

A1 in Northumberland: Morpeth to Ellingham

Scheme Number: TR010059

Applicant's Comments on Responses to ExA's First Written Questions

Infrastructure Planning (Examination Procedure) Rules 2010, Rule 8(1)(b)

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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]

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Questions**

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1 APPLICANT'S COMMENTS ON RESPONSES TO EXA'S FIRST WRITTEN QUESTIONS

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1. This document relates to an application for a Development Consent Order (DCO) made on 7 July 2020 by Highways England (the 'Applicant') to the Secretary of State for Transport via the Planning Inspectorate (the 'Inspectorate') under section 37 of the Planning Act 2008 (the '2008 Act'). If made, the DCO would grant consent for the A1 in Northumberland: Morpeth to Ellingham (the 'Scheme').
- 1.1.2. The Scheme comprises two sections known as Part A: Morpeth to Felton (Part A) and Part B: Alnwick to Ellingham (Part B), a detailed description of which can be found in Chapter 2: The Scheme, Volume 1 of the Environmental Statement (ES) [APP-037].
- 1.1.3. The purpose of this document is to set out the Applicant's response to Other Parties' responses to the Examining Authority's First Written Questions (WQs) as set out in the Rule 8 letter issued on 6 January 2021.

Table 1-1 – Environment Agency

Ref. No.	Question	Response:	Applicant's Response
BIO.1.7	<p>Paragraph 9.4.52 of the ES [APP-048] describes how a biodiversity no net loss calculation has been carried out. How does this relate to the principle of biodiversity net gain? Explain how the principle of biodiversity net gain applies to the Scheme. In responding the Applicant should have regard to Policies QOP1 and ENV2 of the Castle Morpeth District Local Plan in Table 9.3 which seek to achieve net gains for biodiversity rather than no net loss. This should be addressed for the entire Scheme. What is the response of IPs to this approach?</p>	<p>Using BREEAM definitions for No Net Loss in a non BREEAM scheme does not seem suitable for a Nationally Significant Infrastructure Project and is not common practice, as such we do not recognise the definition that no net loss has a range of 95-104%. Without a suitable definition for No Net Loss that is in line with current best practice, we have to make the assumption that anything that results in a habitat loss, is a loss. The use of definitions and methodology of the more recognised and used Defra biodiversity metric would be welcome. Therefore, mitigation measures are required to mitigate and/or compensate for any loss.</p> <p>Paragraphs 170, 171, 174 & 175 of National Planning Policy Framework (NPPF) sets out biodiversity net gain policies for developing local planning policies and decision making. These policies have a particular focus on enhancing the natural environment beyond simply protecting it. Furthermore, NPPF policy 102 also states that the environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.</p>	<ol style="list-style-type: none"> 1. As detailed within the Applicant's response to statement A.4 of the Environment Agency's Relevant Representations, the inclusion of and reference to Building Research Establishment Environmental Assessment Method (BREEAM) Guidance Note 36 (GN36) is consistent with recognised best practice for supplementing standard BNG guidance (Defra guidance¹). 2. GN36 has been used to define net loss as a range of 95-104% on the basis it is the only published standard available. 3. Further, the definition of no net loss as a range of 95-104% was used within the biodiversity assessment for the A1 Birtley to Coal House Improvement Scheme, which was granted development consent on 19 January 2021 (see paragraph 2.4.2 of Appendix 8.13 Biodiversity Net Gain Report²). The Environment Agency did not raise an objection to the use of this definition during consultation or examination for this scheme. <ol style="list-style-type: none"> 1. As detailed within the Applicant's response to statement A.11 of the Environment Agency's Relevant Representations as set out in Appendix A of the Applicant's Response to Relevant Representations [REP1-064], the Scheme is a Nationally Significant Infrastructure Project (NSIP) and is governed by the National Policy Statement for National Networks (NPS NN) rather than the NPPF. As such there is no legal requirement to achieve no net loss or net gains for biodiversity. 2. Nevertheless, the Applicant has completed a Biodiversity No Net Loss Assessment Report for the Scheme (document reference 6.28, issued at Deadline 2) in response to the Highways England Biodiversity Action Plan and national and local policies and strategies, such as the Road Improvement Strategy 2 (RIS2) and the NPS NN. Net gain cannot be claimed for the Scheme as a whole due to the loss of ancient woodland associated with Part A, an irreplaceable habitat. However, the Scheme contributes to net gains for biodiversity (outside of ancient woodland) by achieving a net gain for priority habitat woodland and wetlands (see Biodiversity No Net Loss for the Scheme, document reference 6.28; issued at Deadline 2). The biodiversity no net loss assessment for the Scheme is based on Figure 7.8: Landscape Mitigation Masterplan for Part A [APP-

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69531/pb13745-bio-technical-paper.pdf

² Appendix 8.13 Biodiversity Net Gain Report of the A1 Birtley to Coal House Improvement Scheme can be accessed via: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010031/TR010031-000557-6.3%20Environmental%20Statement%20-%20Appendix%208.13.pdf>

Ref. No.	Question	Response:	Applicant's Response
			<p>095] and Figure 7.10: Landscape Mitigation Plan Part B [APP-144], which are secured by the Outline Construction Environmental Management Plan (Outline CEMP) [REP1-023 and -024]. This demonstrates compliance with paragraphs 102, 170, 174 and 175 of the NPPF, which refer to providing/securing measurable net gains for biodiversity.</p> <p>3. Paragraph 175(b) of the NPPF states that “development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it ... should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site ... and any broader impacts on the national network of Site of Special Scientific Interest.” Paragraph 175(c) states “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland ...) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.” In relation to paragraph 175(b and c), the Applicant acknowledges that the Scheme would result in the loss of ancient woodland, an irreplaceable habitat, that is also located within a Site of Special Scientific Interest (SSSI) in relation to the construction of the new River Coquet Bridge. As a Nationally Significant Infrastructure Project (NSIP), the Scheme qualifies under the definition of “wholly exceptional”, in accordance with footnote 58 of paragraph 175(c) of the NPPF. Further, a suitable compensation strategy has been developed in consultation with Natural England (Appendix 9.21: Ancient Woodland Strategy Part A [APP-247]). Natural England is in agreement with the strategy. This is documented within the Statement of Common Ground with Natural England. A ‘without prejudice’ version of the SoCG was submitted at Deadline 1 [REP1-029].</p> <p>4. As detailed in paragraph 9.4.53, Chapter 9: Biodiversity Part A [APP-048] and paragraph 9.4.44, Chapter 9: Biodiversity Part B [APP-048], the principles of the mitigation hierarchy have been applied as part of the Scheme design (avoidance, mitigation, compensation, enhancement). As an example of avoidance, the siting of the Part A route alignment sought to reduce land take and increase retention of ancient woodland relating to the construction of the new River Coquet Bridge. The Scheme includes mitigation for adverse impacts to protected and notable species and compensation for the loss of habitats, as detailed in Figure 7.8 – Landscape Mitigation Masterplan Part A [APP-095] and Figure 7.10 – Landscape Mitigation Plan Part B [APP-144] and the Outline Construction Environmental Management Plan (Outline CEMP) [REP1-023 and 024]. The Applicant has also committed to develop a strategy of biodiversity enhancement, based on the opportunities identified within paragraph 9.9.11 of Chapter 9: Biodiversity Part A</p>

Ref. No.	Question	Response:	Applicant's Response
		<p>The 25 Year Environment Plan (25YEP) makes the commitment to embed a principle of Environmental Net Gain (ENG) in the planning system. The first step in working towards wider ENG is establishing a requirement for biodiversity net gain.</p>	<p>[APP-048] and 9.9.9 of Chapter 9: Biodiversity Part B [APP-049]. The strategy will be developed in consultation with relevant stakeholders. This is identified in S-B20 of the Outline CEMP [REP1-023 and 024]. This further demonstrates compliance with paragraphs 102, 170, 171, 174 and 175 regarding the avoidance and mitigation of adverse effects and their focus on enhancing the natural environment.</p> <ol style="list-style-type: none"> 1. The 25YEP is an aspirational document for achieving benefits for the environment. Whilst it provides a plan for achieving a number of environmental targets and changes, it does not have any legal implications for the Scheme at the present time. It remains the case that there is no legal requirement for a Nationally Significant Infrastructure Project (NSIP), such as the Scheme, to achieve no net loss or net gains in biodiversity, as detailed in the Applicant's response to BIO.1.1 [REP1-032]. This is evident from both the lack of an existing legal requirement and the omission of NSIPs from the regime envisaged under Schedule 14 to the Environment Bill, the applicability of which is limited to the Town and Country Planning Act 1990. 2. However, as detailed in the Applicant's response to A.3b of the Relevant Representation made by the Environment Agency [REP1-065], Biodiversity No Net Loss Assessments have been undertaken for the Scheme [APP-246] [APP-309], to assess the loss of habitats and inform landscape mitigation proposals with the aim of achieving no net loss, in line with the NPS NN.
BIO.1.9	Are IPs content with the search / study areas identified in paragraph 9.6.2 of the ES [APP-048]?	<p>Otters are highly mobile species with large home ranges. Therefore, there is potential for otters to use crossing points / watercourses as commuting routes within the Development Consent Order (DCO) boundary. Therefore, consideration should be given to widening the search/study area for the DCO to ensure that the impacts of the development on otters is adequately assessed and mitigated for. Records of otter in the wider area should be factored into the assessment due to their potential to move along suitable commuting routes within the DCO, this should then inform the requirement for any mitigation to reduce the potential for road collision mortalities during the operational phase.</p>	<ol style="list-style-type: none"> 1. As detailed within the Applicant's response to statement A.23 of the Environment Agency's Relevant Representations [REP1-065], the assessment of otter was undertaken in line with the relevant standard guidelines (refer to Appendix 9.17 Part A [APP-243] and Appendix 9.3 Part B [APP-300]). The assessment took into account historical records and field survey data which extends into the wider area beyond the Order limits 2. Historical records within 2km of the Scheme³ were requested from the local records centre (Environmental Records Information Centre (ERIC) North East) as part of a desk study. This was supplemented with field surveys in search of evidence of otter activity and presence in line with relevant best practice (as detailed within

³ 2km from the scheme options under consideration for Part A at the time of assessment (as detailed in paragraph 2.2.1 of Appendix 9.17 Water Vole and Otter Survey Report Part A [APP-243]) and 2km from the Order limits at the time of assessment for Part B (as detailed in paragraph 2.1.1 of Appendix 9.3 Otter and Water Vole Report Part B [APP-300]).

Ref. No.	Question	Response:	Applicant's Response
			<p>Appendix 9.17 Part A [APP-243] and Appendix 9.3 Part B [APP-300]). Watercourses and riparian habitat (e.g. banksides) were surveyed for a distance of 250m either side of the Scheme (i.e. upstream and downstream) and included watercourses running parallel with 250m.</p> <p>3. As detailed in paragraph 9.7.87 of Chapter 9: Biodiversity Part A [APP-048], the otter population associated with Part A is considered by the Applicant to be of Local importance taking into consideration the relatively low level of otter fields signs recorded and the absence of otter resting or sheltering places within the Order limits (as detailed in paragraphs 9.7.84 to 9.7.86 [APP-048]). In relation to Part B, as detailed in paragraph 9.8.2(c) of Chapter 9: Biodiversity Part B [APP-049], otter are assessed as likely absent from the Order limits of Part B due to the absence of activity or evidence of otter recorded during the field surveys. As such, it is not accepted that the study area for otter should be widened.</p> <p>4. The Applicant accepts that there is potential for otter to use crossing points / watercourses as commuting routes, particularly associated with Part A where otter was recorded present during field surveys. As such, appropriate mitigation has been developed. The mitigation measures have been secured within the Outline CEMP [latest version REP1-023 and 024]. Pre-construction surveys for both Part A and Part B would be completed to update the baseline conditions and verify the suitability of existing mitigation (measures A-B17 and B-B18 of the Outline CEMP [REP1-023 and 024]). For Part A, which includes online widening and the construction of a new offline section of road, mammal ledges have been incorporated into culvert designs, where possible (measure A-B8 [REP1-023 and 024]) and additional wildlife culverts have been included to provide additional safe passage beneath the Scheme (measure A-B10 [REP1-023 and 024]). For Part B, which involves online widening, a number of existing culverts (including those to be extended by the Scheme) that offer safe passage for wildlife beneath the existing road would retain the ability to offer free passage except in times of flood (further detail is presented in the Applicant's response to the Environment Agency's Relevant Representation [REP1-065]). In addition, cattle creeps associated with White House Burn and a Tributary of Kitty Carter Burn provide ample space and opportunity for mammal passage.</p> <p>5. The provision of mammal ledges, wildlife culverts and retention (although extension) of existing culverts with suitable dimensions reduces the potential risk for road collision mortalities during the operational phase.</p>
DCO.1.77	Sch. 10 – Protective Provisions. Provide an update as to the	We require further discussion with the Applicant before we can comment on the acceptability of the Protective Provisions. The	1. As recorded in the draft statement of common ground with the Environment Agency submitted at Deadline 2 (document reference

Ref. No.	Question	Response:	Applicant's Response
	acceptability of the Protective Provisions contained in Schedule 9 of the draft DCO	proposed changes submitted on 10 December 2020 and if accepted, may have implications on the Protective Provisions required for the DCO.	7.6C), the Applicant's legal team first contacted the Environment Agency to discuss protective provisions on 28 October 2020. Discussions are ongoing, and the Applicant will continue to engage with the Environment Agency to reach agreement on protective provisions.

Table 1-2 – Historic England

Ref. No:	Question:	Historic England Response:	Applicant's Response:
HE.1.5	In paragraph 8.7.34 of the ES [APP-046] it is stated that the assessment identified 64 built heritage assets or designated areas within the Outer Study Area and that 20 built heritage assets have been identified as being potential sensitive receptors. The Applicant is asked to explain how the number of assets was reduced from 64 to 20. NCC / Historic England are asked to comment on the identification of the 20 sensitive receptors.	The 20 receptors include those heritage assets within our statutory remit which we believe need to be assessed for their impact as part of the DCO process. We defer to NCC specialists on whether the 20 sensitive receptors are appropriate to allow the assessment of impacts on those heritage assets outside of our remit.	1. Noted. The Applicant's response provided at Deadline 1 (Table 1-8 [REP1-032]) outlined the approach to the scoping exercise employed to reduce the number of assets required for detailed setting assessment from 64 to 20, in adherence with Historic England Guidance. The methodology is also described in paragraphs 8.4.31 and 8.4.32 of Chapter 8: Cultural Heritage Part A [APP-046].
HE.1.10	Table 8.4 of the ES [APP-047] notes the presence of a Prehistoric burial mound Scheduled Monument within the current Order Limits which was identified by Historic England and NCC as being the main point of concern. Are Historic England and NCC content that there would be no direct physical impacts on Scheduled Monuments?	At this stage it is unclear as to whether direct physical impacts on scheduled monuments will be avoided.	1. Table 8.4 of Chapter 8: Cultural Heritage Part B [APP-047] presents the consultation undertaken in relation to cultural heritage. Entry 2 confirms that the Scheme has been redesigned to remove a Prehistoric Burial Mound Scheduled Monument from the Order Limits. As such, there are no Scheduled Monuments within the Order limits. 2. This is confirmed by paragraph 8.7.1 to 8.7.3 of Chapter 8: Cultural Heritage Part A [APP-046] and paragraph 8.7.1 to 8.7.7 of Chapter 8: Cultural Heritage Part B [APP-047], which report that there are no Scheduled Monuments within the Order limits and therefore no direct physical impacts on them.
		In pre-application discussions, and within the information supporting the current application, it seems clear that the intention is to avoid such impacts. This is welcomed.	1. Noted and agreed. See further responses below.
		However, the plans submitted do not show the boundary of the DCO and the boundary of the scheduled monuments on the same	1. Detailed plans showing the Order limits and the scheduled monuments of North Charlton medieval village and open field

Ref. No:	Question:	Historic England Response:	Applicant's Response:
		<p>plan, and at a sufficiently high scale to be able to confirm that this is indeed the case.</p> <p>This means that whilst we don't doubt the intention of avoiding the scheduled sites, at this point we cannot be definitive that physical impacts on scheduled monuments will be avoided. To resolve this, our suggestion is for the applicant to submit such a plan, showing the DCO boundary and scheduled monuments on the same high scale plan.</p> <p>This would then allow us to be definitive on the issue of direct physical impacts, or to allow further discussion if the DCO clips or otherwise impacts on any scheduled sites.</p>	<p>system and the Camp at West Linkhall accompanied the Applicant's response to Historic England's Relevant Representation submitted at Deadline 1 [REP1-070]. These plans confirmed that no land within the Scheduled Monuments is within the Order limits and show an exclusion zone where the Order Limits directly abut the boundary of the North Charlton Scheduled Monument.</p> <p>2. As such, it can be concluded with confidence that there would not be direct physical impacts on these scheduled monuments.</p>

