

# A1 Birtley to Coal House

**Scheme Number: TR010031**

## **Statement of Common Ground with Sunderland City Council**

Rule 8(1)(e)  
Planning Act 2008

The Infrastructure Planning (Examination Procedure Rules) 2010  
July 2020

Infrastructure Planning

Planning Act 2008

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

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

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**STATEMENT OF COMMON GROUND WITH SUNDERLAND CITY  
COUNCIL**

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<b>Planning Inspectorate Scheme Reference</b>	TR010031
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Rev 1	20 April 2020	Deadline 4 Submission
Rev 2	9 June 2020	Deadline 8 Submission
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**STATEMENT OF COMMON GROUND**

**This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Sunderland City Council.**



**Signed.....**

**Nicola Wilkes**

**Project Manager**

**on behalf of Highways England**

**Date: 16 July 2020**

**Signed**



**Mark Jackson**

**Assistant Director of Infrastructure, Planning  
and Transportation**

**on behalf of Sunderland City Council**

**Date: 16<sup>th</sup> July 2020**

## CONTENTS

<b>1.</b>	<b>INTRODUCTION</b> .....	<b>1</b>
1.1	Purpose of this Document.....	1
1.2	Parties to this Statement of Common Ground.....	1
1.3	Terminology .....	1
<b>2.</b>	<b>RECORD OF ENGAGEMENT</b> .....	<b>3</b>
	Table 2.1 - Record of Engagement .....	3
<b>3.1</b>	<b>ISSUES</b> .....	<b>6</b>
	Table 3.1 Issues related to the Draft Development Consent Order (DCO).....	6
	Table 3.2 Issues related to the Environmental Statement (ES) .....	8
	Table 3.3 Issues related to the Traffic and Transport Assessment.....	10
	Table 3.4: Issues related to Scheme Design .....	12
	Table 3.5 Issues related to the Outline Construction Environmental Management Plan (CEMP) .....	13

## 1. INTRODUCTION

### 1.1 Purpose of this Document

1.1.1 This Statement of Common Ground (this "SoCG") relates to an application made by Highways England (the "Applicant") to the Secretary of State 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 the A1 Birtley to Coal House (the "Scheme"). A detailed description of the Scheme can be found **Chapter 2** of the Environmental Statement (ES) [**APP-023**].

1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Inspectorate website.

<https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a1-birtley-to-coal-house-improvement-scheme/>

1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

### 1.2 Parties to this Statement of Common Ground

1.2.1 This SoCG has been prepared by (1) **Highways England** as the Applicant and (2) **Sunderland City Council**.

1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.

1.2.3 Sunderland City Council is the Local Authority for the Scheme falling within Category B of section 43(2) of the 2008 Act. The Scheme falls outside of the Council's administrative area but is adjacent to the Order limits.

### 1.3 Terminology

1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.

- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Sunderland City Council, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Sunderland City Council.

## 2. RECORD OF ENGAGEMENT

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Sunderland City Council in relation to the Application is outlined in Table 2.1.

**Table 2.1 - Record of Engagement**

Date	Form of correspondence	Key topics discussed and key outcomes
05/09/2017	<p>Meeting</p> <p>Sunderland were invited to the meeting but did not wish to attend.</p>	<p>Population and Human Health - Discussion on walkers, cyclists and horse-riders (WCH) and planned and aspirational routes, connections, facilities, infrastructure, etc. that the Local Authorities have previously identified to improve pedestrian, cycle and equestrian routes within the area.</p> <p>At the meeting it was agreed that Gateshead Council would check if the proposed emergency access route at Craithe was still going ahead.</p> <p>WSP agreed to provide the usage surveys when completed to Gateshead Council.</p> <p>Sunderland City Council advises that the nearest Public Right of Way (PRoW) located in Sunderland's boundary (Washington Footpath 59) will not be directly influenced by the Scheme.</p>
05/03/2018 09/03/2018	<p>Emails to Paul Muir (Transport Engineer) and Email from Kevin Johnson (Landscape Architect)</p>	<p>Landscape and Visual - Submission of details and agreement for viewpoints and receptors for the visual assessment</p>
27/04/2018	<p>Email with Graham Carr (Highway Asset Manager)</p>	<p>Noise and Vibration – sought confirmation of:</p> <ul style="list-style-type: none"> <li>• Available information on known local sources of noise and vibration across the area, including those known to give rise to complaint;</li> <li>• Any specific noise or vibration related local planning policies;</li> <li>• National noise and vibration policies that are considered particularly relevant to the local area;</li> <li>• Any known local receptors, that could be particularly sensitive to noise and vibration (e.g.</li> </ul>

