

A1 in Northumberland: Morpeth to Ellingham

Scheme Number: TR010059

7.16 Applicant's Response to Deadline 3 Submissions

Rule 8(1)(c)

Infrastructure Planning (Examination Procedure) Rules 2010

Planning Act 2008

March 2021

Infrastructure Planning

Planning Act 2008

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

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

Development Consent Order 20[xx]

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1 APPLICANT'S RESPONSE TO DEADLINE 3 SUBMISSIONS

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 submissions made at Deadline 3. The Applicant notes that Historic England had no comments at Deadline 3.

Table 1-1 – Northumberland County Council

Ref. No.	Response:	Applicant's Response:
Covering Letter	In our response to the Deadline 2 submission, we confirmed that the revised Construction Traffic Management Plan and Rights of Way and Access Plan were to be reviewed and responded at Deadline 3.	1. Noted
	Following from our comments on the original Construction Traffic Management Plan issued to the Applicant before Christmas and some of the ExA's questions in relation to Streetworks articles within the draft DCO (DCO.1.40 and 1.44) a meeting with the Applicant has been arranged for w/c 15th February where matters will be discussed. As such, we will not be commented upon the revised Construction Traffic Management Plan for Deadline 3 as originally anticipated.	1. The meeting between the Applicant and the NCC Streetworks Team took place on 15/02/2021 as scheduled. This was a constructive discussion and there are no new queries on the Construction Traffic Management Plan as submitted at Deadline 3 [REP3-015 and 016]. A record of the discussion points will be captured in the SoCG [REP3-018] to be submitted at Deadline 4.
	The Rights of Way and Access Plan has been reviewed and we have no comments to make at this time. Comments have been incorporated that were submitted at previous deadlines and further discussions with the applicant are taking place in the forthcoming week.	1. A meeting between the Applicant and the NCC PRoW Officer took place on 17/02/2021. No emerging actions were taken from the positive discussion. The NCC PRoW Officer attended the ISH1 hearing on 23/02/2021 and confirmed that following a further review of Deadline 2 Submission - 7.11.1 Applicant's Comments on Responses to Written Questions - Appendix A - Public Rights of Way Response [REP2-021] there were a small number of minor amendments to references which would be communicated in writing. 2. A record of the agreed points will be captured in the SoCG [REP3-018] to be submitted at Deadline 4.
	Discussions with the applicant are continuing to progress the Statement of Common Ground.	1. The Applicant is continuing to progress the Statement of Common Ground with NCC [REP3-018] and a further draft is submitted at Deadline 4.
Youngs RPS on behalf of Millhouse Developments Ltd [REP2-027]	The representation states that no provision has been made for direct access on the client's land given the historic planning consents CM/00/D/337 and CM/04/D/550 (corrected from submission made).	2. The Applicant refers the ExA to Table 1-2 of the Applicant's Response to Deadline 2 Submissions [REP3-024] which notes NCC's position on this matter i.e. the planning permissions to which the respondent refers are indeed historic and have expired without lawful implementation. Consequently, they should be afforded little if any weight as a consideration in relation to the Scheme.
	Northumberland County Council dispute that Millhouse Developments Ltd has an extant planning permission for the site in question and therefore access requirements for the land as set out in the representation are not required.	
	Millhouse Developments Ltd have been provided with a detailed explanation for the stance that the Council has taken on this matter and we do not believe that it is the purpose and remit of this examination to establish the planning status of this land. No Certificate of Lawfulness of Existing Development has been applied for by the company.	