Table 1-3 – Mark Hawes

Ref. No.	Question	Response:	Applicant's Response
AQ.1.2	Paragraph 5.4.9 of the ES [APP-040] identifies the data sources used for the assessment. Are IPs content with the range of data used?	As my property lies within 8 metres of the road expansion the potential increase in air pollution is naturally a major concern. As such I have raised a number of queries on this topic with the Applicant the most recent being in May 2020 but have yet to receive a response. I am hopeful that a scheduled meeting with the Applicant will help answer the queries.	<ol style="list-style-type: none"> 1. The Applicant continues to engage with Mr Hawes. A recent meeting was held with Mr Hawes on the 13th January 2021 during which the Applicant was able to update on the issues arising, a written response has been provided to Mr Hawes on the 21st January 2021 which included this topic. 2. The assessment of likely air quality effects arising from construction and operation of the Scheme has been undertaken in accordance with HA207/07 and, later LA105. 3. For construction, the potentially affected receptors, including this property (Northgate Farm) are set out in Figure 5.4 Construction Receptors Part A [APP-126], and the mitigation measures in Chapter 5: Air Quality Part A [APP-040]. The mitigation measures cover all aspects of site management, planning, and activities, and construction traffic relevant to the control of dust from construction works. 4. During operation, an assessment of the impact of the Scheme on ambient concentrations of NO₂ and PM₁₀ has been undertaken to determine whether the Scheme would result in a significant air quality effect. For this property receptor R009 has been identified as representative of exposure. The assessment indicated that modelled concentrations at this receptor are well below the relevant air quality thresholds with or without the Scheme. Furthermore, no exceedances of any air quality threshold were modelled at any receptor (including Northgate Farm) with or without the Scheme. 5. As set out in paragraph 5.10.1, Section 5.10 Chapter 5 Air Quality Part A [APP-040] with the application of the mitigation measures, no

Ref. No.	Question	Response:	Applicant's Response
		<p>I have a number of concerns with the currency of the data sources. I understand that the majority of the data was captured in 2015 and the subsequent results extrapolated before the current plans were formulated. A significant number of changes have been made to the plans since then which have a direct impact on air pollution.</p>	<p>significant effects are anticipated as a result of the Scheme at any property within 200m of potential works, including Northgate Farm.</p> <ol style="list-style-type: none"> 1. The Scheme specific air quality baseline data were collected in 2017, and local authority data were presented for 2013 to 2017. For use in the verification of the air quality model, it was necessary to back-project the Scheme specific monitoring from 2017 to 2015. This was undertaken following guidance in LAQM TG 16 (Ref 5.25). 2. All changes to the design of the Scheme as it has been developed and refined since the preferred route announcement in 2017 have been assessed in terms of their materiality to Air Quality and reported within the ES. 3. These changes have been incorporated in the Scheme, which is the subject of the DCO Application, take the form of either an Appendix, in the case of the change to the Scheme opening year set out in Appendix 16.4 Air Quality Likely Significant Effects of the Scheme [APP-330]. 4. In all cases, the assessment indicates the level of change anticipated with the Scheme design and/or guidance and do not change the conclusion of the air quality assessment; that no significant effects in terms of human health are anticipated.
		<p>Although it may be standard industry practice but I am struggling to understand how an accurate forecast can be derived from data recorded 10 years ahead of actual implementation. This concern is further exacerbated when you consider the range of different factors which have an impact upon air quality.</p>	<ol style="list-style-type: none"> 1. As a result of many years' experience and data gathering, environmental assessors and Highways England through its published assessment methodologies have approaches that allow these types of assessment to be undertaken. 2. The air quality assessment has been based on the latest available and approved data. As more data has become available, the sensitivity of the modelled impacts has been reviewed and it has been concluded that the findings of Chapter 5: Air Quality Part A [APP-040] and Part B [APP-041] are robust. Whilst there may be some inherent uncertainty in the traffic data, this has been minimised as far as is practicable. Moreover, in relation to air quality, it is acknowledged that there is inherent uncertainty in future year forecasts, but that this has been taken into account using the methodology set out in the Design Manual for Roads and Bridges (DMRB) HA207/07 and latterly LA105. Further details are provided below. 3. Paragraph 5.5.3 in Chapter 5 Air Quality Part A [APP-040] and in Chapter 5 Air Quality Part B [APP-041] set out the approach taken within the air quality assessment in dealing with uncertainty in the projection of vehicle emissions into the future. The assessment approach follows guidance set out in IAN 170/12v3 (Ref 5.22 in both Part A [APP-040] and Part B [APP-041]), which takes into account the latest available projection factors which best reflects the most recent evidence on the trends in vehicle emissions and monitored

Ref. No.	Question	Response:	Applicant's Response
		<p>In deriving an air quality forecast I understand that there are a large range of unknown variables which require assumptions to be made. Given the dependency on such variables I was expecting a wider range of potential results to cover different scenarios. For example, what is the impact on air quality in the event that there is an accident and traffic is stationary for some time.</p>	<p>concentrations of NO₂ over time. This process is termed gap analysis, i.e. addressing the gap between predicted reductions in pollutant concentrations and those observed.</p> <p>4. The gap analysed results are presented throughout the air quality assessment. This represents a conservative approach to the prediction of future pollutant concentrations.</p> <p>1. In addition to the response above, covering the uncertainty in predictions of future trends, section 5.5 – Assessment Assumptions and Limitations of the air quality assessments for both Part A [APP-040] and Part B [APP-041] sets out the approach to dealing with systematic uncertainties.</p> <p>2. Model uncertainty is taken into account in the modelling via the verification of the model and the use of gap analysis/projections factors within the model, which addresses the gap between predicted reductions in pollutant concentrations and those observed. The modelling for the assessment includes a review of inputs to account for sensitivity to model parameters and assumptions. The model is verified using monitored pollutant concentration data, detailed further in Appendix 5.3 - Methodology and Verification ([APP-200] for Part A and [APP-271] for Part B).</p> <p>3. The contribution from accidents/periods of stationary traffic/queuing to the modelled annual mean NO₂ concentrations are accounted for within the model verification factor on the basis of the monitored annual mean pollutant concentrations used in the verification.</p> <p>4. The traffic data which underpins the dispersion model accounts for typical traffic activity (including peak hour congestion, the effect of queuing at junctions, etc.). The relatively low frequency of occurrence and duration of accidents across a year means that the contribution to annual mean concentrations is unlikely to result in any significant air quality effect, and so it is not necessary to model additional scenarios.</p>
		<p>As the latest plans include the placing of a layby close to the property, I was hoping to see some specific data on the impact of stationary vehicles running idle in a layby. Similarly, there is no data source which identifies the additional impact of an operational depot being placed close to the property.</p>	<p>1. As is clear from the Application as submitted, there is no proposal for an operational depot within the vicinity of the property, which has verbally been clarified to the landowner.</p> <p>2. In addition, the limited number of vehicles that could be present and idling within the layby is well below the traffic scoping criteria set out in HA207/07 (and latterly LA105) and therefore does not warrant assessment.</p> <p>3. Moreover, modelled concentrations at this property are well below the annual mean objective and, given the relationship set out in Defra's technical guidance document LAQM TG16 (Ref 5.25 in both Part A [APP-040] and Part B [APP-041]), i.e. "exceedances of the NO₂ 1-hour mean are unlikely to occur where the annual mean is</p>

Ref. No.	Question	Response:	Applicant's Response
		<p>Given the age of the data sources I was expecting to see a schedule for further surveys to be carried out to update and validate the results. As it stands, I understand that there is no intention to carry out any further surveys on air pollution.</p>	<p>below 60µg/m³", it is unlikely that there will be any exceedance of the hourly NO₂ standard.</p> <ol style="list-style-type: none"> 1. Given the low risk of impacts, no further data collection is proposed. In their response to question AQ.1.2 in the ExA's First Written Questions, NCC has confirmed that they accept the data the Applicant has used in the assessment [REP1-073].
		<p>In reading the results I did not pick up on any detail which showed the impact of different weather conditions on air pollution.</p>	<ol style="list-style-type: none"> 1. As stated in paragraph 5.4.27 of the air quality assessment for Part A [APP-040] and Part B [APP-041] of the Scheme, the dispersion modelling used recorded meteorological data for 2015 from Newcastle Airport which is representative of meteorological conditions across the study area and records all variables required for dispersion modelling. Therefore, the dispersion modelling explicitly takes account of variations in local weather conditions on the dispersion of pollutants. 2. Further details of the meteorological data and parameters used within the assessment, including a wind rose for the site, can be found in Appendix 5.3 – Methodology and Verification Part A [APP-200] and Part B [APP-271].
		<p>Unfortunately, there was a Coroner's Inquest investigating the sad death of Ella Kissi-Debrah on 16th December. The outcome of the inquest concluded that air pollution was the direct cause of death. Are there any lessons learnt from that landmark case that should be considered in this review on air quality?</p>	<ol style="list-style-type: none"> 1. The Applicant acknowledges that elevated pollution levels are linked to adverse health effects. However, the pollution climate in the rural area alongside the A1 is markedly different from the air quality experienced by Ella Kissi-Debrah, and therefore the ruling has limited direct relevance to the assessment of impacts from the Scheme.
<p>AQ.1.3</p>	<p>IPs Paragraph 5.4.9 of the ES [APP-040] states that based on the Affected Road Network (ARN), 25 representative human receptors have been selected. These receptors represent worst-case locations with likely relevant human exposure to air pollutants from the ARN. Are IPs content with the identification of these receptors in terms of the number and location?</p>	<p>In looking at the list of receptors and the respective grid references it would appear that one of the receptors was placed within my property. Whilst if correct this would have been reassuring but we are not aware of any receptor being placed there. Can the Applicant please confirm actual position of the receptor and when the study took place for this particular receptor? Similarly, how accurate are the other receptor grid references listed?</p>	<ol style="list-style-type: none"> 1. The list of receptors represents locations which have been identified as being sensitive to air quality changes and have therefore been considered within the assessment. The receptor location is placed digitally within a dispersion model, rather than physically on site. The receptor indicates modelled concentrations at the façade of the closest building to the roadside within the model. 2. In terms of the receptor grid reference accuracy, they are quoted at the co-ordinates used within the model (again, digitally rather than physically).
		<p>As my property lies within 8 metres of the road expansion the potential increase in air pollution is naturally a major concern. As such I have raised a number of queries on this topic with the Applicant the most recent being in May 2020 but have yet to receive a response. I am hopeful that a scheduled meeting with the Applicant will help answer the queries.</p>	<ol style="list-style-type: none"> 1. The Applicant continues to engage with Mr Hawes. A recent meeting was held with Mr Hawes on the 13th January 2021 during which the Applicant was able to update on the issues arising, and a written response has been provided to Mr Hawes on the 21st January 2021 which included air quality. 2. The assessment of likely air quality effects arising from construction and operation of the Scheme has been undertaken in accordance with HA207/07 and, later LA105.

Ref. No.	Question	Response:	Applicant's Response
			<ol style="list-style-type: none"> 3. For construction, the potentially affected receptors, including this property (Northgate Farm) are set out in Figure 5.4 Construction Receptors Part A [APP-126], and the mitigation measures in Chapter 5: Air Quality Part A [APP-040]. The mitigation measures cover all aspects of site management, planning, and activities, and construction traffic relevant to the control of dust from construction works. 4. During operation, an assessment of the impact of the Scheme on ambient concentrations of NO₂ and PM₁₀ has been undertaken to determine whether the Scheme would result in a significant air quality effect. For this property receptor R009 has been identified as representative of exposure. The assessment indicated that modelled concentrations at this receptor are well below the relevant air quality thresholds with or without the Scheme. Furthermore, no exceedances of any air quality threshold were modelled at any receptor with or without the Scheme. 5. As set out in paragraph 5.10.1, Section 5.10 Chapter 5: Air Quality Part A [APP-040] with the application of the mitigation measures, no significant effects are anticipated as a result of the Scheme at any property within 200m of potential works, including Northgate Farm.
BIO.1.2	Paragraph 9.1.4 of the ES [APP-048] explains that the Phase 1 survey for Part A had an extent of 500m while that for Part B was 50m. What implications, if any, arise from these different areas?	I do not feel that I have sufficient understanding of the technical topic here to make a comment.	<ol style="list-style-type: none"> 1. As detailed in paragraph 9.1.3(b) of the ES [APP-048 and APP-049], the differences in survey extent for the Phase 1 habitat survey are as a result of the progress in options selection and alignment of the Scheme at the time of the surveys. The Applicant considers the Phase 1 habitat survey extents for Part A [APP-227] and Part B [APP-155] to be suitable to inform the ecological impact assessment of the Scheme. 2. The Applicant has received agreement from Natural England, as the statutory body for nature conservation, that the ecological surveys undertaken to date for the Scheme were appropriate, including methodologies, timing and extent. This was confirmed during a consultation meeting on 15 December 2020 and is captured within the Statement of Common Ground with Natural England [REP1-029].
BIO.1.4	In addressing Policy ENV2 of the Castle Morpeth District Local Plan in Table 9.3 of the ES [APP-048] it is stated that woodland is an irreplaceable habitat and has not been considered in the context of the biodiversity no net loss assessment. Why has ancient woodland been excluded? Explain how biodiversity enhancement,	I do not feel that I have sufficient understanding of the technical topic here to make a comment.	<ol style="list-style-type: none"> 1. The Applicant's response to the ExA's First Written Question (WQ) BIO.1.4, in Table 1.3 [REP1-032] explains that ancient woodland has been excluded from the biodiversity no net loss assessment as an irreplaceable habitat. This is in accordance with the approach detailed in good practice guidance. In addition, the Applicant's response to WQ BIO.1.4 confirms that the Applicant has committed to develop a strategy of biodiversity enhancements, based on the opportunities identified within paragraph 9.9.11 of Chapter 9: Biodiversity Part A [APP-048] and paragraph 9.9.9 of Chapter 9: Biodiversity Part B [APP-049]. The strategy will be developed in

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	rather than compensation, has been achieved for the Scheme. What is the response of IPs to this approach?		consultation with relevant stakeholders and secured through the Construction Environmental Management Plan (CEMP) [REP1-023 and 024].
BIO.1.8	In paragraph 9.5.1 of the ES [APP-048] it is stated that surveys are typically valid for two years unless otherwise specified, and that the validity of surveys greater than two years old, such as breeding birds, to inform the impact assessment has been discussed and agreed with NE. Paragraph 9.7.5 indicates that the Phase 1 habitat survey was undertaken in June 2016. Appendices 9.12 to 9.17 all record surveys from 2017 or earlier. Do IPs consider surveys which are older than 2 years to be still valid?	Given the dynamic nature of the environment I am struggling to understand how a short snapshot survey taken over 2 years ago can provide a full indication of the potential impact.	<ol style="list-style-type: none"> 1. All ecological surveys represent a snapshot in time, given that habitat can change over time and species populations and distribution are also subject to change. This factor is a consideration when developing mitigation. The Applicant has also received agreement from Natural England, as the statutory body for nature conservation, that the ecological surveys undertaken to date for the Scheme were appropriate, including their timing. This was confirmed during a consultation meeting on 15 December 2020 and is captured within the Statement of Common Ground with Natural England [REP1-029]. 2. As detailed in measure S-B5 of the Outline CEMP (the latest version issued at Deadline 1 [REP1-023 and 024]), prior to construction a suitably qualified and experienced Ecological Clerk of Works (ECoW) will be appointed and support the main contractor with implementation of the CEMP. As per item 'c' of measure S-B5 of the Outline CEMP [REP1-023 and 024], the ECoW will monitor ecological conditions during the construction phase to identify additional constraints that may arise as a result of natural changes to the ecological baseline over time, advising the development and implementation of suitable mitigation during construction. 3. The Outline CEMP [REP1-023 and 024] also includes pre-commencement walkover surveys and inspections for the following species, to confirm that baseline conditions remain accurate and affirm mitigation proposals: <ul style="list-style-type: none"> – Badger (measure S-B6) – Bats and trees (measure S-B7) – Invasive non-native species (measure S-B8) – Otter (measure A-B17) – Red squirrel (measures A-B20, A-B21, B-B7, B-B9) 4. Further, update surveys will also be undertaken to inform species licence applications to Natural England, to ensure that survey information is up-to-date, and mitigation proposed is appropriate. These surveys are also captured within the Outline CEMP [REP1-023 and 024] for great crested newts (measure A-B18), bats (measure A-B19) and badger (measure S-B6).

