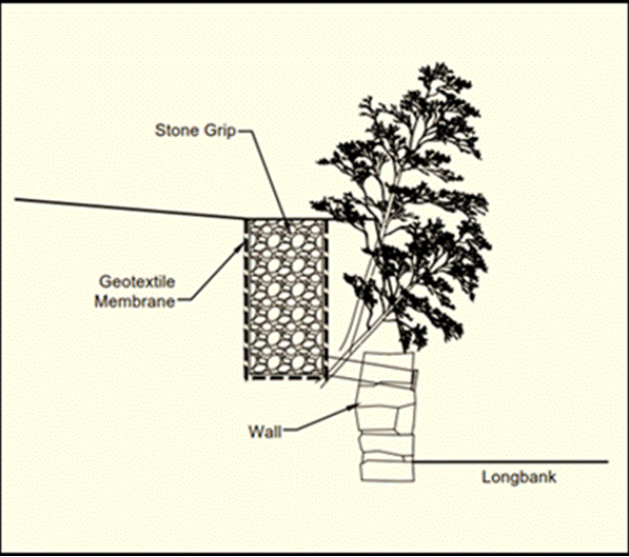
Hi Lee,

I hope you are safe and well.

I am conscious that we discussed that we would have an update call this week, however Liz is unwell so this has not happened yet.

In her absence we have however updated the Outline WSI and Outline CEMP in response to your comments and I have attached these to this email for your review / comment. Just to note, Deadline 6 is now on Tuesday (19<sup>th</sup>) and these will be submitted to PINS then.

I have also provided below the likely detail of the drainage grip behind the retaining wall for your information / further discussion.



In terms of the dDCO, two versions were submitted at Deadline 5 and there was a clean and tracked version of each. One version of the dDCO was for the Scheme as submitted, the second version was for the Scheme including the proposed changes to the DCO. The planning inspectorate have now accepted the changes into the Application and as such the version of the dDCO including the change request, which is [here](#) (clean version) and [here](#) (tracked version), will now be taken forward. My understanding is that the elements in relation to Historic England should be the same in both versions.

I will give you a call to catch up on the above.

Kind regards,

Nicola

**Nicola Ashworth MIEMA CEnv TechIOSH**

Associate Director



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Newcastle  
NE4 7YQ

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# AGENDA & MEETING NOTES

<b>PROJECT NUMBER</b>	70041947	<b>MEETING DATE</b>	18 May 2020
<b>PROJECT NAME</b>	A1 Birtley to Coal House Scheme	<b>VENUE</b>	Teleconference Teams
<b>CLIENT</b>	Historic England and Highways England	<b>RECORDED BY</b>	Aona Stuart
<b>MEETING SUBJECT</b>	Meeting with Historic England to discuss A1 Birtley to Coal House		

<b>PRESENT</b>	<ul style="list-style-type: none"> <li>• [REDACTED] (WSP)</li> <li>• [REDACTED] (WSP)</li> <li>• [REDACTED] (Historic England)</li> <li>• [REDACTED] (WSP)</li> <li>• [REDACTED] (WSP)</li> </ul>
<b>APOLOGIES</b>	N/A
<b>DISTRIBUTION</b>	Attendees + [REDACTED] (Highways England), [REDACTED] (Highways England), [REDACTED] (WSP)
<b>CONFIDENTIALITY</b>	Public

ITEM	SUBJECT	ACTION	DUE
1	<p><b>Introduction</b></p> <p>This meeting was held to discuss Historic England’s comments on the Outline Construction Environmental Management Plan (CEMP), Outline Written Scheme of Investigation (WSI) and further comments provided during examination and via email correspondence.</p>		
2	<p><b>Outline CEMP [CH10]</b></p> <p>[REDACTED] discussed Historic England’s comment on paragraph 1.3.3, bullet point f, of the Outline WSI detailing that the boundary of the Scheduled Monument (SM) should be shown in a plan (figure) and the wording in CH10 of the Outline CEMP should be amended.</p> <p>Action: [REDACTED] to produce a figure showing the SM boundary in the Outline WSI and cross reference made to this in reference [CH10] of Table 3-1 Register of Environmental Actions and Commitment (REAC) of the Outline CEMP.</p>	[REDACTED] [REDACTED]	Deadline 6 Deadline 6



MEETING NOTES

ITEM	SUBJECT	ACTION	DUE
	<p><b>Drainage grip behind the retaining wall</b></p> <p>The sketch detailing the drainage grip behind the retaining wall provided by WSP via email on 15 May 2020 was discussed.</p> <p>3 ■ questioned how much water would be expected to travel through and the expected associated damage to the wall. ■ discussed that the responsibility for future maintenance of the drainage would be Highways England.</p> <p>Action: ■ to clarify with the drainage engineers the level of water that would be expected to go through the wall and what impact the water would have on the wall.</p>	■	01 June 2020
	<p><b>Outline CEMP [CH2]</b></p> <p>4 ■ discussed the wording of “substantially in accordance with” in [CH2] of Table 3-1 REAC the Outline CEMP. It was discussed that Historic England will be consulted on the final WSI and any should Historic England have any concerns that these would be raised with the Secretary of State (SoS). She further discussed that the Scheme will need to demonstrate that any changes to the documentation i.e. in the final CEMP and WSI, do not cause any worsening of effects and that Highways England has an “evaluation of change” process that ensures this is the case. ■ discussed that this wording would remain unchanged in the Outline CEMP being submitted at Deadline 6 (19 May 2020).</p> <p>Action: ■ to seek guidance from Historic England’s legal advisor on this wording.</p>	■	01 June 2020
	<p><b>Draft Development Consent Order (DCO)</b></p> <p>5 ■ discussed that Historic England would like confirmation which draft DCO submitted at Deadline 4 (20 April 2020) or Deadline 5 (01 May 2020) is the correct version as there is incorrect wording in some of the draft DCOs including consultation with Historic England and Requirement 9 wording. It was discussed how many draft DCOs will be submitted for Deadline 6 (19 May 2020).</p> <p>■ stated that the correct draft DCO version [REP5-003] submitted at Deadline 5 (01 May 2020) was sent by email on 15 May 2020 to LM.</p> <p>Action: ■ to check the number of draft DCOs to be submitted for Deadline 6 and if we can get a copy to send to ■</p>	TB	Deadline 6

MEETING NOTES

ITEM	SUBJECT	ACTION	DUE
	<p><i>(Post meeting notes: Two versions of the draft DCO (one tracked and one clean version) will be submitted at Deadline 6 (19 May 2020). However, regarding the dDCO at Deadline 5 (01 May 2020) (REVISED DRAFT DCO (Rev 4A) (REP5 – 003)) [REDACTED] agreed that this version has the correct wording previously agreed (email 15.05.20)).</i></p>		
6	<p><b>Statement of Common Ground (SoCG)</b></p> <p>It was discussed that, as there was little to update in the SoCG at this time, that it would not be submitted at Deadline 6. However, [REDACTED] and [REDACTED] agreed that Historic England and Highways England would continue to work towards an agreed SoCG.</p> <p><i>Post-meeting note: An updated SoCG will be issued at Deadline 8 (09 June 2020).</i></p>	WSP	Deadline 8
7	<p><b>AOB</b></p> <p>[REDACTED] discussed the importance of altering the wording [CH10] of Table 3-1 REAC of the Outline CEMP to be clear on the width of the SM and its location in relation to the track bed.</p> <p>[REDACTED] confirmed that this will be updated in the Outline CEMP for Deadline 6 (19 May 2020) and that an updated figure will be provided in the Outline WSI showing the boundary of SM.</p>		

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