Table 1-2 – ME Beal and Sons

Ref. No.	Response:	Applicant's Response:
	<p>As to the options 1 to 4 of the Charlton Mires Junction, we were unaware that there were in fact 4 options. All 4 considerably blight my farm. Had we not been lead down the path of lift & shift by HE & the then DV we would have objected in its entirety the mainline version & supported & fought for the offline version to the west</p>	<ol style="list-style-type: none">1. On the basis of this submission, the Applicant is considering the position of the respondent to be that of an objection based upon the availability of alternatives.2. Three route options were considered for Part B as part of the initial development of the Scheme (see Appendix C of the Written Summary of the Applicant's Oral Submissions at Hearings (document reference 7.17.3)). Two of those routes (the green and blue options) included offline sections that bypassed Charlton Mires altogether, and therefore avoided the demolition of the Charlton Mires Farm and East Cottage buildings. However, as set out in the A1 in Northumberland Environmental Assessment Report (September 2016, Version 2.1) and detailed at paragraphs 3.3.35 to 3.3.36 of Environmental Statement [APP-038], the offline options would have had a greater adverse impact on the environment than the selected orange option, as well as requiring a greater land take. In particular, the green option would result in the greatest loss of habitat and agricultural land, would have a greater impact on some protected species and would run closer to the area of high landscape value. Similarly, the blue option would have resulted in a greater loss of habitat when compared to the preferred orange option and potentially would also have had a greater impact on some protected species. In addition, both the green and blue options were not sufficiently aligned with the budget allocation in the Road Investment Strategy: 2015 to 2020 to ensure affordability and thereby constitute a deliverable scheme. For these reasons, both the blue and green options were discounted. The remaining option to be progressed was the online widening option identified as the 'Orange Route' in the Preferred Route Announcement, published in September 2017.3. Table 3.4 of the ES [APP-038] presents Environmental Considerations in the Evolution of the Scheme Design (Part B). In relation to the location of the proposed Charlton Mires junction four different options are4. described. Of these four options, option 2 was taken forward and is now contained in the Works Plans [APP-007]. As stated in Table 3-4, options 1 and 3 were discounted following consultation with the landowners. This included consultation with the Beals in October 2016 and their response in December 2016. During the course of this consultation, it was identified that the Beals had a new residential property to the west of the A1 and north of Rock Nab. As option 1 would have blighted this new property, it was discounted. Option 3 was developed following further consultation with the Beals. This option would require less of the Charlton Mires Farm holding to be lost than for option 2 (the selected option) but would require the road to come close to Charlton Mires farmhouse and a loss of about 70% of its garden with loss also impacting the new residential property. As a result, options 1 and 3 were discounted and option 2 was selected as the preferred option. The discounting of option 4 was primarily on the basis of the increased diversionary requirements and the need for a new link road to the B6347, as detailed further in Table 3-4.5. The Applicant's response to the ExA's First Written Questions GEN1.33 provided drawings of the four junction options as Appendix GEN.3 [REP1-035]. The Applicant can confirm that all options impacted the landowner.6. The District Valuer (DV) does not accept that it offered a lift and shift option in this case. Equivalent Reinstatement is an option considered where there is no general market for a particular class of property which is not the case for a farmhouse and associated buildings. The DV and the Applicant have sought to work with the landowner and their professional representatives to agree a reasonable market valuation for the land and buildings to be acquired. This would then enable the landowner to construct a new dwelling to their own specification on land retained to the west of the existing A1.

