

**A1 Birtley to Coal House
Scheme Number: TR010031**

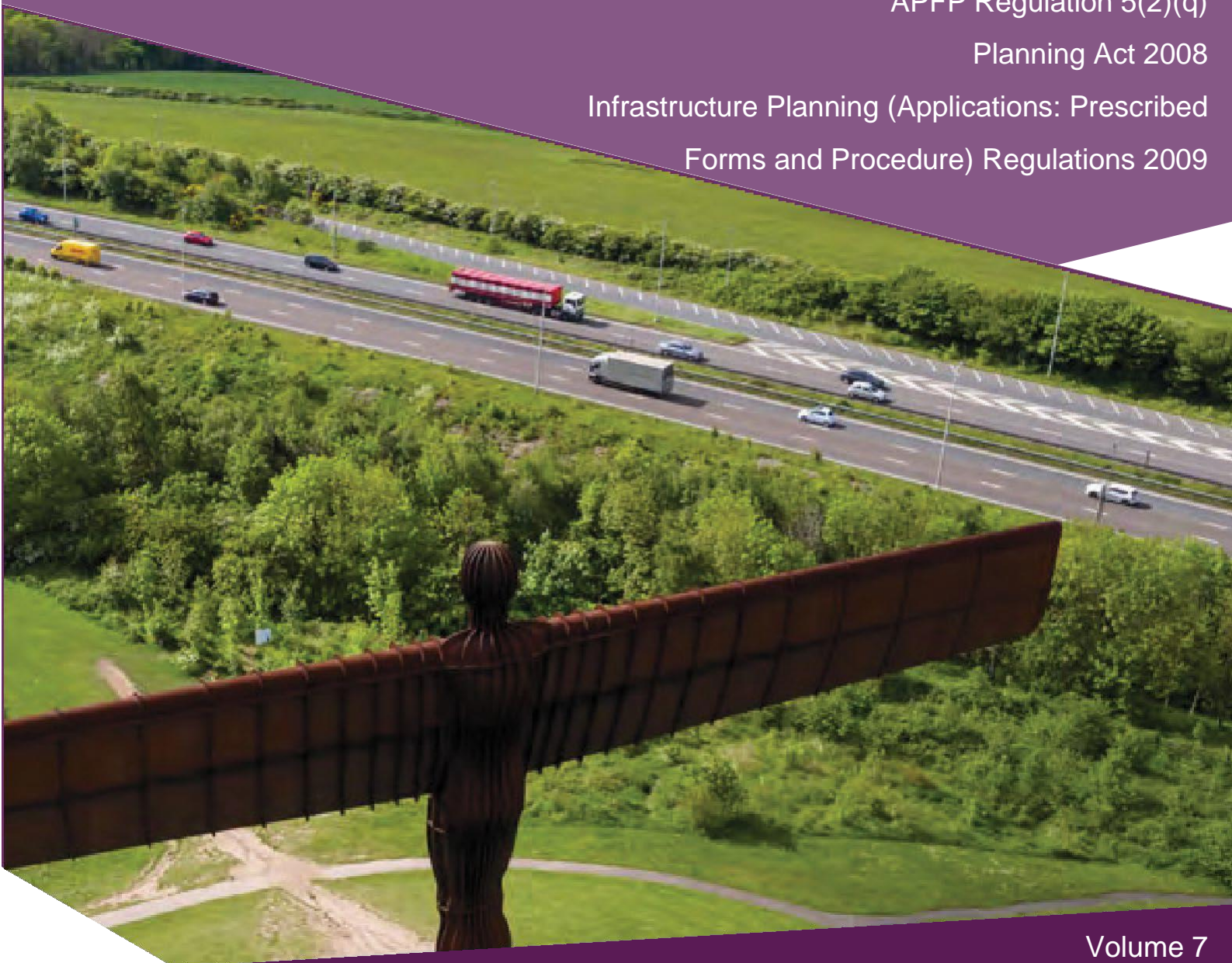
**7.2 National Networks National Policy
Statement (NNNPS) Accordance Table**

APFP Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed

Forms and Procedure) Regulations 2009



Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure - APFP) Regulations 2009**

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

**NATIONAL NETWORKS NATIONAL POLICY STATEMENT (NNNPS)
ACCORDANCE TABLE**

Regulation Reference	APFP Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010031
Application Document Reference	TR010031/APP/7.2
Author	A1 Birtley to Coal House Project Team, Highways England

Version	Date	Status of Version
Rev <u>10</u>	<u>17/07/2020</u>	<u>Application Issue Examination Deadline 11</u>

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Glossary

TERM	DEFINITION
Ancient Woodland	Ancient woodland is defined as an area that has been wooded continuously since at least 1600 AD. Ancient Woodland is divided into ancient semi-natural woodland and plantations on ancient woodland sites. Both types are classed as ancient woods.
Application	The Development Consent Order (DCO) Application.
The Applicant	Highways England
Baseline	A reference level of existing environmental conditions against which a project is measured and controlled.
Biodiversity	Abbreviated form of 'biological diversity' referring to variability among living organisms from all sources including, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part.
Climate Change	Large scale, long term shift in the planet's weather patterns or average temperature.
Construction Environmental Management Plan (CEMP)	Document setting out methods to avoid, minimise and mitigate environmental impacts on the environment and surrounding area and the protocols to be followed in implementing these measures in accordance with environmental commitments during construction.
DCO Application	The application for a DCO in respect of the Proposed Scheme.
Development Consent Order (DCO)	A DCO is made by the Secretary of State for Transport pursuant to the Planning Act 2008 (2008 Act) to authorise a Nationally Significant Infrastructure Project (NSIP). A draft DCO was submitted with the Application and revised versions of the draft will be submitted throughout the Examination by the Applicant.
Effect	The consequence of an impact on the environment.
Enhancement	Proposals that seek to improve the landscape resource and the visual amenity of the Proposed Scheme and its wider setting, over and above its baseline condition.
Environment Agency	A non-departmental public body sponsored by the United Kingdom Government's Department for Environment, Food and Rural Affairs (DEFRA), with responsibilities relating to the protection and enhancement of the environment in England.

TERM	DEFINITION
Environmental Impact Assessment (EIA)	A systematic means of assessing a development project's likely significant environmental effects undertaken in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
Environmental Statement	A statement that includes the information that is reasonably required to assess the environmental effects of a development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile, but that includes at least the information required in the Infrastructure Planning (EIA) Regulations 2017 and which is prepared in accordance with the latest Scoping Opinion adopted by the Secretary of State (where relevant).
Examining Authority (ExA)	The Inspector or Panel appointed from the Planning Inspectorate to be responsible for conducting the Examination of, and recommendation to the Secretary of State as to a decision on, the DCO Application.
Exceedance	A period of time where the concentrations of a pollutant is greater than the appropriate air quality standard.
Feature	Particularly prominent or eye-catching elements in the landscape, such as tree clumps, church towers or wooded skylines OR a particular aspect of the Proposed Scheme.
Greenhouse Gas (GHG)	Greenhouse gases are gases that absorb and emit radiation at specific wavelengths within the spectrum of infrared radiation emitted by the Earth's surface, the atmosphere, and clouds. The six main GHGs whose emissions are human-caused are: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbon and sulphur hexafluoride. In combination, these GHG emissions are commonly expressed in terms of 'carbon dioxide equivalents' (CO ₂ e) according to their relative global warming potential. For this reason, the shorthand 'carbon' may be used to refer to GHGs.
Habitat	The environment in which populations or individual species live or grow.
Harm	Change for the worse, here primarily referring to the effect of inappropriate interventions on the heritage values of a Heritage Asset.
Impact	A physical or measurable change to the environment attributable to the Proposed Scheme.

TERM	DEFINITION
Land use	What land is used for, based on broad categories of functional land cover, such as urban and infrastructure use and the different types of agricultural and forestry.
Landscape	An area, as perceived by people, the character of which is a result of the action and interaction of natural and/or human factors.
Likely significant effect	An effect is the consequence of an impact or change to the environment. Effects do not have quantifiable values (e.g. opening up of new views as a result of loss of trees/hedgerows), but have significance (e.g. major, moderate or minor). Those effects predicted to have a significance of moderate to major are classified as likely significant effects
Local Development Plan	The set of documents and plans that sets out the local authority's policies and proposals for the development and use of land in their area. The Local Development Plan for Gateshead Council is the Core Strategy and Urban Core Plan (CSUCP) for Gateshead and Newcastle upon Tyne 2010 – 2030, Gateshead Local Plan Policies March 2015 and Making Spaces for Growing Places (MSGP) Draft Plan.
National Planning Policy Framework (NPPF)	A document that sets out government's planning policies for England and how these are expected to be applied.
National Policy Statement (NPS)	Overarching policy designated under the Planning Act 2008 concerning the planning and consenting of NSIPs in the UK. The relevant NPS for the Scheme is the National Networks National Policy Statement (referred to as NNNPS within this document).
Nationally Significant Infrastructure Project (NSIP)	<p>A project meeting the criteria for a “nationally significant infrastructure project” set out in section 14 of the Planning Act 2008, and therefore requiring authorisation under the 2008 Act by way of a DCO.</p> <p>The Proposed Scheme constitutes a Nationally Significant Infrastructure Project (NSIP) by virtue of s.14(1)(h) and s.22(1)(b) of the 2008 Act as it is an alteration of a highway which is wholly within England, the Applicant is the strategic highways authority and the area of development is greater than the relevant limit set out in s.22(4) which is 12.5 ha, as speed limits will be in excess of 50mph for any class of vehicle.</p>

TERM	DEFINITION
Planning Inspectorate (the Inspectorate)	The government agency responsible for administering and examining applications for development consent for NSIPs under the Planning Act 2008 on behalf of the Secretary of State.
Receptor	A component of the natural, created or built environment such as a human being, water, air, a building, or a plant that has the potential to be affected by the Proposed Scheme.
Requirements	The 'requirements' at Schedule 2 to the draft DCO that, amongst other matters, are intended to control the final details of the Proposed Scheme as to be constructed and also to control its operation, amongst other matters, to ensure that it accords with the EIA and does not result in unacceptable impacts.
Scoping	An exercise undertaken pursuant to regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 to determine the topics to be addressed within the Environmental Statement.
Scoping Opinion	A written statement by the Secretary of State as to the information to be provided in the Environmental Statement; for the Proposed Scheme. This was provided by the Planning Inspectorate on 18 December 2017.
Visual amenity	The overall pleasantness of the views people enjoy of their surroundings, which provides an attractive visual setting or backdrop for the enjoyment of activities of the people living, working, recreating, visiting or travelling through the area.
Visual Effects	Effects on specific views and on the general visual amenity experienced by people.
Water Framework Directive	European Union Directive which commits member states to achieve good qualitative status of all water bodies.
2008 Act	The Planning Act 2008 (as amended) which is the legislation in relation to applications for NSIPs, including pre-application consultation and publicity, the examination of applications and decision making by the Secretary of State.

1. INTRODUCTION

1.1 Purpose of this Document

- 1.1.1 This National Networks National Policy Statement (NNNPS) Accordance Table ("Accordance Table") relates to an application made by Highways England (the "Applicant") to 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 Applicant to undertake the A1 Birtley to Coal House Scheme (the "Scheme"). A detailed description of the Scheme can be found in **Chapter 2** of the Environmental Statement (ES) [\[APP-023\]](#)(Application Document Reference: [TR010031/APP/6.1](#)).
- 1.1.2 The NNNPS sets out the Government's policies in respect of the delivery of Nationally Significant Infrastructure Projects (NSIPs) on the national road and rail networks in England. The NNNPS provides planning guidance for promoters of NSIPs and the basis for the examination by the Examining Authority (ExA) and decisions by the Secretary of State for Transport. Further details about the NNNPS can be found in the Planning Statement [\[REP4-020 and REP4-021\]](#)(Application Document Reference: [TR010031/APP/7.1](#)).
- 1.1.3 This Accordance Table comprises part of the suite of Application documentation and is included in the Application in compliance with Regulation 5(2)(q) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("APFP Regulations"), which requires:
- "5(2)(q) any other documents considered necessary to support the application"*
- 1.1.4 This Accordance Table provides a high-level assessment of the Scheme's strategic alignment and conformity with the NNNPS. The Accordance Table is set out as follows:
- **Table 1:** Scheme Conformity with NNNPS Chapter 2, the need for Development of the national networks and Government's policy;
 - **Table 2:** Scheme Conformity with NNNPS Chapter 3, Wider Government policy on the national networks;
 - **Table 3:** Scheme Conformity with NNNPS Chapter 4, Assessment principles; and
 - **Table 4:** Scheme Conformity with NNNPS Chapter 5, Generic impacts.
- 1.1.5 Each relevant paragraph in the NNNPS is set out with commentary as to the extent of compliance by the Scheme with its terms.

1.1.6 The Accordance Table references other relevant documentation submitted as part of the Application and provides a summary where appropriate. The following have been used to inform the completion of the Accordance Table:

- Draft DCO [\[REP9-003 and REP9-004\]](#) (New version is being submitted for Deadline 119) ~~(Application Document Reference: TR010031/APP/3.1)~~;
- Consents and Agreements Position Statement [\[APP-015\]](#) ~~(Application Document Reference: TR010031/APP/3.3)~~;
- Consultation Report [\[APP-019\]](#) ~~(Application Document Reference: TR010031/APP/5.1)~~;
- ES (including Figures, Appendices and Non-Technical Summary) [\[APP-021 to APP-170\]](#) ~~(Application Document Reference: TR010031/APP/6.1, 6.2, 6.3 and 6.4)~~;
- [Environmental Statement Addendum relating to the Additional Land and Allerdene Three-Span Viaduct Option \[REP4-058, REP4-060, REP4-061, REP5-006, REP5-007, REP6-14, REP6-15\]](#)
- Outline Construction Environmental Management Plan (Outline CEMP) [\[REP9-008 and REP9-007\]](#) (New version is being submitted for Deadline 11) ~~(Application Document Reference: TR010031/APP/7.4)~~;
- Habitats Regulations Assessment (HRA) (Appendix 8.2 of the ES [\[APP-124\]](#) ~~(Application Document Reference: TR010031/APP/6.3)~~);
- Flood Risk Assessment (FRA) (Appendix 13.1 of the ES [\[APP-163\]](#) ~~(Application Document Reference: TR010031/APP/6.3)~~);
- Planning Statement [\[REP4-020 and REP4-021\]](#) ~~(Application Document Reference: TR010031/APP/7.1)~~; and
- [Transport Assessment Report \[APP-173\]](#) ~~(Application Document Reference: TR010031/APP/7.3)~~; and
- [Transport Assessment Addendum relating to the Change Request \[REP4-056\]](#).

Table 1 - Scheme Conformity with NNNPS Chapter 2

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
2	The need for development of the national networks and Government's policy	
2.1	The national road and rail networks that connect our cities, regions and international gateways play a significant part in supporting economic growth, as well as existing economic activity and productivity and in facilitating passenger, business and leisure journeys across the country. Well-connected and high-performing networks with sufficient capacity are vital to meet the country's long-term needs and support a prosperous economy.	The Transport Assessment Report (Application Document Reference: TR010031/APP/7.3 APP-173) demonstrates that the Scheme improves traffic flows and provides more reliable journey times. These improvements mean that the Scheme would assist in making the North-East region more attractive for businesses to locate and would help in promoting a competitive regional economy. Chapter 4 of the Planning Statement REP4-020 and REP4-021 (Application Document Reference: TR010031/APP/7.1) provides an overview of the Economic Case for the Scheme.
2.2	There is a critical need to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and resilient networks that better support social and economic activity, and to provide a transport network that is capable of stimulating and supporting economic growth. Improvements may also be required to address the impact of the national network on quality of life and environmental factors.	<p>The Transport Assessment Report (Application Document Reference: TR010031/APP/7.3APP-173) demonstrates there will be improvements to the experience of users of the Scheme by reducing stop-start traffic congestion, as highlighted in Chapter 4 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3APP-173). The Scheme has been assessed by COBALT (Cost Benefit Appraisal – Light Touch), a high-level tool to appraise safety aspects of a road scheme. The COBALT assessment indicated that overall, the Scheme would provide a safer highways configuration when compared to the existing situation. For full details refer to Chapter 5 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3APP-173).</p> <p>Chapter 5 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3APP-173) provides an overview of road safety. It states that while the Scheme does not improve safety on the A1 itself, benefits are generated from drawing traffic from roads that have higher accident rates than the A1. Whilst this means an increase in accidents on the A1, it is outweighed by the reduction in accidents on local roads.</p> <p>The replacement of the Allerdene Bridge will provide further network resilience due to decreased requirements for maintenance.</p> <p>Environmental factors are further addressed in the ES (Application Document Reference: TR010031/APP/6.1APP-021 to APP-170); a summary of the benefits is provided in NNNPS paragraph 3.2 of this Accordance Table.</p>
2.4	The pressure on our networks is expected to increase even further as the long-term drivers for demand to travel - GDP and population - are forecast to increase substantially over coming years. Under central forecasts, road traffic is forecast to increase by 30% and rail journeys by 40%, rail freight has the potential to nearly double by 2030.	See comments in response to NNNPS paragraph 2.1 above. Chapter 4 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3 APP-173) predicts a significant increase in traffic using the route and demonstrates that the Scheme is required to alleviate congestion, delays and improve user experience on the A1 between junction 65 (Birtley) and junction 67 (Coal House).

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2.6	There is also a need for development of the national networks to support national and local economic growth and regeneration, particularly in the most disadvantaged areas. Improved and new transport links can facilitate economic growth by bringing businesses closer to their workers, their markets and each other. This can help rebalance the economy.	<p>Chapter 4 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] provides an overview of the Economic Case for the Scheme.</p> <p>The Scheme will provide additional capacity along the Birtley to Coal House section of the A1 Newcastle-Gateshead Western Bypass (NGWB), which is a strategically important part of the road network for the regional and national economy. This additional capacity will help to alleviate congestion delays, leading to journey time savings and significant benefits to business users and transport service providers. The Scheme would also reduce delays in the vicinity of the Team Valley Trading Estate which is a key employment area, designated as such in the draft Site Allocations and Development Management Policies 'Making Spaces for Growing Places' Local Plan Document for Gateshead, Draft Plan (October 2018). The Scheme would support the continued success of this key employment designation.</p>
2.7	In some cases, there may be a need for development to improve resilience on the networks to adapt to climate change and extreme weather events rather than just tackling a congestion problem.	Climate change impacts are assessed in Chapter 14 of the ES (Application Document Reference: TR010031/APP/6.1)[APP-035]. It identifies a range of adaptation options that were identified to reduce the vulnerability of the Scheme to the climate and weather-related risks identified through assessments. The residual significance of climate resilience is assessed as not significant.
2.9	Broader environment, safety and accessibility goals will also generate requirements for development, in particular, development will be needed to address safety problems, enhance the environment or enhance accessibility for non-motorised users. In their current state, without development, the national networks will act as a constraint to sustainable economic growth, quality of life and wider environmental objectives.	<p>The COBALT assessment indicated that the Scheme would reduce accident rates overall (on surrounding roads) as compared to the 'do minimum' scenario, as discussed in Chapter 5 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173].</p> <p>One of the main objectives of the Scheme is to provide a more free-flowing network and reduce journey times on the A1 between junction 65 (Birtley) to junction 67 (Coal House). This is likely to improve user experiences by reducing frustration and stress amongst users due to less stop-start traffic, as discussed in Chapter 4 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173].</p> <p>Improvements for walkers, cyclists and horse riders (WCHs) have been considered in the form of a Walking, Cycling and Horse-Riding Assessment and Review (WCHAR), as discussed in Chapter 6 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173]. Improvements during operation will be the replacement of the North Dene Footbridge and improved Longbank Bridleway. This will prove a safer environment for WCHs and improved facilities to cross the A1.</p> <p>Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-033] reports the outcome of the Population and</p>

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2	The need for development of the national networks and Government's policy	
		Human Health assessment of the Scheme. It assesses effects on all travellers, communities and people. It considers the potential impacts and outlines the design, mitigation and enhancement measures.
2.10	The Government has therefore concluded that at a strategic level there is a compelling need for development of the national networks - both as individual networks and as an integrated system. The Examining Authority and the Secretary of State should therefore start their assessment of applications for infrastructure covered by the NPS on that basis.	Chapter 2 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[APP-020 and APP-021], supported by this Accordance Table, sets out the overall objectives for the Scheme and how these are met.
2.12	Roads are the most heavily used mode of transport in England and a crucial part of the transport network. By volume roads account for 90% of passenger miles and two thirds of freight. Every year road users travel more than 431 billion miles by roads in Great Britain.	See comments in response to NNNPS paragraph 2.1 above. The Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173] sets out the benefits of the Scheme in terms of improving the operation of the Strategic Road Network and providing additional highways capacity along this strategically important North/South corridor.
2.13	The Strategic Road Network provides critical links between cities, joins up communities, connects our major ports, airports and rail terminals. It provides a vital role in people's journeys and drives prosperity by supporting new and existing development, encouraging trade and attracting investment. A well-functioning Strategic Road Network is critical to enabling safe and reliable journeys and the movement of goods in support of the national and regional economies.	The A1/A1(M) links Newcastle-upon-Tyne and London, running through central and northern England, and is the main route between Leeds and Newcastle. It is therefore a crucial part of the Strategic Road Network. The Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173] sets out the benefits of the Scheme in terms of increasing capacity for road users and reducing journey times during peak hours. It also sets out the benefits of the Scheme in terms of improving the operation of the Strategic Road Network and providing additional highways capacity along this strategically important North/South corridor.
2.14	The Strategic Road Network, although only making up 2% of roads in England, carries a third of all road traffic and two thirds of freight traffic. Some 85% of the public use the network as drivers or passengers in any 12-month period. Even those that never drive on the Strategic Road Network are reliant on it to deliver many of the goods that they need.	The Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173] sets out the benefits of the Scheme in terms of improving the operation of the Strategic Road Network and providing additional highways capacity along this strategically important North/South corridor.
2.16	Traffic congestion constrains the economy and impacts negatively on quality of life by: <ul style="list-style-type: none"> • Constraining existing economic activity as well as economic growth by increasing costs to businesses, damaging their competitiveness and making it harder for them to access export markets. Businesses regularly consider access to good roads and other transport connections as key criteria in making decisions about where to locate. 	Chapter 4 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] sets out the benefits of the Scheme in terms of: <ul style="list-style-type: none"> • Economic benefits; • Public accounts; and • Social benefits. Overall, this shows that the Scheme benefits the economy and provides wider social benefits in terms of improved journey times, more reliable journey times, reducing accidents and better facilities for WCHs. The documentation submitted with this application