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		This position is exacerbated further with surveys scheduled for 2020 being cancelled due to Covid constraints.	1. The Applicant can confirm that verification surveys scheduled for 2020 were able to proceed in accordance with government guidance at the time of survey. They were not cancelled.
BIO.1.9	Are IPs content with the search / study areas identified in paragraph 9.6.2 of the ES [APP048]?	The paragraph highlights the intention to survey protected species over a 2k distance which is measured from the centre line of the road. If this is measured as 1k on either side of the carriageway then I believe that this would be woefully inadequate when you consider the breadth of the works intended in some places including my own property. If it is 2k on both sides of the centre line then this is better but an additional allowance should be made where the required works extend beyond the carriageway.	<ol style="list-style-type: none"> 1. The Applicant can confirm that paragraph 9.6.2 of the ES [APP-048] relates to the search/study area for the ecological desk study and not field surveys of protected species. An ecological desk study is the term used to describe the collection of information without visiting a site or its surrounding area (which is described as a field survey). The desk study involves a desk-based activity during which information is collated pertaining to statutory and non-statutory designated sites for nature conservation and protected and notable species. The desk study is often undertaken prior to commencing field surveys and can be used to inform the scope of the field surveys. The desk study also provides supplementary information to data collected in the field for the purposes of the impact assessment. 2. The desk study search areas detailed in paragraph 9.6.2 of Chapter 9: Biodiversity Part A [APP-048], and also the same paragraph in Chapter 9: Biodiversity Part B [APP-049], are applicable and appropriate for the size of the Scheme. As detailed in the footnote to paragraph 9.6.2, due to changes in the Order limits during the assessment, desk study information for Part A was collected within search distances taken from the centre of the route alignment (between 2 km and 30 km on both sides of the alignment, depending on the ecological receptor(s) under consideration). 3. Guidance published in the <i>Guidelines for Preliminary Ecological Appraisal, 2nd edition</i> (Chartered Institute of Ecology and Environmental Management, 2017) states that the search area for desk study information “will need to be determined on a case-by-case basis. Existing ecological information for the site and adjacent areas should be obtained, normally extending to at least 1 km from the site boundaries” (see page 15, Appendix 2 Desk Studies, Search Areas). The search areas detailed in paragraph 9.6.2 of Chapter 9: Biodiversity Part A [APP-048], and also the same paragraph in Chapter 9: Biodiversity Part B [APP-049], are a minimum of 2km, increasing to 5km for bat species and at least 10km for European designated sites. 4. Whilst the desk study search areas were taken from the centre of the route alignment, the search areas for the desk study are appropriate to the ecological resources considered and the likely zone(s) of influence of the Scheme, including those construction activities within the Order limits that extend beyond the carriageway.

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BIO.1.29	In section 5.2 of Appendix 9.21 of the ES [APP-247] – Ancient Woodland Strategy high level thoughts for the management strategy are presented including for years 11+ management actions every few years. Are IPs content with the scope of the management strategy?	I do not feel that I have sufficient understanding of the technical topic here to make a comment.	<ol style="list-style-type: none"> 1. As detailed in paragraph 5.1.3 of Appendix 9.21: Ancient Woodland Strategy Part A [APP-247], “an Ancient Woodland Management and Monitoring Plan (AWMMP) shall be developed at the detailed design stage to ensure the long-term viability and sustainability of the Woodland Creation Area and its integration with the surrounding landscape, notably the adjoining SSSI/ancient woodland.” As such, section 5.2 of the strategy remains high level at present. 2. Natural England confirmed to the Applicant on 08 August 2019 that they “would like to acknowledge the resource and effort that [the Applicant] and their consultants have put into developing the Ancient Woodland Strategy and looks forward to helping further refine the design of the Woodland Creation Area at the detailed design stage.” The Applicant also welcomes further collaboration with Natural England through the subsequent stages of the project to refine and implement the Ancient Woodland Strategy.
BIO.1.37	Paragraph 6.2.2 of Appendix 9.11 [APP-309] refers to Highways England (2018) Chief Highways Engineer Memorandum 422/18, Supporting Transparency around our Biodiversity Performance. An assessment in accordance with this memo is included in Appendix C of Appendix 9.11. The Applicant is asked to explain why the approach adopted in its own guidance is more appropriate than other methodologies to assess biodiversity performance. IPs are invited to comment on this methodology.	I do not feel that I have sufficient understanding of the technical topic here to make a comment.	<ol style="list-style-type: none"> 1. The Applicant's response to WQ BIO.1.37, in Table 1-3 [REP1-032] explains that the inclusion of Appendix C within Appendix 9.11: Biodiversity No Net Loss Assessment Report Part B [APP-309] was for transparency only, evidencing the completion of an internal Highways England requirement.
DCO.1.47	Art 22 – Powers in relation to relevant watercourses Art 22(4) defines “relevant watercourse” as so much of the River Coquet as the context requires. Is this sufficiently precise? Are IPs content with the powers which are being sought?	If my interpretation is correct then this would appear to be quite draconian with minimal protection offered to the property owner.	<ol style="list-style-type: none"> 1. The powers which are granted by Article 22 are parasitic on the other powers provided in the Order to carry out and maintain the authorised development. They grant specific powers to carry out works in the River Coquet but these need to be exercised within the land for which rights of entry are provided elsewhere in the Order. This means that the owners of any land which is required in connection with works in the River Coquet are entitled to compensation in terms of the relevant provisions in the draft dDCO [REP1-005 and 006] for acquisition of land interests or the temporary occupation of land. The position of landowners is therefore adequately protected.

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DCO.1.48	Art 23 – Discharge of water. Comment on the provision contained within Art 23 of the draft DCO	If my interpretation is correct then this would appear to be quite draconian with minimal protection offered to the property owner. Given the scale of change planned for my property there is a possibility that I will be subjected to the implementation of these powers. Naturally I am concerned that I will be required to incur further detriment without any recourse.	<ol style="list-style-type: none"> 1. The powers which are a standard provision in highways DCOs and are necessary to ensure that the undertaker can make adequate provision for the drainage of the new highway. However, like Article 22. Article 23 is parasitic on the other powers provided in the Order to carry out and maintain the authorised development. Article 23 grants specific powers to carry out drainage works within the Order limits but these need to be exercised within the land for which rights of entry are provided elsewhere in the Order. This means that the owners of any land which is required in connection with drainage works are entitled to compensation in terms of the relevant provisions in the draft dDCO for acquisition of land interests or the temporary occupation of land. The position of landowners is therefore adequately protected
HE.1.9	Paragraph 8.1.2 of the ES [APP-047] identifies differences in the assessment between the chapters for Part A and Part B. Are IPs content with the different approaches? Are there any significant implications arising from the difference in approach?	I do not feel that I have sufficient understanding of the technical topic here to make a comment.	<ol style="list-style-type: none"> 1. NCC has confirmed that they are content with this approach. 2. The methodologies and guidance used for the assessment for Part A and Part B are consistent, and the differences in the approach outlined in Paragraph 8.1.2 of the ES [APP-047] are minor variations and relate to differences in the nature and location of the Scheme. No significant implications are anticipated from these differences as both comply with the Design Manual for Roads and Bridges.
LV.1.11	Paragraph 7.9.14 of the ES [APP-044] describes the development of the landscape mitigation masterplan, and the mitigation principles adopted. It notes that the landscape mitigation design is set out in Figure 7.8: Landscape Mitigation Masterplan [APP-095]. The Applicant is asked to explain the process in developing the landscape mitigation masterplan, how the mitigation principles were established and to confirm what those principles are. Are IPs content with the scope of the Masterplan? Is there a need for a Landscape and Ecological Management Plan to set the Masterplan in context?	Whilst it is positive to see the detail of the landscape mitigation principles, I am struggling to see this approach reflected in the actual plans detailed in APP-095.	<ol style="list-style-type: none"> 1. The mitigation principles set out in the Applicant's response to Written Question LV.1.11 have been adopted throughout the development of the landscape design. By way of typical examples where the principles have been adopted the Applicant would draw the ExA attention to the following: <ul style="list-style-type: none"> – Through the development of the alignment, the Applicant has sought to avoid woodland removal, e.g. refer to Figure 7.8 Landscape Mitigation Masterplan Part A [APP-095], and chainage 11400 – 11470 where the widening to the west avoids impacts on woodland to the east – Where existing landscape features are unavoidably removed by the Scheme, replacement features are proposed. The most noticeable of these would be the replacement of trees that currently form part of the Coronation Avenue, refer to the updated plan submitted at Deadline 1, Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 - Rev 0 [REP1-044]. – Where, within Chapter 7: Landscape and Visual Part A [APP-044] and Chapter 7: Landscape and Visual Part B [APP-045] significant effects have been identified, mitigation measures have been identified to reduce the magnitude of the impact experienced by residents or users of that receptor. A relevant

Ref. No.	Question	Response:	Applicant's Response
		<p>As I have a number of outstanding queries relating to the Masterplan, I would welcome further detail and context provided by a landscape and ecological management plan.</p> <p>As the current plans involve major detrimental changes to the landscape that I currently enjoy I have raised a number of concerns and queries with the Applicant on this topic in May 2020 which remain outstanding. I am hopeful that a scheduled meeting with the Applicant will help answer the queries.</p>	<p>example of this would be the reforming of the property boundary to Northgate Farm, as evidenced on Figure 7.8 Landscape Mitigation Masterplan Part A [APP-095], between chainage 11020 – 11700, through the planting of a replacement hedgerow to screen views of the Scheme.</p> <ol style="list-style-type: none"> 1. The Applicant continues to engage with Mr Hawes to resolve his concerns relating to the masterplan, as set out on Landscape Mitigation Masterplan Part A [APP-095]. A recent meeting was held with Mr Hawes on the 13th January 2021 during which the Applicant was able to update on the issues arising, a written response has been provided to Mr Hawes on the 21st January 2021. 2. The Applicant would also wish to draw Mr Hawes' attention to an updated plan submitted at Deadline 1, Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 - Rev 0 [REP1-044], The combination of the environmental commitments and actions, as set out in Table 3.1 Register of Actions and Commitments: The Scheme in the Outline CEMP [REP1-023 and 024] in combination with Requirement 5 of the draft DCO [REP1-005 and 006] are sufficient to ensure the delivery of the mitigation measures required. Furthermore, the Applicant will, at Deadline 3, update the Outline CEMP [REP1-023 and 024] to require an action to prepare a Landscape and Ecological Management Plan prior to the Scheme commencing work on site, this single document will draw together as a minimum existing information contained in the Outline CEMP [REP1-023 and 024], Landscape Mitigation Masterplan Part A Figure 7.8 [APP-095] and Figure 7.10 Landscape Mitigation Plan Part B [APP-144], Appendix 9.21 Ancient Woodland Strategy Part A [APP 247], Figure 9.2 Ecology Mitigation Plan Part A, [APP-106 and 107]. <ol style="list-style-type: none"> 1. The Applicant continues to engage with Mr Hawes to resolve his concerns relating to the landscape. A recent meeting was held with Mr Hawes on the 13th January 2021 during which the Applicant was able to update on the issues arising, a written response has been provided to Mr Hawes on the 21st January 2021, which amongst other matters addresses concerns raised regarding the removal of vegetation, and measures aimed to mitigate the effects through replacement tree planting and hedgerow establishment. 2. The Applicant has, within Chapter 7: Landscape and Visual Part A [APP-044] outlined the effects on landscape character and on visual amenity, which have been assessed in accordance with methodology provided in IAN 135/10 and Guidelines for Landscape and Visual Impact Assessment 3rd Edition, which is the industry recognised guidance for assessing this type of scheme. Landscape effects have been identified as arising on the LCA 38b – Lowland

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			<p>Rolling Farmland – Longhorsely, as defined in Northumberland Landscape Character Assessment, 2010. The assessment of effects has concluded that the effects during construction would be moderate adverse (significant) and this would remain the case in the winter of Year 1, reducing to slight adverse in summer of year 15. That being said, the assessment of effects in Residential Visual Effects Schedule - Part A [APP-218] identifies that effects locally would likely be less significant due to the presence of the existing A1, and the Scheme widening an existing corridor at this point</p> <p>3. Visual effects on the occupants of Northgate Farm have been outlined below in responding to comments on WQ LV.1.16.</p>
LV.1.16	<p>IPs are asked whether the Landscape Mitigation Masterplan [APP-095] would adequately address how landscape and ecological features would be protected and managed during construction and reinstatement.</p>	<p>Unfortunately, the Landscape Mitigation Masterplan shown in APP-095 is a major source of frustration and disappointment as I believe that it falls well short of what should be achieved to address landscape and ecological features.</p> <p>In considering my property, as an example, the plans involve major changes to the to a picturesque landscape on all sides of the property. The current outlook from my property which includes mature woodlands and a pleasant tree lined avenue is to be replaced with 7 lanes of tarmac including a layby and access roads. The Landscape Masterplan offers very little mitigation to offset the detriment to visual effect. The sense of frustration is further exacerbated when the impact on the landscape visual is categorised as being slight.</p>	<p>1. The Applicant considers that the Landscape Mitigation Masterplan Part A [APP-095], and updated plan submitted at Deadline 1, Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 - Rev 0 [REP1-044], provides sufficient information in order for the ExA to understand the location, extent and form of the replacement landscape features. These were prepared in accordance with DMRB Volume 10, Part 0, Sections 2 and 3, which is now replaced by LD 117, which is Highways England's current guidance on the landscape design associated with highways, but which still retains reference to Environmental Function and Landscape and Environmental Elements. A copy of the previous guidance is provided in Appendix B.</p> <p>2. The Applicant considers that the strategy is adequate in terms of the replacement of the existing trees, acknowledging that the proposed trees are replacing existing mature specimens. This would be taken forward into the detailed design phase, where the principles and indicative design would be developed further, and in line with Requirement 5(1) of the updated Draft DCO (Clean) - Rev 1 [REP-005] would be subject to approval by the Secretary of State (SoS), in consultation with the Local Planning Authority (LPA).</p> <p>1. The Scheme would impact on the western side of the curtilage to Mr Hawes' property which currently abuts the existing A1, and to the north and east boundaries there is a requirement to form a new access track to the property and neighbouring house. The existing view towards the A1 is substantially screened by a combination of tall boundary and garden vegetation, with evergreen trees providing an effective screening component. The existing roadside trees that form the avenue that Mr Hawes refers to are visible above this boundary vegetation but do not form a particularly prominent feature within the views experienced by the residents of the property.</p> <p>2. The existing A1 would be widened to the west of the existing alignment, in an effort by the Applicant to reduce the potential for additional impacts on Mr Hawes' property, but inevitably requiring</p>

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			<p>features of the landscape to be altered. There is a requirement to remove some of the existing roadside vegetation, including the southern extents of the Coronation Avenue, which forms an irregular avenue of trees along the existing A1. The Applicant has, at Deadline 1, submitted Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 - Rev 0 [REP1-044], which provides further information relating to the number and location of trees to be replaced as part of the mitigation strategy, which would replicate some of the existing landscape features that Mr Hawes refers to. The effect of this would be to re-establish over a period of time a strong linear feature within the landscape, comparable to that which exists currently, and which contributes to the existing landscape character of the area.</p> <p>3. In relation to Mr Hawes' reference to the slight adverse significance of effect on Northgate Farm, the assessment of the effects has been considered within Chapter 7: Landscape and Visual Part A [APP-044] and Appendix 7.3 Residential Visual Effects Schedule - Part A [APP-218]. This assessment identified that the occupants of R98 – Northgate Farm currently have partially screened views of the existing A1, with limited awareness to the north, except for the tops of roadside trees. The receptor would be subject to a large adverse effect (significant) during the construction period arising from the requirement to remove some of the roadside hedge that partially screens views of the A1 and awareness of construction activity to the west and north, and of the formation of a new access track to the north. Upon its construction, the noise barrier would give some immediate secondary screening benefit. However once operational, as a result of the retention of some of the existing hedge to the western boundary and the proposed noise barrier extending for a little over 20m from the north facing elevation of Northgate Farm, the effects would be limited, and the reduced awareness in the immediate views (from the existing access directly onto the A1) would in part compensate for the awareness of the changes to the north, beyond the northern boundary vegetation which substantially limits awareness of the Scheme. Taking all of these factors into consideration it was concluded that in winter of Year 1 the effect would be slight adverse (not significant) and this would remain the case in summer Year 15. The rating of slight adverse does not take away from the effect experienced by the residents of Northgate Farm, but in order to categorise levels of effect and determine if the effect is significant it is necessary to provide ratings. As outlined in Table 7-12 - Visual Significance of Effects Rating of Chapter 7: Landscape and Visual Part A [APP-044], slight adverse is considered appropriate when:</p> <p>4. "This would typically occur where the Project would cause limited deterioration to a view from a receptor of moderate sensitivity or</p>

