



National Infrastructure
Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
Email: A1inNorthumberland@planninginspectorate.gov.uk

Mark Stoneman
Highways England
and Lucy Mo
Environment Agency
By email

Our Ref: TR010059
Date: 30 March 2021

Dear Sir/Madam,

Planning Act 2008 – Section 89 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 17

Application by Highways England for an Order Granting Development Consent for the A1 in Northumberland – Morpeth to Ellingham

Procedural Decision on Changes to the Application

I am writing in relation to a request for changes to the application by Highways England for an Order Granting Development Consent for the A1 in Northumberland – Morpeth to Ellingham. The request was made at Deadline (D)4 and is contained in submissions referenced in the Examination Library at [REP4-034] to [REP4-073a].

The Examining Authority (ExA) has reflected on matters raised by the submissions and has decided to seek further information and comments under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (EPR). They are addressed to the Applicants and to named Interested Parties (IPs). However, other IPs wishing to respond may do so.

Q1 to the Applicant. Table 7.1 of the Change Request Letter [REP4-034] indicates that the submission of hydraulic modelling and geomorphological information to the ExA would be on 25 May 2021 which is D8. The Applicant is asked to provide this information by **D7, Tuesday 11 May 2021** to allow sufficient time for IPs to comment on it and for the ExA to consider the issues which it raises within the Examination timetable.

Q2 to the Applicant and the Environment Agency. The Applicant is asked to explain why it was not possible to submit the hydraulic modelling and geomorphological information at D4 alongside other change request submissions. Furthermore, the Applicant is asked to confirm the extent of dialogue it has had with the Environment Agency on this matter since Issue Specific Hearing (ISH)2 on Thursday 25 February. The Environment Agency is asked to confirm the extent of dialogue which it has had with the Applicant since ISH2 and to confirm when it expects to have receipt of the necessary hydraulic modelling and geomorphological information in order to assess the impacts of the proposed changes.

Q3 to the Applicant. Table 7.1 of the Change Request Letter [REP4-034] provides a draft timetable which envisages a number of tasks (issue of updated examination timetable and preliminary consideration of issues by ExA; issue of written questions by ExA; and notification of hearing date by ExA (if required)) occurring on 3 June 2021. What is the basis of setting the date of 3 June? What would be the implications of bringing this date forward to 21 or 24 May?

Q4 to the Applicant. Table 7.1 of the Change Request Letter [REP4-034] envisages a hearing date (if required) of 24 June with a deadline for post hearing submissions of 2 July 2021. With the Examination closing no later than 5 July, such dates would not allow IPs to comment on post hearing submissions or any other information requested by the ExA at the hearing. Should the notification of hearing be brought forward to 21 or 24 May, why could a hearing not take place during the week beginning 14 June?

Q5 to the Applicant. Should the Environment Agency not be in a position to provide a substantive response to the hydraulic modelling and geomorphological information by the end of the Examination how would the Applicant envisage that the ExA and Secretary of State address this matter?

Q6 to the Applicant. Will any other application documents need to be revised on receipt of the hydraulic modelling and geomorphological information, such as the Flood Risk Assessment? What would be the timetable for further revisions and what would be the implications if they were not completed within the Examination timetable?

Q7 to the Applicant. The Applicant confirmed [AS-017] that the Proposed Development is deliverable without the changes to the temporary and permanent earthworks. Further ground investigations have identified slope instability on the north bank of the River Coquet Valley, as set out in the Change Request Letter [REP4-034]. This also identifies a number of benefits of slope stabilisation works but the need for such works is not explicit. The Applicant is asked to confirm whether the Proposed Development is deliverable without Change 2 and Change 3.

The deadline for the submission of the information sought is **Deadline 5, Thursday 1 April 2021**. Any IP wishing to respond to the ExA's questions should do so by this date. Any IP wishing to comment on information submitted in response to this request may do so by Friday 16 April.

Responses to the questions in this letter will be published shortly after 1 April. Queries regarding the content of this letter should be addressed to the Case Team using the details listed at the top of this letter.

Yours faithfully,

Kevin Gleeson

Lead Member of the Examining Authority

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