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2	The need for development of the national networks and Government's policy	
	<ul style="list-style-type: none"> Leading to a marked deterioration in the experience of road users. For some, particularly those with time-pressured journeys, congestion can cause frustration and stress, as well as inconvenience, reducing quality of life. Constraining job opportunities as works have more difficulty accessing labour markets. Causing more environmental problems, with more emission per vehicle and greater problems of blight and intrusion for people nearby. <p>This is especially true where traffic is routed through small communities or sensitive environmental areas.</p>	<p>sets out how the Scheme meets these objectives. This specifically includes the ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-170], Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] and this Accordance Table.</p>
2.17	<p>The national network is already under significant pressure. It is estimated that around 16% of travel time in 2010 was spent delayed in traffic and that congestion has significant economic costs: in 2010 the direct costs of congestion on the Strategic Road Network in England were estimated at £1.9 billion per annum.</p>	<p>Refer to Chapter 4 of the Transport Assessment Report (Application Document Reference: TR0100314/APP/7.3)[APP-173].</p> <p>The Scheme will reduce journey times during the peak hours, thus reducing congestion and improving the performance of this section of the A1 for road users. The Do-Minimum scenario predicts there will be an increase of 11 minutes and 12 seconds northbound, and 9 minutes and 45 seconds southbound between junction 65 (Birtley) and junction 67 (Coal House) in the AM peak in 2023. This will increase to 13 minutes, and 11 minutes and 5 seconds respectively in 2038.</p> <p>With the Scheme, this will be reduced by 1 minute and 5 seconds northbound, and 1 minute and 12 seconds southbound. In the PM peak the journey times are similar to the AM peak (9 minutes and 29 seconds northbound, and 9 minutes and 45 seconds southbound). The greatest reduction in journey times will be in 2038 southbound with a 2 minute and 11 second reduction. Otherwise the change is less than a minute (see Table 4-2).</p> <p>Chapter 4 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] sets out the combined monetised economic benefits of the Scheme. This is forecast to be £251.1 million (factoring in the impacts associated with delays during construction and maintenance).</p>
2.18	<p>The pressure on the road network is forecast to increase with economic growth, substantial increases in population and a fall in the cost of car travel from fuel efficiency improvements. Under the Department's 2014 estimates, it is forecast that a quarter of travel time will be spent delayed in traffic by 2040, with direct costs rising to £9.8 billion per annum by 2040 on the Strategic Road Network in England, without any intervention. Under our low and high demand scenarios, the proportion of travel time spent delayed in traffic could range between 12.1% and 21.8% on the Strategic Road</p>	<p>Chapter 4 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173] indicates that the Scheme will reduce journey times during the peak hours, thus reducing congestion and improving the performance of this section of the A1 for road users.</p> <p>Table 4-2 of the Transport Assessment Report illustrates that there are journey time reductions in both directions during all hours. This is likely to improve user experiences by reducing frustration and stress amongst users due to less stop-start traffic. Furthermore,</p>

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2	The need for development of the national networks and Government's policy	
	<p>Network. When considering all the roads within England, our central estimates would amount to:</p> <p>a). A 71% increase in the number of hours households spend delayed in traffic each year, from 45 hours in 2010 to 76 hours in 2040</p> <p>b). A 150% increase in the number of working days lost to congestion each year (from 42 million in 2010 to 106 million in 2040).</p>	<p>when analysing Table 4-2, it can be seen that there are increased volumes of traffic utilising this section of the Strategic Road Network. The monetised benefits derived from journey time reliability (adjusted Benefit Cost Ratio (BCR)) are £16,624 for both the Embankment option and Viaduct option (see Table 4 and 5 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)). [REP4-020 and REP4-021].</p>
2.20	<p>Annex B sets out the Department's latest road traffic forecasts for all roads and the Strategic Road Network. Traffic forecasts are not a policy goal and do not in themselves generate a need for development - the need for development arises from pressures created by increases in traffic. Increased traffic without sufficient capacity will result in more congestion, greater delays and more unpredictable journeys. As with the congestion forecasts, these traffic forecasts will change over time as our understanding improves and circumstances change. Updated forecasts will be published, generally on an annual basis. Local forecasts will be used for the assessment of any specific road scheme being assessed under NNNPS.</p>	<p>Chapter 2 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3) [APP-173] provides details of the traffic modelling undertaken for the Scheme.</p> <p>With the implementation of the Scheme, the Transport Assessment Report states that the greatest reductions in journey times are expected to be on southbound traffic during the PM period in 2038 (2 minutes and 11 seconds) – the Transport Assessment Report forecasts this to be mainly commuter traffic heading southbound from Newcastle upon Tyne, a key economic hub within the region.</p>
2.21	<p>There is a range of options to address the identified need. These options are described in more detail below. However, relying solely on alternatives (or a combination of alternatives as set out below) is not viable or desirable as a means of managing need.</p> <p><u>Maintenance and Asset Management</u></p> <p>A well maintained and managed national road network makes for safer roads with less congestion and ensures value for money on whole life costs. Maintenance and asset management are a high priority for funding and investment plans. However, they will do nothing to enhance capacity, tackle existing and future pressures on the network or unlock economic development housing.</p> <p><u>Demand Management</u></p> <p>Non-fiscal measures to influence the use of the national road network for journeys, including the provision of information and traffic management are important. New technologies can also help improve and make more efficient use of capacity. However, demand management and technology can only make a contribution to alleviating the damaging effects of congestion across the network. Some areas have undertaken significant demand constraint measures or used smarter choices to reduce car use, which has resulted in reductions in urban traffic. However, this has not translated into significantly less demand on the Strategic Road Network on deliverability and public acceptability grounds.</p>	<p><u>Maintenance and Asset Management:</u></p> <p>Allerdene Bridge is over 40 years' old and is subject to frequent and often unplanned maintenance and repair requirements that cause excessive disruption to users of the A1. The Scheme proposes the replacement of the Allerdene Bridge with a new modern bridge structure, improving the reliability of this section through reducing maintenance time and disruption to highways users. Table 1 and paragraph 2.7.4 in the Planning Statement (Application Document Reference: TR010031/APP/7.1) [REP4-020 and REP4-021] describes the benefits predicted from replacing the Allerdene Bridge.</p> <p>Chapter 4 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3) [APP-173] outlines how the Scheme will enhance capacity and tackle existing and future pressures on the highway.</p> <p><u>Demand Management:</u></p> <p>Technology alone would not solve capacity issues on this stretch of the A1 NWGB. The Scheme will reduce journey times during peak hours, thus reducing congestion and improving the performance of this section of the A1 for road users. This benefits all direct users of the Strategic Road Network, as well as everyone who obtains goods and services that are delivered by road.</p> <p><u>Modal Shift:</u></p> <p>Potential issues for WCHs have been considered in the form of a WCHAR. A detailed copy of the report is provided in Appendix D of the Transport Assessment Report</p>

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2	The need for development of the national networks and Government's policy	
	<p><u>Modal Shift</u></p> <p>Across Government, policies are being implemented and considered which encourage sustainable transport modes including public transport, significant improvements to rail capacity, cycling and walking. However, it is not realistic for public transport, walking or cycling to represent a viable alternative to the private car for all journeys, particularly in rural areas and for some longer multi-leg journeys. In general, the nature of some journeys on the Strategic Road Network means that there will tend to be less scope for the use of alternative transport modes. If rail use was to increase by 50% (in terms of passenger kilometres) this would only be equivalent to a reduction of 5% in all road use. If freight carried by rail were to increase by 50% (in terms of tonne kilometres) this would only be equivalent to a reduction in around 7% of goods carried by road.</p>	<p>(Application Document Reference: TR010031/APP/7.3)[APP-173] with the aim of facilitating use of non-motorised forms of transport.</p>
2.22	<p>Without improving the road network, including its performance, it will be difficult to support further economic development, employment and housing and this will impede economic growth and reduce people's quality of life. The Government has therefore concluded that at a strategic level there is a compelling need for development of the national road network.</p>	<p>See comments in response to NNNPS paragraphs 2.1 and 2.6 above. The Scheme supports this objective through delivering a Scheme that will support economic development in the area and support the Government's aspirations to develop the Strategic Road Network.</p>
2.23	<p>The Government's wider policy is to bring forward improvements and enhancements to the existing Strategic Road Network to address the needs set out earlier. Enhancements to the existing national road network will include:</p> <ul style="list-style-type: none"> • Junction Improvements, new slip roads and upgraded technology to address congestion and improve performance and resilience at junctions, which are a major source of congestion. • Implementing "smart motorways" (also known as "managed motorways") to increase capacity and improve performance. • Improvements to trunk roads, in particular dualling of single carriageway strategic trunk roads and additional lanes on existing dual carriageways to increase capacity and improve performance and resilience. 	<p>The Scheme will provide improvements to a trunk road to increase capacity and performance of the A1, thereby supporting the Government's wider policy to enhance the Strategic Road Network.</p> <p>The Scheme proposes junction/slip road improvements and additional lanes on both the north and southbound carriageways of the existing A1, between junction 65 (Birtley) and junction 67 (Coal House). The Scheme will increase capacity through widening, and improve performance and resilience, along this congested part of the Strategic Road Network, as outlined in Chapter 4 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173].</p>
2.24	<p>The Government's policy on development of the Strategic Road Network is not that of predicting traffic growth and then providing for growth regardless. Individual schemes will be brought forward to tackle specific issues, including those of safety, rather than to meet unconstrained traffic growth (i.e.: "predict and provide").</p>	<p>See comments in response to NNNPS paragraph 2.1 above. The Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173] demonstrates that the Scheme is required to alleviate existing congestion and delays whilst also providing additional capacity to accommodate future growth in traffic, both as a result of population growth and potential economic growth.</p>

NNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
2	The need for development of the national networks and Government's policy	
2.25	On the road network different approaches and measures will be appropriate for different places. This reflects differences in local preferences and choices and differing scope for alternatives to road travel. The network must also offer a coherent mode of transport for national journeys and must combine to form a single, usable network. In general, the nature of some journeys on the Strategic Road Network mean that there will tend to be less scope for the use of alternative transport modes.	The Scheme is specifically required to reduce journey times during peak hours, thus reducing congestion and improving the performance of this section of the A1 for road users. This benefits all direct users of the Strategic Road Network, as well as everyone who obtains goods and services that are delivered by road.
2.27	In some cases, to meet the need set out in section 2.1 to 2.11, it will not be sufficient to simply expand capacity on the existing network. In those circumstances new road alignments and corresponding links, including alignments which cross a river or estuary, may be needed to support increased capacity and connectivity.	<p>Chapter 3 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] sets out how the Scheme has been developed over time and the key options that have been considered.</p> <p>The Scheme was the preferred option as it met all the Scheme objectives, was the most cost-effective option, had a shorter construction programme and offered an improved alignment of the A1.</p>

Table 2: Scheme Conformity with NNNPS Chapter 3

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
3	Wider Government Policy on the National Networks	
3.2 (Environment and social impacts)	The Government recognises that for development of the national road and rail networks to be sustainable these should be designed to minimise social and environmental impacts and improve quality of life.	<p>A comprehensive Environmental Impact Assessment (EIA) has been undertaken, together with proposals for mitigating likely significant environment effects arising from the Scheme. These are reported in the ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-170] and where specific mitigation measures are necessary, are reported under each specialist topic chapter.</p> <p>The ES chapters relating to Air Quality [APP-026], Geology and Soils [APP-030], Material Resources [APP-031], Climate Change [APP-035] and Road Drainage and the Water Environment [APP-034](Application Document Reference: TR010031/APP/6.1) confirm the Scheme will have no significant adverse or beneficial effects for the construction or operational Phases. _</p> <p><u>The findings of these assessments remain unchanged for the proposed changes relating to the Additional Land and Three Span Viaduct option [REP4-058 and REP4-060].</u></p> <p>Table 16-2 of the ES provides a summary of the predicted significant environmental and quality of life effects as a result of the Scheme. This includes moderate beneficial improvements to WCH facilities, and moderate to major beneficial improvements for noise and airborne effects.</p> <p>As part of the overall mitigation proposals, a Register of Environmental Actions and Commitments (REAC) has been produced and is included in Chapter 3 of the Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007]. This details the environmental mitigation measures that would be implemented during construction, why they are required, who is responsible for delivering them and details any ongoing maintenance arrangements required.</p>
3.3	In delivering new schemes, the Government expects applicants to avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF and the Government’s planning guidance. Applicants should also provide evidence that they have considered reasonable opportunities to deliver environmental and social benefits as part of schemes.	<p>The Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] lists and assesses the principles of the National Planning Policy Framework (NPPF) and local planning polices relevant to each of the topics covered in the ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-170].</p> <p>The Planning Statement shows that the Scheme is compliant with local and national planning policy. The ES provides details of the opportunities for social and environmental benefits of the Scheme considered as part of the EIA process. Each chapter of the ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-037] sets out how environmental impacts of the Scheme would be mitigated, in line with current relevant guidance and accepted principles. Reasonable opportunities for environmental and social benefits have also been considered as part of the EIA process, and would also be an ongoing aim of the detailed design process to deliver environmental and social benefits.</p>

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
3.4	<p>The Appraisal of Sustainability accompanying this NPS recognises that some developments will have some adverse local impacts on noise, emissions, landscape/visual amenity, biodiversity, cultural heritage and water resources. The significance of these effects and the effectiveness of mitigation is uncertain at the strategic and non-location specific level of this NPS. Therefore, whilst applicants should deliver developments in accordance with Government policy and in an environmentally sensitive way, including considering opportunities to deliver environmental benefits, some adverse local effects of development may remain.</p>	<p>The Scheme has sought to mitigate all effects wherever possible. However, it is recognised in Table 16-2 Summary of Significant Effects of the ES (Application Document Reference: TR010031/APP/6.1)[APP-037] that some adverse and local effects of development will need to be mitigated and the mechanism for securing these will be delivered through the draft DCO (Application Document Reference: TR010031/APP/3.1)[REP9-003 and REP9-004].</p>
3.5	<p>Outside the nationally significant infrastructure project regime, Government policy is to bring forward targeted works to address existing environmental problems on the Strategic Road Network and improve the performance of the network. This includes reconnecting habitats and ecosystems, enhancing the settings of historic and cultural heritage features, respecting and enhancing landscape character, improving water quality and reducing flood risk, avoiding significant adverse impacts from noise and vibration and addressing areas of poor air quality.</p>	<p>Wider Government policy in relation to specific environmental topics is addressed in each chapter of the ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-037]. The chapters that consider the environmental issues mentioned in paragraph 3.5 of the NNNPS are:</p> <ul style="list-style-type: none"> Chapter 5: Air Quality; Chapter 6: Cultural Heritage; Chapter 7: Landscape and Visual; Chapter 8: Biodiversity; Chapter 11: Noise and Vibration; and Chapter 13: Road Drainage and the Water Environment. <p>In accordance with this policy, the Scheme would address existing environmental problems, providing appropriate mitigation measures where any significant impacts are predicted. The Scheme would improve performance of this part of the network by increasing capacity and delivering journey time improvements.</p>
3.6	<p>Transport will play an important part in meeting the Government’s legally binding carbon targets and other environmental targets. As part of this there is a need to shift to greener technologies and fuels, and to, promote lower carbon transport choices. Over the next decade, the biggest reduction in emissions from domestic transport is likely to come from efficiency improvements in conventional vehicles, specifically cars and vans, driven primarily by EU targets for new vehicle CO₂ performance. Electrification of the railway will also support reductions in carbon.</p>	<p>Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026] assesses the impact of the Scheme on air quality whilst</p> <p>Chapter 14: Climate considers the impact of the Scheme on climate change and potential impacts of climate change upon the Scheme.</p> <p>Chapter 5: Air Quality: The overall assessment of the effect of the Scheme is not significant for air quality, as set out in Table 5-14.</p> <p>Chapter 14: Climate [APP-035]: The greenhouse gas (GHG) emissions from the construction and operation of the Scheme (with both the Allerdene Embankment option and Allerdene Viaduct option) are likely to have an adverse impact. The magnitude of change in GHG emissions is considered to be negligible. The Scheme is therefore expected to have a slight adverse (not significant) effect on climate.</p> <p><u>The findings of these assessments remain unchanged for the proposed changes relating to the Additional Land and Three Span Viaduct option [REP4-058 and REP4-060].</u></p>

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
3.8	<p>The impact of road development on aggregate levels of emissions is likely to be very small. Impacts of road development need to be seen against significant projected reductions in carbon emissions and improvements in air quality as a result of current and future policies to meet the Government's legally binding carbon budgets and the European Union's air quality limit values. For example:</p> <ul style="list-style-type: none"> • Carbon - the annual CO2 impacts from delivering a programme of investment on the Strategic Road Network of the scale envisaged in Investing in Britain's Future amount to well below 0.1% of average annual carbon emissions allowed in the fourth carbon budget. This would be outweighed by additional support for ULEVs also identified as overall policy. • Air quality - aggregate air quality impacts from delivering a programme of investment on the Strategic Road Network of the scale envisaged in Investing in Britain's Future are small. Total PM10 and NOx might be expected to increase slightly, but this needs to be seen in the context of projected reductions in emissions over time. PM10 and NOx are expected to decrease over the next decade or so as a result of tighter vehicle emission standards, then flatten, with further falls over time due to greater levels of electric and other ultra-low emission vehicles. 	<p>Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026] assesses the impact of the Scheme on Air Quality. The overall assessment of the effect of the Scheme is not significant for air quality, as set out in Table 5-14. No significant effects have been identified for the operational phase of the Scheme and no additional monitoring is necessary. Ambient air quality monitoring by the Local Authorities will be ongoing.</p> <p>Chapter 14: Climate of the ES (Application Document Reference: TR010031/APP/6.1)[APP-035] assesses the impact of GHG emissions generated by the Scheme on climate. It is predicted that the Scheme will have a slight adverse, and therefore not significant, impact on climate through GHG emissions.</p> <p><u>The findings of these assessments remain unchanged for the proposed changes relating to the Additional Land and Three Span Viaduct option [REP4-058 and REP4-060].</u></p> <p>The construction monitoring regime and reporting requirements are set out in the Outline CEMP for the Scheme (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007].</p>
3.10 (Safety)	<p>The Government's overall vision and approach on road safety is set out in the Strategic Framework for Road Safety. It is a vision in which Britain remains a world leader in road safety; where highway authorities are empowered to take informed decisions within their area; where driver and rider training gives learners the skills they need to be safe on our roads; and where tough measures are taken against the minority of offenders who deliberately choose to drive dangerously. As set out in paragraphs 4.60 to 4.66, scheme promoters are expected to take opportunities to improve road safety, including introducing the most modern and effective safety measures where proportionate.</p>	<p>Chapter 4 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] provides an economic assessment of the Scheme and calculates the accident cost savings in accordance with the Department for Transport's (DfT) online Transport Appraisal Guidance (WebTAG) through the use of COBALT. Total accident benefits generated by the Scheme over the 60-year assessment period amount to £12.9 million.</p> <p>The overall effect on accidents is an expected reduction of 290 accidents over the 60-year appraisal period (see Table 5-1 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173]).</p>
3.15	<p>The Government is committed to provide people with options to choose sustainable modes and making door-to-door journeys by sustainable means an attractive and convenient option. This is essential to reducing carbon emissions from transport.</p>	<p>Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-033] notes that the operational phase of the Scheme would maintain existing routes (delivering minor improvements to these) for WCHs by providing a replacement North Dene Footbridge and improved Longbank Bridleway. Compared to the existing WCH provision, the Scheme would provide improved safety for walkers, cyclists and equestrians and improved facilities to cross the A1 for work and social purposes.</p>
3.16	<p>As part of the Government's commitment to sustainable travel it is investing in developing a high-quality cycling and walking environment to bring about a step change in cycling and walking across the country.</p>	<p>See comments in response to NNNPS paragraph 3.15 above.</p>

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
3.17 (Sustainable transport)	<p>There is a direct role for the national road network to play in helping pedestrians and cyclists. The Government expects applicants to use reasonable endeavours to address the needs of cyclists and pedestrians in the design of new schemes. The Government also expects applicants to identify opportunities to invest in infrastructure in locations where the national road network severs communities and acts as a barrier to cycling and walking, by correcting historic problems, retrofitting the latest solutions and ensuring that it is easy and safe for cyclists to use junctions.</p>	<p>See comments in response to NNNPS paragraph 3.15 above.</p> <p>Improvements for WCHs have been considered in the form of a WCHAR, as discussed in Chapter 6 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173]. Table 6-1 of the Transport Assessment Report describes the proposed improvements including: installation of boundary fencing to restrict access to the carriageway; a pedestrian/cycle path on North Dene Footbridge; use of corduroy tactile paving for the partially sighted; and higher wooden fencing to ensure horses are not exposed to oncoming traffic at Longbank Bridleway Underpass.</p>
3.19	<p>The Government is committed to creating a more accessible and inclusive transport network that provides a range of opportunities and choices for people to connect with jobs, services and friends and family.</p>	<p>The Scheme has been subject to an Equality Impact Assessment to ensure that it provides for inclusive transport options for all users. The Scheme would improve the resilience of the A1 between Birtley and Coal House, providing a more reliable and safer route for those using private cars.</p> <p>The proposed replacement North Dene Footbridge over the A1 will maintain access for a wider range of WCHs along with directional signage to advise of available routes and destinations.</p> <p>As set out in Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-033], the Scheme is predicted to result in a net improvement to the WCH facilities within the vicinity. During operation, improvements to WCH routes would improve user safety, enhance access and improve community connectivity to the wider footpath network. The reduction in traffic congestion along the carriageway (as a result of the Scheme) would improve safety for WCHs using the adjacent footways and cycleways.</p> <p><u>The findings of this assessment remain unchanged for the proposed changes relating to the Additional Land and Three Span Viaduct option [REP4-058 and REP4-060].</u></p>
3.20	<p>Accessibility for disabled people is set out in Transport for Everyone: an action plan to improve accessibility for all. In particular:</p> <p>The Government will continue to work to ensure that the bus and train fleets comply with modern access standards by 2020, and to improve rail station access for passengers with reduced mobility. The private car will continue to play an important role, providing disabled people with independence where other forms of transport are not accessible or available.</p> <p>The Government expects applicants to improve access, wherever possible, on and around the national networks by designing and delivering schemes that take account of the accessibility requirements of all those who use, or are affected by, national networks infrastructure, including disabled users. All reasonable opportunities to deliver improvements inaccessibility on and to the existing national road network should also be taken wherever appropriate.</p>	<p>See comments in response to NNNPS paragraph 3.19 above.</p>

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
3.21 (Accessibility)	Applicants are reminded of their duty to promote equality and to consider the needs of disabled people as part of their normal practice. Applicants are expected to comply with any obligations under the Equalities Act 2010.	See comments in response to NNNPS paragraph 3.19 above.
3.22	Severance can be a problem in some locations. Where appropriate applicants should seek to deliver improvements that reduce community severance and improve accessibility.	Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-033] provides a summary of the effects on community severance. The Scheme is predicted to result in a net improvement to the WCH facilities, meaning it is less of a barrier to pedestrians, cyclists and equestrians.

