



# Northumberland

## County Council

A1 in Northumberland TR010059

### **Northumberland County Council's Relevant Representation**

#### **Relevant Representation of Northumberland County Council under Section 56 of the Planning Act 2008 in respect of the A1 in Northumberland Development Consent Order Application.**

1. Northumberland County Council recognises the benefits of this project. There has been a long ambition and campaign to dual the A1 north of Morpeth and the Council is supportive in principle of the proposal. Support is contained within the Local Transport Plan and other policies and documents. The scheme is considered to be broadly in accordance with the Council's adopted and emerging policy.
2. However, the local impacts and their cumulative impacts caused by the scheme should nevertheless be considered and adequately addressed by the applicant. The dualling of the A1 presents a major opportunity in the county and the scheme should not miss opportunities to improve the environment and accessibility in this part of the county. The nature of the scheme and the location of the proposal means that the scheme should be sensitive to its impact on both the environment and the communities through which it passes and serves.
3. The areas where the Council has significant concerns and where the issues remain unresolved have been outlined below, these matters will be further expanded in future representations submitted separately if they remain appropriate at that time.
4. Many of the comments are made as a result of Officers from the Council not being given sight of documents prior to submission by the applicant and therefore this has been the first opportunity to raise any issues or concerns over the scheme. Many of these comments could have been avoided if more effective engagement by the applicant had taken place with the Council prior to submission.

## Highways Issues

5. Pedestrian and cyclist access along the length of the Morpeth to Felton section (Part A) with particular reference to pedestrian and cyclist connectivity between Morpeth and Felton via the de-trunked A1 and the new and existing pedestrian and pedestrian/cyclist connectivity. The proposals as they currently stand do not take full advantage of the potential to provide a connection along this corridor. Particular areas of concern include, but are not limited to:
  - a) The lack of detail in relation to cross sectional changes to the de-trunked A1 to provide facilities for pedestrians and cyclists along the full extent of this section including revision to the existing cross section reducing carriageway width to provide footways and cycleways as discussed in pre-application working group meetings with the applicant;
  - b) The footway/cycleway connection around the A697 junction;
  - c) The lack of connectivity between new footways at the Fenrother and Causey Park junctions themselves and the existing/proposed footways along the de-trunked A1;
  - d) The lack of new provision of pedestrian footway on the de-trunked A1 where an existing footway does not exist; and
  - e) Providing safe termination of new footways at the grade separated junctions away from potential points of conflict with vehicles.
6. Private accesses, access rights and public rights of way connectivity at the southern end of the scheme tying into the existing network within the former Northgate Hospital site on West View will need to be resolved as the development of the Northgate hospital is not yet complete and a further planning permission for the redevelopment of the hospital and further residential development has not yet been implemented.
7. The proposed new side road to be provided north of the Charlton Mires Junction on the east side of the widened A1 is not in line with the pre-application discussions which took place where it was requested that this road be provided as a 2-way 6.1m wide road and not a single track road with passing places due to the level of existing development this access road will serve as well as the future development plans at Charlton Hall (one of which is subject to a Highways England holding directive due to the impacts on the existing A1 junction).
8. The Local Highway Authority does not agree with the proposed 20mph speed limits to be imposed on the new side roads leading from the Charlton Mires Junction (both sides of the A1 widening) and the Rock South Farm access roads. Further discussions are required in relation to determining an appropriate speed limit to

apply to these side roads that are self-enforcing and appropriate to the design of the routes.

