

A1 in Northumberland: Morpeth to Ellingham

Scheme Number: TR010059

Statement of Commonality for Statements of Common Ground

AFPF Rules 2010 Rule 8(1)(c)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

Infrastructure Planning

Planning Act 2008

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

**The A1 in Northumberland: Morpeth to
Ellingham**

Development Consent Order 20[xx]

**Statement of Commonality for Statements of
Common Ground**

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1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1. This Statement of Commonality for Statements of Common Ground (this “Statement”) relates to an application made by Highways England (the “Applicant”) on 7 July 2020 to the Secretary of State for Transport via the Planning Inspectorate (the “Inspectorate”) under section 37 of the Planning Act 2008 (the “2008 Act”) for a Development Consent Order (DCO). If made, the DCO would grant consent for A1 in Northumberland, Morpeth to Ellingham (the “Scheme”). The application was accepted for examination by the Inspectorate on 4 August 2020.
- 1.1.2. The Scheme is formed of two parts as follows: A1 Morpeth to Felton (Part A) and A1 Alnwick to Ellingham (Part B). A detailed description of the Scheme can be found in Chapter 2: The Scheme of the Environmental Statement (ES) [APP-037].
- 1.1.3. This Statement has been prepared to provide the Examining Authority (ExA) with the current position on Statements of Common Ground (SoCG) between the Applicant and prescribed consultees, statutory undertakers and interested parties (“other parties”) in relation to the Scheme.
- 1.1.4. This Statement sets out the position on the commonality on specific SoCGs at Deadline 2.

2 STRUCTURE OF STATEMENTS OF COMMON GROUND

- 2.1.1. To ensure consistency in the approach taken to documenting matters agreed, matters subject to further negotiation or matters not agreed, each of the SoCG adopted a standard format in order to provide clarity to other parties and ultimately the ExA.
- 2.1.2. Each SoCG has the following structure:
 - a. Section 1: introduces the SoCG and a description of its purpose;
 - b. Section 2: states the engagement that has occurred between the Applicant and other Party; and
 - c. Section 3: sets out any issues that have arisen, reporting on the status of each issue, i.e. whether it is agreed, still under discussion or not agreed, and any remaining actions.

3 LIST OF STATEMENTS OF COMMON GROUND

- 3.1.1. The Applicant has prepared SoCG with a number of other parties it considers beneficial to do so with during the preparation of the DCO application. These comprised:
- a. Northumberland County Council (as the local authority for the area in which the Scheme is located);
 - b. Historic England;
 - c. The Environment Agency; and
 - d. Natural England.
- 3.1.2. In the Rule 6 letter dated 19th November 2020, the ExA requested that the Applicant enter into SoCG with the following bodies in relation to the effect of the Scheme on trees and woodlands, including ancient woodland, and the proposed mitigation in respect of trees and woodlands:
- a. Forestry Commission; and
 - b. The Woodland Trust.
- 3.1.3. The Woodland Trust confirmed by an email dated 12/01/20 that: *“the Trust is unable to participate in any Statement of Common Ground agreements for road schemes. As we are currently considering both our internal and external position on involvement with transport schemes, we have put in place a moratorium on partaking in any such agreements.”* As such, the Applicant has prepared a draft SoCG with the Forestry Commission, but not the Woodland Trust.
- 3.1.4. The ExA also requested that the applicant enter into SoCGs with affected statutory undertakers, in relation to protective provisions.
- 3.1.5. The affected statutory undertakers are set out in Appendices CA.2 [REP1-038] and CA.3 [REP1-039] of the Applicant’s Response to ExA’s First Written Questions [REP1-032], submitted at Deadline 1. These appendices identify the extent to which each statutory undertaker would be affected, whether a relevant representation has been submitted and the extent of discussions (if any) with the Applicant as to protective provisions.
- 3.1.6. The Applicant has reviewed the statutory undertakers listed in appendices CA.2 [REP1-038] and CA.3 [REP1-039] to identify those statutory undertakers which have submitted a relevant representation or otherwise requested that the Applicant engage in discussions in relation to protective provisions. Through this process, the Applicant identified the below affected statutory undertakers. Draft SoCGs have been prepared for each of these statutory undertakers:
- a. National Grid;
 - b. Northumbrian Water;
 - c. Northern Powergrid; and
 - d. Northern Gas Networks.