Date	Form of correspondence	Key topics discussed and key outcomes
		<p> dwellings, medical facilities, research centres); and</p> <ul style="list-style-type: none"> <li>• Sources of historic noise or vibration complaints.</li> <li>• No concerns raised by Sunderland.</li> <li>• In response to a query from Sunderland City Council,-Highways England can confirm that Springwell Village is not within the scope as it is outside the construction study area (ES Fig 11.1) and just outside the operational study area (ES Fig 11.2) for noise and vibration.</li> </ul>
02/10/2019	Letter sent to Head of Highways	Section 56 Notification of accepted application
08/11/2019	Sunderland City Council – Written Representations	<p>Relevant Representation submitted advising that Sunderland City Council is supportive of the Scheme. However, Sunderland City Council wishes to reserve its position should any specific matters arise which impact on Sunderland City Council'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.</p> <p>To be discussed further with Sunderland City Council at the meeting on the 19/02/2020.</p>
29/01/2020	Email to Paul Muir and Gateshead Council officers	Notifying of publication of Rule 8 letter by PINS
19/02/2020	Workshop Meeting at Gateshead Civic Centre	<p>No further comments on draft DCO following review by SCC Highways and Legal teams.</p> <p>Sunderland agreed to provide feedback on Transport Assessment Report including review of A1231/B1288 Mill House roundabout. (This was subsequently provided and included within the CTMP and CTMP updated at Deadline 2)</p> <p>Sunderland requested review of Construction Traffic Management Plan including construction worker trips.</p>



Date	Form of correspondence	Key topics discussed and key outcomes
		Sunderland discussed benefits of communications plan for notifying residents and businesses during construction phase. Recommended Traffic Management Working Group be established with key stakeholders invited to attend.
26/03/2020	Paul Muir (Group Engineer, Transportation Development, Sunderland City Council), Andrew Haysey (Gateshead Council Transport Planning Manager) and Andrew Softley (Gateshead Council Senior Planner)	Joint meeting with Highways England, Sunderland City Council and Gateshead Council to discuss the Deadline 2 written questions responses, Construction Environmental Management Plan (CEMP) and Outline Construction Traffic Management Plan (CTMP).
28/04/2020	Email from Paul Muir	Confirmation that all aspects of the SoCG are acceptable subject to a review of the updated Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan (CTMP). The CEMP was updated at Deadline 6 and Deadline 8.
08/07/2020	Email from Paul Muir	Confirmation that all aspects of the SoCG are acceptable and steps will be taken to arrange for the SoCG to be signed.

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) **The Applicant** and (2) **Sunderland City Council** in relation to the issues addressed in this SoCG.

### 3.1 ISSUES

3.1.1 This section sets out the ‘issues’ which are agreed, not agreed or are under discussion between Sunderland City Council and Highways England.

**Table 3.1 Issues related to the Draft Development Consent Order (DCO)**

Section	Sub-section	Sunderland City Council Position	Highways England Position	Status
All	Written Representations Response by Sunderland City Council 4/2/2020	No further comments from Sunderland City Council.	The Draft Development Consent Order (DCO) [REP4-074] revision 3 has been drafted to a satisfactory standard.	Agreed
Articles 1-46	-	<p>Satisfied with the inclusion of Clause 6 in respect of Planning Permission.</p> <p>Satisfied with the inclusion of Clause 11 – Power to alter layout etc of streets, subject to adherence with sub-paragraph (3), which requires the relevant street authority’s consent and note the 6-week response period.</p> <p>Satisfied with the inclusion of Clause 12 ‘Street Works’ in order to comply with the provisions of the NRSWA 1991.</p>	The provisions stated in Articles 1- 46 of the DCO [REP4-074] revision 3 are acceptable.	Agreed