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		<p>As the plans involve major detrimental changes to the landscape that I currently enjoy I have raised a number of concerns and queries with the Applicant on this topic in May 2020 which remain outstanding. I am hopeful that a scheduled meeting with the Applicant will help answer the queries.</p>	<p>cause greater deterioration to a view from a receptor of low sensitivity".</p> <p>5. As has been outlined above, the existing A1 currently represents a feature within current views and its presence is considered to reduce sensitivity to change of the type proposed i.e. a modification to the existing road corridor, as such, and upon the re-establishment of the boundary vegetation, and noise barrier the impact is anticipated to be a limited deterioration in the view.</p> <p>1. The Applicant continues to engage with Mr Hawes to resolve his concerns relating to the landscape. A recent meeting was held with Mr Hawes on the 13th January 2021 during which the Applicant was able to update on the issues arising, a written response has been provided to Mr Hawes on the 21st January 2021, which amongst other matters addresses concerns raised regarding the removal of vegetation, and measures aimed to mitigate the effects through replacement tree planting and hedgerow establishment.</p> <p>2. The Applicant has, within Chapter 7: Landscape and Visual Part A [APP-044] outlined the effects on landscape character and on visual amenity. The Applicant does not accept Mr Hawes' categorisation of the landscape impacts of the Scheme in the vicinity of his property as "major detrimental." Landscape effects have been identified as arising on the LCA 38b – Lowland Rolling Farmland – Longhorsely, as defined in Northumberland Landscape Character Assessment, 2010. The assessment of effects has concluded that the effects during construction would be moderate adverse (significant) and this would remain the case in the winter of Year 1, reducing to slight adverse in summer of year 15.</p> <p>3. Visual effects on the occupants of Northgate Farm have been outlined above in responding to comments on WQ LV.1.16.</p>
LV.1.17	<p>The Landscape Mitigation Masterplan [APP-095] includes a key showing different landscape elements and references environmental function, environmental elements and landscape elements. Explain how the Landscape Mitigation Masterplan works alongside the outline CEMP [APP-346]. Should explanation of the masterplan proposals be included within the masterplan, a separate LEMP or</p>	<p>As the plans involve major detrimental changes to the landscape that I currently enjoy I have raised a number of concerns and queries with the Applicant on this topic in May 2020 which remain outstanding. As some of my queries relate to the use of keys in the plans, I would welcome any additional information to help my understanding.</p>	<p>1. For the reasons set out in Appendix 7.1 Landscape Effects Schedule Part A [APP-216] the Applicant does not accept Mr Hawes' categorisation of the landscape impacts of the Scheme in the vicinity of his property as "major detrimental." The assessment concludes that the effects on landscape character area 38(b) Lowland Rolling Farmland – Longhorsley would be significant (moderate adverse) during construction and in the period immediately following construction (winter Year 1) but would reduce to slight adverse as mitigation measures establish to integrate the Scheme into the surrounding landscape. As such the effect on the landscape character area would be slight adverse in summer Year 15, which is not significant.</p> <p>2. The Applicant continues to engage with Mr Hawes to resolve his concerns relating to the landscape. A recent meeting was held with Mr Hawes on the 13th January 2021 during which the Applicant was</p>

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	<p>remain solely within the outline CEMP? IPs are invited to comment.</p>		<p>able to update on the issues arising, a written response has been provided to Mr Hawes on the 21st January 2021 which amongst other matters addresses concerns raised regarding the removal of vegetation, and measures aimed to mitigate the effects through replacement tree planting and hedgerow establishment.</p> <ol style="list-style-type: none"> 3. As outlined in the Applicant's response to the ExA WQ LV.1.17, in Table 1-9 at Deadline 1 [REP1-032], the Landscape Mitigation Masterplan [APP-095] and the Outline CEMP [REP1-023 and 024] still alongside one another and combined provide adequate information relating to secure the landscape and visual mitigation strategy for delivery. 4. The key used on Figure 7.8: Landscape Mitigation Plan Part A [APP-095] provides for typical landscape features that would form elements within the design and delivery of a highway scheme. These are identified in LD 117, which is Highway England's guidance with reference to landscape design, which replaced DMRB Volume 10, Section 0, Parts 2 and 3, refer to Appendix B. This earlier document provided more explanation of what the Environmental Function (Part 2) and Landscape Elements (Part 3) should deliver, and in the absence of further details in LD117, the Applicant has reverted to the earlier guidance. Within the guidance are environmental functions, which outline the purpose of providing a particular element within the design, for example EFA identifies the function of screening, which is delivered by Landscape Elements (hedgerows or woodland), and EFB for landscape integration. Delivering these Environmental Functions are Landscape and Environmental Elements. The guidance relating to the Landscape and Environmental Elements is provided in DMRB Volume 10, Section 0, Part 3, refer to Appendix B. This provides additional information in terms of the form that the landscape elements would take, in order to deliver the environmental function. 5. Of particular relevance to the mitigation associated with Northgate Farm, the Environmental Functions range from EFG – Auditory Amenity, to EFA – Screening and EDB – Landscape Integration. 6. The landscape elements indicated on Figure 7.8 Landscape Mitigation Masterplan Part A [APP-095] and which are associated with mitigating landscape and visual effects in the vicinity of Northgate Farm include: <ol style="list-style-type: none"> 7. Noise barrier – to provide noise attenuation, with the secondary benefit that it will screen ground floor views of near distance views to the Scheme. 8. Landscape Element 2.7 – Scattered Trees - Tree and shrub species appropriate to the location or as exist already on site appropriately dispersed and forming or capable of forming scattered groups. These tree groups combine to create discernible groups of trees, able to provide screening along the road, whilst allowing some

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TT.1.15	<p>According to paragraph 4.11.21 of the Case for the Scheme [APP-344] there would be a number of Public Rights of Way (PRoW) that would be directly affected by the Scheme and would be permanently closed or diverted during operation. It indicates that the PRoWs that will be closed as a result of the Scheme are not frequently used with less than five users observed at each site over the six survey days. Additionally, paragraph 5.3.12 ExQ1: 19 November 2020 Responses due by Deadline 1: 12 January 2021 Page 65 of 67 ExQ1 Question to: Question: states that the inclusion of grade-separated junctions and changes to PRoW would improve connectivity and safety, and therefore benefit users. The Applicant is asked to confirm</p>	<p>As this is a topic has a direct upon myself, I look forward to reviewing the publication of the Applicant's response.</p>	<p>awareness to the wider landscape as a result of gaps in the vegetation.</p> <p>9. Landscape Element 4.3 – Native Species Hedgerows - Shrub or tree species appropriate to the location or as exist already on site managed as informal hedgerows with cyclical laying where appropriate. A typically untrimmed hedgerow that would naturally develop, with the capacity to provide a robust screen to features of the highway.</p> <p>10. Landscape Element 4.4 – Native Hedgerows with Trees - Shrub and occasional tree species appropriate to the location or as exist already on site with intermittent standard trees. A typically untrimmed hedgerow that would naturally develop, with the capacity to provide a robust screen to features of the highway, with the added benefit of tree species that would punctuate the hedgerow to achieve greater screening or integration with similar features within the landscape.</p> <p>11. Landscape Element 5.1 – Individual Trees - Tree species appropriate to the location or as exist already on site identifiable as individual trees separate from other woody vegetation. These have been used to define locations where a defined line of trees, for example replicating the Coronation Avenue, or as part of the replacement of particular trees or groups of trees is considered appropriate.</p> <ol style="list-style-type: none"> 1. The Applicant's response to WQ T.1.15 [REP1-032] submitted at Deadline 1 is as follows: 2. Paragraphs 4.11.16-4.11.19 of the Case for the Scheme [APP-344] describe the locations of the surveys and a summary of the results. Further details of the surveys are submitted at Deadline 1 (Appendix TT.1 [REP1-047]) 3. As reported in Paragraph 12.10.10 and Table 12-49 of Chapter 12: Population and Health Part B [APP-055] a number of PRoWs are proposed to be stopped up (PRoW Reference 129/014, 129/022, 129/013, 110/003, 129/009 and 129/024), or permanently diverted or amended (PRoW Reference 110/004, 110/013, 110/019, 110/010, 129/021 and 129/004) during the operation period. PRoWs that will be closed as a result of the Scheme are not frequently used, with less than five users observed at each site over the six survey days as shown by the data in Appendix TT.1 [REP1-047]. 4. The closure and diversion of PROWs is predicted to increase journey length for the majority of WCH users. However, WCH provision is proposed over the Heckley Fence Accommodation Overbridge and Charlton Mires Junction. These facilities are considered an improvement to the existing cycle and footpath provision as the grade separated WCH crossings of the A1 reduce

Ref. No.	Question	Response:	Applicant's Response
	the details of the surveys which were undertaken which led to the proposed closures and permanent diversions. How would the inclusion of gradeseparated junctions and changes to PRow benefit users when it is proposed to permanently close or divert a number of PRowS? Following the publication of the Applicant's response to this question at Deadline (D)1, IPs are invited to comment on this response by D2.		<p>the need for WCH to cross the highway at grade and interact with traffic. As the volume of traffic interacting with WCH would be reduced to zero, it is considered that relief from severance would be substantial during operation.</p> <p>5. The residual effects to be experienced by users of these PRowS taking account of the provision of mitigation is detailed in Table 12-49 Chapter 12: Population and Human Health Part B [APP-055].</p>

Table 1-4 – Natural England

Ref. No.	Question	Natural England's Response:	Applicant's Response
BIO.1.5	Paragraph 9.4.10 of the ES [APP-048] indicates that during consultation, Natural England (NE) confirmed that the location and size of the proposed woodland planting area to address the loss of ancient woodland was acceptable. NE is asked to confirm its position and to explain how it came to its view.	Natural England can confirm that the location and size of the woodland planting to address the loss of ancient semi-natural woodland is acceptable. The size and location of the compensatory woodland was agreed in 2018, and is based on specialist advice, given there is no set ratio for compensating for an irreplaceable habitat. The negotiation for this is carried out on a site by site basis. The location is considered acceptable as it is adjacent to the existing woodland, and as it is west of the road prevailing winds mean the site is not susceptible to increased deposition levels from increased road traffic.	1. Noted.
		PLEASE NOTE – this view is based on the information submitted in August 2020 and accepted for Examination. Natural England reserves the right to amend this view should the amendments to the scheme design submitted in December 2020 be accepted.	<ol style="list-style-type: none"> The Applicant will continue to engage with Natural England in relation to the proposed compensatory planting strategy prior to and following the submission of the formal change request for the proposed changes to the Scheme at Deadline 4. The Applicant intends that compensatory planting will be provided for additional woodland affected by the proposed amendment to the Scheme submitted in December 2020 [AS-018]. This would be set out in the formal amendment submission at Deadline 4.
BIO.1.10	Table 9.10 of the ES [APP-048] indicates that breeding bird surveys were undertaken in 2016 while paragraph 9.7.63 states that	Natural England consider the submitted breeding birds surveys sufficient in informing the impact assessment. A verification survey was carried out in 2019 which demonstrated that the original surveys are valid as there had been no significant changes to the landscape or land	<ol style="list-style-type: none"> The Applicant is grateful for Natural England's response and confirmation of the suitability of the breeding bird surveys. To provide confirmation, the verification breeding bird survey was

Ref. No.	Question	Natural England's Response:	Applicant's Response
	<p>wintering bird surveys were recorded during 2016 /17. Paragraph 9.4.9 indicates that NE confirmed that the surveys for breeding birds were sufficient to inform the impact assessment. Were the surveys repeated? If not, why not? Can NE confirm its position with regard to the breeding bird surveys which are now 4 years old? Can the Applicant provide evidence of agreement with NE regarding the date of all ecological surveys carried out for Part A and Part B of the Proposed Development?</p>	<p>use along the route of the project. We also note the provisions of Para 7 (1) of Schedule 2 Of Part 1 (Requirements) of the draft Development Consent Order, which provides further reassurance that any changes will be identified prior to works started and appropriate actions taken to ensure impacts do not materialise.</p>	<p>completed in 2020 (rather than 2019, as referred to by Natural England).</p> <ol style="list-style-type: none"> 2. The Applicant can confirm that the verification breeding bird survey did not identify any significance changes to the original 2016 surveys, as detailed in the Applicant's response to BIO.1.10 submitted at Deadline 1 [REP1-032]. 3. In addition to Natural England's confirmation regarding the breeding bird surveys, the Applicant has now received confirmation from Natural England that all of the ecological surveys undertaken to date for the Scheme were appropriate, including methodologies, timing and extent. This was confirmed during a consultation meeting dated 15 December 2020 and will be recorded within the Statement of Common Ground with Natural England to be submitted at Deadline 3.
BIO.1.21	<p>Paragraphs 9.11.7 and 9.11.8 of the ES [APP-048] state that no post-completion monitoring requirements have been identified, subject to agreement with NE as part of the European Protected Species Licences. Additionally, Appendix A of the Consents and Agreements Position Statement [APP-016] describes the status of negotiations with NE with regard to the European Protected Species Licences which are required. The Applicant and NE are asked to provide an update on the progress made towards obtaining Letters of No Impediment since the application was submitted.</p>	<p>Natural England has produced Letters of No Impediment for all species where we have been asked to prepare one. We are aware that there are some changes required as a result of the scheme name changing, and a specific amendment relating to a bat box at NGR NZ1746499690 We await a specific request from the applicant detailing the required changes to enable updated letters to be issued as appropriate.</p>	<ol style="list-style-type: none"> 1. The Applicant can confirm that Natural England has provided Letters of No Impediment (LONIs) for both Part A (May 2020) and Part B (October 2020). 2. The Applicant has provided Natural England with the details of the name change required, as submitted via emails dated 05 and 10 January 2021, and shall work with Natural England to finalise updated letters. Further consultation and engagement regarding the LONIs shall be captured within the Statement of Common Ground with Natural England to be submitted at Deadline 3. 3. In respect of the bat box at NGR NZ1746499690 referenced by Natural England in their response, this relates to bat roosts within two bat boxes of tree T148A (as detailed within the Bat Activity 2020 Verification Survey Report Part A [REP1-016]). T148A is associated with Part A. 4. Natural England confirmed within an email dated 16 December 2020 that a mitigation licence would be required in relation to these roosts. This consultation is documented within the Statement of Common Ground with Natural England issued at Deadline 1 [REP1-029]. The Applicant is currently amending the existing draft bat licence documents (Appendix 9.22: Bat Method Statement Part A [APP-248]), which shall be issued to Natural England for their review and comment. Agreement of the proposed approach detailed within the draft licence documents shall be captured within an updated LONI.
BIO.1.25	<p>Paragraph 2.4 of Appendix 9.10 of the ES (Badger Survey Report) [APP-236] states that surveys were carried out in November and December 2016. It goes on to state</p>	<p>Natural England consider the submitted badger surveys sufficient in informing the impact assessment. A updated walk over survey was carried out which demonstrated that the original surveys are valid as there had been no significant change to the landscape or land use along the route of the scheme. We also note the provisions of</p>	<ol style="list-style-type: none"> 1. Noted. The updated walkover survey for badger of Part A was completed between 06 June and 16 July 2020, with methods, results and conclusions detailed within the verification report submitted at Deadline 1 (6.21 Badger 2020 Verification Survey Report – Part A [REP1-018]). The Applicant can confirm that the

Ref. No.	Question	Natural England's Response:	Applicant's Response
	<p>that the report reflects the site conditions up to April 2017 and notes that it is considered good practice for wildlife surveys to be repeated should development be deferred for over 12 months from the date of the initial survey. Similarly, paragraph 2.2.7 of the Badger Bait Marking Survey Report [APP-237] records that the survey reflects site conditions up to April 2017 noting that it is considered good practice for wildlife surveys to be repeated should development be deferred for over 12 months from the date of the initial survey. On this basis, should the surveys be considered reliable? Should further surveys be carried out?</p>	<p>Para 7 (1) of Schedule 2 Of Part 1 (Requirements) of the draft Development Consent Order, which provides further reassurance that any changes will be identified prior to works started and appropriate actions taken to ensure impacts do not materialise.</p>	<p>verification survey did not change the outcome of the assessment presented in Chapter 9: Biodiversity Part A [APP-048], as detailed in the Applicant's response to BIO.1.25 submitted at Deadline 1 [REP1-032].</p>
BIO.1.26	<p>Appendix 9.18 of the ES [APP-244] – Otter Monitoring Survey Report was based on surveys undertaken in August / September 2018 but was not published until October 2019. Appendix 9.17 recommends that surveys should be repeated if development is deferred for over 12 months from the initial survey. Similarly, Appendix 9.19 – Terrestrial Invertebrate Survey Report indicates that good practice is to repeat surveys after 12 months. Is there a need for further survey work? If not, why not?</p>	<p>Natural England consider the submitted otter and Terrestrial Invertebrate surveys sufficient in informing the impact assessment. In the specific case for otters and invertebrates no significant changes to land management have been presented in the period since the surveys were carried out. We also note the provisions of Para 7 (1) of Schedule 2 Of Part 1 (Requirements) of the draft Development Consent Order, which provides further reassurance that any changes will be identified prior to works started and appropriate actions taken to ensure impacts do not materialise.</p>	<p>1. The Applicant is grateful for Natural England's response and confirmation of the suitability of the otter and terrestrial invertebrate surveys undertaken.</p>
BIO.1.28	<p>2. Appendix 9.21 of the ES [APP-247] – Ancient Woodland Strategy and paragraph 9.10.3 of the ES [APP-048] propose compensation based on a 12:1 ratio in terms of planting to loss. On what basis was it decided to use a ratio of 12:1?</p>	<p>The provision of a compensation ratio for the loss of Ancient woodland of 12:1 (planting to loss) was the result of detailed negotiation with Highways England in 2018. The figure was a negotiated metric based on site specific factors such as proximity to the existing semi-natural woodland /site of special scientific Interest and desired planting type.</p> <p>PLEASE NOTE - The proposed ratio of 12:1 was agreed based on information which was submitted in August 2020 and accepted for</p>	<p>1. This is noted by the Applicant. A full record of correspondence between Natural England and the Applicant surrounding appropriate planting ratios for the loss of Ancient Woodland are provided within the Statement of Common Ground (SoCG) with Natural England. 2. A 'without prejudice' version of the SoCG was submitted a Deadline 1 [REP1-029].</p> <p>1. The Applicant will continue to engage with Natural England in relation to the proposed ratio prior to and following the submission of</p>