Table 3: Scheme Conformity with NNNPS Chapter 4

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
4	Assessment Principles	
4.3	<p>In considering any proposed development, and in particular when weighting its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account:</p> <ul style="list-style-type: none"> • Its potential benefits, including the facilitation of economic development, including job creation, housing and environmental improvement, and any long-term or wider benefits • Its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. 	<p>Chapter 2 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] sets out the Scheme’s objectives. The Scheme objectives comprise:</p> <ul style="list-style-type: none"> • Supporting Economic Growth– The Scheme forms part of a wider government initiative for growth in the North East and aims to support economic growth by improving the road to the Newcastle and Tyneside area. • A safe and serviceable network – The Scheme aims to reduce accidents and improve journey time reliability which will lead to a reduction in driver stress and delays. • A more free-flowing network – The traffic model used to design the Scheme predicts that road users travelling through the Scheme will benefit significantly from reduced journey times as a result of the proposal. • Improved environment – The environmental effects resulting from the Scheme have been considered during previous stages of development. Measures to mitigate potential effects on the local environment have been identified and will be further refined as the Scheme design is finalised. Opportunities to improve the local environment are also being sought as part of the final Scheme design. • An accessible and integrated network – The proposed Scheme will provide improved connectivity with the local road network. Access and safety for pedestrians, cyclists and horse riders will be considered as part of the Scheme. We are upgrading the road to accommodate abnormal loads which will future proof the route and reduce the impact on the local road network. <p>Chapter 4 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] provides an overview of the economic, social and environmental benefits associated with the Scheme. The Scheme would lead to a decrease in lost productive time and subsequent increase in business user benefits. Commuters and other users would benefit from the reduced congestion, improved journey times and associated vehicle operating costs such as fuel, vehicle maintenance and mileage-related depreciation.</p> <p>The Scheme has a high BCR which represents high value for money.</p> <p>The Scheme would have some temporary adverse impacts during the construction phase although these would be minimised through the CEMP which will be developed by the appointed contractor from the Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007] secured through Requirement 4 within Schedule 2 of the draft DCO (Application Document Reference: TR010031/APP/3.1)[REP9-003 and REP9-004].</p>

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
4	Assessment Principles	
		<p>Chapter 15: Cumulative and Combined Assessment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-036] provides a summary of the likely significant cumulative environmental effects associated with the Scheme.</p> <p>Chapter 16: Summary of the ES (Application Document Reference: TR010031/APP/6.1)[APP-037] gives a summary of the likely significant effects during construction and operation, including any monitoring requirements.</p>
4.4	In this context, environmental, safety, social and economic benefits and adverse impacts should be considered at national, regional and local levels. These may be identified in this NPS or elsewhere.	The ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-037] assesses and reports on the EIA which has been carried out with consideration for the potential effects at national, regional and local levels, including the requirements of the NNNPS.
4.5 (General principles of assessment – Business Case)	<p>Applications for road and rail projects (with the exception of those for Strategic Rail Freight Interchanges (SRFIs), for which the position is covered in paragraph 4.8 below) will normally be supported by a business case prepared in accordance with Treasury Green Book principles. This business case provides the basis for investment decisions on road and rail projects. The business case will normally be developed based on the Department's Transport Business Case guidance and WebTAG guidance.</p> <p>The economic case prepared for a transport business case will assess the economic, environmental and social impacts of a development. The information provided will be proportionate to the development. This information will be important for the Examining Authority and the Secretary of State's consideration of the adverse impacts and benefits of a proposed development. It is expected that NSIP schemes brought forward through the development consent order process by virtue of Section 35 of the Planning Act 2008, should also meet this requirement.</p>	<p>Chapter 4 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] outlines the economic assessment of the Scheme; it presents the anticipated benefits and dis-benefits associated with the Scheme and overall value for money. After accounting for impacts associated with delays during construction and maintenance, the combined monetised value of these benefits is forecast to be £251.1 million. The business for the Scheme has been developed based on DfT's Business Case guidance and WebTAG guidance.</p> <p>The BCR of the Scheme would be 2.45 for the Embankment option. <u>The BCR would be and 2.27 for the 6 and 7 span Viaduct option and 2.72 for the 3 span Viaduct option.</u></p>
4.6 (local transport model)	Applications for road and rail projects should usually be supported by a local transport model to provide sufficiently accurate detail of the impacts of a project. The modelling will usually include national level factors around the key drivers of transport demand such as economic growth, demographic change, travel costs and labour market participation, as well as local factors. The Examining Authority and the Secretary of State do not need to be concerned with the national methodology and national assumptions around the key drivers of transport demand. We do encourage an assessment of the benefits and costs of schemes under high and low growth scenarios, in addition to the core case. The modelling should be proportionate to the scale of the scheme	A local transport model has been produced in line with DfT guidelines. Details are provided in the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173].

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
4	Assessment Principles	
	and include appropriate sensitivity analysis to consider the impact of uncertainty on project impacts.	
4.9	The Examining Authority should only recommend, and the Secretary of State should only impose, requirements in relation to a development consent, that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects. Guidance on the use of planning conditions or any successor to it, should be taken into account where requirements are proposed.	The draft DCO (Application Document Reference: TR010031/APP/3.1)[REP9-003 and REP9-004] includes suggested draft necessary and relevant requirements. The Explanatory Memorandum (Application Document Reference: TR010031/APP/3.2)[REP9-006 and REP9-005] explains the purpose and effect of each provision in the draft order.
4.10	Planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, directly related to the proposed development and fairly and reasonably related in scale and kind to the development.	We do not at this stage anticipate the need for and have not proposed any planning obligations.
4.12	In considering applications for linear infrastructure, decision-makers will need to bear in mind the specific conditions under which such developments must be designed. The generic impacts section of this NPS has been written to take these differences into account.	The Scheme has been assessed against the generic impacts as listed in the NNNPS and these assessments are detailed within this Accordance Table.
4.13	This NPS does not identify locations at which development of the road and rail networks should be brought forward. However, the road and rail networks provide access for people, business and goods between places and so the location of the development will usually be determined by economic activity and population and the location of existing transport networks.	The Scheme involves the improvement of the existing A1 between junction 65 (Birtley) and junction 67 (Coal House) and is located in the corridor of an existing transport network.
4.15 (Environment-al Impact Assessment)	All proposals for projects that are subject to the European Union's Environmental Impact Assessment Directive and are likely to have significant effects on the environment, must be accompanied by an environmental statement (ES), describing the aspects of the environment likely to be significantly affected by the project. The Directive specifically requires an environmental impact assessment to identify, describe and assess effects on human beings, fauna and flora, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 sets out the information that should be included in the environmental statement including a description of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the project, and also the measures envisaged for avoiding or mitigating significant adverse effects. Further guidance can be found in the online planning portal... In this NPS, the	The Application is accompanied by an ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-170] which details the likely significant effects of the Scheme on the environment and where necessary, mitigation measures to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects. This meets the requirements of the European Union's EIA Directive (2014/52/EU). The scope of the ES complies with the Scoping Opinion in Appendix 4.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-103] dated December 2017. Appendix 4.1 also includes a table setting out how the Scoping Opinion has been complied with in the ES.

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
4	Assessment Principles	
	terms 'effects', 'impacts' or 'benefits' should accordingly be understood to mean likely significant effects, impacts or benefits.	
4.16	When considering significant cumulative effects, any environmental statement should provide information on how the effects of the applicant's proposal would combine and interact with the effects of other development (including projects for which consent has been granted, as well as those already in existence).	<p>Chapter 15: Cumulative and Combined Assessment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-036] provides an assessment of the likely significant effects of the Scheme in combination with other past, present and reasonably foreseeable development, as well as impact interactions. Past and present development is considered as part of the baseline and, in some cases, reflects the sensitivity of the receptors assessed. The developments considered in the assessment include those recommended for inclusion by the local planning authorities.</p> <p>The main developments that have been considered in the cumulative assessment include (see also Table 15-8 of the ES):</p> <ul style="list-style-type: none"> • A1 Scotswood to North Brunton scheme which is located to the north of the River Tyne • A1 in Northumberland: Morpeth to Felton scheme • Two commercial developments at Team Valley Retail Park • A gas-fired power generation facility in Lamesley • A car park at Bensham General Hospital • Seven residential developments including a total of 792 dwellings in Birtley, Kibblesworth, Bensham and Gateshead. <p>The first two developments listed are being promoted by the Applicant.</p> <p><u>The findings of this assessment remain unchanged for the proposed changes relating to the Additional Land and Three Span Viaduct option [REP4-058 and REP4-060].</u></p>
4.17	The Examining Authority should consider how significant cumulative effects and the interrelationship between effects might as a whole affect the environment, even though they may be acceptable when considered on an individual basis with mitigation measures in place.	<p>Chapter 15: Cumulative and Combined Assessment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-036] addresses cumulative effects.</p>
4.18	In some instances it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.	<p>Detail of the Scheme design is shown on the Engineering Section Drawings (Application Document Reference: TR010031/APP/2.5)[REP4-008], the General Arrangement Plan (Application Document Reference: TR010031/APP/2.6)[REP4-009], the Structures Engineering Drawings and Sections (Application Document Reference: TR010031/APP/2.7)[REP4-010], the Land Plans (Application Document Reference: TR010031/APP/2.2)[REP4-005]</p>

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
4	Assessment Principles	<p>and provided within Chapter 2: The Scheme of the ES (Application Document Reference: TR010031/APP/6.1)[APP-023].</p> <p>The draft DCO contains powers of lateral and vertical deviation as shown on the Works Plan (Application Document Reference: TR010031/APP/2.3)[REP4-006]. However, the existing geometry of the A1 within the Order Limits is such that it can be expected that the design shown on the Engineering Section Drawings (Application Document Reference: TR010031/APP/2.5)[REP4-008] and General Arrangement Plan (Application Document Reference: TR010031/APP/2.6)[REP4-009] that accompany the Application will not vary materially in either the horizontal or vertical plane. As such, the reference design shown on those drawings has been assessed for the purposes of EIA.</p> <p>Further details on the Applicant's approach to the limits of deviation in the EIA is provided within Chapter 2 and Chapter 4 of the ES (Application Document Reference: TR010031/APP/6.1)[APP-023 and APP-025]. The limits of deviation are also described in the draft DCO (Application Document Reference: TR010031/APP/3.1)[REP9-003 and REP9-004] and Explanatory Memorandum (Application Document Reference: TR010031/APP/3.2)[REP9-006 and REP9-005].</p> <p>Where there are uncertainties relating to the design of the Scheme or temporary works, the 'worst case' scenario has been applied. However, in respect of Allerdene Bridge, the EIA has considered two design options for this structure: the 'Embankment option' – a single span bridge; and the 'Viaduct option' – a viaduct structure with up to three, six or seven-spans. These two design options are included within the Application to provide flexibility to allow further analysis to be conducted when detailed design is carried out. At the detailed design stage, the preferred option would be identified and taken forward into construction.</p>
4.19	Where some details are still to be finalised, applicants are advised to set out in the environmental statement, to the best of their knowledge, what the maximum extent of the proposed development may be (for example in terms of site area) and assess the potential adverse effects which the project could have to ensure that the impacts of the project as it may be constructed have been properly assessed.	See comments in response to NNNPS paragraph 4.18 above.
4.20	Should the Secretary of State decide to grant development consent for an application where details are still to be finalised, this will need to be reflected in appropriate development consent requirements in the development consent order.	Requirement no. 17 in Schedule 2 of the draft DCO (Application Document Reference: TR010031/APP/3.1)[REP9-003 and REP9-004] makes provision for only one of the design options for Allerdene Bridge to be constructed as part of the Scheme. This would comprise either a 'Viaduct Option' of up to three, six or seven spans, or an 'Embankment Option' consisting of a single span bridge structure. The

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		ExA should therefore be confident that only one design option will be taken forward by the Applicant to be identified during the detailed design stage.
4.21	In cases where the EIA Directive does not apply to a project, and an environmental statement is not therefore required, the applicant should instead provide information proportionate to the project on the likely environmental, social and economic effects.	The Scheme requires an EIA.
4.22 (Habitats Regulations Assessment)	The applicant should seek the advice of Natural England and, where appropriate, for cross-boundary impacts, Natural Resources Wales and Scottish Natural Heritage to ensure that impacts on European sites in Wales and Scotland are adequately considered.	Advice has been sought from Natural England to ensure that impacts on European sites are adequately considered. The Habitats Regulations Assessment (HRA) Screening Matrix ¹ in Appendix 8.2 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-124] states that the Northumbria Coast Special Protection Area and Ramsar Wetland (a designated European Site) is located approximately 23km downstream of the Scheme, via the River Team and River Tyne. The European site is situated over 15km from the Scheme across land. Therefore, no impacts from noise, lighting, odour, emissions or changes in air quality are anticipated as a result of the Scheme. Given the intervening distance, no impacts on the European site are anticipated as a result from changes in water quality or potential pollution or contamination incidents.
4.23	Applicants are required to provide sufficient information with their applications for development consent to enable the Secretary of State to carry out an Appropriate Assessment if required. This information should include details of any measures that are proposed to minimise or avoid any likely significant effects on a European site. The information provided may also assist the Secretary of State in concluding that an appropriate assessment is not required because significant effects on European sites are sufficiently unlikely that they can be excluded.	See comments in response to NNNPS paragraph 4.22 above.
4.24	If a proposed national network development makes it impossible to rule out an adverse effect on the integrity of a European site, it is possible to apply for derogation from the Habitats Directive, subject to the proposal meeting three tests. These tests are that no feasible, less damaging alternatives should exist, that there are imperative reasons of overriding public interest for the proposal going ahead, and that adequate and timely compensation measures will be put in place to ensure the overall coherence of the network of protected sites is maintained.	See comments in response to NNNPS paragraph 4.22 above.

¹ HA551462-WSP-GEN-BCH-RP-EN-0000_052 –HRA Screening Matrix Annex C

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4.25	Where a development may negatively affect any priority habitat or species on a site for which they are a protected feature, any Imperative Reasons of Overriding Public Interest (IROPI) case would need to be established solely on one or more of the grounds relating to human health, public safety or beneficial consequences of primary importance to the environment.	See comments in response to NNNPS paragraph 4.22 above.
4.26 (Alternatives)	<p>Applicants should comply with all legal requirements and any policy requirements set out in this NPS on the assessment of alternatives. In particular:</p> <ul style="list-style-type: none"> • The EIA Directive requires projects with significant environmental effects to include an outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects. • There may also be other specific legal requirements for the consideration of alternatives, for example, under the Habitats and Water Framework Directives. • There may also be policy requirements in this NPS, for example the flood risk sequential test and the assessment of alternatives for developments in National Parks, the Broads and Areas of Outstanding Natural Beauty (AONB). 	<p>Chapter 3 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] and Chapter 3: Assessment of Alternatives of the ES (Application Document Reference: TR010031/APP/6.1)[APP-024] set out the main Scheme alternatives that have been considered before arriving at the preferred option, as detailed within the Application.</p> <p>The HRA (Appendix 8.2 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-124]) addresses the legal requirements of the Habitats Directive and the Wild Birds Directive.</p> <p>A Water Framework Directive (WFD) Assessment has been undertaken and is in Appendix 13.2 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-164]. The assessment concludes the Scheme would not impact on the WFD status or objectives of any associated surface water or groundwater bodies in close proximity to the Scheme Footprint.</p> <p>Chapter 2 of the Consultation Report (Application Document Reference: TR010031/APP/5.1)[APP-019] also sets out the options consulted on as part of the non-statutory consultation.</p>
4.27	All projects should be subject to an options appraisal. The appraisal should consider viable modal alternatives and may also consider other options (in light of the paragraphs 3.23 to 3.27 of this NPS). Where projects have been subject to full options appraisal in achieving their status within Road or Rail Investment Strategies or other appropriate policies or investment plans, option testing need not be considered by the examining authority or the decision maker. For national road and rail schemes, proportionate option consideration of alternatives will have been undertaken as part of the investment decision making process. It is not necessary for the Examining Authority and the decision maker to reconsider this process, but they should be satisfied that this assessment has been undertaken.	See comments in response to NNNPS paragraph 4.26 above. The Scheme has been the subject of a full options appraisal prior to inclusion in the Roads Investment Strategy, including assessment of alternative solutions/modes. Table 2 in the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] outlines the history of the Scheme development prior to its inclusion in the Roads Investment Strategy for delivery in the current road period (2015/16-2019/20).
4.28 - 4.29 (Criteria for "good design" for national network infrastructure)	Applicants should include design as an integral consideration from the outset of a proposal.	The Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] sets out how the design evolved. Chapter 3 describes the Scheme's development and the options considered.

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	<p>Visual appearance should be a key factor in considering the design of new infrastructure, as well as functionality, fitness for purpose, sustainability and cost. Applying “good design” to national network projects should therefore produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction, matched by an appearance that demonstrates good aesthetics as far as possible.</p>	<p>The Consultation Report (Application Document Reference: TR010031/APP/5.1)[APP-019] sets out further design changes made as a result of both non-statutory and statutory consultation.</p> <p>The Scheme and environmental mitigation proposals were designed with reference to guidelines in the Design Manual for Roads and Bridges (DMRB) Volume 10 Environmental Design and Management. The Scheme design has considered aesthetic appearance as well as function and cost. In addition, design options for structures and drainage, and route options for road design were assessed by Highways England’s environmental specialists including the landscape team and their recommendations informed the design choices. This ‘embedded mitigation’ is outlined within the ES chapters (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-037]. In particular, Chapter 7: Landscape and Visual of the ES [APP-028] states that the proposed Embankment option and Viaduct option have been subject to a design process aimed at providing a structure that acknowledges its potential impacts on the wider landscape as a prominent new structure. This has included consideration of the overall height and form that the bridge takes. Landscape mitigation is also illustrated on Figure 7.6: Landscape Mitigation Design of the ES (Application Document Reference: TR010031/APP/6.2)[APP-061].</p> <p>Permanent landscape and visual effects on the Green Belt are assessed to not represent a material change in the area of the Green Belt, subject to the successful establishment of the mitigation strategy. There would be a perceptible change initially to the openness due to the new Allerdene Bridge, but the impact would diminish over time as harmful features are gradually screened from view. This conclusion applies to both the Viaduct option and Embankment option, but is slightly larger for the Embankment option.</p>
4.31	<p>A good design should meet the principal objectives of the scheme by eliminating or substantially mitigating the identified problems by improving operational conditions and simultaneously minimising adverse impacts wherever possible, for example, in relation to safety or the environment. A good design will also be one that sustains the improvements to operational efficiency for as many years as is practicable, taking into account capital cost, economics and environmental impacts.</p>	<p>The Scheme has been designed in accordance with Highways England ‘Road to Good Design’ report which sets out ten principles of good road design. The ten principles include consideration of ‘Environmental Sustainability’ and how the Scheme ‘Fits in Context’. Design alternatives were considered throughout at regular meetings. The EIA was integral to this design process.</p> <p>The design has also considered operational efficiency for as many years as is practicable, taking into account capital cost, economics and environmental impacts. The Scheme ensures the long term structural stability of the operational highway. Exposure classes (and corresponding allowable crack widths) of the concrete materials selected for the construction phase will ensure the highway has an operational life of at least 120 years. The highway will be drained by a Sustainable Drainage System (SuDS) with a service life of 60 years and sufficient capacity to accommodate additional runoff associated with an increase in rainfall intensity due to</p>

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		climate change of 20%. However, there will be no increase in discharge rate from the SuDS as the additional runoff will be held and released gradually from the attenuation pond located north of the A1 at Allerdene Bridge.
4.32	Scheme design will be a material consideration in decision making. The Secretary of State needs to be satisfied that national networks infrastructure projects are sustainable and as aesthetically sensitive, durable, adaptable and resilient as they can reasonably be (having regard to regulatory and other constraints and including accounting for natural hazards such as flooding).	Outlined within the ES chapters [APP-021 to APP-037] are mitigation measures and enhancement opportunities to ensure the Scheme design is sustainable and aesthetically sensitive (as far as possible). (Application Document Reference: TR010031/APP/6.1) [APP-021 to APP-170] . Highways England has designed the Scheme to ensure it is durable, adaptable and resilient as can be.
4.33	The applicant should therefore take into account, as far as possible, both functionality (including fitness for purpose and sustainability) and aesthetics (including the scheme's contribution to the quality of the area in which it would be located). Applicants will want to consider the role of technology in delivering new national networks projects. The use of professional, independent advice on the design aspects of a proposal should be considered, to ensure good design principles are embedded into infrastructure proposals.	<p>The Scheme has been designed to meet its objectives:</p> <ul style="list-style-type: none"> • Supporting Economic Growth – The Scheme forms part of a wider government initiative for growth in the North East and aims to support economic growth by improving the road to the Newcastle and Tyneside area. • A safe and serviceable network – The Scheme aims to reduce accidents and improve journey time reliability which will lead to a reduction in driver stress and delays. The replacement of Allerdene Bridge will also reduce current maintenance requirements. • A more free-flowing network – The traffic model used to design the Scheme predicts that road users travelling through the Scheme will benefit significantly from reduced journey times as a result of the proposal. • Improved environment – The environmental effects resulting from the Scheme have been considered during previous stages of development. Measures to mitigate potential effects on the local environment have been identified and will be further refined as the Scheme design is finalised. Opportunities to improve the local environment will also be sought as part of the final Scheme design. • An accessible and integrated network – The proposed Scheme will provide improved connectivity with the local road network. Access and safety for pedestrians, cyclists and horse riders will be considered as part of the Scheme. We are upgrading the road to accommodate abnormal loads which will future proof the route and reduce the impact on the local road network. <p>The Applicant has taken into account, as far as possible, both functionality (including fitness for purpose and sustainability) and aesthetics (including the Scheme's contribution to the quality of the area in which it would be situated). The aesthetic requirements are assessed as part of the ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-170]. Furthermore, consultation has been carried out with statutory and non-statutory stakeholders which led to design changes which are presented in the Consultation Report (Application Document Reference: TR010031/APP/5.1)[APP-019].</p>

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4.34	Whilst the applicant may only have limited choice in the physical appearance of some national networks infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting and design measures relative to existing landscape and historical character and function, landscape permeability, landform and vegetation.	<p>Highways England has considered the role of technology in delivering the Scheme and relied on professional independent advice to ensure that good design principles are embedded into the Scheme.</p> <p>See comments in response to NNNPS paragraphs 4.28-4.29 and 4.31 above.</p> <p>The following chapters of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027 to APP-034] identify design and mitigation measures in relation to landscape and historical character and function, landscape permeability, landform and vegetation:</p> <ul style="list-style-type: none"> • Chapter 6: Cultural Heritage; • Chapter 7: Landscape and Visual; • Chapter 8: Biodiversity; • Chapter 9: Geology and Soils; • Chapter 10: Material Resources; • Chapter 12: Population and Human Health; and • Chapter 13: Road Drainage and the Water Environment. <p>The Consultation Report (Application Document Reference: TR010031/APP/5.1)[APP-019] sets out further design changes carried out as a result of the statutory consultation.</p> <p>One example is the treatment of Bowes Incline Scheduled Monument. Highways England engaged throughout the design process with Historic England and Gateshead Council's archaeologist. The design has sought to minimise the impact on this scheduled monument and mitigation has been agreed requiring recording of features, a display board <u>as an enhancement measure</u>, and repair works to a section of surviving wall of equal length to that being demolished.</p>
4.35	Applicants should be able to demonstrate in their application how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.	See comments in response to NNNPS paragraphs 4.28-4.34 above.
4.36	Section 10(3)(a) of the Planning Act requires the Secretary of State to have regard to the desirability of mitigating and adapting to, climate change in designating an NPS.	The FRA within Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] and Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] sets out how the Scheme takes account of the predicted impacts of climate change. Chapter 2 of the FRA notes that any proposed mitigation measures would need to make an allowance for climate change within the

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		<p>design. The drainage strategy will deliver an improvement over the existing infrastructure through delivery of SuDS including the use of oversized pipes and geocellular storage to restrict the rate of runoff and to improve the water quality of road drainage. The SuDS will be 'future ready' with a capacity for a 1 in 100-year storm event and the additional allowance of 20% for climate change. Detailed hydraulic modelling shows the design will have no significant increase to flood risk.</p> <p>The impacts of the Scheme on climate change, as well as the resilience of the Scheme to climate change, is assessed in Chapter 14: Climate of the ES (Application Document Reference: TR010031/APP/6.1)[APP-035]. The Scheme is predicted to have a slight adverse, and therefore not significant, impact on climate change through the assessment of GHGs generated during construction and operation. Adaptation measures described in Table 14-13 of the ES, such as regular maintenance and landscaping, incorporation of SuDS and using steel with high maximum and minimum design temperatures will limit vulnerability to climate change with a not significant resilience rating.</p>
4.38	Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the provision of green infrastructure.	See comments in response to NNNPS paragraph 4.36 above.
4.40 (Climate change adaptation)	New national networks infrastructure will be typically long-term investments which will need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the impacts of climate change when planning location, design, build and operation. Any accompanying environmental statement should set out how the proposal will take account of the projected impacts of climate change.	See comments in response to NNNPS paragraph 4.36 above.
4.41	Where transport infrastructure has safety-critical elements and the design life of the asset is 60 years or greater, the applicant should apply the UK Climate Projections 2009 (UKCP09) high emissions scenario (high impact, low likelihood) against the 2080 projections at the 50% probability level.	<p>The FRA within Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] and Chapter 13: Road Drainage and the Water Environment in the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] sets out how the proposal takes account of predicted impacts of climate change.</p> <p>Chapter 14: Climate of the ES (Application Document Reference: TR010031/APP/6.1)[APP-035] assesses the impact of the Scheme on Air Quality and GHG emissions. There is no government guidance published for assessing the significance of effect of individual highway schemes on regional or GHG emissions. The Climate Change Act publishes budgets for the reduction of GHG emissions with a view to substantial national reductions being achieved by 2050. The increase</p>