Section	Sub-section	Sunderland City Council Position	Highways England Position	Status
		<p>In terms of Clause 13 ‘Construction and maintenance of new, altered or diverted streets’, there is not expected to be a Side Agreement between Sunderland City Council and the applicant in relation to the inspection and agreement of the works on the Local Road Network, because it does not appear at this stage that Sunderland City Council’s roads are affected.</p> <p>Satisfied with the inclusion of Clause 15 relating to the Temporary stopping up and restriction to the use of streets, subject to prior agreement with the relevant local highway authorities, although this is unlikely to impact on Sunderland’s road network.</p> <p>Satisfied with the inclusion of Clause 18 ‘Modification of TROs’ although this is unlikely to impact on Sunderland’s road network.</p> <p>No further comments from Sunderland City Council.</p>		

Section	Sub-section	Sunderland City Council Position	Highways England Position	Status
Requirements 1- 19	Written Representations Response by Sunderland City Council 4/2/2020	Schedule 2 – Requirement 10 - Traffic Management. Satisfied with the inclusion subject to agreement of extent of consultation with Sunderland City Council for residents and businesses within Sunderland (Springwell Village and Washington).	<p>The provisions stated in Requirements 1- 19 of Schedule 2 of the DCO <b>[REP4-074]</b> are acceptable. This matter continues to be progressed with Sunderland City Council. Since the previous version of this SoCG was produced a joint meeting took place on 26 March 2020 between Highway England, Sunderland City Council and Gateshead Council. This meeting discussed traffic management issues during construction and operation and implications for WCH routes and agreed how these issues would be controlled by the CTMP and CEMP [.</p> <p>The principle of traffic management associated with the Scheme during construction and operation have been agreed, details remain under discussion</p>	Agreed

**Table 3.2 Issues related to the Environmental Statement (ES)**

Section	Sub-section	Sunderland City Council Position	Highways England Position	Status
Environmental Statement  Appendix 7.3 Transport Assessment Report [APP-173]	Chapters 4 - 15	<p>Sunderland City Council provided more detailed comments by Deadline 2 (ExQ1 issued on 28th January 2020).</p> <p>These were specifically in relation to:</p> <p>Environmental Impact Assessment (cumulative effects) relating to impacts of construction traffic during the construction period and the need for traffic management.</p> <p>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.</p> <p>Further feedback was received and discussed at the meeting on 26 March 2020. Feedback received was incorporated in the CTMP and CEMP submitted at Deadline 4.</p>	<p>ES Chapter 4 -15 [APP-024 - 036] summarises the assessment methodology for impacts of the Scheme during construction and operation and where necessary details the proposed mitigation. The following topics have been covered as part of the ES:</p> <ul style="list-style-type: none"> <li>• Environmental Assessment Methodology</li> <li>• Air Quality and Emissions</li> <li>• Cultural Heritage</li> <li>• Landscape and Visual</li> <li>• Biodiversity</li> <li>• Geology and Soils</li> <li>• Material Resources</li> <li>• Noise and Vibration</li> <li>• Population and Human Health</li> <li>• Road Drainage and Water Environment</li> <li>• Climate</li> </ul>	Agreed

Section	Sub-section	Sunderland City Council Position	Highways England Position	Status
			<ul style="list-style-type: none"> <li>Cumulative and Combined Assessment</li> </ul> <p>The general principle of environmental resulting from traffic associated with the Scheme will be addressed through traffic management associated with the Scheme during construction and operation have been agreed at a meeting on 26 March 2020, details remain under discussion.</p>	

**Table 3.3 Issues related to the Traffic and Transport Assessment**

Section	Sub-section	Sunderland City Council Position	Highways England Position	Status
Appendix 7.3 Transport Assessment Report [APP-173]	All	<p>Sunderland City Council provided more detailed comments at Deadline 2 (ExQ1 issued on 28th January 2020). These are specifically in relation to:</p> <p>Transport Assessment report regarding traffic and transportation impacts within local authority area.</p> <p>These matters are likely to relate to Scheme delivery with regards to</p>	<p>A Transport Assessment Report [APP-173] and Addendum to the Transport Assessment Report [REP4-056] has been undertaken as part of the Proposed Scheme, the study area encompasses the Scheme Footprint and includes the assessment area over the A1 between junction 65 (Birtley) and junction 67 (Coal House).</p>	Agreed