Ref. No.	Question	Natural England's Response:	Applicant's Response
		Examination. Natural England reserves the right to amend our view, should the proposed changes to the scheme submitted in December 2020 be accepted for Examination.	<p>the formal change request for the proposed changes to the Scheme at Deadline 4.</p> <p>2. The Applicant intends that compensatory planting would be provided at the same 12:1 ratio for additional ancient woodland lost by the proposed amendment to the Scheme submitted in December 2020 [AS-018]. The Applicant considers that the ratio remains appropriate. This would be set out in the formal amendment submission at Deadline 4.</p>
BIO.1.41	NE is asked to confirm whether or not it is satisfied with the scope and methodology used to gather baseline data in respect of traffic modelling and air quality for the HRA Report?	NE is satisfied by scope and methodology used to gather baseline data in respect of traffic modelling and air quality for the HRA report.	1. Noted.
BIO.1.43	Is NE content with the Applicant's approach to the in-combination assessment?	NE is satisfied with the Applicant's approach to the in-combination assessment.	1. Noted.
BIO.1.44	NE has stated its support for the HRA conclusions when they were presented as two separate schemes. There is no evidence of similar agreement regarding the conclusions for the scheme as a whole. Can the Applicant and / or NE provide evidence of NE's agreement with the conclusions of the HRA report concerning the project as submitted?	Natural England have not raised any issues with the HRA whilst the scheme consisted of Part A and Part B. We conclude that the combined HRA raises no further issues and we can therefore agree with the conclusions of the HRA.	1. This is noted by the Applicant. Agreement of the HRA for the Scheme by Natural England is also captured within the Statement of Common Ground [REP1-029].
BIO.1.47	The revised HRA Report [AS-005] screens all the sites for impacts from emissions to water from both Part A and Part B of the scheme. For all sites, the report concludes that no impacts are anticipated as a result of pollution events or polluted surface water runoff during construction and operation due to the intervening distance and natural dilution and settlement rates. However, the report also states that the design of Part A incorporates a network of	<p>Based on the submitted scheme NE has no concerns regarding this issue and agree that this can be screened out.</p> <p>PLEASE NOTE – This view is based on the information submitted in August 2020 and accepted for Examination. Natural England reserves the right to amend this view should the proposed changes to the scheme submitted in December 2020 be accepted for Examination.</p>	<p>1. Noted.</p> <p>1. The Applicant will continue to engage with Natural England in relation to the screening out of water pollution impacts prior to and following the submission of the formal change request for the proposed changes to the Scheme at Deadline 4.</p> <p>2. The Applicant considers that the screening out of impacts as a result of pollution events or polluted surface water runoff during construction and operation would remain appropriate in relation to the proposed amendment to the Scheme submitted in December</p>

Ref. No.	Question	Natural England's Response:	Applicant's Response
	detention basins, featuring filter strips and sediment fall bags, that shall further reduce the likelihood of polluted surface water runoff. It appears that the details regarding the mitigation measures were added to the report in response to advice from NE (Appendix C). Is NE satisfied with the conclusion that water pollution impacts can be screened out on the basis of the intervening distance and natural dilution and settlement rates, without consideration of mitigation?		2020 [AS-018]. This would be set out in the formal amendment submission at Deadline 4.

Table 1-5 – NCC

Ref. No.	Question	Response:	Applicant's Response
GEN.1.29	<p>Figure 34 of the Case for the Scheme [APP-344] is titled 'Inner and Outer Green Belt Boundary Preferred Options Map' sourced from the NCC Morpeth Outer Green Belt Boundary Report, October 2013. It shows existing Green Belt and Proposed Green Belt Extension. Figure 7.10 of the ES [APP-097] shows the existing Green Belt as for Figure 34 and Saved Policy S5 Green Belt Extension. Paragraph 6.4.1 references Policy S5 of the Structure Plan and the emerging NCC Local Plan.</p> <p>What is the status of Structure Plan Policy S5?</p>	<p>(NB the documents referred to in this question can be found via this link: https://infrastructure.planninginspectorate.gov.uk/wpcontent/uploads/projects/TR010059/TR010059-000838-A1%20Northumberland%20Examination%20Library%20Morpeth%20to%20Ellingham.pdf).</p> <p>The adopted Green Belt in Northumberland includes an area where boundaries have been established and adopted in the Local Plans and Core Strategies of the former Tynedale and Wansbeck districts, and the boroughs of Castle Morpeth and Blyth Valley. There is also a part of the adopted Green Belt, saved Structure Plan Policy S5, where a 'general extent' has been identified and adopted but detailed boundaries have not yet been established.</p>	<ol style="list-style-type: none"> 1. The Applicant agrees with this categorisation of the Green Belt in Northumberland. 2. Green Belt boundaries are established in the adopted Local Plans and Core Strategies of the former Tynedale and Wansbeck District areas of Northumberland. This is not however considered directly relevant to the Scheme, which is located in the former Districts of Alnwick and Castle Morpeth. 3. The Applicant is aware and accepts that Policy S5 of the Structure Plan defines a general extent of the Green Belt in the geographic

Ref. No.	Question	Response:	Applicant's Response
			<p>terms set out below. This general extent includes a section of Part A of the Scheme.</p> <p>4. Structure Plan Policy S5 was retained by the Secretary of State, and therefore remains part of the development plan that is used to determine planning applications in Northumberland. The policies of the development plan, including Policy S5, are considered to be important and relevant to the determination of the DCO.</p>
		<p>The general extent of this part of the Green Belt is adopted as part of the development plan in saved policy S5 of the Northumberland and National Park Joint Structure Plan First Alteration (2005), which was subsequently saved by the Secretary of State and remains in place.</p>	<p>1. The Applicant agrees with this statement. A significant section of Part A of the Scheme is located within the general extent of the Green Belt that is defined by Policy S5.</p>
		<p>The Policy states: Policy S5 – Extension to the Green Belt An extension to the Green Belt will extend from the existing boundary northwards to lie:</p> <ul style="list-style-type: none"> – To the west of Netherwitton, Hartburn and Belsay; – North of Longhorsley and west of Widdrington Station, excluding the Stobswood Opencast site; – East of Pegswood; – West of Ashington, Guide Post, Bedlington and the A1068; and – East of Bothal, Hepscoth, Nedderton and Hartford Bridge. 	<p>1. The Applicant accepts that this accurately reflects the wording of Policy S5.</p>
		<p>Precise boundaries, including those around settlements, should be defined in Local Plans having particular regard to the maintenance of the role of Morpeth as defined in Policy S7 and to the sequential approach in Policy S11.</p>	<p>1. The Applicant accepts that this accurately reflects the wording of Policy S5.</p>
		<p>The extent of the Green Belt extension, as described is therefore a long established development plan policy.</p>	<p>1. The Applicant accepts that the well-established principle that the area of land around Morpeth described in Policy S5 should be regarded as Green Belt, albeit that this policy does not define detailed boundaries for the Green Belt. This includes a significant section of Part A of the proposed Scheme.</p> <p>2. The Applicant reiterates the point, made at Part 6.4 of the Case for the Scheme [APP-344], that the Structure Plan that included Policy S5 also set out policy support for the dualling of the A1 between Morpeth and Felton, and that that the authors of the policy logically cannot have intended this Green Belt allocation to prevent the dualling of the A1 between Morpeth and Felton.</p>

Ref. No.	Question	Response:	Applicant's Response
		<p>The part of saved Policy S5 that refers to 'north of Longhorsley and west of Widdrington Station...' makes it clear that much of the 'Part A' scheme would fall within this area and the land concerned has the status of Green Belt.</p> <p>There are several examples of Planning Appeals relating to sites within this general extent where Inspectors have fully accepted the status of the area as Green Belt. This includes a significant windfarm Inquiry in the vicinity of Fenrother, close to the line of the A1, some 3 kilometres north of the southern end of 'Part A' of the proposed A1 dualling scheme, (APP/P2935/A/13/2194915). That Inspector concluded that the land concerned was Green Belt, stating: "The precise boundaries of the Green Belt extension have never been defined in a development plan document, as the Castle Morpeth District Local Plan (LP) predated the SP by two years. However, it is clear from the SP Key Diagram that the appeal site is well within the hatched area referred to in SP policy S5, and there is a reference in the text to the area north of Longhorsley, beyond the appeal site, which adds further certainty."</p> <p>Further, a recent High Court judgement concerning a similar situation in York (Wedgewood v City of York Council [2020] EWHC 780) has clarified that, as a matter of planning principle, the general extent, as described, functions as an existing Green Belt designation.</p>	<ol style="list-style-type: none"> The Applicant accepts that a significant portion of Part A, including both online and offline sections of the Scheme, will be within the area of land covered by Policy S5. The Applicant accepts that a significant portion of Part A, including both online and offline sections of the Scheme, will be within the area of land covered by Policy S5. As set out below, the applicant accepts that the Green Belt boundaries proposed in the submitted Northumberland Local Plan broadly illustrates the general extent of the Green Belt that described in Policy S5. <ol style="list-style-type: none"> The Wedgewood case referred to did acknowledge that the principle of a Green Belt around York had been established as a matter of policy within a "doughnut ring" around the city. Similarly, the general extent of the Green Belt in Northumberland has been set as a matter of policy by the saved policy S5 of the Northumberland and National Park Joint Structure Plan First Alteration (2005). However, the Wedgewood case also recognises that not all of the land within the high level policy boundaries would be Green Belt land. In the absence of a defining local development plan, the relevant planning authority must apply the high-level policy rationally to determine what is and what is not to be treated as Green Belt land. However, the Applicant accepts that a significant portion of Part A of the Scheme will be within the area of land covered by Policy S5.
	<p>What is the status of the Green Belt in the emerging NCC Local Plan as described in paragraph 6.4.1?</p>	<p>The remaining uncertainty relates to the precise inset and outer boundaries. These are being established through the process of the Northumberland Local Plan. This is at its Examination stage, meaning that the exact line of the boundary has not yet been fixed in terms of the development plan policies map. While there are objections to the general extent, as established through saved Structure Plan Policy S5, the Examination Inspector has limited discussions to more detailed matters regarding outer and inset boundaries and issues such as safeguarded land. We conclude from this that the Inspector is mindful of the above High Court judgement and other decisions and is satisfied that the general extent has been firmly established.</p>	<ol style="list-style-type: none"> The emerging Local Plan is not yet adopted, and the designation of the Green Belt is the subject of unresolved objections. As such, the emerging Local Plan Policy relating to Green Belt does not have the status of development plan policy at this stage, and should not be accorded full weight in determining planning applications.

Ref. No.	Question	Response:	Applicant's Response
	<p>Is the Scheme within the Green Belt?</p>	<p>Turning to the outer boundary, as mentioned in the question, this was originally proposed, based on evidence in a 2013 document. Since then, this section of the outer boundary has been taken forward unchanged based on later evidence and technical assessment. As mentioned, the Local Plan Inspector is currently deliberating on its soundness and considering objections to the approach taken to defining the outer extent.</p> <p>The emerging Local Plan also seeks to establish an inset boundary for the town of Morpeth, the northern extremity of which abuts the southern end of the 'Part A' section of the scheme. As with the outer boundary, there are objections to the approach taken to defining inset boundaries, which are being considered by the Examination Inspector.</p> <p>The methodology behind them is explained in the Green Belt Review Technical Paper, available via this link: https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/planning%20policy/Local%20Plan/Green-Belt-Technical-PaperDecember-2018-Final.pdf</p> <p>As explained above, in relation to the establishment of the general extent, a substantial part of the scheme is in the Green Belt. However, as there are no adopted detailed boundaries for this part of the Green Belt, a planning judgement, based upon the wording in saved Policy S5 is required to determine the actual extent of the area where Green Belt policies should apply.</p> <p>In <i>Wedgewood v City of York Council</i>, the judge clarified that unless a policy clearly designates all land within the general extent of the Green Belt, the decision maker should apply a planning judgement to determine whether to apply Green Belt policy to a site. Also referenced in the judgement was a decision by the Secretary of State (<i>Avon Drive</i>¹) in which a precautionary approach was taken to ensure that no land is arbitrarily excluded from the Green Belt where the boundary is yet to be defined.</p> <p>Given that the wording in Policy S5 does not describe exactly where the outer boundary should be drawn, there remains a degree of ambiguity as to the outward extent of the Green Belt. It is nevertheless clear that the northern extent lies to the 'north of Longhorsley' but not exactly how far to the north of that village. What can be said is that the</p>	<p>3. The emerging Local Plan is not yet adopted, and the designation of the Green Belt is the subject of unresolved objections.</p> <p>4. As such, the emerging Local Plan Policy relating to Green Belt does not have the status of development plan policy at this stage, and should not be accorded full weight in determining planning applications.</p> <p>1. This is noted by the Applicant. Again, given the unresolved objections, limited weight should be attached to the inset boundary proposed in the emerging Local Plan.</p> <p>1. The <i>Wedgewood</i> case confirms that, in the absence of a defining local development plan, the relevant planning authority must apply the high-level policy rationally to determine what is and what is not to be treated as Green Belt land. The reference to the <i>Avon Drive</i> case in the <i>Wedgewood</i> decision is noted but it should also be borne that the court found that the planning authority came to rational decision that the site concerned was outwith the Green Belt. The Applicant accepts that a significant portion of Part A of the Scheme will be within the area of land covered by Policy S5.</p> <p>2. The Applicant also accepts that the emerging Northumberland Local Plan also proposes to allocate a portion of the Scheme within the Green Belt, albeit that the final boundaries are not yet finally established and the subject of unresolved objections. As stated above, the emerging Local Plan Policy relating to Green Belt does not have the status of development plan policy at this stage, and should not be accorded full weight in determining planning applications.</p> <p>1. The Applicant acknowledges that there is a degree of ambiguity over the outward extent of the Green Belt policy, and accepts the description of it falling somewhere between the villages of Longhorsley and West Thirston.</p>

Ref. No.	Question	Response:	Applicant's Response
		<p>outer boundary will fall no further south than the northern edge of Longhorsley but not as far north as the next village moving north. This happens to be the village of West Thirston, which lies close to line of the 'Part A' scheme.</p> <p>It is therefore the case that a substantial part of the 'Part A' scheme falls within the Green Belt but not as far north as West Thirston.</p> <p>Based on the arguments above, it is strongly recommended that the boundary is taken as that which is proposed in the submitted Northumberland Local Plan which is currently under Examination – i.e. that shown on plan NCC002 appended to this document.</p> <p>Looking more closely at the southern end of the proposed works to the A1, the extract below, taken from one of the Highways England land plans², shows that a very small area that forms part of ancillary works for the scheme, will fall within the proposed inset boundary for Morpeth. This would include the southernmost green area and the southern part of the blue area (approximately as far north as the start of the pink area). Everything north of that, as far north as the outer boundary, would be Green Belt.</p> <p>The inset boundary for the northern end of Morpeth, as proposed in the submitted Northumberland Local Plan, currently under Examination, is also shown below. The Council considers that land beyond the emerging Green Belt inset boundary for Morpeth contributes towards Green Belt purposes and therefore should be treated as Green Belt.</p>	<ol style="list-style-type: none"> 1. The Applicant accepts this description. 1. The Applicant accepts that the Green Belt boundaries proposed in the submitted Northumberland Local Plan broadly illustrates the general extent of the Green Belt that described in Policy S5. As such the applicant accepts them as a reasonable basis for defining the boundary of the Green Belt for the purpose of determining this DCO application. 1. This is accepted by the Applicant. 1. The Applicant is content for this approach to be taken for the purposes of determining this DCO.