- 3.1.7. There are no other statutory undertakers that have submitted relevant representations or otherwise requested that the Applicant engage in discussions in relation to protective provisions. As such it is not proposed at this stage to enter into any further SoCGs with additional statutory undertakers.
- 3.1.8. The parties which the Applicant has prepared SoCG with are listed in Table 3.1 below.

Table 3-1 - List of SoCGs

Stakeholder
Local Authorities
Northumberland County Council
Prescribed Consultees
Historic England
Environment Agency
Natural England
Forestry Commission
Statutory Undertakers
National Grid
Northumbrian Water
Northern Powergrid
Northern Gas Networks

- 3.1.9. Further detail about the current position of each SoCG can be found at Chapter 4, Table 4.1 of this Statement.

4 SUMMARY OF CURRENT POSITION

- 4.1.1. This section provides the position of each SoCG as at January 2021. As final versions of the SoCGs are agreed as the DCO Examination progresses, they will be submitted alongside this Statement.
- 4.1.2. Table 4.1 below provides a high level position and where necessary includes further detail to aid understanding of the ExA. The high level positions used in the table are:
- a.** Final Signed SoCG all matters agreed – The final SoCG has been signed by both parties and all matters are agreed.
 - b.** Final Signed SoCG with matters outstanding – The final SoCG has been signed by both parties, and there remain matters outstanding that the Applicant and the other party agree will not be resolved during the Examination.
 - c.** SoCG in draft – The SoCG has been drafted by the Applicant, it has been shared with the other party and comments have been provided. Discussion is ongoing to reach a 'Final Signed SoCG all matters agreed' or 'Final Signed SoCG with matters outstanding'.

Table 4-1 - SoCGs High Level Position

Doc Ref	Party	Position Deadline 1	Position Deadline 2	Position Deadline 3	Position Deadline 4	Position Deadline 5	Position Deadline 6	Position Deadline 7	Position Deadline 8	Position Deadline 9	Position Deadline 10	Position Deadline 11
Local Authority												
7.6A	Northumberland County Council	SoCG in draft and submitted at Deadline 1.	SoCG in draft. Revised version to be submitted at Deadline 3.									
Prescribed Consultees												
7.6B	Natural England	SoCG in draft and submitted at Deadline 1.	SoCG in draft. Revised version to be submitted at Deadline 3.									
7.6C	Environment Agency	SoCG under preparation, to be submitted in draft at Deadline 2.	SoCG in draft and submitted at Deadline 2.									
7.6D	Historic England	SoCG in draft and submitted at Deadline 1.	SoCG in draft. Revised version to be submitted at Deadline 3.									
7.6E	Forestry Commission	SoCG in draft and submitted at Deadline 1.	SoCG in draft. Revised version to be submitted at Deadline 3.									
7.6F	National Grid	SoCG under preparation, to be submitted in draft at Deadline 2.	SoCG in draft and submitted at Deadline 2.									
7.6G	Northern Powergrid	SoCG under preparation, to be submitted in draft at Deadline 2.	SoCG in draft and submitted at Deadline 2.									
7.6H	Northern Gas Networks	SoCG under preparation, to be submitted in draft at Deadline 2.	SoCG in draft.									
7.6I	Northumbrian Water	SoCG under preparation, to be submitted in draft at Deadline 2.	SoCG in draft and submitted at Deadline 2.									

5 SUMMARY OF CURRENT POSITION

- 5.1.1. This section of the Statement provides a summary of principal issues covered in the SoCG and demonstrates where there is commonality in the topics or matters.
- 5.1.2. The table is presented in such a way to show topics covered within the various SoCG and how these are relevant to each other party and a position for each topic as follows:

	Matter agreed
	Matter subject to further discussion
	Matter not agreed

- 5.1.3. Where a matter is not relevant to the other party, it is not included within the SoCG and therefore not covered in Table 5.1 and shown as a blank.
- 5.1.4. Initial drafts of the SoCGs with the Environment Agency and with the four affected statutory undertakers (National Grid; Northumbrian Water; Northern Powergrid; and Northern Gas Networks) are submitted at Deadline 2.
- 5.1.5. The applicant is continuing to liaise with Northumberland County Council; Natural England, Historic England and the Forestry Commission, and updated versions of these SoCGs will be submitted to the ExA for Deadline 3.