Ref. No.	Response:	Applicant's Response:
	In the Compulsory Acquisition Schedule, it states that a land take of 23.40 acres of permanent land take (Rights & access) & a temporary land take of 11.49 acres yet HE have blighted & are proposing to buy 42.40 acres of my farm. We have asked for & still await clarification about the actual land take & how much of this is required for the wind farm cable.	<ol style="list-style-type: none"> 1. The Compulsory Acquisition Schedule [REP3-022 and 023] sets out the land required by the Applicant for the purpose of the Scheme. During the construction phase of the Scheme, some of the land that is purchased by the Applicant via means of blight will be used permanently for the scheme and some will be utilised on a temporary basis. 2. The figure that has been agreed within the blight counter notice which was served by the Applicant in July 2019 accepted by the landowner was based upon the preliminary design at that stage and had at that time minimised the Order limits. Since the counter notice was accepted further design has taken place which in particular has altered the drainage design and environmental mitigation which, once assessed, reduced the overall land take. 3. As the Blight Counter Notice has been accepted by the landowner the counter-notice boundaries cannot be amended by the applicant once the counter notice has been accepted. This is because once a Blight Notice is accepted or successfully countered, the Blight Notice becomes a deemed Notice To Treat which establishes the interest and extent of land to be compulsorily acquired. Therefore, the Applicant will still purchase the 42.40 acres as accepted within the blight counter notice. 4. The area of permanent land acquisition required for the diversion of the 66kV wind farm cable is approximately 0.28 hectares, however it should be noted that the windfarm cable will remain within the permanent land of the Applicant.
	Environmental Statement Figures: On plan 5 it describes the line of 40 year old very well established large trees directly in front of our cottage at West Mires, as hedgerow clearance! Even though we have in writing from HE that theses trees would not be felled. Are HE trying to hide the fact that these are very large trees by describing them as a hedge??	<ol style="list-style-type: none"> 1. The Interested Party (IP) suggests that the Applicant has identified the well-established trees as a hedgerow, however it can be seen on sheet 5 of Figure 7.11 Vegetation Clearance Plan Part B [APP-145] that the existing vegetation to the south west of the proposed Charlton Mire Junction, comprises a hedge and a block of woodland (the trees that the IP refers to) and which it is assumed would be removed, on the basis of a worst-case scenario. 2. The full clearance was assumed to be the case for the assessment of visual effects, in order that the worst-case scenario has been assessed in Chapter 7: Landscape and Visual Part B [APP-045]. However, in practice, the Applicant would avoid the unnecessary removal of this planting to reduce the effects on views from the south-west. The avoidance of vegetation removal is a key consideration of the design along with its replacement, and this is secured through item S-L2 (a – e) of Table 3-1 - Register of Environmental Actions and Commitments: The Scheme in the Outline Construction Environmental Management Plan (Outline CEMP) [REP3-013 and 014] (and as updated at Deadline 4). The identification of vegetation to be removed on site will be under the responsibility of the Ecological Clerk of Works (ECoW), and in line with the S-B10 of Table 3-1 - Register of Environmental Actions and Commitments: The Scheme of the Outline CEMP [REP3-013 and 014] (and as updated at Deadline 4) whereby vegetation clearance and tree felling is to be kept to a minimum, as far as reasonably practicable. The ECoW will identify with the Environmental Manager and Contract Manager, the area or feature to be protected within a works plan that would be agreed with the NCC representative. 3. Whilst all reasonable efforts will be made to retain the existing block of woodland, it may be that some or all of it would be removed to allow construction of the realigned B6341 and the new Charlton Mires Roundabout, however the provision of a broader and more extensive block of woodland, as identified on Figure 7.10 Landscape Mitigation Plan Part B [APP-144] would be planted instead of or alongside any retained planting and as a result the views of the Scheme to the north and east would be substantially screened by summer of year 15. The assessment of effects on West Mires would be moderate adverse, as identified on Figure 7.2 Visual Receptors Plan Part B [APP-136] and described in Appendix 7.2 Visual Effects Schedule - Part B [APP-287].