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		<p>The precise inset and outer boundaries have, as stated, yet to be fixed through the ongoing Local Plan process. While there remains the possibility that the eventual, adopted boundary line will be slightly different, those parts of the inset and outer boundaries that affect the road line have not been in dispute. The majority of recent appeal decisions in proposed Green Belt areas that are close to the proposed inset or outer boundaries, have been made on the basis of a default position that Green Belt policies should be applied - again aligning with the high court decision quoted earlier, in which the Judge refers to appeal decisions where a cautionary approach was taken and concludes that land should not be arbitrarily excluded.</p> <p>It can therefore be concluded that, for the purposes of assessing the A1 dualling DCO, the outward extent of the Green Belt should be taken as corresponding to that shown in Figure 7.10 of the Highways England Environmental Statement (APP-097) and the Morpeth inset, as illustrated at NCC003 appended to this document. Green Belt policies therefore apply within the full extent of this area.</p>	<p>1. The Applicant is content for Figure 7.10 of the ES [APP-097] and NCC003 to be used to define the Green Belt boundaries for the purposes of determining this DCO.</p>
Part A			
AQ.1.2	<p>Paragraph 5.4.9 of the ES [APP-040] identifies the data sources used for the assessment. Are IPs content with the range of data used?</p>	<p>Our main interest here is for the operational impacts – short-term construction impacts can be managed. The key issue to address is such an assessment are the existing baseline air quality along the existing and proposed route (which only changes for the section between Fairmoor to Felmoor/Bockenfield), the predicted changes to traffic flows and the resulting changes to the ambient air quality, particularly at the identified receptors. Neither Northumberland County Council or the two former district/borough council on the route (Castle Morpeth and Alnwick) carried out any roadside monitoring of the A1. Therefore, the only air quality data available for current ambient conditions is</p> <p>from the DEFRA “background maps”. The Applicant has carried out some short-term diffusion tube monitoring. The specific technical nature of road traffic modelling we would rely upon our colleagues in Highways to assess that this follows accepted methods of prediction. The key aspect for the prediction of future air quality impacts are vehicle emission factors – the Applicant has used those in IAN 185/15 (issued May 2018). It is noted that WSP have indicated that newer factors were available from DEFRA in Sept 2019 but the use of these would not have materially affected the findings. These emission factors are the de facto “industry standard”. The other data and guidance used are also acceptable and would be commonly used in such assessments. Therefore, the Public Health Protection Unit are</p>	<p>1. Noted and agreed.</p>

Ref. No.	Question	Response:	Applicant's Response
		<p>accepting that they key data and guidance listed in section 5/4/9 of the ES and used to predict future air quality impacts at</p> <p>receptors are as rigorous as possibly can and we are not aware of alternative or additional data or guidance which would have contributed to the overall assessment.</p>	
AQ.1.3	<p>Paragraph 5.4.9 of the ES [APP-040] states that based on the Affected Road Network (ARN), 25 representative human receptors have been selected. These receptors represent worst-case locations with likely relevant human exposure to air pollutants from the ARN.</p> <p>Are IPs content with the identification of these receptors in terms of the number and location?</p>	<p>The Public Health Protection Unit had numerous discussions with WSP and, in part, suggested some of what we considered the nearest receptors. Whilst the assessment includes some receptors at greater distances from the road (existing and proposed) some of these appear to be included to address impacts during the construction phase. Overall, the Public Health Protection Unit are satisfied that the selection of receptors includes those which we have identified and would consider the nearest receptors most of which are residential.</p>	<ol style="list-style-type: none"> 1. Noted and agreed.
BIO.1.2	<p>Paragraph 9.1.4 of the ES [APP-048] explains that the Phase 1 survey for Part A had an extent of 500m while that for Part B was 50m.</p> <p>What implications, if any, arise from these different areas?</p>	<p>Part A includes parts of the River Coquet and Coquet Valley Woodlands SSSI and sensitive receptors which would explain a larger survey area. The survey area was also larger due to the defined limits of the potential footprint of Part A. As such, we do not feel there are significant implications of the different survey areas, especially as this is along an existing infrastructure route.</p>	<ol style="list-style-type: none"> 1. The Applicant agrees with this statement. 2. As detailed in paragraph 9.1.3(b) of the ES [APP-048 and APP-049], the differences in survey extent for the Phase 1 habitat survey are as a result of the progress in options selection and alignment of the Scheme at the time of the surveys. The Applicant considers the Phase 1 habitat survey extents for Part A [APP-227] and Part B [APP-155] to be suitable to inform the ecological impact assessment of the Scheme. 3. The Applicant has received agreement from Natural England, as the statutory body for nature conservation, that the ecological surveys undertaken to date for the Scheme were appropriate, including methodologies, timing and extent. This was confirmed during a consultation meeting on 15 December 2020 and is captured within the Statement of Common Ground with Natural England [REP1-029].
BIO.1.4	<p>In addressing Policy ENV2 of the Castle Morpeth District Local Plan in Table 9.3 of the ES [APP-048] it is stated that woodland is an irreplaceable habitat and has not been considered in the context of the biodiversity no net loss assessment.</p>	<p>The no net loss assessment considers mitigation for the loss of ancient woodland outside of the Biodiversity Net Gain assessment as irreplaceable habitats such as ancient woodland cannot be included within a Biodiversity Net Gain Assessment. (Biodiversity Net Gain Good Practice Principles for Development: A Practical Guide – CIEEM/IEEMA, 2019)</p>	<ol style="list-style-type: none"> 1. The Applicant agrees with the statement. As detailed within the Applicant's response to the ExA's First Written Questions (WQs), WQ BIO.1.4 in Table 1-3 [REP1-032], it is not possible to offset impacts to irreplaceable habitats, such as ancient woodland. As such, irreplaceable habitats are excluded from biodiversity no net loss assessments. The impacts to ancient woodland have been considered separately and an Ancient Woodland Strategy, Appendix 9.21 Part A [APP-247], has been developed in consultation with Natural England.

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	<p>Why has ancient woodland been excluded? Explain how biodiversity enhancement, rather than compensation, has been achieved for the Scheme. What is the response of IPs to this approach?</p>	<p>The NPPF and Government Standing Advice on Ancient Woodland https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences states that</p> <p>“You should refuse planning permission if development will result in the loss or deterioration of ancient woodland, ancient trees and veteran trees unless:</p> <ul style="list-style-type: none"> – There are wholly exceptional reasons – There's a suitable compensation strategy in place” <p>The main document prepared by the Applicant to address impacts on ancient woodland is at Appendix 9.21: Ancient Woodland Strategy. The overall design approach and the compensation package set out is in accordance with previous informal discussion with the County Ecologist who sought a 1:4 multiplier which is considered to be enhancement due to the significant increase in area of woodland created versus that which is lost.</p> <p>In this a suitable compensation strategy is in place. The scheme will result in 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.</p> <p>The 0.41ha of woodland within Coquet River Felton Park LWS is not recognised as ancient woodland but for the purposes of this scheme has been assessed as such. This choice has resulted in significant enhancement.</p> <p>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. It includes the translocation of soils, saplings, ground flora seed, ancient woodland indicator species and felled timber (for deadwood habitat) from the ancient woodland site which will safeguard the seedbank present in that soil and improve the chances of success of replicating that habitat over time.</p>	<ol style="list-style-type: none"> 1. The Applicant acknowledges that the Scheme will result in the loss of ancient woodland and a suitable compensation strategy has been developed in consultation with Natural England (Appendix 9.21: Ancient Woodland Strategy Part A [APP-247]). 2. Ancient woodland is an irreplaceable habitat and therefore any compensatory planting must account for this. Within the Ancient Woodland Strategy Part A [APP-247], a 1:12 (loss:creation) ratio has been used for the provision of compensatory woodland planting to address the loss of ancient woodland. The ratio of 1:12 was the result of detailed negotiation with Natural England. As stated by Natural England within their response to BIO.1.28 [REP1-076], “<i>the figure was a negotiated metric based on site specific factors such as proximity to the existing semi-natural woodland/site of special scientific interest and desired planting type.</i>” 3. The Applicant has no record of informal discussions with Northumberland County Council of a 1:4 multiplier in relation to loss of ancient woodland but recognises that the chosen ratio that it has adopted exceeds that raised by the Northumberland County Council within their response. 4. The Applicant agrees that the Coquet River Felton Park LWS is not recognised as ancient woodland but, for the purposes of considering and applying compensation, was treated as ancient woodland. The Applicant agrees that this choice has resulted in a significant enhancement. <ol style="list-style-type: none"> 1. This is noted by the Applicant, who can confirm that the details of the Ancient Woodland Strategy, Appendix 9.21 Part A [APP-247] will be developed at detailed design in consultation with Natural England (as detailed within the final paragraph of the Executive Summary [APP-247]). The Ancient Woodland Strategy will feed into the details of compensatory woodland planting which require to be approved by the Secretary of State as part of the landscaping scheme in terms of Requirement 5 of the dDCO.
		<p>The County Ecologist considers both the location and increased area of the new woodland (adjacent to the River Coquet) to be optimal.</p>	<ol style="list-style-type: none"> 1. This is noted by the Applicant.
		<p>The need for this dualling of the A1 would be an exceptional circumstance, and the widening of an existing route would be the preferable option to a new route being created.</p>	<ol style="list-style-type: none"> 1. The response by Northumberland County Council has been understood to refer to the location of the River Coquet and Coquet Valley Woodlands SSSI and Coquet River Felton Park LWS.

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		<p>The County Ecologist defers to the Forestry Commission and Natural England as statutory consultees on ancient woodland and Sites of Special Scientific Interest and have requested confirmation of their agreement to the proposed compensation/enhancement scheme.</p>	<ol style="list-style-type: none"> 2. The Applicant can confirm that, at this location, the Scheme does represent the widening of an existing route. 3. As detailed in paragraph 3.3.8 of Chapter 3: Assessment of Alternatives [APP-038], alternative routes were considered but would not avoid crossing the SSSI and would still require an entirely new bridge crossing to be constructed. Furthermore, other options to avoid the LWS would have required a significant length of additional dual carriageway (between 4 and 5 miles). As a result, no alignments to this effect were considered and the option of a new bridge crossing the SSSI and LWS adjacent to the existing A1 road bridge was chosen. It is noted that the Council agrees that widening the route, as proposed in the Scheme, would be preferable to the creation of a new route. 4. It is understood from the Council's response that they accept that the "exceptional circumstances" test in the first bullet point of the NPPF and Government Standing Advice on Ancient Woodland referred to by the Council is satisfied by the Scheme. <ol style="list-style-type: none"> 1. This is noted by the Applicant. The Applicant held a meeting with the Forestry Commission (and Natural England) on 31 October 2018. The Forestry Commission confirmed the partial loss of part of Duke's Bank Wood ancient woodland to be undesirable but accepted the effects of the Scheme on Duke's Bank Wood. This is documented within the draft Statement of Common Ground with the Forestry Commission [REP1-031], issued at Deadline 1. 2. The Applicant has worked closely with Natural England to develop Appendix 9.1: Ancient Woodland Strategy Part A [APP-247] and can confirm that Natural England are in agreement with the Strategy. This is documented within the Statement of Common Ground with Natural England. A '<i>without prejudice</i>' version of the SoCG was submitted a Deadline 1 [REP1-029]. 3. It is noted that that the Council, has deferred to Natural England in relation to compensation, and that Natural England are content with the level of compensation, it is understood that the Council accept that the second bullet point of the NPPF and Government Standing Advice on Ancient Woodland referred to by the Council is satisfied by the Scheme.

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BIO.1.7	<p>Paragraph 9.4.52 of the ES [APP-048] describes how a biodiversity no net loss calculation has been carried out.</p> <p>How does this relate to the principle of biodiversity net gain? Explain how the principle of biodiversity net gain applies to the Scheme. In responding the Applicant should have regard to Policies QOP1 and ENV2 of the Castle Morpeth District Local Plan in Table 9.3 which seek to achieve net gains for biodiversity rather than no net loss. This should be addressed for the entire Scheme. What is the response of IPs to this approach?</p>	<p>Excepting the ancient woodland habitats described above the principle of net gain applies to the scheme in the context of National Guidance and the NPPF. NCC has not formally adopted Biodiversity Net Gain (using Defra metric) as the Environment Bill has not yet come into force, although gains for biodiversity are sought by landscaping, habitat creation etc.</p> <p>It is the opinion of the County Ecologist that the habitats impacted (excepting ancient woodland) are in general of low importance for biodiversity and that landscaping proposals for the new scheme would result in an overall net gain for biodiversity. In particular the creation of crossing points for wildlife would be a significant improvement on the existing situation on a busy route.</p>	<ol style="list-style-type: none"> 1. The response from Northumberland County Council is noted. As detailed within the Applicant's response to WQ BIO.1.7 in Table 1-3 [REP1-032], there is no legal requirement for a Nationally Significant Infrastructure Project (NSIP), such as the Scheme, to achieve no net loss or net gains in biodiversity. As detailed within responses to WQ BIO.1.1 and BIO.1.7 [REP1-032], the principles of working towards no net loss of biodiversity relates to the Applicant's own internal requirements, as detailed within Highways England's Biodiversity Action Plan (Action 3.2, Outcome 3). The National Policy Statement for National Networks (NPS NN), the national policy for NSIPs, references but does not mandate a requirement for no net loss or net gains of biodiversity. 2. The Applicant would like to confirm that biodiversity no net loss or net gain is not claimed for the Scheme, due to the loss of ancient woodland, an irreplaceable habitat. The Applicant is completing a biodiversity no net loss assessment for the Scheme, which is issued at Deadline 2 (document reference 6.28). This assessment shall supersede the separate biodiversity no net loss assessments completed for Part A [APP-246] and Part B [APP-309].
BIO.1.8	<p>In paragraph 9.5.1 of the ES [APP-048] it is stated that surveys are typically valid for two years unless otherwise specified, and that the validity of surveys greater than two years old, such as breeding birds, to inform the impact assessment has been discussed and agreed with NE. Paragraph 9.7.5 indicates that the Phase 1 habitat survey was undertaken in June 2016. Appendices 9.12 to 9.17 all record surveys from 2017 or earlier.</p> <p>Do IPs consider surveys which are older than 2 years to be still valid?</p>	<p>2 years is a general requirement for the validity of survey reports, but it is often the case with large infrastructure projects that surveys may be out of date and require updating. In this case the habitats affected are not likely to have undergone significant change and a series of checking surveys are included within the mitigation and pre-start operations, which will be controlled by Construction Environmental Management Plan (CEMP).</p>	<ol style="list-style-type: none"> 1. This Applicant notes NCC's acknowledgement of the survey data and has also received agreement from Natural England that the ecological surveys undertaken to date for the Scheme were appropriate to inform the impact assessment, including methodologies, timing and extent. This was confirmed during a consultation meeting on 15 December 2020 and is captured within the Statement of Common Ground with Natural England [REP1-029]. 2. As detailed within the Applicant's response to WQ BIO.1.8 in Table 1-3 [REP1-032], the Applicant has completed verification surveys for Part A in 2020, due to the age of the original data (collected between 2016 and 2017). The verification survey reports were issued at Deadline 1. Verification surveys were undertaken for breeding birds [REP1-014], great crested newts [REP1-017], badger [REP1-018] and roosting bats [REP1-015 and REP1-016]. 3. Further, as detailed in Northumberland County Council's response, measures are secured by the Outline Construction Environmental Management Plan (CEMP) [REP1-023 and 024] to ensure appropriate checks are undertaken prior to and during construction. As detailed in measure S-B5 of the Outline CEMP [REP1-023 and 024], prior to construction a suitably qualified and experienced Ecological Clerk of Works (ECoW) (individual or team) will be appointed and support the main contractor with implementation of the CEMP. As per item 'c' of measure S-B5, the ECoW will monitor ecological conditions during the construction phase to identify

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			<p>additional constraints that may arise as a result of natural changes to the ecological baseline over time.</p> <p>4. The Outline CEMP [REP1-023 and 024] also includes pre-commencement walkover surveys and inspections for the following species, to confirm that baseline conditions remain accurate and affirm mitigation proposals:</p> <ul style="list-style-type: none"> - Badger (measure S-B6) - Bats and trees (measure S-B7) - Invasive non-native species (measure S-B8) - Otter (measure A-B17) - Red squirrel (measures A-B20, A-B21, B-B7, B-B9) <p>5. Further, update surveys will also be undertaken to inform species licence applications to Natural England, to ensure that survey information is up-to-date, and mitigation proposed is appropriate. These surveys are also captured within the Outline CEMP [REP1-023 and 024] for great crested newts (measure A-B18), bats (measure A-B19) and badger (measure S-B6).</p>
BIO.1.9	Are IPs content with the search / study areas identified in paragraph 9.6.2 of the ES [APP- 048]?	Yes	1. This is noted by the Applicant.
BIO.1.29	<p>In section 5.2 of Appendix 9.21 of the ES [APP-247] – Ancient Woodland Strategy high level thoughts for the management strategy are presented including for years 11+ management actions every few years.</p> <p>Are IPs content with the scope of the management strategy?</p>	Yes. Although it is understood that this is a high level approach and a detailed Management Plan would be requested by condition, to be agreed with the IPs.	<p>1. This is noted by the Applicant. As detailed in paragraph 5.1.3 of Appendix 9.21: Ancient Woodland Strategy Part A [APP-247], “an Ancient Woodland Management and Monitoring Plan (AWMMP) shall be developed at the detailed design stage to ensure the long-term viability and sustainability of the Woodland Creation Area and its integration with the surrounding landscape, notably the adjoining SSSI/ancient woodland.” As such, section 5.2 of the strategy remains high level at present.</p> <p>2. However, Requirement 5 of the dDCO requires a landscaping scheme to be approved by the Secretary of State, in consultation with the relevant planning authority. This scheme must include details of compensatory woodland planting based on the ancient woodland strategy. These provisions will ensure that adequate provision is made for the management of ancient woodland impacts and that the Council will be consulted on the finalised strategy.</p>
Part B			
BIO.1.30	Paragraph 9.4.8 of the ES [APP-049] sets out the organisations consulted in	Relevant parties for each stage of the works have been consulted with Natural England in particular included for Part A due to the presence of the SSSI.	1. This is noted by the Applicant.