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		<p>in GHG emissions is included in the WebTAG BCR of the Scheme as a financial cost.</p> <p>Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026] contains a regional assessment for the Scheme which shows an increase in emissions of NO₂, CO₂ and PM₁₀ which is due to an overall increase in vehicle-kilometres travelled, offset in part by congestion relief, with better results for NO₂ and PM₁₀ in the opening year (Do Something (DS) 2023) and design year (DS 2038) assessments. Overall, the assessment in Chapter 5 indicates no exceedances of the relevant air quality objectives are predicted to occur for the lifetime of the Scheme.</p>
4.42	The applicant should take into account the potential impacts of climate change using the latest UK Climate Projections available at the time and ensure any environment statement that is prepared identifies appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure...	See comments in response to NNNPS paragraph 4.41 above.
4.43	The applicant should demonstrate that there are no critical features of the design of new national networks infrastructure which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections. Any potential critical features should be assessed taking account of the latest credible scientific evidence on, for example, sea level rise (e.g. by referring to additional maximum credible scenarios such as from the Intergovernmental Panel on Climate Change or Environment Agency) and on the basis that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime through potential further mitigation or adaptation.	See comments in response to NNNPS paragraphs 4.36 and 4.41 above. The Scheme is not expected to be affected by sea level rises.
4.44	Any adaptation measures should be based on the latest set of UK Climate Projections, the Government's national Climate Change Risk Assessment and consultation with statutory consultation bodies. Any adaptation measures must themselves also be assessed as part of any environmental impact assessment and included in the environment statement, which should set out how and where such measures are proposed to be secured.	<p>The EIA is based on the Environment Agency's latest set of Climate Change projections, and the government's national Climate Change Risk Assessment. This is reported in the ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-170].</p> <p>Also see comments in response to NNNPS paragraph 4.41 above.</p>
4.45	If any proposed adaptation measure themselves give rise to consequential impacts the Secretary of State should consider the impact in relation to the application as a whole and the impacts guidance is set out as part of this NPS (e.g. flooding, water, resources, biodiversity, landscape and coastal change).	<p>Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] addresses the consequential environmental impact provision of flow and flood compensation for the Scheme.</p> <p>Adaptation measures described in Table 14-13 of the ES, Chapter 14: Climate (Application Document Reference: TR010031/APP/6.1)[APP-035] will limit</p>

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		vulnerability to climate change with a not significant resilience rating. These measures have not been assessed as resulting in any consequential impacts in themselves.
4.46	Adaptation measures can be required to be implemented at the time of construction where necessary and appropriate to do so.	<p>Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] discusses how adaption measures would be implemented at the time of construction as appropriate/necessary to do so.</p> <p>Adaptation measures described in Table 14-13 of the ES, Chapter 14: Climate (Application Document Reference: TR010031/APP/6.1)[APP-035], such as a regular maintenance and landscaping, incorporation of SuDS and using steel with high maximum and minimum design temperatures will limit vulnerability to climate change with a not significant resilience rating.</p>
4.47	Where adaptation measures are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (e.g. coastal processes), the Secretary of State may consider requiring the applicant to ensure that the adaptation measure could be implemented should the need arise, rather than at the outset of the development (e.g. reserving land for future extension, increasing the height of an existing sea wall, or requiring a new sea wall).	<p>The FRA within Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] and Chapters in the ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-037] set out how the proposal takes account of predicted impacts of climate change. These adaption measures can be delivered on land within the Order Limits and can therefore be implemented as part of the Scheme.</p> <p>Adaptation measures described in Table 14-13 of the ES, Chapter 14: Climate (Application Document Reference: TR010031/APP/6.1)[APP-035] will limit vulnerability to climate change with a not significant resilience rating. These measures have not been assessed as resulting in any consequential impacts in themselves.</p>
4.50 (Pollution control and other environmental protection Regimes)	In deciding an application, the Examining Authority and the Secretary of State should focus on whether the development itself is an acceptable use of the land, and on the impacts of that use, rather than the control of processes, emissions or discharges themselves. They should assess the potential impacts of processes, emissions or discharges to inform decision making, but should work on the assumption that in terms of the control and enforcement, the relevant pollution control regime will be properly applied and enforced. Decisions under the Planning Act should complement but not duplicate those taken under the relevant pollution control regime.	<p>Chapter 5 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] sets out how the Scheme conforms to planning policy and is an acceptable use of the land. Chapter 5 also considers the extent of potential harm to the Green Belt arising from the construction and operation of the Scheme, and provides a view on whether very special circumstances apply. It concludes that whilst there would be harm to two of the fundamentals aims of the Green Belt (openness and protecting the countryside from encroachment), the extent of the harm would be limited. It is concluded that the limited degree of harm identified is considered to be outweighed by the very special circumstances that exist in relation to the impact of the Scheme on the Green Belt.</p> <p>The impacts of the land use are considered throughout the ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-170]. The Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and</p>

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		REP9-0071 outlines the control of processes, emissions and discharges through the construction process.
4.51	These considerations apply in an analogous way to other environmental regulatory regimes, including those on land drainage and flood defence and biodiversity.	See comments in response to NNNPS paragraph 4.50 above.
4.52 (Pollution control and other environmental protection Regimes)	There is a statutory duty on applicants to consult the Marine Management Organisation (MMO) on nationally significant projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act (as amended by section 23 of the Marine and Coastal Access Act 2009).	The Scheme does not impact on any marine areas.
4.53	When an applicant applies for an Environmental Permit, the relevant regulator (the Environment Agency) requires that the application demonstrates that processes are in place to meet all relevant Environmental Permit requirements...	<p>The Consents and Agreements Position Statement (Application Document Reference: TR010031/APP/3.3) [APP-015] provides details of the various consents that may be required as part of the Scheme.</p> <p>At this point (i.e. the submission of the Application), the majority of consents and all of the powers required have been included, or addressed, within the DCO as permitted by various provisions of the 2008 Act. However, not all consents/permits/licences required to deliver the Scheme are included and the following (inter alia) will be sought out with the DCO.</p> <ul style="list-style-type: none"> • Protected species licences; • Water abstraction licence; • Environmental Permits relating to Flood Risk Activities; • Ordinary watercourse consent; • Waste exemptions for operations such as U1 (import of waste for use in construction) and T15 (crushing of aerosols to minimise hazardous waste) (if exemption limits can be met); • Trade effluent consent.
4.54	Applicants are encouraged to begin pre-application discussions with the Environment Agency as early as possible. It is however expected that an applicant will have first thought through the requirements as a starting point for discussion. Some consents require a significant amount of preparation; as an example, the Environment Agency suggests that applicants should start work towards submitting the permit application at least 6 months prior to the submission of an application for a Development Consent Order, where they	<p>The Environment Agency has been consulted throughout the development of the Scheme. The mitigation proposed is consistent with best practice guidelines and the outcome of the assessments undertaken follows DMRB guidelines.</p> <p>Further details can be found in Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1) [APP-034].</p>

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	wish to parallel track the applications. This will help ensure that applications take account of all relevant environmental considerations and that the relevant regulators are able to provide timely advice and assurance to the Examining Authority.	A draft Statement of Common Ground (SoCG) is being developed with the Environment Agency [REP10-006] to record the matters that have been agreed between both parties and to identify any matters where comments still need to be resolved.
4.55	<p>The Secretary of State should be satisfied that development consent can be granted taking full account of environmental impacts. This will require close cooperation with the Environment Agency and/or the pollution control authority, and other relevant bodies, such as the MMO, Natural England, Drainage Boards, and water and sewerage undertakers, to ensure that in the case of potentially polluting developments:</p> <ul style="list-style-type: none"> the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and the effects of existing sources of pollution in and around the project are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits. 	<p>The impacts of the Scheme are considered throughout the ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-037]. The Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007] outlines the control of processes, emissions and discharges through the construction process. Chapter 15: Cumulative and Combined Assessment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-036] summarises the cumulative impacts associated with the Scheme, stating that no likely significant cumulative effects assessed are significant and therefore no mitigation or monitoring is required.</p>
4.58 (Common law nuisance and statutory nuisance)	It is very important that during the examination of a nationally significant infrastructure project, possible sources of nuisance under section 79(1) of the 1990 Act, and how they may be mitigated or limited are considered by the Examining Authority so they can recommend appropriate requirements that the Secretary of State might include in any subsequent order granting development consent. More information on the consideration of possible sources of nuisance is at paragraphs 5.81-5.89.	<p>Potential sources of nuisance have been considered with regard to proceedings in respect of statutory nuisance and are dealt with in the Explanatory Memorandum (Application Document Reference: TR010031/APP/3.2)[REP9-006 and REP9-005] and the draft DCO (Application Document Reference: TR010031/APP/3.1)[REP9-003 and REP9-004]. A Statement Relating to Statutory Nuisance is also provided as part of the Application (Application Document Reference: TR010031/APP/5.2)[APP-020].</p>
4.60 (Safety)	New highways developments provide an opportunity to make significant safety improvements. Some developments may have safety as a key objective, but even where safety is not the main driver of a development the opportunity should be taken to improve safety, including introducing the most modern and effective safety measures where proportionate. Highway developments can potentially generate significant accident reduction benefits when they are well designed.	<p>The Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173] provides an analysis of accident risk and concludes overall that the Scheme would have a beneficial impact in terms of reducing accidents.</p> <p>This confirms that the Scheme does not inherently alter the safety or accident rate of the A1, but increases the number of vehicles travelling along it, which therefore increases the number of collisions. Similarly, the accident rates on the local roads do not change, but instead have less traffic travelling along them, which leads to a reduction in collisions. This is shown by Figure 5-3 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173], where the Scheme has had a negative impact on collisions on the A1.</p> <p>The accident rates for the A1 are lower than those for the local roads, with the A1 generally being built and designed to a higher standard than the local roads. This means that the increase in collisions on the A1 is outweighed by the reduction on the local roads, leading to an overall benefit. Accident costs are calculated to be £12,949</p>

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
4	Assessment Principles	
		<p>for both the Viaduct option and Embankment option in the adjusted BCR (see Table 4 and 5 of the Planning Statement (Application Document Reference:- TR010031/APP/7.1)[REP4-020 and REP4-021]).</p> <p>In addition to this, on and off slip roads which are being upgraded as part of the Scheme experience a reduction in collisions.</p>
4.61 (Safety)	The applicant should undertake an objective assessment of the impact of the proposed development on safety including the impact of any mitigation measures. This should use the methodology outlined in the guidance from DfT (WebTAG) and from Highways England.	See comments in response to NNNPS paragraph 4.60 above.
4.62	They should also put in place arrangements for undertaking the road safety audit process. Road safety audits are a mandatory requirement for all trunk road highway improvement schemes in the UK (including motorways).	The requirements resulting from the road safety audit undertaken at Preliminary Design Stage have been incorporated into the Scheme design where appropriate.
4.64	<p>The applicant should be able to demonstrate that their scheme is consistent with the Highways Agency's Safety Framework for the Strategic Road Network and with the national Strategic Framework for Road Safety. Applicants will wish to show that they have taken all steps that are reasonably required to:</p> <ul style="list-style-type: none"> • minimise the risk of death and injury arising from their development; • contribute to an overall reduction in road casualties; • contribute to an overall reduction in the number of unplanned incidents; and • contribute to improvements in road safety for walkers and cyclists. 	<p>See comments in response to NNNPS paragraph 4.60 above.</p> <p>The design of the road will be of a high safety standard. This is expected to decrease the overall number of accidents on the road network. In addition, it is expected that the upgraded entry and exit slip roads will be subject to a lower rate of accidents.</p> <p>The Transport Assessment Report (Application Document Reference:- TR010031/APP/7.3)[APP-173] states that over the 60-year appraisal period, the Scheme is expected to prevent 338 slight, 42 serious and 3 fatal accidents. The safety and utility of the road will be maintained or improved through the following features of the design:</p> <ul style="list-style-type: none"> • The additional lanes and the replacement of Allerdene Bridge will reduce congestion, journey length, journey time unpredictability (components of driver stress). • The safety barriers at the carriageway edges and in the central reservation (constructed in accordance with modern standards specified by DMRB) will minimise the potential for crossover accidents. <p>The increased capacity provided by the additional lanes and replacement of Allerdene Bridge will increase the resilience of the highway, for example, in the event of a road traffic accident, and facilitate the government initiative to deliver regional economic growth.</p>
4.65	<p>They will also wish to demonstrate that:</p> <ul style="list-style-type: none"> • they have considered the safety implications of their project from the outset; and 	<p>See comments in response to NNNPS paragraph 4.60 above.</p> <p>Highways England has considered safety through the consideration of alternatives, and the design evolution of the Scheme. Once the Scheme is complete there will be a</p>

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
4	Assessment Principles	
	<ul style="list-style-type: none"> they are putting in place rigorous processes for monitoring and evaluating safety. 	Road Safety Audit undertaken to assess the safety and operational aspects of the scheme, if any mitigation is then required it will follow on from this assessment.
4.66	<p>The Secretary of State should not grant development consent unless satisfied that all reasonable steps have been taken and will be taken to:</p> <ul style="list-style-type: none"> minimise the risk of road casualties arising from the Scheme; and contribute to an overall improvement in the safety of the Strategic Road Network. 	<p>The Scheme has been designed to comply with DMRB which sets the standards for safe highway design. The Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173] provides an analysis of accident risk and safety, and concludes overall that the Scheme would contribute to an overall improvement in the safety of the Strategic Road Network between junction 65 (Birtley) and junction 67 (Coal House).</p> <p>The Scheme has been designed to improve safety for WCHs. See comments in response to NNNPS paragraph 3.15 and 3.16 above.</p>
4.76 - 4.77 (Security considerations)	<p>Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI [Centre for the Protection of National Infrastructure] and the Department for Transport, to ensure that physical, procedural and personnel security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. If CPNI and the Department for Transport (as appropriate) are satisfied that security issues have been adequately addressed in the project when the application is submitted, they will provide confirmation of this to the Secretary of State, and the Examining Authority should not need to give any further consideration to the details of the security measures during the examination.</p> <p>The applicant should only include such information in the application as is necessary to enable the Examining Authority to examine the development consent issues and make a properly informed recommendation on the application.</p>	No national security issues have been identified in developing the Scheme.
4.81 - 4.82 (Health)	<p>As described in the relevant sections of this NPS, where the proposed project has likely significant environmental impacts that would have an effect on human beings, any environmental statement should identify and set out the assessment of any likely significant adverse health impacts.</p> <p>The applicant should identify measures to avoid, reduce or compensate for adverse health impacts as appropriate. These impacts may affect people simultaneously, so the applicant, and the Secretary of State (in determining an application for development consent) should consider the cumulative impact on health.</p>	<p>The Scheme has been subject to EIA, which has considered air quality and noise impacts on sensitive human receptors (including local communities and WCHs). Chapter 5: Air Quality, Chapter 11: Noise and Vibration and Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026, APP-032 and APP-033] report the impacts and propose appropriate mitigation.</p> <p>With respect to air quality and noise, the assessment criteria are based upon human health related thresholds. Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-033] considers accessibility and severance. In the long term, enhancement of existing WCH routes as part of the Scheme will improve the experience for users. Improvements are described in Table 6-1 of the Transport Assessment Report (Application Document</p>

NNNPS Paragraph Number	Requirement of the NNNPS	Scheme compliance with the NNNPS
4	Assessment Principles	<p>Reference: TR010031/APP/7.3 [APP-173] including: installation of boundary fencing to restrict access to the carriageway; a pedestrian/cycle path on North Dene Footbridge; use of corduroy tactile paving for the partially sighted; and higher wooden fencing to ensure horses are not exposed to oncoming traffic at Longbank Bridleway Underpass.</p> <p>Chapter 15: Cumulative and Combined Assessment of the ES (Application Document Reference: TR010031/APP/6.1) [APP-036] sets out an assessment of cumulative effects including inter-related effects arising from the Scheme.</p>

Table 4: Scheme Conformity with NNNPS Chapter 5

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
5.6 - 5.9 (Air quality)	<p>Where the impacts of the project (both on and off-scheme) are likely to have significant air quality effects in relation to meeting EIA requirements and / or affect the UK's ability to comply with the Air Quality Directive, the applicant should undertake an assessment of the impacts of the proposed project as part of the environmental statement.</p> <p>The environmental statement should describe:</p> <ul style="list-style-type: none"> • existing air quality levels; • forecasts of air quality at the time of opening, assuming that the scheme is not built (the future baseline) and taking account of the impact of the scheme; and • any significant air quality effects, their mitigation and any residual effects, distinguishing between the construction and operation stages and taking account of the impact of road traffic generated by the project. <p>Defra publishes future national projections of air quality based on evidence of future emissions, traffic and vehicle fleet. Projections are updated as the evidence base changes. Applicant's assessment should be consistent with this but may include more detailed modelling to demonstrate local impacts.</p> <p>In addition to information on the likely significant effects of a project in relation to EIA, the Secretary of State must be provided with a judgement on the risk as to whether the project would affect the UK's ability to comply with the Air Quality Directive.</p>	<p>The method of baseline assessment is described in Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026] and is in accordance with paragraphs 5.6 – 5.9 of the NNNPS.</p> <p>The future baseline has been assessed in Chapter 5: Air Quality of the ES. It is commonly referred to as the 'do minimum' scenario which takes into account what the future air quality would be, assuming the Scheme does not go ahead. The future baseline also takes into account likely changes owing to government initiatives to reduce emissions from motor vehicles and other sources.</p> <p>The results of the air quality assessment include construction and the operational effects of the Scheme. No significant effects have been identified for the operational phase of the Scheme and no additional monitoring is necessary. During construction, monitoring will be required to determine the effectiveness of the proposed mitigation, or requirement for further mitigation. This will be the responsibility of the appointed contractor. The Scheme would not bring about the need for a new Air Quality Management Area (AQMA) or change the size of an existing AQMA; or bring about changes to exceedances of the Limit Values.</p> <p>Results of compliance with the EU Air Quality Directive can be found in Chapter 5: Air Quality of the ES. No significant impacts or exceedances of the EU limit are predicted.</p> <p><u>The findings of these assessments remain unchanged for the proposed changes relating to the Additional Land and Three Span Viaduct option [REP4-058 and REP4-060].</u></p>
5.10	<p>The Secretary of State should consider air quality impacts over the wider area likely to be affected, as well as in the near vicinity of the Scheme. In all cases the Secretary of State must take account of relevant statutory air quality thresholds set out in domestic and European legislation. Where a project is likely to lead to a breach of the air quality thresholds, the applicant should work with the relevant authorities to secure appropriate mitigation measures with a view to ensuring so far as possible that those thresholds are not breached.</p>	<p>The local and wider study area for the air quality assessment is defined in Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026]. The outcome of the assessment indicates that the Scheme would not lead to a breach of the air quality thresholds and that no significant effects will occur during construction or operation with the implementation of the identified mitigation measures.</p> <p><u>The findings of these assessments remain unchanged for the proposed changes relating to the Additional Land and Three Span Viaduct option [REP4-058 and REP4-060].</u></p>

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
5.11	<p>Air quality considerations are likely to be particularly relevant where schemes are proposed:</p> <ul style="list-style-type: none"> • within or adjacent to Air Quality Management Areas (AQMA); roads identified as being above Limit Values or nature conservation sites (including Natura 2000 sites and SSSIs, including those outside England); and • where changes are sufficient to bring about the need for a new AQMA or change the size of an existing AQMA; or bring about changes to exceedences of the Limit Values, or where they may have the potential to impact on nature conservation sites. 	<p>The local and wider study area for the air quality assessment is defined in Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026] and it confirms that:</p> <ul style="list-style-type: none"> • There are no AQMAs or roads above Limit Values within or adjacent to the Scheme. • There are no Natura 2000 sites or Sites of Special Scientific Interest (SSSIs) within or adjacent to the Scheme (the nearest SSSI is within 200m). • The Scheme would not bring about the need for a new AQMA or change the size of an existing AQMA; or bring about changes to exceedences of the Limit Values.
5.12	<p>The Secretary of State must give air quality considerations substantial weight where, after taking into account mitigation a project would lead to a significant air quality impact in relation to EIA and/or would lead to a deterioration in air quality in a zone/agglomeration.</p>	<p>Results of compliance with the EU Air Quality Directive can be found in Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026]. No significant impacts or exceedences of the EU limit are predicted.</p>
5.13	<p>The Secretary of State should refuse consent where, after taking into account mitigation, the air quality impacts of the scheme will:</p> <ul style="list-style-type: none"> • result in a zone/agglomeration which is currently reported as being compliant with the Air Quality Directive becoming non-compliant; or • affect the ability of a non-compliant area to achieve compliance within the most recent timescales reported to the European Commission at the time of the decision. 	<p>The local and wider study area for the air quality assessment is defined in Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026] and it confirms that:</p> <ul style="list-style-type: none"> • There are no AQMAs or roads above Limit Values within or adjacent to the Scheme. • The Scheme would not bring about the need for a new AQMA or change the size of an existing AQMA; or bring about changes to exceedences of the Limit Values. <p>The Scheme is therefore compliant with NNNPS paragraph 5.13.</p>
5.14 - 5.15	<p>The Secretary of State should consider whether mitigation measures put forward by the applicant are acceptable. A management plan may help codify mitigation at this stage. The proposed mitigation measures should ensure that the net impact of a project does not delay the point at which a zone will meet compliance timescales.</p> <p>Mitigation measures may affect the project design, layout, construction, operation and/or may comprise measures to improve air quality in pollution hotspots beyond the immediate locality of the scheme. Measures could include, but are not limited to, changes to the route of the new scheme, changes to the proximity of vehicles to local receptors in the existing route, physical means including barriers to trap or better disperse emissions, and</p>	<p>Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026] states that no specific mitigation is necessary during the operation of the Scheme.</p> <p>The REAC within Chapter 3 of the Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007] details the environmental mitigation measures that would be implemented during construction, why they are required, who is responsible for delivering them and any ongoing maintenance and monitoring arrangements. This includes installation of hard surfacing on site, removal of dusty materials from site as soon as possible, wheel washing facilities, and turning off all construction machinery and equipment when it is not in use. Traffic management will also be implemented to</p>

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
	speed control. The implementation of mitigation measures may require working with partners to support their delivery.	ensure construction routes will be kept away from sensitive receptors, for example residential properties and schools, as far as practicable.
5.16 (Carbon emissions)	The Government has a legally binding framework to cut greenhouse gas emissions by at least 80% by 2050. As stated above, the impact of road development on aggregate levels of emissions is likely to be very small. Emission reductions will be delivered through a system of five-year carbon budgets that set a trajectory to 2050. Carbon budgets and plans will include policies to reduce transport emissions, taking into account the impact of the Government's overall programme of new infrastructure as part of that.	<p>Table 14-14 within Chapter 14: Climate of the ES (Application Document Reference: TR010031/APP/6.1)[APP-035] displays the total estimated GHG emissions arising from the Scheme for the operation phase and the overall total for the whole lifecycle of the Scheme.</p> <p>The Applicant's carbon tool was developed to better manage carbon emissions resulting from the maintenance and improvement of the trunk road network. It contains average embodied carbon figures for various construction materials taken from the Bath Inventory of Carbon and Energy, along with transport, energy and waste factors from Defra 2014 and the Waste Resources Action Programme (WRAP). Figure 14-4 and Figure 14-5 of the ES (Application Document Reference: TR010031/APP/6.1)[APP-035] sets out an estimate of embodied and transport carbon for the Scheme design.</p>
5.17	Carbon impacts will be considered as part of the appraisal of scheme options (in the business case), prior to the submission of an application for DCO. Where the development is subject to EIA, any Environmental Statement will need to describe an assessment of any likely significant climate factors in accordance with the requirements in the EIA Directive. It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets.	See comments in response to NNNPS paragraph 5.16 above.
5.18	The Government has an overarching national carbon reduction strategy (as set out in the Carbon Plan 2011) which is a credible plan for meeting carbon budgets. It includes a range of non-planning policies which will, subject to the occurrence of the very unlikely event described above, ensure that any carbon increases from road development do not compromise its overall carbon reduction commitments. The Government is legally required to meet this plan. Therefore, any increase in carbon emissions is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the proposed Scheme are so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets.	See comments in response to NNNPS paragraph 5.16 above. The increase in carbon emissions resulting from the Scheme is not considered so significant that it would have a material impact on the ability of the Government to meet its carbon reduction targets.
5.19	Evidence of appropriate mitigation measures (incorporating engineering plans on configuration and layout, and use of materials) in both design and construction should be presented. The Secretary of State will consider the	The Application includes a REAC within Chapter 3 of the Outline CEMP - (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007]. This details the environmental mitigation measures that would be