Ref. No.	Response:	Applicant's Response:
		<ol style="list-style-type: none"> In February 2019 the Applicant set out on site the alignment of the local road approaching the proposed Charlton Mires junction by means of GPS plotting to allow the landowner to see the route of the new road in front of their property at West Mires, this allowed the Applicant to visually show the landowner the potential level of tree loss and also set out what the Applicant would seek to preserve. As indicated on Figure 7.10 Landscape Mitigation Plan Part B [APP-144], the existing roadside verges of the B6341, the broken out section of the B6341 itself, the area to the south west of the junction, and extending to the south of the junction between the B6341 and the Scheme, would be planted with blocks of woodland, which over time, and by the summer of year 15, would have substantially contributed towards screening views of the Charlton Mire Junction from the cottage at West Mires towards the north, north-east and east. The delivery of the landscape strategy set out on Figure 7.10 Landscape Mitigation Plan Part B [APP-144] is secured through item S-L2 (a-e) within Table 3-1 - Register of Environmental Actions and Commitments: The Scheme in the Outline CEMP [REP3-013 and 014] (and as updated at Deadline 4). In addition, and where the design, programme and construction of the Charlton Mires Junction permits, the proposed planting, as identified on Figure 7.10 Landscape Mitigation Plan Part B [APP-144], will be undertaken in advance of the main planting works, this is secured in S-L6(k) of Table 3-1 - Register of Environmental Actions and Commitments: The Scheme of the Outline CEMP [REP3-013 and 014] (and as updated at Deadline 4).
	<p>Whilst we appreciate this is not part of this element of the DCO we would also like to comment on the following: In the Consultation report: On page 114 (no 2) it states that the land interest requested the enlargement of the Kitty Carter culvert to enable access under the A1 for livestock. It fails to mention that the "culvert" is already used for the passage of livestock. The applicant assessment states that the culvert was originally designed to enable the flow of the Kitty Carter burn is entirely correct however again, fails to mention that HE converted it approximately 40 years ago to enable the passage of livestock through because they deemed the A1 at that time, to have too high volume of traffic to safely allow livestock to cross yet now, with a significantly increased volume of traffic hence the duelling, HE are refusing to provide this vital facility for us as they confirmed in a meeting in December 2020. This leaves our remaining farmland completely severed by 8 lanes of traffic.</p>	<ol style="list-style-type: none"> The culvert referred to by the landowner, Linkhall Culvert, is located beneath the existing A1 and currently allows the landowner to access land plots 15/1a and 15/6a. The culvert is an asset owned by the Applicant; the Landowner has been able to utilise the culvert as a means of access to land with the Applicant's consent. Linkhall Culvert was built in 1967 and there are no records of modifications. The culvert has a raised footpath and timber post and rail fence to accommodate livestock as well as pedestrian traffic. As discussed at the meeting in August 2019 and November 2020, there is no option to enlarge the culvert when it is being extended. The Scheme increases the length of the existing culvert from approximately 20.5m to 70.7m. The level of the proposed A1 carriageway through the new Charlton Mires junction is dictated by the existing A1 and the connections to the local roads. The top of the culvert is dictated by the depth of cover from the new carriageway. The hydraulics of the watercourse dictates that the bed level of the culvert cannot be lowered. . Therefore, there is no option to enlarge the height or depth of the culvert to provide for livestock passage through the extended culvert. Further, the Scheme proposes that land plots 15/1a and 15/6a either side of the culvert will be owned by the Applicant, thus cutting off access to the passage for livestock. The Applicant has sought to mitigate the loss of the existing facility currently utilised by the landowner. The Applicant will continue to progress through further dialogue with the landowner and their land agent. Compensation for all Heads of Terms continue to be negotiated between the IP's land agent and the DV appointed on behalf of the Applicant.