9. Public Transport provision for the section of A1 north of the Charlton Mires Junction is required for those dwellings/developments that have severed bus connectivity as a result of the widening, including Charlton Hall.
10. Further information is requested in respect to whether peak hour flows have been assessed in the Environmental Impact Assessment and whether any discrete junction modelling has been undertaken to demonstrate that the proposed junction designs can operate within their operational capacity and that any potential queues from them do not interact with either the Local Highway Network or Strategic Highway Network. This would need to be undertaken in conjunction with any cross sectional changes on the de-trunked section of the former A1 reflecting the comments earlier in this response.
11. The Local Highway Authority seeks clarification in respect to the extents of highway adoption in relation to the de-trunked A1 and the new local highway network out with the carriageway and footway areas shown in the submitted plans. It would be anticipated that the verge areas, especially those which form embankments and/or cuttings that either support the highway or the surrounding land would be adopted as highway. The extents of the responsibilities for the soft estate/landscaping also need to be defined noting it is the position of NCC that detention basins and SuDS ponds associated with the scheme would remain the responsibility of Highways England and not form part of the Local Highway Network.
12. There are no details in respect to the replacement and updated road signage associated with the sections of roads that will become part of the Local Highway Network along with any other areas that will require amended signage resultant from the proposals. Whilst the DCO provides powers to amend signage, we would wish to enter into a discussion with the applicant to develop and subsequently implement a signage strategy for the scheme with the agreed scheme either submitted to the Examination or as a condition of the DCO.

#### *Public Rights of Way*

13. The Highways Authority is satisfied that Highways England has properly considered the impact of the project on the public rights of way network in Northumberland. It has carefully balanced the need to provide an improved trunk road for motor users while ensuring that the adjacent and adjoining public rights of way network is not disproportionately affected by the scheme. This has been achieved by proposing the diversion of existing public rights of way onto new alignments, the creation of new

rights of way and limiting the number of public rights of way that are proposed for extinguishment and for which no replacement has been provided.

14. It is noted, however that the Environmental Statement only assesses rights of way between Morpeth and the River Coquet at Felton. No assessment is provided for the scheme to the north at Ellingham.
15. The Highways Authority has identified a number of errors within the DCO in respect of the Public Rights of Way and it is expected that these can be corrected during the course of the application, however, the Authority may wish to raise these issues later in the process if they remain unresolved.
16. There are a number of rights of way proposed to be stopped up which are not affected by the proposal. The Local Authority object to these closures unless they are temporary closures to enable the development work.

#### Landscape and Visual Effects

17. The applicant has not aligned the Landscape and Visual Impact Assessment (LVIA) methodologies and combined into a single assessment covering the two sections which is unhelpful given that the scheme is now a single application.
18. The landscape assessment has not been carried out in accordance with current guidance contained within LA107 and therefore current best practice with respect to considering effects on Residential Visual Amenity (LI TGN 02/19) and landscape sensitivity ('An Approach to Landscape Sensitivity' Natural England , June 2019) have not been referenced or applied. This has meant that the focus of the assessment has retained a focus on private amenity rather than public visual amenity. The assessment fails to consider the public visual amenity of communities.
19. The impacts on Fenrother, Causey Park, Causey Park Bridge and West Moor as places and communities are not considered and this has implications for the mitigation design. Viewpoints in the LVIA should reflect these impacts. In particular the viewpoint at Fenrother, where the chosen viewpoint does not include the proposed junction, at Causey Park Bridge, where no viewpoint is provided to illustrate the effect on the community and Rock, where no viewpoint assessing the impact on the Conservation Area is provided.
20. The landscape susceptibility judgements are not explained – the text focuses on quality and value.

21. The Zones of Theoretical Visibility (ZTVs) provided are based on "bare earth" terrain models and are of limited value in identifying where views of the proposals may realistically be possible. LA107 requires that "the ZTV identified for linear infrastructure projects, such as roads, shall be constructed for a sequence of points along the road with heights of structures (ie bridges and gantries) and vehicles along with existing screening features built into it to better demonstrate visibility of all aspects". The ZTVs should therefore include the screening effects of existing above ground features (eg woodland, buildings, settlements etc).
22. The landscape mitigation plans do not form part of the application drawings, raising a concern that they do not form part of the scheme to be delivered. There is also a lack of certainty over hedgerow removal during the construction stage and areas of hedgerow marked as being retained may have to be removed to construct sections of the highway. Although they might be replaced, the impact of the road would be starker in the medium term until they matured.
23. The replacement Coronation Avenue is a token gesture, consisting of trees spaced roughly every 100m. This avenue plays an important role in retaining a rural, well-vegetated character through this section of the route and the LVIA is quite clear about the local importance of the Avenue as a landscape feature and the sparse nature of the replacement compared to what is removed is not explained or justified in the application.
24. There is a lack of certainty and commitment in the landscape proposals, some of the bunds are described as 'desirable mitigation' and it is unclear as to whether they will be delivered or not. A number of the proposed hedgerows are marked as being 'by agreement' and the replacement avenue is described as 'currently proposed' and 'as appropriate and if required' suggesting that these elements are not a committed aspect of the proposals.
25. Mitigation for visual effects at Causey Park Bridge appear to be inadequate given the proposals include no vegetative screening for a 4.2m high embankment with a noise fence on top openly seen at a distance of 100-150m from the street and homes. The red line boundary includes an area where planting could have been included to provide some screening.
26. It is considered that the impact of the proposed West Moor junction would have more than a negligible or neutral effect of the character of the area identified in the LVIA.
27. The LVIA does not adequately assess the effects on landscape character. A full assessment of the effects on the landscape character should be provided and in turn