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	respect of baseline surveys and mitigation proposals.		
BIO.1.37	<p>Paragraph 6.2.2 of Appendix 9.11 [APP-309] refers to Highways England (2018) Chief Highways Engineer Memorandum 422/18, Supporting Transparency around our Biodiversity Performance. An assessment in accordance with this memo is included in Appendix C of Appendix 9.11.</p> <p>The Applicant is asked to explain why the approach adopted in its own guidance is more appropriate than other methodologies to assess biodiversity performance. IPs are invited to comment on this methodology.</p>	NCC has not formally adopted a process for considering biodiversity performance and welcome the Inspector's request for explanation for the assessment methodology.	<ol style="list-style-type: none"> As addressed within the Applicant's response to WQ BIO.1.37, in Table 1-3 [REP1-032], the inclusion of Appendix C within Appendix 9.11: Biodiversity No Net Loss Assessment Report Part B [APP-309] has been included for transparency purposes only. Its inclusion was provided to evidence completion of an internal Highways England requirement only, as stated in para 1.4.4: "<i>Highways England produced a Chief Highways Engineer (CHE) memorandum (Ref. 5) which guides the standardised reporting of biodiversity information on The Applicants projects. The CHE Memo does not follow the full Defra metric and is only for internal reporting by The Applicant.</i>" Appendix 9.11 Part B [APP-309] follows industry good practice principles and methods at the time of writing. This has since been supplanted by the release of Defra Metric 2.0. A BNNL assessment for the Scheme, as a whole, conforming to the Defra Metric 2.0 methodology has been submitted at Deadline 2 to supersede both Appendix 9.20 Biodiversity No Net Loss Assessment Part A [APP-246] and Appendix 9.11 Biodiversity No Net Loss Assessment Report Part B [APP-309]. Defra Metric 2.0 represents the most current methodology and guidance for assessing Biodiversity losses and gains.
DCO.1.40	<p>Art 12 -Street works</p> <p>Art 12(1) states "The undertaker may, for the purposes of the authorised development, enter upon so much of any of the streets as are within the order limits and may...".</p>	Art 12(1) – we are satisfied that this is appropriate as long as the Applicant/contractor complies with the requirements of the Traffic Management Act 2004 and the New Roads & Street Works Act 1991 and specifically S60 – General duty of undertakers to cooperate. Any streets outside the Order will be subject to the requirements under the Northumberland County Council Works Permit Scheme.	<ol style="list-style-type: none"> Article 12(3) of the dDCO [REP1-005 and 006] confirms that sections 54 to 106 of the 1991 Act apply to any street works carried out under Article 12.
	<p>Art 12(1)(b) states "tunnel up or bore" Is "up" necessary? Should this article be restricted to specific streets set out in a Schedule?</p>	Art 12(1)(b) – The word "up" is not reference in the New Roads and Street Works Act 1991 S48(3) and 51(1) and therefore we would suggest this is removed and amended to "tunnel or bore".	<ol style="list-style-type: none"> This change was included in the version of the dDCO [REP1-005 and 006] submitted at Deadline 1.
	<p>Should it confirm that the power is "without the consent of the street authority"?</p>	It is agreed that the Article should be restricted to specific streets as set out in a Schedule. Schedule 3 in the Draft DCO lists the streets and therefore should be referenced. These Schedules shall include the Road Classification (including C and U road classification) for clarity and ease of reference.	<ol style="list-style-type: none"> As explained in the Applicant's response to DCO.1.40 [REP1-032], it is not appropriate to restrict this power to specified streets. This is a general power which is required to carry out any ancillary roadworks which may be required to enable the Scheme to be implemented. The extent of these works will not be known until the Scheme is designed in detail. If a list were to be prepared then it would include

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			all of the streets within the Order limits but this is already clear from the Scheme plans.
	Should the powers be exercised with the consent of the street authority subject to consultation?	It is agreed that the powers shall be exercised with the consent of the Street Authority subject to consultation to ensure the Street Authority are fully aware of the powers being exercised to ensure no conflict between other authorisations from the Street Authority under their existing powers.	1. It is not appropriate to make these powers subject to the consent of the street authority. These are statutory powers which are being exercised by the strategic highways authority to implement a strategic highways scheme.
	What is the view of NCC in respect of this Article?	Subject to the points raised above, it is our view that the Article is acceptable combined with the requirements for the Applicant/Contractor to adhere to the requirements of the Traffic Management Act 2004 and the New Roads and Street Works Act 1991.	1. The powers under Article 12 are subject to the 1991 Act as described above.
DCO.1.44	Art 16 – Permanent stopping up and restriction of use of streets, public rights of way and private means of access In Art 16(2)(b) should there be a reference to “public right of way” after “street” in line 5?	Art 16(2)(b) – It is agreed that the reference “public right of way” is added after “street” in line 5.	1. This change was included in the version of the dDCO [REP1-005 and 006] submitted at Deadline 1.
	In Art 16(3) reference is made to the right of way to be extinguished. Does the term “extinguish” need to be defined, or alternatively should another term be used as extinguish is not otherwise used?	Art 16(3)- Yes. Our preference (see our detailed proposals for the tables in the Schedules to the draft DCO) is for the term “stopping up” to be used consistently through the document. This should be preceded by the word temporary or permanent depending on what is being proposed.	1. As explained in the Applicant's response to WQ DCO.1.44 [REP1-032], the term “extinguish” is the appropriate term in relation to the termination of public rights of way.
	NCC - Comment on the provision contained within Art 16 of the draft DCO.	Drafting of Art 16 Article 16 of the draft Development Consent Order (DCO), together with the rights of way and access plans that accompany the draft DCO is the means by which legal changes will be made to the public rights of way network. Overall the Council has found a number of drafting errors in Article 16 and on the accompanying plans and also considers that the Article is confusing in the way that the proposals for the rights of way network are set out. Details of these drafting errors are set out at NCC05 attached to this document.	1. It is understood that NCC's comments relate to the schedules associated with Article 16 as opposed to the wording of Article 16 itself as NCC has not sought any changes to Article 16. Detailed responses to the comments on the Schedules and associated plans are set out below and in Appendix A.
		The principles set out within Article 16 are generally agreed with however, clarification is required from the Applicant in relation to the precise nature of the Stopping Up and the resultant status/ownership of	1. The Application includes for all appropriate Stopping Up requirements. A liaison call is arranged for the week commencing 1 st February 2021 with NCC to discuss this PRoW aspect. The

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		<p>the stopped up highway. For example, on Sheet 4 of the Rights of Way and Access Plans (APP-009) there are sections of highway that are to be Stopped Up but would form part of the "future" Highway verge or would be isolated areas of "private" land enclosed by current/future Highway.</p> <p>We would additionally comment that it would provide greater clarity in Schedule 4 Part 1 for specific road classification numbers (including C and U classified roads) to be used, including in the replacement sections of highway. It is also noted that a distance is not specified on the second entry in Schedule 4 Part 1 in relation to the extent of the permanent stopping up and removal of the existing A1 carriageway starting at 3/d.</p>	<p>objective of this meeting is for the Applicant to produce a set of overview plans to clarify the extents of roads to be adopted. However, it is not anticipated that these will include precise details with regard to adjacent land to be adopted as this is a matter for detailed design.</p> <ol style="list-style-type: none"> The Applicant has updated Schedule 4 Part 1 of the draft DCO [REP1-005 and 006] to include the specific road classification numbers provided by NCC. The second entry in Schedule 4 Part 1 has been updated to specify a distance.
		<p>The road classification numbers have been sent to the Applicant's consultant WSP via e-mail on 17 December 2020 and these are appended to these questions as Appendix NCC04.</p>	<ol style="list-style-type: none"> The Applicant has updated Schedule 3 Part 3 and Schedule 4 Part 1 of the draft DCO [REP1-005 and 006] to include the specific road classification numbers provided by NCC.
		<p>The tables appended to this document labelled NCC005 replicates the relevant parts of Article 16 as it affects public rights of way. We have proposed for consideration new text which better reflects the proposed changes to the rights of way network and is in a format which is common to work associated with the stopping up and diversion of public rights of way through statutory procedure. The new text also incorporates changes to the draft DCO where we have identified errors which are largely typographical in nature. These errors are confined to mistakes in grid references, public rights of way path numbers and rights of way terminology.</p> <p>We have included in the new text widths for the recording of the new and diverted public rights of way. It is essential that legal widths are included in Article 16.</p> <p>These widths are the standard widths that we employ for the type of public right of way. The preferred width for a public footpath is 1.5 metres or 2 metres where the public footpath is proposed to be fenced or hedged on each side. The preferred width for a bridleway is 3 metres. Note that these widths refer to the legal width and represent the minimum gap between any boundary features (fence, wall trees, hedge etc) along the length of the right of way. Any made up path or bridleway which is being physically created may have a different width and we are happy to discuss any specific proposals for individual rights of way where there is physical creation on the ground.</p>	<ol style="list-style-type: none"> The Applicant has updated the Schedules in the draft DCO [REP1-005 and 006] to address the issues highlighted by NCC in terms of grid references, public rights of way reference numbers and rights of way terminology, as detailed in Appendix A. The Applicant has also made amendments to the Rights of Way and Access Plans [APP-009] in response to NCC's comments as appropriate, including the terminology used for public footpaths. Again, detailed responses to the points raised are set out in Appendix A. The widths of the proposed public rights of way have not been included in the Schedules in the draft DCO [REP1-005 and 006] due to potential on-site variances. The Applicant therefore cannot commit in the DCO to providing these widths at this stage. However, the widths of the proposed public rights of way will be specified in the Public Rights of Way Management Plan as part of the final CEMP. This document will require to be approved by the Secretary of State and will be subject to consultation with NCC.

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		<p>We have also proposed amending the way in which the proposed changes to the rights of way network are tabulated in the schedules. We consider that this better reflects what is being proposed and is easier to understand. We have proposed that Schedule 3 Part 5 should contain details of new sections of public rights of way that are being created. Schedule 4 Part 2 should contain detail of public rights of way that are being stopped up and for which an alternative public right of way is being provided and Schedule 4 Part 4 should contain those public rights of way which are being stopped up and where no alternative public right of way is being provided.</p> <p>The last table identifies rights of way which are contained in schedule 3. Some appear to be rights of way proposed to be stopped up which are not affected by the A1 dualling project. We object to these closures unless they are temporary closures to enable the development work. There is also a conflict between what the DCO proposes and what is proposed on the plans (which we do support).</p>	<ol style="list-style-type: none"> The Applicant has updated Schedule 3 Part 5 of the draft DCO [REP1-005 and 006] to include all proposed public rights of way and remove any references to existing public rights of way, as detailed in Appendix A. The Applicant has updated Schedule 4 Part 2 and Schedule 4 Part 4 of the draft DCO [REP1-005 and 006] in line with NCC's comments so far as possible, as detailed in Appendix A. <ol style="list-style-type: none"> The rights of way referred to by NCC in the last table are not proposed to be stopped up, Schedule 3 Part 3 of the draft DCO [REP1-005 and 006] has been updated to remove any reference to this.
DCO.1.45	Art 17 – Access to works Comment on the provision contained within Art 17 of the draft DCO.	Wording to this extent was previously used by Northumberland County Council in the “Northumberland County Council (A1-South East Northumberland Link Road (Morpeth Northern Bypass)) Development Consent Order 2015”. We would additionally require that “with the consent of the Street Authority subject to consultation” was added to the provision.	<ol style="list-style-type: none"> It is not appropriate to make these powers subject to the consent of the street authority. These are statutory powers which are being exercised by the strategic highways authority to implement a strategic highways scheme. Powers to alter accesses are a necessary power for a Scheme of this nature.
DCO.1.47	Art 22 – Powers in relation to relevant watercourses Art 22(4) defines “relevant watercourse” as so much of the River Coquet as the context requires. Is this sufficiently precise? Are IPs content with the powers which are being sought?	We have no comments to the current wording. Please note that at present the DCO and article 22 is worded so “relevant watercourses” only include the river Coquet (a designated main river). As such, if this was to change to include all watercourses, including ordinary watercourses, then part 5 of Article 22 would need to be expanded to include the Land Drainage Act (1991) as well as the other mentioned documents. If this was to occur, we would be satisfied with this.	<ol style="list-style-type: none"> The application of Article 22 is restricted to the River Coquet. It is therefore not considered that any further revision is required.
DCO.1.48	Art 23 – Discharge of water Comment on the provision contained within Art 23 of the draft DCO.	Confirm that NCC have no comments to make as an Interested Party	<ol style="list-style-type: none"> It is noted that there are no comments.
Part A			
HE.1.1	Table 8.4 of the ES [APP-046] states that the scope of post determination trial trenching and archaeological	NCC Conservation Team (Archaeology Section) has read all the WSIs provided for archaeological work and advise that these documents can be approved.	<ol style="list-style-type: none"> The response to the ExA's First WQs submitted at Deadline 1 [REP1-032] stated in Table 1-8 that NCC was provided with the draft WSI's ahead of DCO submission and provided comments and

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	<p>mitigation for advanced works was set out in two draft WSIs. These have now been completed and provided (Appendix 8.5 and 8.6) [APP-225 and APP-226].</p> <p>Is NCC content with the final versions of the WSI?</p>		<p>requests for amendments. All the comments were addressed in the submitted WSIs and the Council has now confirmed that they are approved. They are referred to as "Draft" documents as detailed method statements will be required to supplement these. These are secured by Requirement 9 of the dDCO [REP1-005 and 006].</p>
HE.1.5	<p>In paragraph 8.7.34 of the ES [APP-046] it is stated that the assessment identified 64 built heritage assets or designated areas within the Outer Study Area and that 20 built heritage assets have been identified as being potential sensitive receptors.</p> <p>The Applicant is asked to explain how the number of assets was reduced from 64 to 20.</p> <p>NCC / Historic England are asked to comment on the identification of the 20 sensitive receptors.</p>	<p>Paragraph 8.7.34 of the ES [APP-046] provides a clear methodology for assessing built heritage assets or designated areas based on visibility on the ZTV and site visits. The Conservation Officer provides advice about the setting of listed buildings and Conservation Areas</p>	<p>1. The response to the ExA's First WQs submitted at Deadline 1 [REP1-032] stated in Table 1-8 the approach to the scoping exercise employed to reduce the number of assets required for detailed setting assessment from 64 to 20, in adherence with Historic England Guidance. The methodology is also described in paragraphs 8.4.31 and 8.4.32 of Chapter 8: Cultural Heritage Part A [APP-046]. It is noted that the Council accepts that the methodology for assessing built heritage assets is clear and has not raised any issues regarding the identification of sensitive receptors.</p>
HE.1.9	<p>Paragraph 8.1.2 of the ES [APP-047] identifies differences in the assessment between the chapters for Part A and Part B.</p> <p>Are IPs content with the different approaches? Are there any significant implications arising from the difference in approach?</p>	<p>Paragraph 8.1.2 of the ES [APP-047] provides clear reasons why there are slightly different approaches in parts A and B and how the documents are set out. This should not have significant implications for the decision-making process as the information that is provided for both parts of the scheme ultimately provide the information that is required. As a result, we are content with this approach.</p>	<p>1. The methodologies and guidance used for the assessment for Part A and Part B are consistent, and the differences in the approach outlined in Paragraph 8.1.2 of the ES [APP-047] are minor variations and relate to differences in the nature and location of the Scheme. No significant implications are anticipated from these differences as both comply with the DMRB. It is noted that the Council are content with the approach.</p>
HE.1.10	<p>Table 8.4 of the ES [APP-047] notes the presence of a Prehistoric burial mound Scheduled Monument within the current Order Limits which was identified by Historic England and NCC as being the main point of concern.</p> <p>Are Historic England and NCC content that here would be no direct physical impacts on Scheduled Monuments?</p>	<p>NCC are content that here should be no direct physical impacts on the Scheduled Monuments in proximity to the proposed works.</p>	<p>1. Chapter 8: Cultural Heritage Part A [APP-046] and Chapter 8: Cultural Heritage Part B [APP-047] report no scheduled monuments within the Order limits and therefore no direct physical impacts on them. It is noted that the Council are content with the approach.</p> <p>2. A detailed plan showing the DCO boundary and the scheduled monuments has been prepared and accompanied the Applicant's Response to the Relevant Representation (Appendix B) submitted at Deadline 1 [REP1-070].</p>
HE.1.11	<p>Table 8.4 of the ES [APP-047] notes that a Draft WSI for Historic Building</p>	<p>The Archaeology section of the Conservation Team provides approval of WSIs and reports for Historic Building Recording. I have read the</p>	<p>1. The response to the ExA's First WQs submitted at Deadline 1 [REP1-032] stated in Table 1-8 that NCC was provided with the draft</p>