Table 1-3 – Brockthorpe Consultancy

Ref. No.	Response:	Applicant's Response:
1	<p>Vegetation Clearance –we note submission of Document TR010059 – 001182 6.6 ED Part B Figure 7.11. The document states that vegetation in front of West Linkhall Farm and West Lodge at Charlton Hall is to be removed. We have had verbal confirmation that this is not the case and that whilst some maybe removed, not all of it will be. We are concerned that the DCO is assuming the full removal and we would contest that this is not necessarily following conversations with HE and their representatives.</p>	<ol style="list-style-type: none">1. The Applicant has identified on sheet 6 of Figure 7.11 Vegetation Clearance Plan Part B [APP-145] that the existing vegetation to the west of West Linkhall Farm and West Lodge at Charlton Hall, comprising a block of woodland, would be removed. The full clearance was assumed to be the case as this reflects a reasonable worst case scenario, and is the basis on which the assessment set out within the relevant chapters of the ES, including Chapter 7 Landscape and Visual Part B [APP-045] and Chapter 9 Biodiversity Part B [APP-049], has been conducted. However, and as communicated in a telephone discussion with representatives of the Brockthorpe Consultancy and during both Open Floor Hearing 1 (OFH1) and Compulsory Acquisition Hearing 1 (CAH1), the Applicant would avoid the unnecessary removal of this planting to reduce the effects on associated views from adjacent property. The avoidance of vegetation removal is a key consideration of the design, along with its replacement, and this is secured through item S-L2 (a – e) and S-L5 of Table 3-1 - Register of Environmental Actions and Commitments: The Scheme in the Outline Construction Environmental Management Plan (Outline CEMP) [REP3-013 and 014] (and as updated at Deadline 4). This requires the avoidance of vegetation removal, and retention of mature vegetation, in order to reduce impacts on landscape and visual receptors. This is further reinforced through item S-L8(f) of the same Table 3-1: Register of Environmental Actions and Commitments: The Scheme within the Outline CEMP [REP3-013 and 014] (and as updated at Deadline 4). This requires vegetation that is to be retained to be done so in accordance with BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations, and would ensure that any vegetation retained within the Order limits would be robustly protected. The identification of vegetation to be removed on site will be under the responsibility of the Ecological Clerk of Works (ECoW), and in line with the S-B10 of Table 3-1 - Register of Environmental Actions and Commitments: The Scheme of the Outline CEMP [REP3-013 and 014] (and as updated at Deadline 4) whereby vegetation clearance and tree felling is to be kept to a minimum, as far as reasonably practicable. The ECoW will identify with the Environmental Manager and Contract Manager, the area or feature to be protected within a works plan that would be agreed with the NCC representative.2. Item S-L8(a) within the Outline CEMP [REP3-013 and 014] (and as updated at Deadline 4) also requires that vegetation within 15m of the Order limits is also identified, and measures are put in place to protect the root systems from damage, these include hand digging within the protected root areas of the vegetation, pruning in accordance with BS3998:2010 Tree Work. Recommendations, to mitigate damage during trees works, and no-dig construction to be considered at detailed design.3. Nevertheless, on the worst case assumption that some or all of the vegetation would be removed east of West Linkhall Farm, the area of existing planting would be re-planted with a linear belt of shrubs and trees that would extend to the north to screen the view towards the A1 where the existing access exists and tie into a small block of woodland to the north, this is indicated on Figure 7.10 Landscape Mitigation Plan Part B [APP-144]. In the case of West Lodge, a block of woodland planting would be re-established to replace any woodland that would need to be removed. At both locations, and by the summer of year 15, this planting would have substantially contributed towards screening views of the Scheme. The delivery of the landscape strategy set out on Figure 7.10 Landscape Mitigation Plan Part B [APP-144] is secured through item S-L2 (c) within Table 3-1 - Register of Environmental Actions and Commitments: The Scheme in the Outline CEMP [REP3-013 and 014] (and as updated at Deadline 4).4. Following the submissions made by the Brockthorpe Consultancy during the course of CAH1 and further productive discussions with the Brockthorpe Consultancy, the Applicant understands that the measures within the Outline Construction Environmental Management Plan (CEMP) [REP3-013 and