Table 5-1 - Table of Commonality at Deadline 2

SoCG Ref	Party	Topics																
		Development Consent Order	Environmental Impact Assessment	Air Quality and emissions	Biodiversity, ecology and nature conservation	Economic and social effects	Historic Environment	Landscape and visual effects	Noise and vibration	Traffic and transportation	Green Belt Considerations	Outline Construction Environmental Management Plan	Water Environment Effects	Water Framework Directive compliance	Drainage and Flooding	Environmental permits	Effects on heritage assets	License applications
7.6A	Northumberland County Council																	
7.6B	Natural England																	
7.6C	Environment Agency																	
7.6D	Historic England																	
7.6E	Forestry Commission																	
7.6F	National Grid																	
7.6G	Northern Powergrid																	
7.6H	Northern Gas Networks																	
7.6I	Northumbrian Water																	

6 POSITION AT DEADLINE 2

6.1.1. This section provides a summary of the current position at Deadline 2 between the Applicant and each party. This section provides the ExA with a summary. The individual SoCGs should be referred to for the full detail on specific matters.

NORTHUMBERLAND COUNTY COUNCIL

6.1.2. The position of Northumberland County Council at Deadline 2 is currently Under Discussion.

6.1.3. A number of meetings have been held and there is a broad measure of agreement that the Scheme is supported in planning policy and that, subject to an assessment of the impacts of the Scheme on the environment, the application should be approved.

6.1.4. Good progress is being made in a number of areas and it is anticipated that a broad agreement on the landscape impacts of the Scheme can be reached for Deadline 3. Progress is also being made in all the areas highlighted by the Examining Authority in the letter Rule 6 Letter, and an updated SoCG will record this progress at Deadline 3.

6.1.5. The following principal matters remain Under Discussion between NCC and the applicant:

- a. Discussions over the landscape and visual impacts of the Scheme;
- b. Measures to mitigate the impacts of the Scheme on the local road network, including discussions over the future of the de-trunked section of the A1;
- c. The impacts of the Scheme on biodiversity and ecology;
- d. The impacts of the Scheme on heritage and the historic environment are still under discussion; and
- e. There is an ongoing dialogue with NCC over the surface water plans.

HISTORIC ENGLAND

6.1.6. Discussions are underway with Historic England over the impacts of the Scheme on identified heritage assets. There is one Scheduled Monument (Felton Old Bridge, also Grade II* Listed Buildings), one Grade I (Church of St. Michael's and all Angels) and two Grade II* Listed Buildings (Greenhouse and Bockenfield Farmhouse) within 1km of the Scheme identified for assessment.

6.1.7. There is an initial agreement that the assessments appropriately consider relevant legislation and policy and that the scope and methodology adopted for the baseline cultural heritage assessment of the potential impacts is appropriate and follows standards and guidance.

6.1.8. There are no principal matters outstanding between Natural England and the Applicant. The matters remaining subject to further discussion relate primarily to consultation on the Outline CEMP [APP-7.3].

ENVIRONMENT AGENCY

- 6.1.9. The position of the Environment Agency at Deadline 2 is currently Under Discussion as set out in the SoCG submitted for Deadline 2. Discussions regarding issues related to the Outline CEMP [APP-7.3] itself have not yet taken place

NATURAL ENGLAND

- 6.1.10. The position of the Natural England at Deadline 2 is currently Under Discussion. It is anticipated that an updated version of the SoCG will be submitted at Deadline 3.

FORESTRY COMMISSION

- 6.1.11. The position of the Forestry Commission at Deadline 2 is currently Under Discussion. It is anticipated that an updated version of the SoCG will be submitted at Deadline 3.

NATIONAL GRID

- 6.1.12. An initial version of the SoCG with National Grid is submitted at Deadline 2. Work on this SoCG is ongoing.

NORTHUMBRIAN WATER

- 6.1.13. An initial version of the SoCG with Northumbrian Water is submitted at Deadline 2. Work on this SoCG is ongoing.

NORTHERN POWERGRID

- 6.1.14. An initial version of the SoCG with Northern Powergrid is submitted at Deadline 2. Work on this SoCG is ongoing.

NORTHERN GAS NETWORKS

- 6.1.15. An initial version of the SoCG with Northern Gas Networks is submitted at Deadline 2. Work on this SoCG is ongoing.

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