should inform landscape mitigation. No assessment on the effects on Areas of High Landscape Value (AHLV) or Areas of Intermediate Landscape Value (AILV) have been provided in the LVIA.

28. The potential for night-time effects on the landscape is recognised but no assessment has been made in the LVIA.
29. There is a lack of certainty in the consideration of footpath closures with viewpoints being given assessments – how long footpaths are to be closed for during construction for example.
30. There is an ecological bias to the landscape design, both in narrative and in the resultant design. No information has been provided regarding species selection or management or consideration of this in terms of mitigation of landscape and visual effects.
31. The impact of the developments on the amenity and the quality of the user experience of the public rights of way network and local roads (where an assumption has been made that users are travelling by car and not walkers, cyclists or horse riders who may place greater value on the wider views) has not been adequately addressed in the application. This aspect should be a separate theme within the ES in order to address the impact on both the tourism industry and the local communities.

## Cultural Heritage

### *Built Heritage*

32. Due to the nature of the assessment process values are assigned to heritage assets such that impacts that might otherwise be considered significant are considered not significant within the terms of the EIA process. Thus, for example, the demolition of a non-designated heritage asset may be considered not significant in EIA terms although the loss is total.
33. For Part A (except for milepost reference 1153544 which is to be relocated) the impacts will be indirect to setting. New over junction structures will have a degree of impact on heritage assets. It is accepted that most of these impacts will be in the construction phase and that in operation the mitigation measures proposed would prove effective.
34. For Part B there would be a wider range of effects. Direct impacts to designated heritage assets would again be limited to the relocation of mileposts. One unlisted

milepost, a NDHA, would also be relocated. The greatest direct impact would be to Charlton Mires Farm, also a NDHA, which would be demolished. This would be a major adverse impact but after mitigation by recording would be a slightly adverse effect (and therefore not significant in EIA terms).

35. Indirect setting impacts would be experienced by West Lodge House, a NDHA and gatehouse to the Charlton Hall estate in that the road would move closer to it. The grade II listed Patterson's Cottage would be similarly impacted by roadway widening. However, the most significant indirect setting impact would be to the grade II listed Dovecote at Heckley Fence (NHL 1371059) due to the construction of an overbridge. Here the proposal would result in a permanent moderate adverse effect.
36. In terms of mitigation, measures that ensure the appropriate recording of the buildings to be demolished at Charlton Mires should be included in the CEMP.
37. The applicant is urged that all mileposts (whether designated or otherwise) to be subject to a method statement to cover their recording in situ, temporary safe storage for the duration of the works and subsequent relocation within the completed scheme.

### Archaeology

38. The County Archaeologist has identified a number of amendments or points for clarification which are required in the Outline Construction Environmental Management Plan which are detailed below:
39. Section 2 - Scheme roles and responsibilities - Scheme Archaeologist - The production of a Written Scheme of Investigation (WSI) will also be needed for mitigation work, where required, not just evaluation.
40. Archaeologist (main contractor) – point b, the evaluation will establish the appropriate mitigation. This may be excavation, strip, map and record or watching brief dependant on the extent and significance of archaeological remains, this needs to be amended to reflect the range of potential mitigation.
41. Reference S-CH3 it is useful to identify at this stage that mitigation work may not just happen during the construction phase but may be required prior to construction work commencing if excavation or strip map and record are required. Further work, as recommended by the results of the trial trench evaluation, will be determined in consultation with NCC and implemented by the main contractor during construction.