Ref. No.	Response:	Applicant's Response:
		014]] (and as updated at Deadline 4), outlined in this response are supported by the Brockthorpe Consultancy. The Applicant awaits written confirmation of this position at Deadline 4 and will provide a further written response as appropriate.
2	Topsoil Bunds – we note submission of Document TR010059 – 001100 6.1 ES Part B Fig 2.6 Temporary Construction Works. The document notes the proposed location of temporary topsoil bunds. We do not agree that Topsoil Location 5 is necessary. HE are proposing to acquire a large parcel of land to the west of Location 5, where Location 4 is noted. It would seem sensible to use part of this land for Topsoil Location 5 to avoid taking additional temporary land when it is not necessary. Location 5 has not been well thought out given it is located on a field boundary and blocking up access between fields and is also in a very lowlying area of land that floods during wet weather and winter months. This would not be a suitable location and it does not seem necessary to take additional temporary rights when there is a large area of unused land on the west side of the carriageway at Location 4 that would be more suitable.	<ol style="list-style-type: none"> 1. A number of temporary topsoil storage locations have been identified along the length of the Scheme [APP-070 and APP-071], with their positions chosen based on their proximity to the areas where the soil is to be used, amongst other considerations. The storage of topsoil at or in the vicinity of Topsoil Location 5 is necessary for this earthwork's strategy. The area required for topsoil storage is based on calculated volumes of required soil, factoring in a 2m height limit on soil bunds. 2. The A1 is being widened to the east on Part B of the Scheme and so topsoil storage location 5 has been situated on the east of the A1 for suitable access during construction of the A1 widening. Topsoil storage location 4 to the west, is for the materials excavated in the construction of Detention Basin 24. 3. Topsoil storage location 5 is situated approximately midway between the topsoil storage locations at Heckley Fence and Charlton Mires. It is situated on the eastern side of the A1, 2km north of topsoil storage location 2 at Heckley Fence and 1.8km south of topsoil storage location 7 at Charlton Mires. 4. Due to the widening of the A1 to the east, construction of the temporary haul road and the associated land requirements it will not be possible to use the existing cross-field access once construction begins in this area, irrespective of the positioning of the topsoil storage location. 5. The available space at Location 4 is not large enough to take the additional material from Location 5, as this is also the location of Detention Basin 24 (source of topsoil) and proposed woodland planting. 6. Following construction, the land used for soil storage would be restored to its former use. This is secured within item S-GS5 of Table 3-1 - Register of Environmental Actions and Commitments: The Scheme, within the Outline CEMP [REP3-013 and 014] (and as updated at Deadline 4). 7. It is understood from the respondent that the storage of topsoil in this general location is not in itself objectionable, although the identified location is asserted to pose issues in relation to drainage. Therefore: <ul style="list-style-type: none"> – The Applicant will seek through its contractor to identify and use an alternate location for the storage of topsoil at or about Location 5; – Subject to the respondent making the relevant land available, the Applicant will seek to use the identified alternate location and subject to there being no planning obstacle to its use; and – If such an alternate location cannot be found, the Applicant will store topsoil at location 5 and ensure the cut-off drains around the perimeter of the area were appropriate to manage the surface water drainage. 8. As detailed in the Applicant's Written Summary of OFH1 and the Applicant's Written Summary of CAH1 (see document reference 7.9.17), a meeting was held with the landowner on 09/03/2021, and discussions are ongoing as to the potential for an alternative location.
3	66 kVA cable relocation – We note submission of document TR010059 – 001229 7.6G Northern Powergrid Statement of Common Ground. We note that there have been various discussions with NPG and HE over specifications, requirements on design, construction and on temporary diversions. We require full disclosure on these discussions and agreements. We have submitted representations in regard to the need for additional land	<ol style="list-style-type: none"> 1. The Applicant has held discussions with the respondent in relation to the installation of a cable in this location. It is understood that: <ul style="list-style-type: none"> – In all cases the preference of objectors is for the installation of the cable to be within the highway boundary; – Objections to the acquisition of land in order to locate the cable in the highway boundary are in the course of being withdrawn on behalf of Grahamslaw and Rock Estates; and