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
	effectiveness of such mitigation measures in order to ensure that, in relation to design and construction, the carbon footprint is not unnecessarily high. The Secretary of State's view of the adequacy of the mitigation measures relating to design and construction will be a material factor in the decision-making process.	implemented, why they are required, who is responsible for delivering them and any ongoing maintenance and monitoring arrangements. This includes maximising the use of renewable material resources, and materials with recycled or secondary content; designing pre-fabricated structures and component; specifying materials with the least embedded carbon as far as practicable; and re-use of material resources from Scheme demolition activities on site.
5.20 (Biodiversity no net loss / net gain)	Biodiversity is the variety of life in all its forms and encompasses all species of plants and animals and the complex ecosystems of which they are a part. Government policy for the natural environment is set out in the Natural Environment White Paper (NEWP). The NEWP sets out a vision of moving progressively from net biodiversity loss to net gain, by supporting healthy, well-functioning ecosystems and establishing more coherent ecological networks that are more resilient to current and future pressures. Geological conservation relates to the sites that are designated for their geology and/or their geomorphological importance.	<p>Chapter 8: Biodiversity of the ES (Application Document Reference: TR010031/APP/6.1)[APP-029] considers effects on biodiversity in detail. Table 8-13 summarises the area of priority habitat within the Scheme Footprint, which is due to be lost, with linear habitats detailed within Table 8-14. The assessment shows that the Proposed Scheme will result in a net loss for biodiversity. This is due to a loss for area based habitats and water courses. There will be a gain for hedgerows and other Habitats of Principle Importance. The level of loss has been decreased through the design process. Full details of all habitat losses are provided in the Biodiversity Net Gain Report in Appendix 8.13 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-135].</p> <p>Some construction effects, such as land take during the construction phase, in respect to Longacre Wood Local Wildlife Site (LWS), are significant at a local level only, but are short-term and would cease at the end of the construction period and implementation of the mitigation and compensation. The Landscape Mitigation Design contained within Figure 7.6 of the ES (Application Document Reference: TR010031/APP/6.2)[APP-061] illustrates the overall habitat creation and planting proposals for the Scheme.</p>
5.22 - 5.23 (Biodiversity and ecological conservation)	<p>Where the project is subject to EIA the applicant should ensure that the environmental statement clearly sets out any likely significant effects on internationally, nationally and locally designated sites of ecological or geological conservation importance (including those outside England) on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity and that the statement considers the full range of potential impacts on ecosystems.</p> <p>The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.</p>	<p>Chapter 8: Biodiversity of the ES (Application Document Reference: TR010031/APP/6.4)[APP-029] assesses potential effects on sites, habitats and species of conservation importance including indirect effects.</p> <p>See comments in response to NNNPS paragraph 4.22 above, no international sites of ecological or geological conservation importance are affected by the Scheme.</p> <p>Longacre Wood LWS and Bowes Railway LWS will be subject to temporary adverse significant effects at a local scale during construction. Mitigation measures are proposed to address these effects in the longer term.</p> <p>The Scheme would result in some direct temporary adverse effects (neutral to slight significance) on bats during construction, which will reduce to neutral significance (not significant) by the operational phase. With mitigation, all other European Protected Species and Species of Principal Importance will not be subject to any significant adverse effects. A European Protected Species licence for Great Crested Newts will be required.</p>

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
5.25	As a general principle, and subject to the specific policies below, development should avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives. The applicant may also wish to make use of biodiversity offsetting in devising compensation proposals to counteract any impacts on biodiversity which cannot be avoided or mitigated. Where significant harm cannot be avoided or mitigated, as a last resort, appropriate compensation measures should be sought.	<p>Chapter 8: Biodiversity of the ES (Application Document Reference: TR010031/APP/6.1)[APP-029] assesses potential effects including indirect effects on sites, habitats and species of conservation importance. Tables 8-13, 8-14 and 8-17 provide a summary of the habitat to be lost and that to be created to compensate for the loss.</p> <p>Table 8-15 summarises the potential construction impacts and Table 8-16 summarises the potential operational impacts. Both tables list the ecological features identified during the baseline assessment which have been taken forward in the ES assessment (Application Document Reference: TR010031/APP/6.1)[APP-029].</p>
5.26	In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national and local importance, protected species, habitats and other species of principal importance for the conservation of biodiversity, and to biodiversity and geological interests within the wider environment.	See comments in response to NNNPS paragraphs 5.22-5.23 above.
5.27	<p>The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulations provide statutory protection for European sites (see also paragraphs 4.22 to 4.25). The National Planning Policy Framework states that the following wildlife sites should have the same protection as European sites:</p> <ul style="list-style-type: none"> • Potential Special Protection Areas and possible Special Areas of Conservation; • listed or proposed Ramsar sites; and • sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation and listed or proposed Ramsar sites. 	See comments in response to NNNPS paragraph 4.22 above.
5.28	Many Sites of Special Scientific Interest (SSSIs) are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. All National Nature Reserves are notified as SSSIs.	There are no SSSIs within or adjacent to the Scheme.
5.29 (Biodiversity- SSSIs)	Where a proposed development on land within or outside a SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect on the site's notified special interest features is	There are no SSSIs within or adjacent to the Scheme.

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
	likely, an exception should be made only where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs. The Secretary of State should ensure that the applicant's proposals to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest, are acceptable. Where necessary, requirements and/or planning obligations should be used to ensure these proposals are delivered.	
5.31 (Biodiversity Local Sites)	Sites of regional and local biodiversity and geological interest (which include Local Geological Sites, Local Nature Reserves and Local Wildlife Sites and Nature Improvement Areas) have a fundamental role to play in meeting overall national biodiversity targets, in contributing to the quality of life and the well-being of the community, and in supporting research and education. The Secretary of State should give due consideration to such regional or local designations. However, given the need for new infrastructure, these designations should not be used in themselves to refuse development consent.	The Scheme has been designed to avoid direct effects on regional and local sites of biodiversity and geological interest ('local sites') so far as possible. Local sites present within the study area comprise Bowes Railway LWS, Longacre Wood LWS and the River Team, transport corridors, and a variety of Habitats of Principal Importance and Local Biodiversity Action Plan Habitats. Chapter 8: Biodiversity of the ES (Application Document Reference: TR010031/APP/6.1)[APP-029] assesses potential effects on local sites including indirect effects and proposes appropriate mitigation where a potential adverse effect has been identified.
5.32 (Biodiversity -Irreplaceable habitats including ancient woodland and veteran trees)	Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals, the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this.	There is an ancient woodland site nearby, Longacre Dene, located to the south of junction 66 (Eighton Lodge). However, the Scheme would not have any direct impact on this ancient woodland. Chapter 8: Biodiversity of the ES (Application Document Reference: TR010031/APP/6.1)[APP-029] assesses potential effects on the ancient woodland including indirect effects and concludes that there would not be any deterioration of the ancient woodland as a result of the Scheme. No aged or veteran trees would be adversely affected by the Scheme.
5.33 (Biodiversity – beneficial features)	Development proposals potentially provide many opportunities for building in beneficial biodiversity or geological features as part of good design. When considering proposals, the Secretary of State should consider whether the applicant has maximised such opportunities in and around developments. The Secretary of State may use requirements or planning obligations where appropriate in order to ensure that such beneficial features are delivered.	See comments in response to NNNPS paragraph 5.20 above.

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
5.35 (Biodiversity - Protection of other habitats and species)	<p>Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales and therefore requiring conservation action. The Secretary of State should ensure that applicants have taken measures to ensure these species and habitats are protected from the adverse effects of development. Where appropriate, requirements or planning obligations may be used in order to deliver this protection. The Secretary of State should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits of the development (including need) clearly outweigh that harm.</p>	<p>The Scheme has been designed where possible to avoid direct effects on species and habitats of importance for the conservation of biodiversity. Chapter 8: Biodiversity of the ES (Application Document Reference: TR010031/APP/6.1)[APP-029] considers all species and habitats, identifies those that are of principal importance and where avoidance is not possible proposed appropriate mitigation and enhancement <u>compensation</u> measures <u>are proposed</u>.</p> <p>The Scheme would result in some loss of habitats within the landscape that currently provide connectivity and dispersal routes for species (faunal and floral), including arable, scrub, semi-improved grassland, species poor hedgerows, <u>woodland</u>, watercourses and ditches. Wildlife will be at risk of disturbance, direct mortality and pollution, as well as fragmentation and severance of their habitat. Measures have been designed to mitigate these effects as described in Chapter 8: Biodiversity of the ES (Application Document Reference: TR010031/APP/6.1)[APP-029]. A REAC is also provided in Chapter 3 of the Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007]. The impacts will be the same for both the Embankment option and Viaduct option.</p> <p>Mitigation measures are proposed that will reduce adverse effects through replacing lost habitat; timing of construction works to avoid the most sensitive times of year, re-locating/displacement of relevant protected species before the start of works to move them from the footprint of the Scheme, landscape planting designed to discourage barn owls from hunting within the road corridor and pollution control measures to prevent damage and degradation to habitats. Enhancement measures are also proposed including bat and bird boxes installed onto suitable trees and buildings, or mounted on poles; and consideration of SuDS to give ecological benefits for Allerdene Culvert and attenuation pond.</p> <p>With respect to the construction phase, there is a greater potential for impacts on the water quality of the River Team. Mitigation is recommended in the form of an Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007] and temporary drainage strategy.</p>
5.36 (Biodiversity – Mitigation)	<p>Applicants should include appropriate mitigation measures as an integral part of their proposed development, including identifying where and how that:</p> <ul style="list-style-type: none"> during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; during construction and operation, best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised (including as a consequence of transport access arrangements); 	See comments in response to NNNPS paragraph 5.35 above.

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	<ul style="list-style-type: none"> habitats will, where practicable, be restored after construction works have finished; developments will be designed and landscaped to provide green corridors and minimise habitat fragmentation where reasonable; opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals, for example through techniques such as the 'greening' of existing network crossing points, the use of green bridges and the habitat improvement of the network verge. 	
5.37	The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into in order to ensure that mitigation measures are delivered.	<p>The draft DCO (Application Document Reference: TR010031/APP/3.1)[REP9-003 and REP9-004] includes at Schedule 2 proposed requirements to be attached to any consent. No requirement for planning obligations has been identified.</p> <p>The Application includes a REAC within Chapter 3 of the Outline CEMP- (Application Document Reference: TR010031/APP/7.4) [REP9-008 and REP9-007]. This details the environmental mitigation measures that would be implemented, why they are required, who is responsible for delivering them and any ongoing maintenance and monitoring arrangements.</p>
5.38	The Secretary of State will need to take account of what mitigation measures may have been agreed between the applicant and Natural England and/or the MMO, and whether Natural England and/or the MMO has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.	<p>Natural England has been consulted with regard to protected species and the requirement for any protected species mitigation licences as set out in the Consultation Report (Application Document Reference: TR010031/APP/5.1)[APP-019] and the Consents and Agreements Position Statement (Application Document Reference: TR010031/APP/3.3)[APP-015]. A draft SoCG is being<u>has been</u> developed with Natural England [REP4-028] to record the matters that have been agreed between the Applicant and Natural England and to identify any matters where comments still need to be resolved.</p> <p><u>Natural England submitted a Letter of No Impediment [REP7-004] at Deadline 7 to confirm that Natural England sees no impediment to a licence being issued, should the DCO be granted.</u></p>
5.42 (Waste management)	The applicant should set out the arrangements that are proposed for managing any waste produced. The arrangements described should include information on the proposed waste recovery and disposal system for all waste generated by the development. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that the alternative is the best overall environmental outcome.	Measures for managing waste and materials are proposed and information on the implementation, measuring and monitoring of this measures is detailed within

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		<p>Chapter 10: Material Resources of the ES (Application Document Reference: TR010031/APP/6.1)[APP-031].</p> <p>Chapter 10 summarises the general mitigation tools and processes that would be adopted for the Scheme in relation to managing material resources and waste. This includes a Site Waste Management Plan (SWMP) and through the CEMP.</p> <p>The REAC within Chapter 3 of the Outline CEMP (Application Document Reference: TR010031/APP/7.4) [REP9-008 and REP9-007] also sets out that a SWMP will be produced and maintained by the appointed contractor and is secured through the Requirements in Schedule 2 of the draft DCO (Application Document Reference: TR010031/APP/3.1) [REP9-003 and REP9-004].</p>
5.43	<p>The Secretary of State should consider the extent to which the applicant has proposed an effective process that will be followed to ensure effective management of hazardous and non-hazardous waste arising from the construction and operation of the proposed development. The Secretary of State should be satisfied that the process sets out:</p> <ul style="list-style-type: none"> any such waste will be properly managed, both on-site and off-site; the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arising's in the area; and adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where an alternative is the most sustainable outcome overall. 	<p>The Application includes a REAC within Chapter 3 of the Outline CEMP (Application Document Reference: TR010031/APP/7.4) [REP9-008 and REP9-007]. This details the environmental mitigation measures that would be implemented including the management of hazardous and non-hazardous waste arising from the construction and operation of the Scheme. It also sets out why they are required, who is responsible for delivering them and any ongoing maintenance and monitoring arrangements.</p> <p>Minimising the production of waste has been considered throughout the design process of the Scheme. Any contamination identified may require soils to be treated on-site or taken off-site for treatment or disposal. Any asphalt waste containing coal tar waste identified when removing old road and hard standing sections would be taken off-site for disposal at a suitably licensed facility. Information on the location of waste management facilities has been identified in Chapter 10: Material Resources of the ES (Application Document Reference: TR010031/APP/6.1)[APP-031]. The Scheme would apply the waste hierarchy in order to move waste management practices as far up the hierarchy as possible minimising disposal and maximising re-use and recycling.</p> <p>A Contaminated Land: Applications in Real Environments (CL:AIRE) Material Management Plan would be implemented to mitigate the risks arising from the re-use of materials. The CL:AIRE process is documented in Chapter 10: Material Resources of the ES (Application Document Reference: TR010031/APP/6.1)[APP-031].</p> <p>Also see comments in response to NNNPS paragraph 5.42 above.</p>
5.44	Where necessary, the Secretary of State should use requirements or planning obligations to ensure that appropriate measures for waste management are applied.	Measures for waste management will be secured within the Requirements in Schedule 2 of the draft DCO (Application Document Reference: TR010031/APP/3.1) [REP9-003 AND REP9-004] as well as through the proposals

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		contained in the Outline CEMP (Application Document Reference: TR010031/APP/7.4) [REP9-008 and REP9-007].
5.45	Where the project will be subject to the Environment Agency's environmental permitting regime, waste management arrangements during operations will be covered by the permit and the considerations set out in paragraphs 4.48 to 4.56 will apply.	All necessary waste management permits will be obtained as set out in the Outline CEMP (Application Document Reference: TR010031/APP/7.4) [REP9-008 and REP9-007] and the Consents and Agreements Position Statement (Application Document Reference: TR010031/APP/3.3) [APP-015].
5.46 (Civil and military aviation and defence interests)	Civil and military aerodromes, aviation technical sites, and other types of defence interests (both onshore and offshore) can be affected by new national networks infrastructure development.	Consultation has been undertaken with the relevant bodies (Ministry of Defence, Civil Aviation Authority, National Air Traffic Services and any aerodrome, licensed or otherwise, likely to be affected by the Scheme). It is not expected that the Scheme will affect any civil or military aviation interests. Further details of consultation with these bodies is documented in the Consultation Report (Application Document Reference: TR010031/APP/5.1) [APP-019].
5.62	Where, after reasonable mitigation, operational changes and planning obligations and requirements have been proposed, development consent should not be granted if the Secretary of State considers that: <ul style="list-style-type: none"> • a development would prevent a licensed aerodrome from maintaining its licence; • the benefits of the proposed development are outweighed by the harm to aerodromes serving business, training or emergency service needs; or • the development would significantly impede or compromise the safe and effective use of defence assets or significantly limit military training. 	See comments in response to NNNPS paragraph 5.46 above.
5.71- 5.74 (Coastal change)	Applications for development in a Coastal Change Management Area (CCMA) should make it clear why there is a need for it to be located in a CCMA. For developments in a CCMA, applicants should undertake an assessment of the vulnerability of the proposed development to coastal change, taking account of climate change, during the project's operational life. For any projects involving dredging or disposal into the sea, the applicant should consult the Marine Management Organisation (MMO), and where appropriate, for cross-boundary impacts, Natural Resource Wales and Scottish Natural Heritage, at an early stage. The applicant should also consult the MMO on projects which could impact on coastal change, since the MMO may also be involved in considering other projects which may have related coastal impacts.	The Scheme is not within a CCMA.

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5.82 (Dust, odour, artificial light, smoke, steam)	<p>Because of the potential effects of these emissions and in view of the availability of the defence of statutory authority against nuisance claims s.104 of the Planning Act 2008 described previously, it is important that the potential for these impacts is considered by the applicant in their application, by the Examining Authority in examining applications and by the Secretary of State in taking decisions on development consents.</p>	<p>The EIA prepared for the Scheme assesses compliance with this policy to the extent that it is relevant to the Scheme. There is no potential for odour, smoke and steam resulting from the Scheme and these are not assessed.</p> <p>Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026] considers construction dust impacts.</p> <p>Lighting is assessed in Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1)[APP-028].</p> <p>The Outline CEMP (Application Document Reference: TR010031/APP/7.4), [REP9-008 and REP8-007] details the mitigation measures that would be implemented during the construction of the Scheme. The Outline CEMP will be developed into the final CEMP and would be secured through Requirements in Schedule 2 of the draft DCO (Application Document Reference: TR010031/APP/3.1) [REP9-003 AND REP9-004].</p> <p>For further details on statutory nuisance also refer to the Statement Relating to Statutory Nuisance (Application Document Reference: TR010031/APP/5.2)[APP-020].</p>
5.83	<p>For nationally significant infrastructure projects of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. Impacts should be kept to a minimum and should be at a level that is acceptable.</p>	<p>See comments in response to NNNPS paragraph 5.82 above.</p>
5.84 - 5.86 (Dust, odour, artificial light, smoke, steam)	<p>Where the development is subject to an Environmental Impact Assessment, the applicant should assess any likely significant effects on amenity from emissions of odour, dust, steam, smoke and artificial light and describe these in the Environmental Statement.</p> <p>In particular, the assessment provided by the applicant should describe:</p> <ul style="list-style-type: none"> • the type and quantity of emissions; • aspects of the development which may give rise to emissions during construction, operation and decommissioning; • premises or locations that may be affected by the emissions; • effects of the emission on identified premises or locations; and • measures to be employed in preventing or mitigating the emissions. <p>The applicant is advised to consult the relevant local planning authority and, where appropriate, the Environment Agency about the scope and methodology of the assessment.</p>	<p>See comments in response to NNNPS paragraph 5.82 above.</p> <p>Consultation has taken place with Gateshead Council and the Environment Agency as reported in the Consultation Report (Application Document Reference: TR010031/APP/5.1)[APP-019] and Appendix 4.4: Environmental Consultation of the ES (Application Document Reference: TR010031/APP/6.3)[APP-106] with regard to scope and methodology of the EIA.</p> <p>The EIA prepared for the Scheme assesses likely significant effects. There is no potential for odour, smoke and steam resulting from the operation of the Scheme and these are not therefore assessed.</p> <p>Chapter 5: Air Quality of the ES (Application Document Reference: TR010031/APP/6.1)[APP-026] considers construction dust impacts.</p> <p>Artificial lighting is assessed in Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1)[APP-028] and the Statement Relating to Statutory Nuisance (Application Document Reference: TR010031/APP/5.2)[APP-020].</p>

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5.87	The Secretary of State should be satisfied that all reasonable steps have been taken, and will be taken, to minimise any detrimental impact on amenity from emissions of odour, dust, steam, smoke and artificial light. This includes the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.	The ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-037] assesses potential effects including indirect effects and proposes appropriate mitigation where a potential adverse effect has been identified. See comments in response to NNNPS paragraph 5.82 above.
5.88	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, then the defence should be disapplied, in whole or in part, through a provision in the Development Consent Order.	The draft DCO (Application Document Reference: TR010031/APP/3.1) [REP9-003 and REP9-004] contains the defence of statutory authority against nuisance claims. This includes the construction or maintenance of the authorised development and nuisance which is attributable to the carrying out of the authorised development which cannot reasonably be avoided.
5.89	The Secretary of State should ensure the applicant has provided sufficient information to show that any necessary mitigation will be put into place. In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning emissions of odour, dust, steam, smoke, artificial light from the development to reduce any loss to amenity which might arise during the construction and operation of the development. A construction management plan may help codify mitigation.	See comments in response to NNNPS paragraph 5.82 above.
5.91 (Flood risk)	The National Planning Policy Framework (paragraphs 100 to 104) makes clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. But where development is necessary, it should be made safe without increasing flood risk elsewhere. The guidance supporting the National Planning Policy Framework explains that essential transport infrastructure (including mass evacuation routes), which has to cross the area at risk, is permissible in areas of high flood risk, subject to the requirements of the Exception Test.	The Scheme crosses the floodplain of the River Team at junction 67 (Coal House) and involves the remodelling of the junction with proposed works potentially involving the extension of the River Team culvert associated with carriageway widening and alteration to the roundabout. The Scheme is classed as 'Essential Infrastructure' under the NPPF. Essential Infrastructure within Flood Zone 3 requires the Sequential Test (a test to compare the chosen site to other sites) and Exception Test (to show the wider sustainable benefits to the community as a result of a scheme outweigh the flood risk) to be passed before it is considered to be acceptable. The FRA in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] confirms that the exception test has been undertaken. The Scheme will remain safe throughout its design life and that flood risk will not be increased elsewhere. The FRA has considered the risk from all sources of flooding to and from the Scheme. The proposed drainage strategy (see Chapter 5 of the FRA) outlines how the Scheme will deal with surface water via combined kerb and drainage units, gullies, filter drains, combined surface and sub-surface drainage, surface water channels and slotted linear drainage channels. An attenuation pond will be provided at a proposed location