42. Reference B-CH4 relates to Charlton Mires but has a reference to consultation with NCC and the Milestone Society, this text should be in references B-CH3 and A-CH2 Table 5-1 - Monitoring to be carried out during construction - clarification is required about which archaeologist is responsible for monitoring impacts on cultural heritage.

### Biodiversity/Ecology

43. The key issue is the loss of 0.68ha of ancient woodland, of which 0.27ha is within the River Coquet and Coquet Valley Woodlands SSSI and 0.41ha in the Coquet River Felton Park LWS. A new area of 8.16ha of ancient woodland (agreed with Natural England) will be established adjacent to the lost woodland on the south west bank of the River Coquet, under a 50 year management plan. Whilst fine detail of that woodland creation is required (soil analysis of receptor site, translocation details of soils and young trees) the overall plan is welcomed.

### Air Quality

44. The applicant has not submitted any detailed or geographically specific information on the risks or mitigation from "dust" generated by construction / demolition works. No apparent distinction has been made between dust and particulates in relation to construction and demolition works. Whilst it is generally accepted that the greatest dust impacts will be within 100 metres of a source and this includes both large (>30µm) and small dust particles, there does not appear to be a risk assessment of dust and particulate impacts to local receptors. The principle source of dust/particulates will be from earthworks and the most impacted will be within 100m, without mitigation.
45. There are eight receptors within 100 metres of the carriageway on Part A of the scheme, seven are these are at Fairmoor and there are thirteen receptors within 100 metres of the carriageway on Part B of the scheme, one of these is to be demolished to accommodate the scheme.
46. The applicant has submitted an outline construction environmental management plan (CEMP) which very briefly addresses dust from the construction / demolition phase. This does not constitute a dust management plan document which a contractor or sub-contractor could work from on a daily basis.
47. It is recommended that the applicant commits to a dust management plan (which could include a dust audit programme) which identifies the main sources and locations of dust and particulates generation and methods to mitigate. This could be in an outline format which is refined and finalised by the main contractor.



## Noise and Vibration

48. Operational noise levels have also been modelled for Part B of the dualling scheme where the impacts have been determined. Many receptors are predicted to experience an immediate improvement in the noise environment associated with improved flows of road traffic and the associated noise in the 2023 (Opening Year) and 2038 (Design Year). This has to be set against a predicted negligible deterioration in noise (+0.1 to +2.9 dB LA10 increase) in a Do-Minimum scenario (no dualling).
49. However, unlike Part B of the scheme, there does not appear to be the inclusion of a Do-Minimum noise prediction for Part A of the scheme. Therefore, it is impossible to draw any conclusions of the relative impact of a Do-Something (Opening Year) against a Do-Minimum (without dualling) scenario. For consistency and appropriate interpretation of the impacts of the scheme, the applicant should produce and submit a Do-Minimum (without dualling) prediction of operational road traffic on Part A of the scheme.
50. For vibration, areas of earthworks and piling (principally for bridge construction) have been identified and the receptors within these areas. For Part A there are no receptors within a SOAEL area for vibration from piling and only one in Part B. Both parts of the scheme would see receptors impacted above SOAEL by earthworks.
51. The applicant has submitted an outline construction environmental management plan (CEMP) which addresses noise and vibration from the construction/demolition phase. Understandably this is embryonic at this stage given that specific plant is unknown at this stage. However, generic modelling has been carried out using "standard" noise levels from a likely composition of plant along the routes and within compounds
52. The applicant has stated that "The main contractor will develop and submit a noise and vibration management plan (NVMP) including method statements and any monitoring and reporting protocols that demonstrate to the Applicant that no significant impact will result from their construction works"
53. Additionally, the applicant has submitted a statement on "statutory nuisance" as required with Regulation 5(2)(f) of the Infrastructure Planning (Prescribed Forms and Procedure) Regulations 2009. This statement concludes that the proposed scheme will not give rise to "statutory nuisance" as defined in S79 of The Environmental Protection Act 1990 with mitigation measures in place.

54. The submitted documents makes reference to consents under Section 61 of The Control of Pollution Act 1974, but it is not entirely clear whether there is an intention to apply to Northumberland County Council for any such consents.