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	<p>Recording for Charlton Mires was submitted to NCC for comment.</p> <p>Is NCC content with the scope of the WSI?</p>	<p>WSI for Historic Building Recording for Charlton Mires and can confirm that this document can be approved</p>	<p>WSI's ahead of DCO submission and provided comments and requests for amendments. All the comments were addressed in the submitted WSIs and the Council has confirmed that it is approved by them.</p>
Part A			
LV.1.11	<p>Paragraph 7.9.14 of the ES [APP-044] describes the development of the landscape mitigation masterplan, and the mitigation principles adopted. It notes that the landscape mitigation design is set out in Figure 7.8: Landscape Mitigation Masterplan [APP-095].</p>	<p>NCC are of the opinion that Landscape Mitigation Masterplan for Part A is overcomplicated by the mix of necessary and 'desirable' mitigation measures; that the masterplans for both sections lack supporting information to provide confidence in their achieving mitigation aims, and the stated aims as to what is to be achieved by landscape mitigation proposals are often vague.</p>	<ol style="list-style-type: none"> 1. The Applicant does not accept the suggestion that the Landscape Mitigation Masterplan is overcomplicated. The Applicant has, on Figure 7.8: Landscape Mitigation Masterplan Part A [APP-095] outlined those measures that form part of the scheme and are considered essential in order to mitigate significant effects, along with other measures that could be adopted e.g. slackening of slopes or disposal of excess material. The Applicant has clearly stated in Chapter 7: Landscape and Visual Part A [APP-044] and in paragraph 7.5.1(r) that those measures not considered essential have not been included within the assessment, this is further outlined in paragraph 7.9.18 – 7.9.21. They have been included within the drawings to demonstrate where opportunities might present themselves to integrate the Scheme, or dispose of material on site, but which do represent specific essential measures to address specific effects. 2. Turning to the issue of supporting information, the Applicant considers that the Landscape Mitigation Masterplan Part A [APP-095], and updated plan submitted at Deadline 1, Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 - Rev 0 [REP1-044], and the Outline CEMP [REP1-023 and 024] provides the necessary supporting information in order for the ExA to understand the location, extent and form of the replacement landscape features, and therefore what is to be delivered as part of the mitigation strategy. The Applicant will, within the updated Outline CEMP at Deadline 3 include an action to prepare a Landscape and Ecological Management Plan, and set out what the contents of this document will comprise. Furthermore, on the Landscape Mitigation Masterplan Part A [APP-095], the Applicant has referenced DMRB Volume 10, Part 0, Sections 2 and 3 (refer to Appendix B), and this document provides some additional information about the aim (the Environmental Function) of the landscape elements, e.g. Landscape Element 4.4 – Native Hedgerows with Trees – requires “Shrub and occasional tree species appropriate to the location or as exist already on site with intermittent standard trees”. Combined, these documents would be taken forward into the detailed design phase, where the principles and indicative design would be developed further, and in line with Requirement 5(1) of the updated Draft DCO

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			<p>[REP-005 and 006] would be subject to approval by the SoS, in consultation with the LPA.</p> <p>3. NCC has suggested that the aim of the landscape strategy is vague, however as explained in paragraph 7.9.4(d) of Chapter 7: Landscape and Visual Part A [APP-044], the landscape strategy is to effectively mitigate, as appropriate, the potentially significant effects on landscape character and visual amenity through integration of the design and mitigation measures. The aim (or Environmental Function) is applied to specific mitigation measures through reference to the Environmental Function on Figure 7.8 Landscape Mitigation Masterplan Part A [APP-095] and Figure 7.10 Landscape Mitigation Plan Part B [APP-144]. An explanation of the Environmental Function is provided in Appendix B.</p>
	<p>The Applicant is asked to explain the process in developing the landscape mitigation masterplan, how the mitigation principles were established and to confirm what those principles are.</p>	<p>Post-application communications have also indicated that elements of mitigation design remain unclear to the Applicant team – in particular in relation to some elements of Part B.</p>	<ol style="list-style-type: none"> 1. The Applicant has prepared the relevant landscape strategies for Parts A and B (refer to Figure 7.8 Landscape Mitigation Masterplan Part A [APP-095] and Figure 7.10 Landscape Mitigation Plan Part B [APP-144]) in accordance with current guidance provided by Highways England. At the time this was DMRB Volume 10, Part 0, Sections 2 and 3, which is referred to on the above drawings, but which has subsequently been superseded by LD117. The previous guidance is provided in Appendix B. and sets out what each of the landscape elements should comprise, such that reference to Environmental Function and the specific Landscape or Environmental Elements on the above drawings is clearly set out, in terms of its form, nature and composition. In this respect the Applicant is clear about the nature of the landscape and environmental elements that make up the design. Nevertheless, there remains a requirement for some flexibility within the design which are addressed within the relevant design parameters for Parts A and B. 2. The Applicant has within the parameters for Parts A (refer to Table 7-25 - Consideration of Assessment Parameters in Chapter 7: Landscape and Visual Part A [APP-044]) and B (refer to Table 7-25 - Consideration of Assessment Parameters in Table 7-28 - Consideration of Assessment Parameters in Chapter 7: Landscape and Visual Part B [APP-045]) identified where modifications to the design may arise and whether there is a material change in the findings of the assessment. In particular for Part B, the Applicant has provided an alternative mitigation strategy for Parameter 3 which is outlined in Figure 7.14 Landscape Mitigation Plan including Assessment Parameter 3 Part B.
	<p>Are IPs content with the scope of the Masterplan?</p>	<p>At present it is only possible to understand the 'whole' design (including the new road, drainage, local road and footpath amendments and</p>	<ol style="list-style-type: none"> 1. By the very nature of the Scheme, in a complex highway design for a substantially new corridor, the information will inevitably require some cross referencing of documents and information. The

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	Is there a need for a Landscape and Ecological Management Plan to set the Masterplan in context?	<p>landscape, etc) by looking at multiple plans split across the main layout plans and several ES chapters.</p> <p>As noted above we would expect to see clearer information in relation to this – in both the masterplans and within a LEMP.</p>	<p>Applicant does not intend to prepare a further submission amalgamating all of the design information into a single document. However, the Applicant intends to add an action within the updated Outline CEMP at Deadline 3, to prepare a Landscape and Ecological Management Plan, and set out what the contents of this document will comprise. Where cross references are required the Applicant has provided clear signposting within the respective documents, in order to provide clarity and guide the reader.</p> <p>1. The Applicant considers that the Landscape Mitigation Masterplan Part A [APP-095], and updated plan submitted at Deadline 1, Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 - Rev 0 [REP1-044], Figure 7.10 Landscape Mitigation Plan Part B [APP-144], and the Outline CEMP [REP1-023 and 024] provides sufficient information in order for the ExA to understand the location, extent and form of the replacement landscape features. This would be taken forward into the detailed design phase, where the principles and indicative design would be developed further within a LEMP, the contents of which will be secured in an updated Outline CEMP, submitted at Deadline 3. In line with Requirement 5(1) of the updated Draft DCO [REP-005 and 006] the landscape strategy and supporting information, including the LEMP, would be subject to approval by the SoS, in consultation with the LPA.</p>
LV.1.16	IPs are asked whether the Landscape Mitigation Masterplan [APP-095] would adequately address how landscape and ecological features would be protected and managed during construction and reinstatement.	As noted above we would expect to see clearer information in relation to this – in both the masterplans and within a LEMP.	<p>1. The Applicant considers that the Landscape Mitigation Masterplan Part A [APP-095], and updated plan submitted at Deadline 1, Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 - Rev 0 [REP1-044], Figure 7.10 Landscape Mitigation Plan Part B [APP-144], and the Outline CEMP [REP1-023 and 024] provides sufficient information in order for the ExA to understand the location, extent and form of the replacement landscape features. This would be taken forward into the detailed design phase, where the principles and indicative design would be developed further within a LEMP, the contents of which will be secured in an updated Outline CEMP, submitted at Deadline 3. In line with Requirement 5(1) of the updated Draft DCO [REP-005 and 006] the landscape strategy and supporting information, including the LEMP, would be subject to approval by the SoS, in consultation with the LPA.</p>
LV.1.17	The Landscape Mitigation Masterplan [APP-095] includes a key showing different landscape elements and references environmental function,	As noted above we would expect to see clearer information in relation to this – in both the masterplans and within a LEMP. At present we do not feel that the intent of the landscape masterplan design and the	<p>1. As outlined in the Applicant's response to the ExA Written Question LV.1.17 at Deadline 1, the Landscape Mitigation Masterplan [APP-095] and the Outline CEMP [APP-346] still alongside one another, and combined provide adequate information relating to secure the landscape and visual mitigation strategy for delivery. The Applicant</p>

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	<p>environmental elements and landscape elements. Explain how the Landscape Mitigation Masterplan works alongside the outline CEMP [APP-346].</p> <p>Should explanation of the masterplan proposals be included within the masterplan, a separate LEMP or remain solely within the outline CEMP? IPs are invited to comment.</p>	<p>means by which it will be achieved is sufficiently firm to ensure its effective delivery.</p>	<p>considers that the Landscape Mitigation Masterplan Part A [APP-095], and updated plan submitted at Deadline 1, Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 - Rev 0 [REP1-044], Figure 7.10 Landscape Mitigation Plan Part B [APP-144], and the Outline CEMP [REP1-023 and 024] provides sufficient information in order for the ExA to understand the location, extent and form of the replacement landscape features. Figure 7.8: Landscape Mitigation Plan [APP-095] and Figure 7.10 Landscape Mitigation Plan [APP-144] provides for typical landscape features that would form elements within the design and delivery of a highway scheme. These are identified in LD 117, which is Highway England's guidance with reference to landscape design, which replaced DMRB Volume 10, Section 0, Part 3. This earlier document provided more explanation of what the Landscape Elements should deliver, and in the absence of further details in LD117, the Applicant has reverted to the earlier guidance. Within the guidance are environmental functions, which outline the purpose of providing particular elements within the design, for example EFA are elements provided for landscape screening, EFB for landscape integration.</p> <ol style="list-style-type: none"> 2. Within these Environmental Functions are elements, and these range from environmental to landscape elements, providing additional information in terms of the form that the landscape elements would take, in order to deliver the environmental function. 3. This would be taken forward into the detailed design phase, where the principles and indicative design would be developed further within a LEMP, the contents of which will be secured in an updated Outline CEMP, submitted at Deadline 3. In line with Requirement 5(1) of the updated Draft DCO [REP-005 and 006] the landscape strategy and supporting information, including the LEMP, would be subject to approval by the SoS, in consultation with the LPA.
Part A			
PHH.1.6	<p>Is NCC content that the 2016 survey data provides a realistic representation of how the local footways and PRoW are being used by WCH?</p>	<p>The Council is not aware of the methodology employed for the survey and so cannot comment on its representation. It believes that the surveys took place over a six day period but does not know which six days were used. If the survey took place over six days consecutively then it is unlikely to provide a realistic representation for the way in which a network may be used over an annual cycle. Use of public right of way is also very weather dependent.</p>	<p><u>2016 Survey Counts</u></p> <ol style="list-style-type: none"> 1. Existing walking, cycling and equestrian movements were recorded with a mounted camera at 22 locations from Morpeth to Felton (for Part A). The survey was undertaken between 05:30 and 21:00 hours on the following dates in 2016: <ul style="list-style-type: none"> - Thursday 28th July; - Saturday 30th July; - Saturday 27th August; - Thursday 1st September; - Saturday 3rd September;

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		<p>Outdoor recreational activities are normally more likely to be engaged in in fine rather than adverse weather. I think it would be more accurate to say that the Council considers that the survey provides accurate survey information for the period that it covers and that an initial review of the survey findings do not cause the Council any concern.</p>	<ul style="list-style-type: none"> - Saturday 10th September; and - Thursday 15th September. <ol style="list-style-type: none"> 2. The locations of these surveys and the survey counts were provided in Appendix TT.1 of the Applicant's Responses to the ExA's First Written Questions [REP1-047] at Deadline 1. 3. To get a representative sample of pedestrian, cyclists and equestrian movements around the A1, these dates were selected as they represented movements at school term-time, and holiday time (so will include both recreational and functional journeys) through the summer (when the weather is most likely to be favourable and recreational use at its peak). <ol style="list-style-type: none"> 1. The surveys were carried out in the months of July, August and September, and cover a mixture of weekend days and week days, holiday and term time in order to be representative. The weather on the days of survey was not recorded within the WCHAR. However, it is considered that the selected days, with surveys undertaken between the hours of 05:30 and 21:00, provide a representative sample of the existing use during the summer and early autumn, when weather conditions are most likely to be favourable.
TT.1.14	<p>Paragraph 4.11.16 of the Case for the Scheme [APP-344] states that surveys have been undertaken to establish which pathways and junctions were commonly used by WCH (walkers, cyclists and horse-riders) users.</p> <p>Does NCC wish to comment on the location and / or outputs of these surveys?</p>	<p>The Council is content that the pathways and junctions which were used for the survey were appropriate to assess the way in which the network was being used by walkers, cyclists and horse-riders. The Council does not normally undertake surveys of the use of the rights of way network and so cannot compare what has been undertaken here with its own surveys. However, from reading the results of the survey undertaken over the six days at the various locations the Council is satisfied that the level of use is commensurate with our own anecdotal knowledge of use of these types of rights of way in particular locations.</p>	<ol style="list-style-type: none"> 1. It is noted that the Council has not raised any issues with the surveys.
TT.1.15	<p>According to paragraph 4.11.21 of the Case for the Scheme [APP-344] there would be a number of Public Rights of Way (PRoW) that would be directly affected by the Scheme and would be permanently closed or diverted during operation. It indicates that the PRoWs that will be closed as a result of the Scheme are not frequently used with less than five users observed at each site over the six survey days.</p> <p>Additionally, paragraph 5.3.12 states that the inclusion of grade-separated</p>	<p>A response will be provided at Deadline 2 as requested.</p>	<ol style="list-style-type: none"> 2. The Applicant continues to liaise with NCC and will respond to their comments at Deadline 3.

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TT.1.18	<p>junctions and changes to PRow would improve connectivity and safety, and therefore benefit users.</p> <p>The Applicant is asked to confirm the details of the surveys which were undertaken which led to the proposed closures and permanent diversions. How would the inclusion of grade-separated junctions and changes to PRow benefit users when it is proposed to permanently close or divert a number of PRow? Following the publication of the Applicant's response to this question at Deadline (D)1, IPs are invited to comment on this response by D2.</p> <p>Is NCC, as Highway Authority content with the scope of the Construction Traffic Management Plan (CTMP) [APP- 347]?</p>	<p>We have a number of queries relating to the details with the plan and these have been passed to the Applicant's consultant WSP for comment/clarification by e-mail dated 18th December 2020 rather than be listed in this response.</p> <p>There remains a concern over the impacts of diversionary traffic on villages on the A697.</p>	<ol style="list-style-type: none"> NCC's comments on the CTMP [APP-347] have been received and are under review. Any amendments will be agreed between the Applicant and NCC and the CTMP resubmitted at Deadline 3. The principles set out in the CTMP [APP-347] (section 2.6.43) include for the implementation of variable message signs and technology that has the capability to alert road users to journey times through the works. These would be used to inform road users that phantom queues are just that, and that for the shortest journey time it is better to remain on the A1. This would minimise unnecessary pressures being put on all temporary diversion routes, including the A697. As described in the Case for the Scheme [APP-345], traffic modelling of the construction scenario was undertaken using the SATURN model, in order to calculate the monetised disbenefits associated with delays during the construction works. The model forecasts that the majority of A1 traffic (around 90%) will remain on the A1 during the construction works, with a small forecast increase in traffic flows along the A697. During the morning peak hour, the model forecasts an additional 29 vehicles northbound and 84 vehicles southbound on the A697 passing through Longhorsley and Longframlington. During the evening peak hour the model forecasts an increase of 30 vehicles northbound and 40 vehicles southbound. Given that the forecast increase is below two vehicles per minute, this is not considered likely to have a significant adverse impact at these locations.

Ref. No.	Question	Response:	Applicant's Response
			<p>3. Concerns over the impacts of diversionary traffic on villages on the A697 will be discussed in a specific meeting between NCC and the Applicant's TM Manager. A commitment for this to take place will be detailed in the updated Construction Traffic Management Plan (CTMP) [REP1-025]. A liaison call is arranged for the week commencing 1st February 2021 with NCC to discuss the CTMP. The objective of this meeting is to agree the wording of the commitment for inclusion in an updated CTMP due to be re-submitted at Deadline 3.</p>
	Does section 5.10 of the CTMP provide adequate guidance at this stage to guide the scope of the PRow Management Plan to be secured through R4?	Section 5.10 of the Construction Traffic Management Plan provides outline guidance, when read in conjunction with the Rights of Way and Access Plans to enable the main contractor to develop a PRow management plan. However, Section 5.10 and Table 7 PRow Schedule – Part A describes all public rights of way as “footways” which is incorrect. This section should be amended so that the correct highway definition for each prou reference is used i.e. footpath, bridleway, restricted byway or byway open to all traffic	<p>1. The Construction Traffic Management Plan [REP1-025] Section 5.10 and Table 7 will be updated at Deadline 3 so that the correct terminology is used for the different types of public rights of way.</p>

Table 1-6 – Public Health England

Ref. No.	Question	Public Health England Response:	Applicant's Response
PHH.1.1	Refers to previous comments from Public Health England (PHE) regarding adequate consideration and risk assessment of electromagnetic fields from infrastructure involved in or affected by the proposal.	We note the content of the submitted Environmental Statement, paragraph 4.2.31-39 regarding the voltage of the infrastructure affected by the development, reference to guidelines from the International Commission on Non-Ionizing Radiation Protection and the subsequent scoping out of this risk from further assessment.	<p>1. The Applicant notes that PHE has not raised any concern in relation to the approach adopted.</p>

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