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5.92 - 5.93	<p>Applications for projects in the following locations should be accompanied by a flood risk assessment (FRA):</p> <ul style="list-style-type: none"> • Flood Zones 2 and 3, medium and high probability of river and sea flooding; • Flood Zone 1 (low probability of river and sea flooding) for projects of 1 hectare or greater, projects which may be subject to other sources of flooding (local watercourses, surface water, groundwater or reservoirs), or where the Environment Agency has notified the local planning authority that there are critical drainage problems. <p>This should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</p>	<p>of the redundant A1 carriageway, just east of where the existing Allerdene Bridge is located. The attenuation pond will capture all the water drained from the majority of the catchment. This would reduce the rate of the surface water run-off which would have flowed freely ultimately into the River Team. The pond would do this by storing surface water run-off during peak flow (i.e. heavy rainfall) and slowly releasing the water after the peak flow has passed.</p> <p>Figure 4 of the FRA in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] shows the flood zones in the vicinity of the Scheme. Other than junction 67 (Coal House) the remainder of the site is located within Flood Zone 1, which is associated with a low risk of flooding from fluvial and coastal sources (an annual probability of less than 1 in 1000). Parts of the site around junction 67 (Coal House) are located in higher risk areas (Zones 2 and 3 – River Team Floodplain). A FRA and Surface Water Drainage Strategy (to include attenuation) for the Scheme has been undertaken.</p> <p>The western half of junction 67 (Coal House) and part of the slip roads (to the west of the junction) are within Flood Zone 2 with respect to fluvial flooding from the River Team. Flood Zone 2 equates to an annual probability of fluvial flooding of between 1 in 1000 and 1 in 100 (0.1-1%).</p> <p>Flood Zone 3 extends up to the south of the junction, and close to the A1 main carriageway within the centre of the junction. Flood Zone 3 equates to an annual probability of fluvial flooding of greater than 1 in 100 (>1%). <u>The Scheme includes flood plain compensation to offset the loss of flood plain associated with the construction of additional piers to support the Kingsway Viaduct.</u></p> <p>The FRA in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] has considered the risk from all sources of flooding to and from the Scheme.</p>
5.94	<p>In preparing an FRA the applicant should:</p> <ul style="list-style-type: none"> • consider the risk of all forms of flooding arising from the project (including in adjacent parts of the United Kingdom), in addition to the risk of flooding to the project, and demonstrate how these risks: • will be managed and, where relevant, mitigated, so that the development remains safe throughout its lifetime; • take the impacts of climate change into account, clearly stating the development lifetime over which the assessment has been made; • consider the vulnerability of those using the infrastructure including arrangements for safe access and exit; 	<p>The FRA in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] has considered the risk from all sources of flooding to and from the Scheme. Management of the increased impermeable area will restrict surface water runoff to greenfield rates and ultimately reduce the discharge rate of surface water into the receiving River Team, providing a negligible to minor benefit downstream.</p> <p>The Environment Agency's Risk of Flooding from Reservoirs Map shows junction 67 (Coal House) to be within the maximum flood extent should Kielder Water Reservoir and Derwent Reservoir fail, which are the closest reservoirs to the Scheme.</p>

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5	<p>Generic Impacts</p> <ul style="list-style-type: none"> include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that this is acceptable for the particular project; consider if there is a need to remain operational during a worst case flood event over the development's lifetime; provide the evidence for the Secretary of State to apply the Sequential Test and Exception Test, as appropriate. 	<p>However, the Environment Agency states that reservoir flooding is extremely unlikely to happen therefore, this risk is considered to be low.</p> <p>The FRA concludes that the majority of the Scheme is located in Flood Zone 1, which has the lowest probability of flooding. However, a small part of the site near junction 67 (Coal House) is located in Flood Zone 2 and Flood Zone 3. The works are to an existing road already located within the flood zone, therefore cannot be located in an area of lower flood risk. Therefore, the requirements of the Sequential Test are considered met, but the Exception Test is required.</p> <p>The Exception Test is passed for the Scheme as the FRA successfully demonstrated that the Scheme will remain safe throughout its design life and that flood risk will not be increased elsewhere. Additionally, the wider benefits of the Scheme are detailed in section 2.2 of Chapter 2: The Scheme of the ES (Application Document Reference: TR010031/APP/6.1)[APP-023]. This demonstrates that the Scheme benefits be considered to outweigh the flood risk to and from the proposed development.</p> <p>The terminology regarding flood risk is consistent with that as defined by the EA².</p>
5.96	<p>Applicants for projects which may be affected by, or may add to, flood risk are advised to seek sufficiently early pre-application discussions with the Environment Agency, and, where relevant, other flood risk management bodies such as lead local flood authorities, Internal Drainage Boards, sewerage undertakers, highways authorities and reservoir owners and operators. Such discussions can be used to identify the likelihood and possible extent and nature of the flood risk, to help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application once it has been submitted and examined. If the Environment Agency has concerns about the proposal on flood risk grounds, the applicant is encouraged to discuss these concerns with the Environment Agency and look to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the Environment Agency's concerns, preferably before the application for development consent is submitted.</p>	<p>Section 13.4 of Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] demonstrates how the Environment Agency has been consulted directly regarding the drainage designs, flood risk, water quality and potential effects on aquatic habitats. In addition, the Environment Agency has provided recommendations regarding the scope of the environmental assessments and the proposed mitigation measures, which are recorded in Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] and Appendix 4.4 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-106].</p> <p>Consultation has also been undertaken with Gateshead Council as Lead Local Flood Authority as set out in Section 13.4 of Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034]. <u>The agreement with the Lead Local Flood Authority, Gateshead Council, which covers Road Drainage and the Water Environment of the ES, including flood risk is detailed in the Statement of Common Ground with Gateshead Council [REP9-009 and REP9-010].</u></p>
5.97	<p>For local flood risk (surface water, groundwater and ordinary watercourse flooding), local flood risk management strategies and surface water</p>	<p>See comments in response to NNNPS paragraph 5.91 above.</p>

² Long Term Flood Risk Information, <https://flood-warning-information.service.gov.uk/long-term-flood-risk/risk-types>

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	management plans provide useful sources of information for consideration in Flood Risk Assessments. Surface water flood issues need to be understood and then account of these issues can be taken, for example flow routes should be clearly identified and managed.	
5.98	<p>Where flood risk is a factor in determining an application for development consent, the Secretary of State should be satisfied that, where relevant:</p> <ul style="list-style-type: none"> the application is supported by an appropriate FRA; the Sequential Test (see the National Planning Policy Framework) has been applied as part of site selection and, if required, the Exception Test (see the National Planning Policy Framework). 	<p>The FRA in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] has considered the risk from all sources of flooding to and from the Scheme. Management of the increased impermeable area will restrict surface water runoff to greenfield rates and ultimately reduce the discharge rate of surface water into the receiving River Team, providing a negligible to minor benefit downstream.</p> <p>The Environment Agency's Risk of Flooding from Reservoirs Map shows junction 67 (Coal House) to be within the maximum flood extent should Kielder Water Reservoir and Derwent Reservoir fail, which are the closest reservoirs to the Scheme. However, the Environment Agency states that reservoir flooding is extremely unlikely to happen therefore, this risk is considered to be low.</p> <p>The FRA concludes that the majority of the Scheme is located in Flood Zone 1, which has the lowest probability of flooding. However, a small part of the site near junction 67 (Coal House) is located in Flood Zone 2 and Flood Zone 3. <u>Floodplain compensation is provided to offset the loss of floodplain associated with the River Team.</u> The works are to an existing road already located within the flood zone, therefore cannot be located in an area of lower flood risk. Therefore, the requirements of the Sequential Test are considered met, but the Exception Test is required.</p> <p>The Exception Test is passed for the proposed development as the FRA successfully demonstrated that the Scheme will remain safe throughout its design life and that flood risk will not be increased elsewhere. Additionally, the wider benefits of the Scheme are detailed in Section 2.2 of Chapter 2: The Scheme of the ES (Application Document Reference: TR010031/APP/6.1)[APP-023]. This demonstrates that the Scheme benefits be considered to outweigh the flood risk to and from the Scheme.</p> <p><u>The Environment Agency have agreed with the findings of the FRA as detailed in the Statement of Common Ground with the Environment Agency [REP10-006].</u></p>
5.99	When determining an application, the Secretary of State should be satisfied that flood risk will not be increased elsewhere and only consider development appropriate in areas at risk of flooding where (informed by a flood risk assessment, following the Sequential Test and, if required, the Exception Test), it can be demonstrated that:	<p>As per comments in response to NNNPS paragraph 5.91 and 5.94 above. The final CEMP will include an Emergency Response Plan. <u>The FRA demonstrates that there is no increase in risk of flooding elsewhere as a result of the Scheme and that the Sequential and Exception Tests are passed.</u></p> <p><u>The surface water drainage system uses SuDS where appropriate through an attenuation pond at Outfall 8, other areas where there is insufficient space along</u></p>

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	<ul style="list-style-type: none"> • within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; • development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and • priority is given to the use of sustainable drainage systems. 	<p><u>the existing highway corridor use oversized pipes and crates. This is agreed with the LLFA / Gateshead Council as being an appropriate approach in the Statement of Common Ground with Gateshead Council [REP9-009 and REP9-010].</u></p>
5.100	<p>For construction work which has drainage implications, approval for the project's drainage system will form part of any development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010. In addition, the development consent order, or any associated planning obligations, will need to make provision for the adoption and maintenance of any Sustainable Drainage Systems (SuDS), including any necessary access rights to property. The Secretary of State, should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. The responsible body could include, for example, the applicant, the landowner, the relevant local authority, or another body such as the Internal Drainage Board.</p>	<p>The proposed drainage system complies with National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010.</p> <p>The FRA in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] notes that the drainage scheme has been designed according to national SuDS best practice <u>and has been approved by the LLFA in the Statement of Common Ground with Gateshead Council [REP9-009 and REP9-010].</u></p> <p>The Applicant will be responsible (as necessary) for maintenance of these features. The draft DCO (Application Document Reference: TR010031/APP/3.1) [REP9-003 and REP9-004] includes within the Requirements (Schedule 2) proposed requirements for drainage.</p>
5.102	<p>The Secretary of State should expect that reasonable steps have been taken to avoid, limit and reduce the risk of flooding to the proposed infrastructure and others. However, the nature of linear infrastructure means that there will be cases where:</p> <ul style="list-style-type: none"> • upgrades are made to existing infrastructure in an area at risk of flooding; • infrastructure in a flood risk area is being replaced; • infrastructure is being provided to serve a flood risk area; and • infrastructure is being provided connecting two points that are not in flood risk areas, but where the most viable route between the two passes through such an area. 	<p>See comments in response to NNNPS paragraph 5.91 and 5.94 above.</p>
5.103	<p>The design of linear infrastructure and the use of embankments in particular, may mean that linear infrastructure can reduce the risk of flooding for the surrounding area. In such cases the Secretary of State should take account of any positive benefit to placing linear infrastructure in a flood risk area.</p>	<p>No opportunities have been identified to reduce the risk of flooding for the surrounding area as the majority of the Scheme is located in Flood Zone 1 and therefore opportunities for improvement are limited. Where the Scheme is in Flood Zones 2 and 3, it is on a viaduct.</p>

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		<p>As detailed in the FRA, Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163], the Scheme will require the following, depending on which design option is progressed:</p> <ul style="list-style-type: none"> • Embankment option - The existing Allerdene Culvert will be lengthened downstream to accommodate the new bridge and the upstream section will be daylighted to reduce the length of the resulting culvert. Furthermore, an approximate 300m of the open section of the watercourse downstream will be realigned parallel to the new bridge; • Viaduct option - The Allerdene Culvert will be replaced by an engineered open channel and the existing watercourse downstream will be realigned to accommodate the new bridge. The proposed channel (new section and realignment) will be approximately 620m in length and will run under one of the bridge spans of the new structure. The potential effects of these changes have been modelled in InfoWorks ICM, with a detailed methodology provided in Appendix A of the FRA.
5.104	Where linear infrastructure has been proposed in a flood risk area, the Secretary of State should expect reasonable mitigation measures to have been made, to ensure that the infrastructure remains functional in the event of predicted flooding.	<p>Appropriate mitigation measures are proposed in the FRA in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] to ensure that the infrastructure remains functional.</p> <p>The REAC in Chapter 3 of the Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007] details the mitigation measures that would be implemented both during construction and operation of the Scheme, why they are required, who is responsible for delivering them and any ongoing maintenance and monitoring arrangements.</p>
5.109	In addition, any project that is classified as 'essential infrastructure' and proposed to be located in Flood Zone 3a or b should be designed and constructed to remain operational and safe for users in times of flood; and any project in Zone 3b should result in no net loss of floodplain storage and not impede water flows. ³¹	<p>The Scheme is classed as essential infrastructure under the NPPF. Where the Scheme crosses the floodplain of the River Team, there are sections of the Scheme within Flood Zone 2 (medium risk (0.1%-1.0% Annual Exceedance Probability (AEP)) and Flood Zone 3 (>1.0% AEP). The main carriageway is raised above the floodplain on the Kingsway Viaduct, and the proposed changes to the viaduct as a part of this Scheme have been modelled to show that flood risk will not be increased.</p> <p>The viaduct piers will remove a small proportion of the flood plain, this is to be compensated through a 130mm reduction in levels across a strip 2.6m wide and 38m long to provide 8.72m³ of compensatory storage. This is described in the FRA in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163].</p>

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5.112 - 5.115 (Flood risk - mitigation)	<p>Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.</p> <p>The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.</p> <p>It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation.</p> <p>The sequential approach should be applied to the layout and design of the project. Vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities can be taken to lower flood risk by improving flow routes, flood storage capacity and using SuDS.</p>	<p>The Scheme and proposed surface water drainage systems have been designed to cope with events that exceed design capacity of the system, so that water can be stored safely without adverse impact. This is outlined in the FRA in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163].</p> <p>Through the use of on-site surface water storage including storage tanks within the junction 67 (Coal House) roundabout and a large attenuation pond adjacent to the existing Allerdene Bridge, the volumes and peak flow rates of surface water leaving the site will be limited to ensure that they are no greater than the rates prior to the Scheme. This is outlined in the FRA in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163].</p> <p>In terms of the Sequential Test, the location of the Scheme is driven by the need to enhance the existing highway, which cannot be relocated into lower flood zones and will need to cross the flood plain of the River Team. Therefore, no other locations can be considered. Furthermore, the Scheme is largely located in Flood Zone 1, as it is elevated above the floodplain of the Allerdene Burn and the River Team as at these points it is on a bridge crossing the East Coast Main Line (ECML) and the Kingsway Viaduct respectively. All other sources of flooding have been considered and are detailed in the FRA.</p> <p>In terms of the Exception Test, the FRA contained in Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] demonstrates that the Scheme will remain safe throughout its design life and that flood risk will not be increased elsewhere.</p>
5.116	<p>The effects of land instability may result in landslides, subsidence or ground heave. Failing to deal with this issue could cause harm to human health, local property and associated infrastructure, and the wider environment. They occur in different circumstances for different reasons and vary in their predictability and in their effect on development.</p>	<p>A response on how land instability has been addressed is provided in comments in response to NNNPS paragraphs 5.117 – 5.118 below.</p>
5.117-5.118	<p>Where necessary, land stability should be considered in respect of new development, as set out in the National Planning Policy Framework and supporting planning guidance. Specifically, proposals should be appropriate for the location, including preventing unacceptable risks from land instability. If land stability could be an issue, applicants should seek appropriate technical and environmental expert advice to assess the likely consequences of proposed developments on sites where subsidence, landslides and ground compression is known or suspected. Applicants should liaise with the Coal Authority if necessary. A preliminary assessment of ground instability should be carried out at the earliest possible stage before a detailed application for development consent is prepared. Applicants should ensure that any</p>	<p>Chapter 9: Geology and Soils of the ES (Application Document Reference: TR010031/APP/6.4)[APP-030] states that the natural ground hazards are not likely to impact the line of the new carriageway based on the desk based information. Shallow worked coal seams and a number of historical mine shafts have been identified within the study area, which if left untreated could pose a below ground collapse risk if built upon. Ground instability risks will be mitigated as part of the construction phase works through grouting. All monitoring requirements and validation elements will be set out in the CEMP and Handover Environmental Management Plan.</p>

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5.119	<p>necessary investigations are undertaken to ascertain that their sites are and will remain stable or can be made so as part of the development. The site needs to be assessed in context of surrounding areas where subsidence, landslides and land compression could threaten the development during its anticipated life or damage neighbouring land or property. This could be in the form of a land stability or slope stability risk assessment report.</p> <p>Applicants have a range of mechanisms available to mitigate and minimise risks of land instability. These include:</p> <ul style="list-style-type: none"> Establishing the principle and layout of new development, for example avoiding mine entries and other hazards. Ensuring proper design of structures to cope with any movement expected, and other hazards such as mine and/or ground gases; <p>or</p> <ul style="list-style-type: none"> Requiring ground improvement techniques, usually involving the removal of poor material and its replacement with suitable inert and stable material. <p>For development on land previously affected by mining activity, this may mean prior extraction of any remaining mineral resource.</p>	<p>Ensuring the proper design of structures to cope with any movement expected and making use of ground improvement techniques, where necessary, is a routine part of geotechnical engineering design and is subject to design certification under Volume 4 of DMRB.</p> <p>Chapter 9: Geology and Soils of the ES (Application Document Reference: TR010031/APP/6.1)[APP-030] describes the mitigation measures included to avoid ground collapse and structural damage. This includes: drilling and grouting to stabilise shallow voids in the ground associated with historical mine workings at a depth considered to present a risk to the Scheme; and grouting pressure checks undertaken when pumping any grout into the ground.</p> <p>With the exception of coal, the Scheme footprint does not cross any areas defined as potential mineral resource areas, as illustrated by the Northumberland and Tyne and Wear Mineral Resource (South) map. Given the location of the existing highway and depth to coal, future coal extraction is not considered to be either practical or commercially viable within the Scheme footprint. Impacts to mineral safeguard areas and sterilisation of mineral resource have therefore not been considered further in the environmental assessment.</p>
5.122 – 5.125	<p>Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called 'heritage assets'. Heritage assets may be buildings, monuments, sites, places, areas or landscapes. The sum of the heritage interests that a heritage asset holds is referred to as its significance.</p> <p>Significance derives not only from a heritage asset's physical presence, but also from its setting. Some heritage assets have a level of significance that justifies official designation. Categories of designated heritage assets are: World Heritage Sites; Scheduled Monuments; Listed Buildings; Protected Wreck Sites; Protected Military Remains; Registered Parks and Gardens; and Registered Battlefields; Conservation Areas.</p> <p>Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments, should be</p>	<p>Chapter 6: Cultural Heritage of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027] addresses the value of archaeological assets including the relevance of setting with regard to specific assets. Tables 6-10 and 6-11 of Chapter 6 describe the value of designated and non-designated assets.</p>

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5.126 - 5.127 (The historic environment)	<p>considered subject to the policies for designated heritage assets. The absence of designation for such heritage assets does not indicate lower significance.</p> <p>The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan process by local authorities, including 'local listing', or through the nationally significant infrastructure project examination and decision making process) on the basis of clear evidence that the assets have a significance that merit consideration in that process, even though those assets are of lesser value than designated heritage assets.</p> <p>Where the development is subject to EIA the applicant should undertake an assessment of any likely significant heritage impacts of the proposed project as part of the Environmental Impact Assessment and describe these in the environmental statement.</p> <p>The applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant Historic Environment Record should have been consulted and the heritage assets assessed using appropriate expertise. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, a field evaluation.</p>	<p>Construction of the Scheme has the potential to disturb known and unknown archaeological remains. It also has potential to impact the setting of nearby cultural heritage assets. Chapter 6: Cultural Heritage of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027] addresses the value of archaeological assets including the relevance of setting with regard to specific assets, and assesses the potential impact of the Scheme.</p> <p>During consultation with Historic England, it was advised that the Applicant carried out archaeological recording of the retaining wall associated with Bowes Railway Scheduled Monument located on the Longbank Bridleway between junction 65 (Birtley) and junction 66 (Eighton Lodge). The Tyne and Wear Archaeology Officer at Newcastle City Council was also consulted and advised that a geophysical survey should be carried out, followed up by a programme of archaeological investigation for those areas of the Scheme affected by the Scheduled Monument north of the A1 near the Bowes Incline Hotel.</p> <p>The results of the assessment and surveys undertaken are included in Appendices 6.1 to 6.3 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-118 to APP-120].</p>
5.128	<p>In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development (including by development affecting the setting of a heritage asset), taking account of the available evidence and any necessary expertise from:</p> <ul style="list-style-type: none"> • relevant information provided with the application and, where applicable, relevant information submitted during examination of the application; • any designation records; • the relevant Historic Environment Record(s), and similar sources of information; 	<p>See comments in response to NNNPS paragraphs 5.126 – 5.127 above.</p> <p>Chapter 6: Cultural Heritage of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027] describes the data sources accessed to understand the baseline conditions, and the value and significance of each heritage asset considered.</p> <p>Table 6-9 of Chapter 6 of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027] details the consultation undertaken in relation to cultural heritage, including data requests that have been made to relevant stakeholders and agreed methodology.</p> <p>Annex N of the Consultation Report (Application Document Reference: TR010031/APP/5.1)[APP-019] provides a summary of responses provided by</p>

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	<ul style="list-style-type: none"> representations made by interested parties during the examination; and expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it. 	stakeholders such as Historic England, Gateshead Council and Newcastle City Council on heritage matters during statutory consultation. Chapter 2 of the Consultation Report also documents the ongoing engagement with these stakeholders.
5.129	In considering the impact of a proposed development on any heritage assets, the Secretary of State should take into account the particular nature of the significance of the heritage asset and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.	See comments in response to NNNPS paragraph 5.128 above.
5.130	<p>The Secretary of State should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities - including their economic vitality.</p> <p>The Secretary of State should also take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height; massing, alignment, materials, use and landscaping (for example, screen planting).</p>	<p>The impact on the setting of the Angel of the North has been assessed as potentially beneficial in Section 6.8 of Chapter 6: Cultural Heritage of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027], as the landscape and mitigation strategy in areas where planting would be cleared for construction work and includes for replanting which would be less dense than that currently seen. Further details of the assessment are provided in Appendix 6.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-118].</p> <p>The significance of the impact on Bowes Railway and the mitigation and enhancement measures are also set out in Chapter 6: Cultural Heritage of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027].</p>
5.131	When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. Once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Given that heritage assets are irreplaceable, harm or loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional. Substantial harm to or loss of designated assets of the highest significance, including World Heritage Sites, Scheduled Monuments, grade I and II* Listed Buildings, Registered Battlefields, and grade I and II* Registered Parks and Gardens should be wholly exceptional.	<p>The Scheme has a direct permanent and irreversible effect on Bowes Railway Scheduled Monument as a result of the loss of a section of the retaining wall. The Railway appears on the Historic England Heritage at Risk Register, where Bowes Railway is listed as being in very bad condition and at risk of further deterioration or loss of fabric.</p> <p>Chapter 6: Cultural Heritage of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027] sets out the assessment of effects on this and other heritage assets. The assessment concludes that there will be significant effects on the Bowes Railway Scheduled Monument and its setting, Lamesley Quarry and Wagonway, ridge and furrow earthworks and Chester-Le-Street Roman Road during construction. These effects will reduce to not significant during operation.</p> <p><u>The Addendum to the Environmental Statement for the additional land [REP4-058] concluded that the impacts to the Lamesley Conservation Area during construction will be temporary and would be mitigated when the additional land is returned to pasture. Therefore, the Scheme will not have a permanent impact on the status and significance of the Conservation Area.</u></p> <p>Chapter 5 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] provides an outline of the case for</p>

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		the Scheme within the planning policy context. It states that the presence of the Scheme would not result in any adverse effects on cultural heritage assets, including both designated and non-designated assets once construction is completed.
5.132	Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset, the greater the justification that will be needed for any loss.	See comments in response to NNNPS paragraph 5.131 above.
5.133	<p>Where the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm, or alternatively that all of the following apply:</p> <ul style="list-style-type: none"> • the nature of the heritage asset prevents all reasonable uses of the site; and • no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and • conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and • the harm or loss is outweighed by the benefit of bringing the site back into use. 	Chapter 6: Cultural Heritage of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027] shows that no substantial harm has been identified for designated cultural heritage assets.
5.134	Where the proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.	See comments in response to NNNPS paragraph 5.131 above.
5.135	Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. The Secretary of State should treat the loss of a building (or other element) that makes a positive contribution to the site's significance either as substantial harm or less than substantial harm, as appropriate, taking into account the relative significance of the elements affected and their contribution to the significance of the Conservation Area or World Heritage Site.	<p>The Scheme would have no effect on any World Heritage Sites.</p> <p>Chapter 6: Cultural Heritage of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027] assesses the effects of the Scheme on the Lamesley Village, Ravensworth Park, Birtley and Chowdene Conservation Areas, which lie within the 1km of the Scheme. It concludes that there will be no significant adverse effects on these Conservation Areas.</p> <p><u>The Applicant undertook further investigation on the additional land including a topographical survey and geophysical survey. The Addendum to the Environmental Statement for the additional land [REP4-058] concluded that the impacts to the Lamesley Conservation Area during construction will be temporary and would be</u></p>