Section	Sub-section	Sunderland City Council Position	Highways England Position	Status
		<p>temporary traffic management and any necessary diversion routes on the local road network during the construction phase.</p>	<p>The Transport Assessment examined:</p> <ul style="list-style-type: none"> <li>• The baseline data</li> <li>• Current Network Performance</li> <li>• Future Network performance</li> <li>• Road Safety</li> <li>• Walking Cycling and Horse Riding (WCH)</li> <li>• Traffic</li> <li>• Economics</li> <li>• Cost Estimates</li> </ul> <p>The principle of traffic management associated with the Scheme during construction and operation have been agreed, details remain under discussion</p>	

**Table 3.4: Issues related to Scheme Design**

Section	Sub-section	Sunderland City Council Response	Highways England Position	Status
Structures Engineering Drawings and Sections [APP-011]	All	There are some text errors within the submission drawings relating to the naming of local authority areas of Gateshead, Sunderland and Durham which should be corrected. These include reference to 'Sunderland Borough', which should be corrected to 'Sunderland City Council.'	<p>The Proposed Scheme has been detailed in depth in numerous drawings and Sections provided as part of the submission, including the proposed design of:</p> <ul style="list-style-type: none"> <li>• The Viaduct and Embankment Options</li> <li>• Ramp at North Dene Footbridge</li> <li>• Lighting of the underpass</li> <li>• Public Rights of Way diversions.</li> </ul> <p>Plans have been updated to correct errors identified.</p>	Agreed



**Table 3.5 Issues related to the Outline Construction Environmental Management Plan (CEMP)**

Section	Sub-section	Sunderland City Council Response	Highways England Position	Status
Outline CEMP [REP6-19]	All	<p>Sunderland City Council provided more detailed comments at Deadline 2 (ExQ1 issued on 28th January 2020). These are specifically in relation to:</p> <p>Outline Construction Environmental Management Plan (CEMP).</p> <p>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.</p> <p>At a meeting with Highways England on 19 February 2020, Sunderland expressed a desire to be involved in further discussions construction traffic routes and temporary highway diversions during the construction period.</p> <p>Further discussion took place at a meeting between Highways England, Sunderland City Council and</p>	<p>The Outline CEMP [REP6-19] revision 3 provides details of environmental roles and responsibilities, details of consents and permissions, collection and submission of environmental data, environmental maintenance and monitoring requirements including procedures for monitoring and reviewing compliance with the CEMP.</p> <p>Further discussion took place at a meeting between Highways England, Sunderland City Council and Gateshead Council on 26 March 2020. At that meeting the principle of traffic management associated with the scheme during construction and operation have been agreed, details remain under discussion.</p> <p>Ongoing dialogue will continue until these details have been agreed.</p>	Agreed

Section	Sub-section	Sunderland City Council Response	Highways England Position	Status
		Gateshead Council on 26 March 2020 regarding the Transport Assessment Report, CTMP and CEMP.		
Chapter 3: Record of Environmental Actions and Commitments – Included within Outline CEMP [REP6-19]	Table 3-1	<p>Sunderland City Council provided more detailed comments at Deadline 2 (ExQ1 issued on 28th January 2020). These are specifically in relation to:</p> <p>Record of Environmental Actions and Commitments (REAC).</p> <p>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.</p>	<p>Highways England have received reviewed and considered the comments made to the examining authorities answers on 28 January 2020. The general principles relating to the REAC and implications for temporary traffic management during construction have been discussed at a meeting on 26 March 2020. The commitments included within the Environmental Statement are captured in Table 3-1 to address the potential environmental effects of the Scheme.</p> <p>The REAC will be updated as the Scheme progresses and will be finalised at the end of construction, on completion of the Scheme. This will be the main vehicle for communicating essential environmental information to the Client and the body who will be responsible for</p>	Agreed

Section	Sub-section	Sunderland City Council Response	Highways England Position	Status
			the future maintenance and operation of the asset. Table 3-1 identifies commitments in the REAC which impose requirements on the design, construction and operation of the Scheme.	

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