

Date: 01 April 2021
Our ref: 334610 Case 15676
Your ref: TR010059



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BY EMAIL ONLY

Dear Sir/ Madam,

NSIP Ref AQ.2.3: A1 in Northumberland – Morpeth to Ellingham; Natural England’s response to Inspector’s Questions.

BIO.2.4 NE NCC (please note we sent through this response on previous correspondence dated 31/03/21 – it is included here for clarity)

The Applicant submitted an Updated Biodiversity Air Quality Assessment at D3 [REP3010]. NE is asked to comment on the report generally and particularly in respect of the impacts on the River Coquet and Coquet Valley Woodlands SSSI. Are NE’s concerns resolved and if not, what are the consequences? NCC is also asked to comment on the findings of the report.

As stated by Natural England [REP2-029] and detailed within the Statement of Common Ground with Natural England [REP4-017], the Applicant and Natural England do not agree on the approach to air quality assessment detailed in the updated DMRB guidance (LA 1 05 Air Quality).

This matter is currently under discussion at a national level between the Applicant’s and Natural England’s national specialists, with this national level approach being agreed by both parties as the preferable way forward. However, it has also been agreed that it may be necessary to seek agreement at a scheme level (i.e. for this Scheme) depending on the timescales of discussions at a national level. The Applicant and Natural England continue to engage to reach agreement on the air quality impacts on the River Coquet and Coquet Valley Woodlands SSSI as a result of the DMRB sensitivity assessment. As detailed within Natural England’s relevant representation [REP2-029], “Natural England’s advice is that this matter is capable of being over come.” The Applicant also agrees with this position (as detailed in the Applicant’s response to Natural England’s relevant representation [REP3-026].

BIO.2.7 NE *In responding to HE’s WR [REP2-029] the Applicant [REP3-026] confirmed that it was continuing to discuss with NE the update of Letters of No Impediment. Can NE provide an indication of when these revisions will be provided?*

The updated Letters of No Impediment revisions will be provided by deadline 6 of the Examination timetable.

BIO.2.1

NE's response to BIO.1.47 states that "based on the submitted scheme NE has no concerns" regarding the issue of water pollution [REP1-076]". Can NE be explicit that it is content that the measures incorporated within the scheme to mitigate for pollution events and polluted surface water runoff (e.g. detention basins, filter strips, etc) are not necessary for a negative screening and that the intervening distance and natural dilution and settlement rates are sufficient on their own to conclude no likely significant effect on the relevant European Sites?

ExQ1 Question to: Question: and natural dilution and settlement rates are sufficient on their own to conclude no likely significant effect on the relevant European Sites?


Natural England is content that given the distance to the European sites from the proposed works area (20km downstream from Part A via the R. Lyne and 22.5 km downstream of the R. Coquet) the natural dilution and settlement rates should be sufficient on their own to conclude no likely significant effect on the European sites at the coast. The measures incorporated within the scheme to mitigate pollution events and surface water runoff are required to ensure that the potential impacts on the water quality of the water courses impacted by the proposals are minimised.

It should be noted that Natural England has advised Highways England that if Change Request - 6.38 Environmental Statement Addendum: Stabilisation Works - Rev 1' [REP4-063] and section 7.8.4 of Change Request - 6.40 Environmental Statement Addendum: Southern Access Works - Rev 1 [REP4-064] are accepted the HRA will need to be revised to take into consideration the potential impacts of the proposed works associated with the revised design of the bridge crossing of the R. Coquet. The nature, duration and location of the proposed works with in a main river are such that it is unlikely that a determination of no likely significant effect could be made for this element of the revised proposal and that these proposed changes would need to be taken through to the appropriate assessment stage of the Habitats Regulations Assessment. Highways England have subsequently revised their assessment to take Natural England's comments on board.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

If you have any queries relating to the advice in this letter please contact me on 0208 225 6263.

Yours faithfully


Team Leader- Sustainable Development and Marine
Northumbria Team.