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		<p><u>mitigated when the additional land is returned to pasture. Therefore, the Scheme will not have a permanent impact on the status and significance of the Conservation Area.</u></p>
5.136	<p>Where the loss of significance of any heritage asset has been justified by the applicant based on the merits of the new development and the significance of the asset in question, the Secretary of State should consider imposing a requirement that the applicant will prevent the loss occurring until the relevant development or part of development has commenced.</p>	<p>Chapter 6: Cultural Heritage of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027] confirms that no existing heritage assets will be lost. However, permanent adverse impacts to the significance of Bowes Railway Scheduled Monument would occur as a result of the loss of a section of the retaining wall. These effects would be permanent and irreversible. This has been mitigated by the recording of the retaining wall. To mitigate impacts on setting, the installation of an interpretation panel near to Bowes Railway Scheduled Monument and the Longbank Bridleway Underpass are also proposed.</p> <p>The draft requirements contained in Schedule 2 of the draft DCO (Application Document Reference: TR010031/APP/3.1) [REP9-003 and REP9-004] make provision protection of heritage assets to prevent their loss occurring until the relevant development or part of development has commenced.</p>
5.137	<p>Applicants should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.</p>	<p>See comments in response to NNNPS paragraph 5.1.30 above.</p> <p>Chapter 6: Cultural Heritage of the ES (Application Document Reference: TR010031/APP/6.1)[APP-027] states that the impact on the setting of the Angel of the North (which lies within a Conservation Area) has been assessed as potentially beneficial. This is due to the landscape and mitigation strategy, which include proposals in areas where planting would be cleared for construction work, and replanting which would be less dense than that currently seen.</p>
5.138	<p>Where there is evidence of deliberate neglect of or damage to a heritage asset the Secretary of State should not take its deteriorated state into account in any decision.</p>	<p>There has not been, and will be, no deliberate neglect or damage by the Applicant on heritage assets. A photographic survey was undertaken at The Bowes Railway (WSP 2018), which identified the good survival of the retaining wall. In particular, the sections which are likely to be demolished as part of the Scheme.</p>
5.139 - 140	<p>A documentary record of our past is not as valuable as retaining the heritage asset and therefore the ability to record evidence of the asset should not be a factor in deciding whether consent should be given.</p> <p>Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State should require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the importance and the impact. Applicants should be required to deposit copies of the reports with the relevant Historic Environment Record. They</p>	<p>Recording has been undertaken of the retaining wall associated with Bowes Railway Scheduled Monument as detailed in Appendix 6.3 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-120]. Historic England has requested that the section of masonry retaining wall of the Bowes Railway Schedule Monument (1003723) to be demolished is dismantled by a suitably qualified archaeologist to record any features such as mason's marks.</p> <p>If any unknown buried archaeology is perceived to be of international or national importance it may require preservation in situ, whilst those of lesser importance</p>

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	should also be required to deposit the archive generated in a local museum or other public depository willing to receive it.	<p>may undergo archive recording, where they are of Regional/County or Local/Borough importance.</p> <p>The draft requirements contained in Schedule 2 of the draft DCO (Application Document Reference: TR010031/APP/3.1) [REP9-003 and REP9-004] make provision for protection of heritage assets and unknown buried archaeology where appropriate.</p>
5.142	Where there is a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the Secretary of State should consider requirements to ensure that appropriate procedures are in place for the identification and treatment of such assets discovered during construction.	<p>Historic England has requested that an archaeological excavation is undertaken at the location of the proposed foundation trenches for Longbank Bridleway Underpass prior to construction works taking place, to record any archaeology that survives below-ground. A programme of archaeological monitoring (watching brief) would be undertaken during the excavation within the railway cutting associated with Bowes Railway Scheduled Monument.</p> <p>The draft requirements contained in the draft DCO (Application Document Reference: TR010031/APP/3.1) [REP9-003 and REP9-004] make provision protection of heritage assets and unknown buried archaeology where appropriate.</p>
5.144 - 5.146 (Landscape and visual impacts)	<p>Where the development is subject to EIA the applicant should undertake an assessment of any likely significant landscape and visual impacts in the environmental impact assessment and describe these in the environmental assessment. A number of guides have been produced to assist in addressing landscape issues. The landscape and visual assessment should include reference to any landscape character assessment and associated studies, as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England.</p> <p>The applicant's assessment should include any significant effects during construction of the project and/or the significant effects of the completed development and its operation on landscape components and landscape character (including historic landscape characterisation).</p> <p>The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include any noise and light pollution effects, including on local amenity, tranquillity and nature conservation.</p>	<p>Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1) [APP-028] reports on the methodology, baseline conditions and findings of a Landscape and Visual Impact Assessment (LVIA). The LVIA was carried out in accordance with DMRB Volume 11, Section 3, Part 5; Interim Advice Note (IAN) 135/10 Landscape and Visual Effects Assessment; and the Guidelines for Landscape and Visual Impact Assessment. The LVIA also takes account of local development plan policies in respect of landscape and visual effects. Much of the Scheme is located within or adjacent to designated Green Belt and the LVIA takes account of national and local planning policies in this regard.</p> <p>The assessment considers both construction phase and operational phase impacts of the Scheme.</p> <p>The assessment has concluded that upon completion of the Scheme, the majority of residential receptors would be subject to impacts at the lower end of the scale, <u>however 11 no. receptors would be subject to a moderate adverse effect (significant)</u>. As a result, the significance of effect would be slight adverse (not significant) for 110 no. receptors and neutral (not significant) for 365 no. receptors during the opening year.</p> <p>By year 15 of operation, it is expected that the majority of effects would reduce in significance to neutral (not significant) once planting has established. However, some slight to moderate adverse impacts would remain for a very small number of receptors where views of the Viaduct option for Allerdene Bridge would be visible, including receptor P3 (public right of way in Lamesley). The total number of receptors identified</p>

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		<p>as being subject to a significant effect would be 10, and 4 receptors would be subject to a slight adverse (not significant) effect.</p> <p>Of the 23 no. PRoW (public rights of way) identified as having a view of the Scheme, all but one (Right of Way P3) would not be subject to a significant effect upon completion of the Scheme. All highway receptor locations identified within the assessment would be subject to visual effects no greater than slight adverse, with the majority subject to an effect of neutral (not significant).</p>
5.147- 5.148	<p>Any statutory undertaker commissioning or undertaking works in relation to, or so as to affect land in a National Park or Areas of Outstanding Natural Beauty, would need to comply with the respective duties in section 11A of the National Parks and Access to Countryside Act 1949 and section 85 of the Countryside and Rights of Way Act 2000.</p> <p>For significant road widening or the building of new roads in National Parks and the Broads applicants also need to fulfil the requirements set out in Defra's English national parks and the broads: UK government vision and circular 2010 or successor documents. These requirements should also be complied with for significant road widening or the building of new roads in Areas of Outstanding Natural Beauty.</p>	<p>Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1)[APP-028] confirms that the Scheme would have no effect on any National Park or Area of Outstanding Natural Beauty (AONB).</p> <p>Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1)[APP-028] describes the baseline conditions and the nature of the existing landscape against which landscape effects have been assessed. Significant landscape character effects are described in Table 7-13 of Chapter 7. The design, mitigation and enhancement measures are described in section 7.9.</p>
5.149	<p>Landscape effects depend on the nature of the existing landscape likely to be affected and nature of the effect likely to occur. Both of these factors need to be considered in judging the impact of a project on landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints, the aim should be to avoid or minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.</p>	<p>Much of the Scheme is located within or adjacent to designated Green Belt that also fulfils a function as green infrastructure. Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1)[APP-028] reports on the design measures that have been taken to minimise harm to the landscape and any additional mitigation required.</p> <p>A REAC is within Chapter 3 of the Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007] and details the mitigation measures that would be implemented both during construction and operation of the Scheme, why they are required, who is responsible for delivering them and any ongoing maintenance and monitoring arrangements.</p>
5.150 - 5.151	<p>Great weight should be given to conserving landscape and scenic beauty in nationally designated areas. National Parks, the Broads and Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the Secretary of State has a statutory duty to have regard to in decisions.</p> <p>The Secretary of State should refuse development consent in these areas except in exceptional circumstances and where it can be demonstrated that it</p>	<p>See comments in response to NNNPS paragraphs 5.147-5.148 above.</p> <p>Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1)[APP-028] confirms that the Scheme would have no effect on any National Park or AONB.</p>

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	<p>is in the public interest. Consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> • the need for the development, including in terms of any national considerations, and the impact of consenting, or not consenting it, upon the local economy; • the cost of, and scope for, developing elsewhere, outside the designated area, or meeting the need for it in some other way; and • any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. <p>There is a strong presumption against any significant road widening or the building of new roads and strategic rail freight interchanges in a National Park, the Broads and Areas of Outstanding Natural Beauty, unless it can be shown there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs very significantly. Planning of the Strategic Road Network should encourage routes that avoid National Parks, the Broads and Areas of Outstanding Natural Beauty.</p>	
5.152	<p>There is a strong presumption against any significant road widening or the building of new roads and strategic rail freight interchanges in a National Park, the Broads and Areas of Outstanding Natural Beauty, unless it can be shown there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs very significantly. Planning of the Strategic Road Network should encourage routes that avoid National Parks, the Broads and Areas of Outstanding Natural Beauty.</p>	<p>See comments in response to NNNPS paragraphs 5.147- 5.148 above.</p>
5.153	<p>Where consent is given in these areas, the Secretary of State should be satisfied that the applicant has ensured that the project will be carried out to high environmental standards and where possible includes measures to enhance other aspects of the environment. Where necessary, the Secretary of State should consider the imposition of appropriate requirements to ensure these standards are delivered.</p>	<p>See comments in response to NNNPS paragraphs 5.147- 5.148 above.</p>
5.154-5.155	<p>The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. This should include projects in England which may have impacts on designated areas in Wales or on National Scenic Areas in Scotland. The</p>	<p>See comments in response to NNNPS paragraphs 5.147- 5.148 above.</p>

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	fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent	
5.165 - 5.167 (Land use including open space, green infrastructure and Green Belt)	<p>The applicant should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate.</p> <p>Existing open space, sports and recreational buildings and land should not be developed unless the land is surplus to requirements or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Applicants considering proposals which would involve developing such land should have regard to any local authority's assessment of need for such types of land and buildings.</p> <p>During any pre-application discussions with the applicant, the local planning authority should identify any concerns it has about the impacts of the application on land-use, having regard to the development plan and relevant applications, and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements. These are also matters that local authorities may wish to include in their Local Impact Report which can be submitted after an application for development consent has been accepted.</p>	<p>Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1)[APP-028] considers the effects of the Scheme on Local Landscape Character Areas (LLCAs). The LLCAs are listed and described in Section 7.7.</p> <p>Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-033], states there would be some temporary land take of Public Open Space (west of Woodford) during construction which falls directly within the Order Limits. A parcel of Longacre Wood also falls within the Order Limits required for temporary land take during construction. Overall the Scheme has been designed to minimise permanent land take, however the 'Assessment of Likely Significant Effects' shows that some permanent land take will be required as a result of the Scheme.</p>
5.157	In taking decisions, the Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to avoid adverse effects on landscape or to minimise harm to the landscape, including by reasonable mitigation.	<p>Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1)[APP-028] addresses how the Scheme has been designed to minimise harm to the landscape and the environmental measures provided as part of the Scheme and mitigation proposed.</p>
5.158	The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the development. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast, especially those defined as Heritage Coast.	<p>Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1)[APP-028] considers visual effects on sensitive receptors, including local residents.</p> <p>Section 7.10 of the chapter finds that 362 no. residential receptors would experience a slight adverse or neutral (not significant) effect during construction, although 191 no. receptors would experience moderate adverse effects and 44 no. receptors would have large adverse effects resulting from vegetation removal that previously screened views of the road. <u>However, upon completion of the Scheme, the majority of receptors would be subject to impacts at the lower end of the scale, however 11 no. receptors would be subject to a moderate adverse effect</u></p>

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5.159	Reducing the scale of a project or making changes to its operation can help to avoid or mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design or changing the operation of a proposed development may result in a significant operational constraint and reduction in function. There may, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in scale or function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape effects outweigh the marginal loss of scale or function.	<p>See comments in response to NNNPS paragraphs 5.157 and 5.158 above.</p> <p>The Scheme design is reflective of the adjacent landform and includes appropriate measures to mitigate potentially harmful effects on views associated with the Scheme. These are set out at Section 7.9 of Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1][APP-028] and on Figure 7.6 Landscape Mitigation Design (Application Document Reference: TR010031/APP/6.2][APP-061]).</p>
5.160	Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure, design (including choice of materials), and	See comments in response to NNNPS paragraphs 5.157, 5.158 and 5.159 above.

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	landscaping Schemes, depending on the size and type of proposed project. Materials and designs for infrastructure should always be given careful consideration.	
5.161	Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site, although if such landscaping was proposed to be consented by the development consent order, it would have to be included within the order limits for that application. For example, filling in gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.	<p>The proposed planting mitigation illustrated on Figure 7.6 (Landscape Mitigation Design) of the ES (Application Document Reference: TR010031/APP/6.2)[APP-061] is considered to be adequate and it is not considered that additional off-site planting is essential.</p> <p>There will inevitably be receptors from where the Scheme, as an elevated form within the landscape, would remain visible and associated impacts could not be entirely mitigated through planting or screening and this would extend to include off-site planting. The proposed mitigation strategy would replace features of the landscape, in the form of woodland, scrub, hedgerows and these would be effective in reducing or avoiding the majority of significant effects. Where significant effects (moderate adverse or greater) remain, the number of receptors impacted are relatively few and on balance it is not considered appropriate. Were off-site planting proposed for those receptors subject to significant effects, efforts to screen views of the Viaduct option would also result in the broader views of the adjacent open countryside, within which the Scheme would be an element therein, being lost and this would potentially represent a significant effect in itself.</p>
5.165 - 5.167 (Land use including open space, green infrastructure and Green Belt)	<p>The applicant should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate.</p> <p>Existing open space, sports and recreational buildings and land should not be developed unless the land is surplus to requirements or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Applicants considering proposals which would involve developing such land should have regard to any local authority's assessment of need for such types of land and buildings.</p> <p>During any pre-application discussions with the applicant, the local planning authority should identify any concerns it has about the impacts of the application on land-use, having regard to the development plan and relevant applications, and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements. These are also matters that local authorities may wish to include in their Local Impact</p>	<p>Chapter 12: Population and Human Health in the ES (Application Document Reference: TR010031/APP/6.1)[APP-033] identifies existing land uses in the vicinity of the Scheme and addresses the potential effects of the Scheme on land use and recreation, including new development and uses proposed in a development plan.</p> <p>Discussions have taken place with Gateshead Council and Sunderland City Council as reported in the Consultation Report (Application Document Reference: TR010031/APP/5.1)[APP-019] and have not identified any concerns about the impacts of the Scheme on land use.</p> <p>Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-033] states that a parcel of Longacre Wood (not impacted by the Scheme) and Public Open Space to the west of Woodford fall directly within the Order Limits and are required for temporary land take during construction.</p>

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	Report which can be submitted after an application for development consent has been accepted.	
5.168	Applicants should take into account the economic and other benefits of the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification). Where significant development of agricultural land is demonstrated to be necessary, applicants should seek to use areas of poorer quality land in preference to that of a higher quality. Applicants should also identify any effects, and seek to minimise impacts, on soil quality, taking into account any mitigation measures proposed. Where possible, developments should be on previously developed (brownfield) sites provided that it is not of high environmental value. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.	<p>An Agricultural Land Assessment Report is provided in Appendix 9.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-137] and the loss of agricultural land is assessed in Chapter 9: Geology and Soils within the ES (Application Document Reference: TR010031/APP/6.1)[APP-030].</p> <p>Table 9-8 of Chapter 9 shows that the construction phase of the Scheme would result in the temporary land take of approximately 9.44ha 5.55ha of Grade 3a land of high sensitivity and 7.28ha of Grade 3b land. Following construction, temporary land take areas would be reinstated back to agriculture in line with the Soil Handling Strategy (to be secured through the Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007]), although it is acknowledged not all land would be restored to the soil quality prior to construction.</p> <p>Table 9-8 of Chapter 9 shows that the amount of permanent land take of agricultural land would be approximately 0.20ha of Grade 3a land and approximately 1.37ha of Grade 3b land. Following mitigation, the short to long term effects on agricultural soil quality are deemed to be of minor to negligible significance (not significant).</p>
5.169	Applicants should safeguard any mineral resources on the proposed site as far as possible.	Chapter 9: Geology and Soils of the ES (Application Document Reference: TR010031/APP/6.1)[APP-030] considers mining and mineral extraction and concludes shallow worked coal seams and a number of historical mine shafts have been identified within the study area, which if left untreated could pose a below ground collapse risk if built upon. Grouting during the construction phase will ensure any effects are not significant.
5.170 - 5.171	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and, if so, whether their proposal may be considered inappropriate development within the meaning of Green Belt policy. Metropolitan Open Land, and land designated as Local Green Space in a local or neighbourhood plan, are subject to the same policies of protection as Green Belt, and inappropriate development should not be approved except in very special circumstances.	<p>Much of the Scheme is located within or adjacent to designated Green Belt land, namely the Tyne and Wear Green Belt, as shown in Figure 7.1 of the ES (Application Document Reference: TR010031/APP/6.2)[APP-054]. With the exception of the realignment of the A1 to accommodate the Allerdene Bridge over the ECML, the Scheme is largely contained within the context of the existing A1 corridor that is an established feature within the Green Belt.</p> <p>Chapter 2 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021] confirms the policy need for the Scheme, and Chapter 5 assesses the conformity of the Scheme with national and local planning policy. In respect of Green Belt policy, Section 5.4 of Chapter 5 of the Planning Statement concludes that the Scheme comprises inappropriate development in the Green Belt. However, very special circumstances exist which</p>

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	<p>Linear infrastructure linking an area near a Green Belt with other locations will often have to pass through Green Belt land. The identification of a policy need for linear infrastructure will take account of the fact that there will be an impact on the Green Belt and as far as possible, of the need to contribute to the achievement of the objectives for the use of land in Green Belts.</p>	<p>override the limited harm to the Green Belt. These very special circumstances include:</p> <ul style="list-style-type: none"> • Delivery of Government policy and programmes; • Conformity with local development plan policy and allocations for delivery of the transport infrastructure; • Environmental benefits; • Economic benefits; • Availability of alternatives. <p>Section 7.8 and 7.7 of Chapter 7: Landscape and Visual of the ES (Application Document Reference: TR010031/APP/6.1)[APP-028] assesses the Scheme impact on the Green Belt and addresses how the Scheme has been designed to minimise conflict with the need for openness of the Green Belt and the purposes of the policy designation.</p> <p>Chapter 7 concludes that significant harm on the sense of openness of the Green Belt is substantially avoided, except where the Scheme deviates from its existing alignment to cross the ECML on a new structure. Where local impacts would arise, these would be due to the loss of perceived openness arising from the encroachment of the new Allerdene Bridge, whether as an Embankment or Viaduct option. However, mitigation measures, including woodland planting, would contribute to screening the corridor and reduce the impacts on the sense of openness.</p>
5.174	<p>The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land, including playing fields, unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements, or the Secretary of State determines that the benefits of the project (including need) outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities.</p>	<p>Chapter 12: Population and Human Health in the ES (Application Document Reference: TR010031/APP/6.1)[APP-033] identifies existing land uses in the vicinity of the Scheme and addresses the potential effects of the Scheme on land use and recreation, including new development and uses proposed in a development plan.</p> <p>The Scheme would result in the permanent loss of a small area of Public Open Space along the side of the existing A1. The areas involved however are small in size and do not require new or improved facilities, or compensatory land, to be provided in compliance with Section 131 of the 2008 Act. The loss of these facilities is detailed in Chapter 7 of the Statement of Reasons (Application Document Reference: TR010031/APP/4.1)[REP4-016]. The relevant land plot references are shown on the Land Plans (Application Document Reference: TR010031/APP/2.2)[REP4-005] and the Special Category Land Plans (Application Document Reference: TR010031/APP/2.8)[REP4-011].</p>

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5.175	Where networks of green infrastructure have been identified in development plans, they should normally be protected from development, and, where possible, strengthened by or integrated within it. The value of linear infrastructure and its footprint in supporting biodiversity and ecosystems should also be taken into account when assessing the impact on green infrastructure.	Chapter 8: Biodiversity in the ES (Application Document Reference: TR010031/APP/6.1)[APP-029] assesses the value of the Scheme in terms of supporting green infrastructure.
5.176	The decision-maker should take into account the economic and other benefits of the best and most versatile agricultural land. The decision maker should give little weight to the loss of agricultural land in grades 3b, 4 and 5, except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy.	See comments in response to NNNPS paragraph 5.168 above.
5.177	In considering the impact on maintaining coastal recreation sites and features, the Secretary of State should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the Secretary of State should consider the implications for development of the creation of a continuous signed and managed route around the coast, as proposed in the Marine and Coastal Access Act 2009.	There are no coastal recreation sites or features impacted by the Scheme.
5.178	When located in the Green Belt national networks infrastructure projects may comprise inappropriate development. Inappropriate development is by definition harmful to the Green Belt and there is a presumption against it except in very special circumstances. The Secretary of State will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt, when considering any application for such development.	See comments in response to NNNPS paragraphs 5.170-5.171 above.
5.180	Where green infrastructure is affected, applicants should aim to ensure the functionality and connectivity of the green infrastructure network is maintained and any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space, including appropriate access to new coastal access routes, National Trails and other public rights of way.	Chapter 12: Population and Human Health in the ES (Application Document Reference: TR010031/APP/6.1)[APP-033] identifies existing land uses in the vicinity of the Scheme and addresses the potential effects of the Scheme on green infrastructure, including PRow. Table 12-17 within Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-033] shows that one bridleway, three PRow and two unnamed footpaths would be temporarily affected by the Scheme. During the construction phase, moderate adverse effects

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		are predicted to the PRoW network resulting from works to Longbank Bridleway Underpass and North Dene Footbridge. However, once the Scheme is operational, the proposed PRoW enhancements would improve user safety. Therefore, there is likely to be a long term, moderate beneficial effect during the operation period.
5.181	The Secretary of State should also consider whether mitigation of any adverse effects on green infrastructure or open space is adequately provided for by means of any planning obligations, for example, to provide exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness, quality and accessibility. Alternatively, where Sections 131 and 132 of the Planning Act 2008 apply, any replacement land provided under those sections will need to conform to the requirements of those sections.	No exchange of land is considered necessary for this Scheme due to the small area of land to be lost. Whilst Special Category Land is affected by the Scheme, replacement land is not required as it does not meet the threshold stated in Section 131 (3) (a) and 131 (5) (a) of the 2008 Act. Further details are provided in Chapter 7 of the Statement of Reasons (Application Document Reference: TR010031/APP/4.1)[REP4-016].
5.182	Where a proposed development has an impact on a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to safeguard mineral resources.	The whole borough of Gateshead is identified as a Mineral Safeguarding Area (MSA) but with the exception of coal, the Scheme footprint does not cross any areas defined as potential mineral resource areas, as illustrated by the Northumberland and Tyne and Wear Mineral Resource (South) map. Given the location of the existing highway and depth to coal, future coal extraction is not considered to be either practical or commercially viable within the Scheme footprint. Impacts to mineral safeguard areas and sterilisation of mineral resource have therefore not been considered further in the environmental assessment. Chapter 9: Geology and Soils of the ES (Application Document Reference: TR010031/APP/6.1)[APP-030] describes the mitigation measures included to avoid ground collapse and structural damage. This includes: drilling and grouting to stabilise shallow voids in the ground associated with historical mine workings at a depth considered to present a risk to the Scheme; and grouting pressure checks undertaken when pumping any grout into the ground.
5.184 – 5.185	Public rights of way, National Trails, and other rights of access to land (e.g. open access land) are important recreational facilities for walkers, cyclists and equestrians. Applicants are expected to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other public rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve access. In considering revisions to an existing right of way consideration needs to be given to the use, character, attractiveness and convenience of the right of way. The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements in respect of these measures might be attached to any grant of development consent.	See comments in response to NNNPS paragraph 5.180 above.