Ref. No.	Response:	Applicant's Response:
	take for this relocation and consider that the discussions held with NPG may provide information that could be important to consider as part of the DCO process. We therefore request disclosure.	<ul style="list-style-type: none"> – Northumberland Estates continues to consider the position.
4	New Link Roads to Charlton Hall, East Linkhall, West Linkhall and Rock South Farm – we note various submissions regarding new access roads but cannot see confirmation from Northumberland County Council that they will adopt these new access roads. The current public highway access is being stopped up by the proposed DCO and we have received verbal confirmation from HE and their representatives that the new access roads will form part of the highways maintainable by the local authority (Northumberland County Council) but cannot see if this has been formally consent and agreed by the local authority.	<ol style="list-style-type: none"> 1. The Applicant confirms that all existing access onto the A1, including the access to Rock South Farm, will be closed on the grounds of safety as a result of the Scheme. 2. Proposed Highway Adoption & Maintenance Responsibilities Plans, issued at DL03 [REP3-003] denote the local highways to be adopted and indicate that this includes the three named roads on Part B. 3. NCC's Written Response at Deadline 2, in relation to the ExA's Written Question TT.1.23 [REP2-026] states that NCC agree with the listing of areas to be offered for adoption, which includes the three named Part B roads. 4. Therefore, it is agreed in principle with NCC that the new East Linkhall Road, West Linkhall Road and Rock South Farm Road will all be adopted by NCC. This is provided for by Article 13(1) of the dDCO [REP3-004 and 005]. In addition, section 5.2.2 of the outline CEMP [REP3-013 and 014] confirms that side roads and link roads will be adopted by NCC. Pending adoption, the Applicant will operate and maintain these roads. 5. Furthermore, East Linkhall Road will be upgraded to a two lane, bi-directional carriageway. 6. Following the submissions made by the Brockthorpe Consultancy during the course of CAH1 and further productive discussions with the Brockthorpe Consultancy, the Applicant understands that the measures outlined in this response, including Article 13(1) of the dDCO [REP3-004 and 005] are supported by the Brockthorpe Consultancy. The Applicant awaits written confirmation of this position at Deadline 4 and will provide a further written response as appropriate.

Table 1-4 – Northern Powergrid

Ref. No.	Response:	Applicant's Response:
	I write more as a reminder that as a statutory utility Northern Powergrid must at all times look to protect our assets to ensure our obligations to maintain electrical supplies are not put at jeopardy or compromised. I therefore feel that as the schemes have combined that I reiterate as a Company standard procedure we formally object to the DCO for the combined scheme.	<ol style="list-style-type: none"> 1. The Applicant notes that Northern Powergrid ("NPG") objects to the Scheme, although removal of NPG's objection is subject to the receipt of an undertaking from the Applicant as to the costs of any diversions. 2. The Applicant considers that NPG is sufficiently protected by the protective provisions for electricity undertakers in Part 1 of Schedule 10 to the dDCO [REP3-004 and 005] and no case has yet been made by NPG as to why any such additional undertaking is required. 3. As recorded in the draft statement of common ground with NPG submitted at Deadline 2 [REP2-014], the Applicant's legal team first contacted NPG to discuss protective provisions on 22 October 2020 but, to date, have not received a substantive response.
	As you know from previous correspondence this is a safeguard to encourage consultation between developers and ourselves to discuss the implications that the scheme may have and how this could affect our apparatus. In this I believe that you are still in discussions with Andrew Conner, Commercial Engineer based at our Shiremoor Offices.	<ol style="list-style-type: none"> 1. The Applicant has been engaged in discussions with NPG in relation to the Scheme since October 2016 and welcomes further engagement during the course of the examination.

Ref. No.	Response:	Applicant's Response:
	As far as the formal objection is concerned this will stand until such time as I receive your written undertaking that your organisation will be responsible for all of our associated costs of any diversion of our apparatus, plant and or equipment that may be needed as a result of your DCO and CPO.	<ol style="list-style-type: none">1. The Applicant notes that the removal of NPG's objection is subject to the receipt of an undertaking from the Applicant as to the costs of any diversions.2. The Applicant considers that NPG is sufficiently protected by the protective provisions for electricity undertakers in Part 1 of Schedule 10 to the dDCO [REP3-004 and 005] and no case has yet been made by NPG as to why any such additional undertaking is required.
	Upon receipt of such an undertaking I will check with our Engineers to make sure that they are satisfied that everything is in order and at that point I will formally lift the objection.	<ol style="list-style-type: none">1. The Applicant notes that the removal of NPG's objection is subject to the receipt of an undertaking from the Applicant as to the costs of any diversions.2. The Applicant considers that NPG is sufficiently protected by the protective provisions and no case has yet been made as to why any such additional undertaking is required.

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