#### Land Contamination

55. A number of historic land uses have been identified by the applicant in a series of plans showing their locations along the routes of Part A and B of the sections to be dualled. No assessment of risk from contamination has been presented and it would be normal not to require on for such a development as it does not introduce any sensitive receptors to contamination (should it exist).
56. There is a potential risk of ground instability from historic coal mining in the area of Causey Park, this would be a matter for the applicant to address and may require a licence from the Coal Authority should stabilisation works be required where entry in coal seams or historic coal workings is needed.
57. It is likely that any risks from contamination or ground instability are more likely to be Health and Safety at Work issue for the contractors

#### Flood Risk and Drainage

58. The authority has no concerns over the principle of surface water disposal proposed. However, there is a lack of information at present which means that the proposed basins may not be adequately sized and the flooding may occur within the new highway network and/or increase downstream as a result. Both of which are unacceptable.

#### *Catchment Areas*

59. A plan which clearly shows the different surface water catchments on the scheme is required. This plan will also need to compare the areas to the greenfield runoff rate and allowable discharge rates.

#### *Allowable Discharge Rates*

60. From the information provided it appears that surface water discharging from the respective attenuation features will not be set to one rate. Will a complex control feature be used instead? If so, details of this feature, for each catchment and attenuation feature will need to be provided. What rates will each feature be set to, and how does this compare with the greenfield runoff rate?

61. All of the respective drainage strategy layout drawings just state "Flow Control Chamber" - no associated details are stated as to the allowable rate(s) for each chamber.

### Runoff Volumes

62. As is stated within the ES (chapters 6.6 and 6.7), the surface water scheme is to adhere to the DEFRA Non-Statutory Technical Standards for Sustainable Drainage Systems. Notably standard S4 Volume Control "Where reasonably practicable, for greenfield development, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event". As the proposals are to discharge surface water at different rates akin to the greenfield rate (1 in 1, 1 in 100), information is required to show that runoff volumes to standard S4 have been met.

### Associated calculations

63. To ensure that the features are adequately sized, associated calculations need to be submitted which accompany the surface water drainage scheme.

### Drawings of features

64. In addition to the above, drawings (including cross-sectional) of all the attenuation features and swales need to be submitted. These drawings need to denote the maximum water level in a 1 in 100 year plus climate change event (+20%).

### Specific comment (M2F - DB11)

65. On drawing HE551459-WSP-HDG-M2F-DR-CD-0011 Rev P05 "Drainage Strategy Layout Sheet 6 of 13" attention is drawn to the proposed swale which will intercept waste from the road crossing. Where will water from the swale go? If it connects to the surface water scheme for the A1, are these areas included within the calculations? In addition to appears that the swale is proposed over an existing pond (northern side).

### Development Consent Order

66. As drafted at present there are a number of areas that need amendment in light of the above concerns. Due to the issues raised in this response, the contents of the Development Control Order cannot be agreed with at this stage due to the need for amendments to take into account the points of clarification above.
67. It is considered that there is general ambiguity to the proposed for roads planned to be adopted by the Local Highway Authority with the various cross references in Schedules 1 and 4 not cross referencing to each other and/or to the drawings

submitted. It is considered that the key in the Rights of Way and Access Plan indicating "De-trunked A1" should be strengthened to read "New/improved highway – De-trunked A1" to cover the full requirements as set out above. Further discussions are therefore requested to resolve this issue and a schedule of issue can be issued from our review. Furthermore, it would be preferable for the referenced roads in Schedule 4 Part 1 to include the relevant Local Road classification number.

68. It would appear that there is a section of road missing from Schedule 4 Part 1 in relation to the "new link road from West Moor Junction roundabout to Brockenfield Bridge" on the Old A1 under Work Section 16L.
69. The Council will seek to engage with the applicant in relation to the concerns outlined above in order to try and minimise the harm caused by the projects and address the issues raised where possible.
70. The Council will continue to seek and advocate for s106 agreements to secure appropriate mitigation and/or compensation in relation to the identified impacts of the proposals.

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Reviewed for issue	Rob Murfin	Director of Planning	27/10/2020