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	Public rights of way can be extinguished under Section 136 of the Act if the Secretary of State is satisfied that an alternative has been or will be provided or is not required.	
5.186	Excessive noise can have wide-ranging impacts on the quality of human life and health (e.g. owing to annoyance or sleep disturbance), use and enjoyment of areas of value (such as quiet places) and areas with high landscape quality. The Government's policy is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references below to "noise" apply equally to assessment of impacts of vibration.	<p>It is noted that references to 'noise' in the NNNPS applies equally to assessment of impacts of vibration.</p> <p>Chapter 11: Noise and Vibration of the ES (Application Document Reference: TR010031/APP/6.1)[APP-032] considers the potential impacts of the Scheme on noise and vibration. The assessment has been in accordance with the British Standards 5228 parts 1 and 2 and DMRB HD 213/11, which covers the various aspects required by NNNPS paragraph 5.186. The assessment covers daytime and night-time periods.</p> <p>There are a number of residential properties and other noise sensitive receptors located in close proximity to the existing A1. These properties currently experience high levels of noise, with road traffic dominating. There are three Noise Important Areas (NIAs) on, or close to, the Scheme at junction 65 (Birtley), north west of junction 65 and west of Willowbeds Farm (see Figure 2.2 Environmental Constraints Plan, of the ES (Application Document Reference: TR010031/APP/6.2)[APP-039]) reflecting the current high levels of noise experienced in these locations.</p> <p>When the Scheme becomes operational, reductions in noise are predicted for large numbers of properties close to the existing A1 including in the NIAs, as a result of the proposed Thin Surface Course System for all sections of the A1 and slip roads up to the roundabouts and noise barriers next to the A1 northbound carriageway, to tie into or overlap with the existing bund west of the northbound carriageway at Lockwood Avenue. It will provide a more continuous acoustic screen to the Birtley area, including North Dene and Crathie. For full details on the preliminary design mitigation refer to Section 2.7 in Chapter 2: The Scheme of the ES (Application Document Reference: TR010031/APP/6.1)[APP-023].</p> <p>With the implementation of suggested mitigation measures, and the application of the Outline CEMP (Application Document Reference: TR010031/APP/7.4)[REP9-008 and REP9-007], construction impacts will be minimised. However, despite this, it is possible that significant construction noise levels will be experienced for short durations.</p> <p>In both the short and long term during operation, the number of sensitive receptors that would experience a perceptible decrease in noise level outweighs those that would experience a perceptible increase in noise level. In addition, the number of receptors likely to experience potential significant beneficial effects outweighs the</p>

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		number of potentially significant adverse impacts. It is therefore considered that the overall noise impact of the Scheme can be considered to be beneficial.
5.187	Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed in accordance with the Biodiversity and Geological Conservation section of this NPS.	Ecology is considered a sensitive receptor that could be affected by changes in levels of noise and vibration. Effects of impacts on wildlife and biodiversity from noise have been assessed in Chapter 8: Biodiversity of the ES (Application Document Reference: TR010031/APP/6.1)[APP-029]. Implementation of the mitigation measures proposed in Chapter 11: Noise and Vibration of the ES (Application Document Reference: TR010031/APP/6.1)[APP-032] will ensure that the effects on local wildlife sites, green corridors, habitats, fish, wintering birds and great crested newts will be neutral during operation.
5.189 (Noise and vibration)	<p>Where a development is subject to EIA and significant noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment, which should form part of the environment statement:</p> <ul style="list-style-type: none"> • a description of the noise sources including likely usage in terms of number of movements, fleet mix and diurnal pattern. For any associated fixed structures, such as ventilation fans for tunnels, information about the noise sources including the identification of any distinctive tonal, impulsive or low frequency characteristics of the noise; • identification of noise sensitive premises and noise sensitive areas that may be affected; • the characteristics of the existing noise environment; • a prediction on how the noise environment will change with the proposed development; • In the shorter term such as during the construction period; • in the longer term during the operating life of the infrastructure; • at particular times of the day, evening and night as appropriate; • an assessment of the effect of predicted changes in the noise environment on any noise sensitive premises and noise sensitive areas; • measures to be employed in mitigating the effects of noise. Applicants should consider using best available techniques to reduce noise impacts; • the nature and extent of the noise assessment should be proportionate to the likely noise impact. 	See comments in response to NNNPS paragraph 5.186 above.

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
5.190	The potential noise impact elsewhere that is directly associated with the development, such as changes in road and rail traffic movements elsewhere on the national networks, should be considered as appropriate.	There are not expected to be any changes elsewhere on the national networks as a result of the construction or operation of the Scheme.
5.191	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. The prediction of road traffic noise should be based on the method described in Calculation of Road Traffic Noise. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies.	The assessment undertaken in Chapter 11: Noise and Vibration of the ES (Application Document Reference: TR010031/APP/6.1)[APP-032] uses the relevant British Standards in relation to both construction and operation noise impacts.
5.192	The applicant should consult Natural England with regard to assessment of noise on designated nature conservation sites, protected landscapes, protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be taken into account.	<p>Consultation has been undertaken with Natural England and is reported in Section 8.4 of Chapter 8: Biodiversity of the ES (Application Document Reference: TR010031/APP/6.1)[APP-029] and Appendix 4.4 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-106].</p> <p>Consultation with Natural England is also covered in Chapter 2 and Annex N of the Consultation Report (Application Document Reference: TR010031/APP/5.1)[APP-019].</p> <p><u>Natural England has not raised any concerns regarding the assessment of noise on designated nature conservation sites, protected landscapes, protected species or other wildlife</u></p>
5.193	Developments must be undertaken in accordance with statutory requirements for noise. Due regard must have been given to the relevant sections of the Noise Policy Statement for England, National Planning Policy Framework and the Government's associated planning guidance on noise.	Chapter 11: Noise and Vibration of the ES (Application Document Reference: TR010031/APP/6.1)[APP-032] identifies the legislation, policy, regulations, guidance and standards that are relevant to this assessment, including the Noise Policy Statement for England. Table 11-2 of the Chapter addresses how each relevant national policy has been addressed as part of the Scheme assessment.
5.194	The project should demonstrate good design through optimisation of scheme layout to minimise noise emissions and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission. The project should also consider the need for the mitigation of impacts elsewhere on the road and rail networks that have been identified as arising from the development, according to Government policy.	<p>The evolution of the Scheme design has included increasing the distance between the source of noise (proposed carriageway) and sensitive receptors. Option 2, (renamed Option 1a) involving Allerdene Bridge being replaced immediately adjacent to the south of its current location, improving the existing road alignment and improving road safety; was announced as the preferred route in July 2017.</p> <p>Full details of the Scheme development and options considered are set out in Chapter 3 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021].</p> <p>Details on the preliminary design mitigation are reported in Chapter 2: The Scheme of the ES (Application Document Reference: TR010031/APP/6.1)[APP-032] which</p>

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	<p>includes acoustic barriers and measures taken to reduce land take thus minimising adverse impacts on residential properties especially at North Dene and Crathie.</p> <p>Details of the consultation undertaken with local residents in nearby properties and the Applicant's response with regard to design are described in the Consultation Report (Application Document Reference: TR010031/APP/5.1)[APP-019].</p> <p>The Scheme incorporates environmental measures to reduce impacts of noise on nearby sensitive receptors, including noise barriers and landscaping. These are set out in Chapter 11: Noise and Vibration of the ES (Application Document Reference: TR010031/APP/6.1)[APP-032].</p> <p>There are not expected to be any adaptations required elsewhere on the national networks as a result of the construction or operation of the Scheme.</p>
5.195	<p>The Secretary of State should not grant development consent unless satisfied that the proposals will meet, the following aims, within the context of Government policy on sustainable development:</p> <ul style="list-style-type: none"> • avoid significant adverse impacts on health and quality of life from noise as a result of the new development; • mitigate and minimise other adverse impacts on health and quality of life from noise from the new development; and • contribute to improvements to health and quality of life through the effective management and control of noise, where possible. 	See comments in response to NNNPS paragraph 5.186 above.
5.199	<p>For most national network projects, the relevant Noise Insulation Regulations will apply. These place a duty on and provide powers to the relevant authority to offer noise mitigation through improved sound insulation to dwellings, with associated ventilation to deal with both construction and operational noise. An indication of the likely eligibility for such compensation should be included in the assessment. In extreme cases, the applicant may consider it appropriate to provide noise mitigation through the compulsory acquisition of affected properties in order to gain consent for what might otherwise be unacceptable development. Where mitigation is proposed to be dealt with through compulsory acquisition, such properties would have to be included within the development consent order land in relation to which compulsory acquisition powers are being sought.</p>	<p>Chapter 11: Noise and Vibration of the ES (Application Document Reference: TR010031/APP/6.1)[APP-032] covers noise impacts during construction and operation of the Scheme. This chapter confirms that an assessment has been carried out using the predicted noise levels and there are no receptors that would be eligible for noise insulation as a result of the Scheme as no properties meet the criteria set out in the Noise Insulation Regulations 1975 (as amended).</p>
5.200	Applicants should consider opportunities to address the noise issues associated with the Important Areas as identified through the noise action planning process.	No significant noise level increases are identified as a result of the Scheme at NIAs.

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
5.203 - 5.205 (Impacts on transport networks)	<p>Applicants should have regard to the policies set out in local plans, for example, policies on demand management being undertaken at the local level.</p> <p>Applicants should consult the relevant highway authority, and local planning authority, as appropriate, on the assessment of transport impacts.</p> <p>Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, consistent with paragraph 3.19-3.22 above, the applicant should provide evidence that as part of the project they have used reasonable endeavors to address any existing severance issues that act as a barrier to non-motorised users.</p>	<p>Assessments undertaken in the WCHAR, as discussed in Chapter 6 of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173] reviewed the public transport services available within the study area and confirmed that there are no significant public transport hubs in close proximity to the Scheme location. Details on Coalhouse Interchange and Eighton Lodge Interchange are set out in Section 2.5 of the WCHAR report in Appendix D of the Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173]. Although some journeys to access the national rail network will make use of the A1, the Scheme is unlikely to have a major impact upon transport interchanges. The existing public transport networks mainly run radially to Newcastle and Gateshead, and therefore the A1 is performing a different role in terms of travel movements, limiting potential for modal shift.</p> <p>The impact of the works in terms of driver stress on vehicle travellers and the amenity value for WCH of local routes and open spaces have been assessed in Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-033].</p>
5.206	<p>For road and rail developments, if a development is subject to EIA and is likely to have significant environmental impacts arising from impacts on transport networks, the applicant's environmental statement should describe those impacts and mitigating commitments. In all other cases the applicant's assessment should include a proportionate assessment of the transport impacts on other networks as part of the application.</p>	<p>An ES has been prepared for the Scheme (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-170] which documents the outcome of the EIA and includes a description of impacts and mitigation using a proportionate approach.</p> <p>The Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-173] provides information about the transport assessment undertaken as part of the development of the Scheme. The overall impact of the Scheme and the resulting traffic flows and journey times have been derived from the Northern Regional Transport Model.</p>
5.208	<p>Where appropriate, the applicant should prepare a travel plan including management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport and sustainable modes where relevant, to reduce the need for any parking associated with the proposal and to mitigate transport impacts.</p>	<p>A travel plan has not been prepared to support the Application due to the nature of the Scheme not being a generator of additional traffic in itself but is re-distributing existing and future traffic flows.</p>
5.209	<p>For schemes impacting on the Strategic Road Network, applicants should have regard to DfT Circular 02/2013. The Strategic Road Network and the delivery of sustainable development (or prevailing policy) which sets out the way in which the highway authority for the Strategic Road Network, will engage with communities and the development industry to deliver sustainable development and, thus, economic growth, whilst safeguarding the primary function and purpose of the Strategic Road Network.</p>	<p>The Scheme is set to reduce transport impacts in the long term ensuring economic growth in the area is achievable. Consultation with the Environmental Health Officers from Gateshead Council and Sunderland City Council has taken place as described within Section 11.4 of Chapter 11: Noise and Vibration of the ES (Application Document Reference: TR010031/APP/6.1)[APP-032] and Appendix 4.4 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-106]. The Scheme design has taken account of their development plans in the forecast modelling which is compliant with the principles of DfT 02/2013.</p>

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
5.210	If new transport infrastructure is proposed, applicants should discuss with network providers the possibility of co-funding by Government for any third-party benefits. Guidance has been issued in England which explains the circumstances where this may be possible. The Government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time, and cannot provide financial support to a scheme that solely mitigates the impacts of a specific development. Any decisions on co-funded transport infrastructure will need to be taken in the context of the Government's wider policy of transport improvements.	Third party funding is not required as the Scheme already has funding committed through the Government's Roads Investment Strategy. Funding sources are described in the Funding Statement (Application Document Reference: TR010031/APP/4.2)[APP-017].
5.211	The Examining Authority and the Secretary of State should give due consideration to impacts on local transport networks and policies set out in local plans, for example, policies on demand management being undertaken at the local level.	<p>The Transport Assessment Report (Application Document Reference: TR010031/APP/7.3)[APP-019] states that the following local policy / advice notes have been considered:</p> <ul style="list-style-type: none"> • Tyne and Wear Local Transport Plan 3; • Gateshead Local Plan 3; • Planning for the Future – Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne 2010-2030; • Gateshead Unitary Development Plan 2007 – Remaining Saved Policies; • Making Spaces for Growing Places – Submission Draft 2018; • Gateshead Placemaking Supplementary Planning Document 2012; • Sunderland Core Strategy and Development Plan 2015-2033. <p>Chapter 5 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021]. provides a high-level assessment of the Scheme's strategic alignment with current local planning policies.</p>
5.212	Schemes should be developed and options considered in the light of relevant local policies and local plans, taking into account local models where appropriate, however the Scheme must be decided in accordance with the NPS except to the extent that one or more of sub-sections 104(4) to 104(8) of the Planning Act 2008 applies.	The consideration of policies as set out in local plans is provided in Chapter 5 of the Planning Statement (Application Document Reference: TR010031/APP/7.1)[REP4-020 and REP4-021].
5.216	Where development would worsen accessibility such impacts should be mitigated so far as reasonably possible. There is a very strong expectation that impacts on accessibility for non-motorised users should be mitigated.	Chapter 12: Population and Human Health of the ES (Application Document Reference: TR010031/APP/6.1)[APP-033] states that impacts in relation to severance, accessibility and connectivity are not considered significant. Whilst the Scheme may have a short-term temporary impact on the ability of all travellers to move through the area during construction, this is not considered to be significant.

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
5.220 (Water quality and resources)	Where applicable, an application for a development consent order has to contain a plan with accompanying information identifying water bodies in a River Basin Management Plan.	<p>The impact of the works in terms of driver stress on vehicle travellers and the amenity value for WCH of local routes and open spaces has been considered.</p> <p>Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] identifies the following water receptors present within the study area; the River Team floodplain, the Allerdene Culvert and watercourse, the pluvial floodplain and the River Team and Longacre Dene watercourse for water quality.</p> <p>An assessment is provided within the WFD Assessment in Appendix 13.2 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-164] and supporting plans showing the WFD waterbodies are provided within Figure 13.8 of the ES [APP-100](Application Document Reference: TR010031/APP/6.2).</p>
5.221	Applicants should make early contact with the relevant regulators, including the Environment Agency, for abstraction licensing and with water supply companies likely to supply the water. Where a development is subject to EIA and the development is likely to have significant adverse effects on the water environment, the applicant should ascertain the existing status of, and carry out an assessment of the impacts of the proposed project on water quality, water resources and physical characteristics as part of the environmental statement.	<p>Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] and Appendix 4.4 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-106] describes consultation carried out with the Environment Agency and appropriate authorities.</p> <p>Outfalls into Longacre Dene have been agreed with the Environment Agency and Gateshead Council as the Lead Local Flood Authority (LLFA) and pollution control devices are proposed.</p> <p>Section 13.9 of Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] states that ‘Silt control vortex separators would be incorporated into the outfalls to Longacre Dene to minimise sediment issues. The potential to include further silt control measures on all other outfalls would be investigated at detailed design to minimise sediment issues.’</p>
5.222	For those projects that are improvements to the existing infrastructure, such as road widening, opportunities should be taken, where feasible, to improve upon the quality of existing discharges where these are identified and shown to contribute towards Water Framework Directive commitments.	<p>With the introduction of pollution control measures in Longacre Dene, Leyburnhold Gill and Allerdene Burn, the water quality of these watercourses will be improved. Pollution control measures have been considered in the drainage strategy within Appendix 13.1 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-163] and the requirements for prevention measures are assessed in Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034].</p>
5.223	<p>Any environmental statement should describe:</p> <ul style="list-style-type: none"> the existing quality of waters affected by the proposed project; existing water resources affected by the proposed project and the impacts of the proposed project on water resources; 	<p>Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] describes the existing water environment in Section 13.7, the potential impacts in Section 13.8 and the assessment of likely significant effects with mitigation measures applied in Section 13.10</p>

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
	<ul style="list-style-type: none"> existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project, and any impact of physical modifications to these characteristics; any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive and source protection zones (SPZs) around potable groundwater abstractions; and any cumulative effects. 	<p>A summary of potential impacts and likely significant effects is included in Table 13-9 and is summarised as follows:</p> <p>During construction, there is potential for a 'Decrease in water quality' at River Team, and Allerdene Burn with the likely significant effect being 'Slight adverse, not significant' and 'Neutral, not significant' at Ordinary Watercourses in the Longacre Dene, adjacent to Bowes View, adjacent to Smithy Lane and Leyburnhold Gill.</p> <p>The potential impact 'Increase Fluvial flood risk' is recorded as 'Slight adverse, not significant' at River Team on the Fluvial Flood Plain but as 'Neutral, not significant' on River Team – Human Health and Allerdene Burn. The 'Increased Surface Water Flood Risk' is recorded as 'Neutral, not significant', as is 'Increased groundwater flood risk'. During operation, the potential impact 'Decrease in water quality' is recorded as 'Slight Beneficial, not significant' across all features assessed.</p> <p>The potential impacts 'Increased fluvial flood risk and changes to WFD Status', 'Increased surface water flood risk', 'Increased Surface water run-off', 'increased groundwater flood risk' and 'decrease in groundwater flood quality' are recorded as 'Neutral, not significant' across all features assessed.</p>
5.224	Activities that discharge to the water environment are subject to pollution control. The considerations set out in paragraphs 4.48-4.56 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under a controlled water.	Paragraph 13.11.1 in Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] states that: 'Monitoring of the Scheme will be required during construction to ensure that the surface water discharges are within acceptable limits in terms of flows and water quality. These points will be agreed within the CEMP and any Environmental Permits that are required'.
5.225	The Secretary of State will generally need to give impacts on the water environment more weight where a project would have adverse effects on the achievement of the environmental objectives established under the Water Framework Directive.	See comments in response to NNNPS paragraph 5.226 below.
5.226	The Secretary of State should be satisfied that a proposal has had regard to the River Basin Management Plans and the requirements of the Water Framework Directive (including Article 4.7) and its daughter directives, including those on priority substances and groundwater. The specific objectives for particular river basins are set out in River Basin Management Plans. In terms of Water Framework Directive compliance, the overall aim of projects should be no deterioration of ecological status in watercourses, ensuring that Article 4.7 of the Water Framework Directive Regulations does not need to be applied.	<p>A WFD Assessment has been undertaken and is in Appendix 13.2 of the ES (Application Document Reference: TR010031/APP/6.3)[APP-164].</p> <p>The WFD concludes that the Scheme would not impact on the WFD status or objectives of any associated surface water or groundwater bodies in close proximity to the Scheme footprint. The Scheme would help to contribute moving the River Team towards achieving good status particularly through the improvements in the surface water discharged from the Scheme and the realigned section of the Allerdene Burn.</p> <p>Furthermore, the Scheme would not prevent the achievement of the wider WFD objectives in the Northumbria River Basin District and is not predicted to have an</p>

NNNPS Paragraph Number	Requirement of NNNPS	Scheme compliance with the NNNPS
5	Generic Impacts	
		impact on any other waterbody within the Northumbria River Basin District or mitigation measures developed to achieve 'Good' status.
5.227	The Examining Authority and the Secretary of State should consider proposals put forward by the applicant to mitigate adverse effects on the water environment and whether appropriate requirements should be attached to any development consent and/or planning obligations. If the Environment Agency continues to have concerns and objects to the grant of development consent on the grounds of impacts on water quality/resources, the Secretary of State can grant consent, but will need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the Environment Agency to try to resolve the concerns, and that the Environment Agency is satisfied with the outcome.	Chapter 13: Road Drainage and the Water Environment of the ES (Application Document Reference: TR010031/APP/6.1)[APP-034] describes the mitigation proposed at Section 13.9.
5.229	The Secretary of State should consider whether the mitigation measures put forward by the applicant which are needed for operation and construction (and which are over and above any which may form part of the project application) are acceptable. A construction management plan may help codify mitigation.	The ES (Application Document Reference: TR010031/APP/6.1)[APP-021 to APP-170] describes the mitigation proposed within each topic chapter. The REAC is included in this application within Chapter 3 of the Outline CEMP (Application Document Reference: TR010031/APP/7.4) [REP9-008 and REP9-007]. Submission and agreement of a detailed CEMP with the local planning authority is a requirement of Schedule 2 of the draft DCO (Application Document Reference: TR010031/APP/3.1) [REP9-003 and REP9-004].

Table 5 – Summary of Monetised Benefits (3 span Viaduct Option)

Benefits		Initial BCR	Adjusted BCR	Costs
<u>Economic Benefits</u>	<u>Economic Efficiency: Business Users and Providers</u>	<u>£125,727</u>	<u>£125,727</u>	
	<u>Construction Impacts</u>	<u>-£3800</u>	<u>-£3800</u>	
	<u>Wider economic impacts</u>	<u>N/A</u>	<u>£146,330</u>	
<u>Environmental Benefits</u>	<u>Noise</u>	<u>£6,876</u>	<u>£6,876</u>	
	<u>Air Quality (NOx & PM₁₀)</u>	<u>-£2,298</u>	<u>-£2,298</u>	
	<u>Greenhouse Gases (WebTAG)</u>	<u>-£11,234</u>	<u>-£11,234</u>	
<u>Social Benefits</u>	<u>Economic Efficiency: Consumer Users (Commuting)</u>	<u>£67,932</u>	<u>£67,932</u>	
	<u>Economic Efficiency: Consumer Users (Other)</u>	<u>£47,556</u>	<u>£47,556</u>	
	<u>Accident Costs</u>	<u>£12,949</u>	<u>£12,949</u>	
	<u>Journey Time Reliability</u>	<u>N/A</u>	<u>£16,624</u>	
	<u>Wider Public Finances (Indirect Taxation Revenues)</u>	<u>£12,645</u>	<u>£12,645</u>	
<u>Total</u>		<u>£256,353</u>	<u>£419,307</u>	<u>£154,308</u>
<u>Net Present Value</u>		<u>£102,045</u>	<u>£264,999</u>	
<u>Benefit to Cost Ratio</u>		<u>1.66</u>	<u>2.72</u>	

Table 7 – 3 span Viaduct Option

Description	Benefits/Costs	Total (£M)
Initial BCR	<u>PVB</u>	<u>256.4</u>
	<u>PVC</u>	<u>154.3</u>
	<u>NPV</u>	<u>102.0</u>
	Initial BCR	1.66
Adjusted BCR - Including Journey Time Reliability (JTR) Benefits and Wider Economic Benefits (WEBS)	<u>JTR</u>	<u>16.6</u>
	<u>WEBS</u>	<u>146.3</u>
	<u>PVB (including JTR and WEBS)</u>	<u>419.3</u>
	<u>NPV</u>	<u>265.0</u>
	Adjusted BCR	2.72