

A1 in Northumberland: Morpeth to Ellingham

Scheme Number: TR010059

7.25 Applicant's Comments on Responses to Further Written Questions

Rule 8(1)(c)

Infrastructure Planning (Examination Procedure) Rules 2010

Planning Act 2008

May 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]

**Applicant's Comments on Responses to Further
Written Questions**

Rule Reference:	8(1)(c)
Planning Inspectorate Scheme Reference:	TR010059
Document Reference:	7.25
Author:	A1 in Northumberland: Morpeth to Ellingham Project Team, Highways England

Version	Date	Status of Version
Rev 0	May 2021	Deadline 6

CONTENTS

1 APPLICANT'S COMMENTS ON RESPONSES TO FURTHER WRITTEN QUESTIONS 1

1.1 INTRODUCTION 1

TABLES

Table 1-1 – The Woodland Trust	2
Table 1-2 - Millhouse Developments	4
Table 1-3 - Natural England	5
Table 1-4 - Mark Hawes	7
Table 1-5 – Northumberland County Council (NCC)	15
Table 1-6 – Environment Agency	31

1 APPLICANT'S COMMENTS ON RESPONSES TO FURTHER WRITTEN QUESTIONS

1.1 INTRODUCTION

- 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 comments on submissions made by Interested Parties at Deadline 5 in response to the Examining Authority's (ExA's) Further Written Questions [PD-011].

Table 1-1 – The Woodland Trust

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
BIO.2.2	The Woodland Trust	<p>ExQ1 BIO.1.6 asked the Woodland Trust to expand on the comment in paragraph 9.4.20 of the ES [APP-048] which states that it does not support ancient woodland translocation or salvage as this inherently requires the damage of ancient woodland. No response was received to BIO.1.6.</p> <p>The Woodland Trust is further asked to respond.</p>	<p>The Woodland Trust holds the organisational position that ancient woodland soil translocation and salvage techniques should not be considered as mitigation for ancient woodland damage, and instead all efforts should be undertaken to ensure ancient woodland loss is avoided in line with the mitigation hierarchy.</p> <p>Translocation practices should only be considered as a last resort as part of compensation for ancient woodland loss and should not be used to justify developments where ancient woodland will be directly affected, as ancient woodlands are an irreplaceable habitat.</p>	<ol style="list-style-type: none"> 1. The Applicant acknowledges that ancient woodland is an irreplaceable habitat. 2. As detailed within the Applicant's response to the Woodland Trust's Relevant Representation (see reference 1.14.1 [REP1-064]), potential route corridors to avoid the ancient woodland in its entirety were considered (see paragraph 3.3.8 of Chapter 3: Assessment of Alternatives of the ES [APP-038]). However, the only options to avoid the ancient woodland would require a significant length of additional dual carriageway (between 4 and 5 miles), which would negate the objectives of the Scheme. As such, it was not possible to design a Scheme that would avoid ancient woodland entirely. 3. The test under the NPS NN for the justification of impacts on ancient woodland focuses on instances where the "<i>national need for and benefits of the development, in that location, clearly outweigh the loss.</i>" 4. That this test is met is demonstrated in the Case for the Scheme [REP4-069 and 070]. Part 3.4 of this document confirms that the Government has concluded there is a '<i>compelling need</i>' and a '<i>critical need</i>' for development of the national networks. The Road Investment Strategy is the Government's funding strategy for the road and rail networks and identifies the dualling of the A1 between Morpeth and Ellingham as a '<i>committed scheme</i>'. 5. The Case for the Scheme also identifies that the Scheme will improve traffic flows, improve resilience, support economic growth and improve journey quality, reliability and safety, which are all considered to be substantial benefits. The benefits that the Scheme will bring are a matter of common ground between the Applicant and NCC, as recorded in Table 3.2 of the Statement of Common Ground with NCC [REP5-015]. 6. Further, the test in the NPPF (insofar as it is relevant to an NSIP) for where impacts on ancient woodlands may be justified refers to circumstances where there are "<i>wholly exceptional reasons and a suitable compensation strategy exists.</i>" 7. It is the Applicant's case that this applies here, particularly as the NPPF states that an NSIP may be an example of a "<i>wholly exceptional reason</i>", where the public benefits of a project outweigh the loss. The above analysis of public benefit applies equally here, and the

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
				<p>compensation strategy is detailed in the remainder of this response, as well as in the Ancient Woodland Strategy [REP4-054 and 055] developed and agreed in consultation with Natural England.</p> <p>8. The NPPF does not prohibit the use of ancient woodland soil translocation and salvage techniques, but in fact actively requires applicants to propose a suitable compensation strategy in order to mitigate potential damage to ancient woodland. During the design of the Scheme, construction methods were explored to minimise the extent of land required for to construct the bridge over the River Coquet, which is where impacts upon ancient woodland would occur. As such, the Order limits were reduced where possible to minimise the loss of ancient woodland. For the purposes of the impact assessment, it was assumed that all ancient woodland within the Order limits would be permanently lost. This would be explored further at detailed design, as discrete areas within the Order limits may be subject to temporary loss or damage only.</p> <p>9. Due to the unavoidable impacts to ancient woodland, an Ancient Woodland Strategy [REP4-054 and 055] has been developed and agreed in consultation with Natural England (as the relevant statutory body). As part of the strategy, soil translocation and salvage techniques have been proposed. The Applicant acknowledges that these measures are detailed as mitigation within the strategy (paragraph 3.2.13). In practice, the establishment of replacement woodland is compensatory in nature, with translocation as part of the method of doing so. Nevertheless, considering these measures as compensation would not change the impact assessment, the measures proposed within the strategy or the significance of effects detailed in Chapter 9: Biodiversity Part A [APP-048], Environmental Statement Addendum: Stabilisation Works [REP4-063] or Environmental Statement Addendum: Southern Access Works [REP4-064].</p>

Table 1-2 - Millhouse Developments

Ref. No.	Response:	Applicant's Response:
1	We are writing on behalf of our client 'Millhouse Developments', with regards their land interests at Burgham as cited in the Examining Authority's Further Written Questions (EXQ2) GEN 2.8 which specifically addresses our clients land interests. Regards has also been had to REP3024, REP3-029 and REP4-024 as cited GEN 2.8.	<ol style="list-style-type: none"> 1. Full details of the Interested Party's land interests and the proposed land take as part of the Scheme are set out at Table 1-2 of the Applicant's Response to Deadline 2 Submissions [REP3-025] and are not repeated here.
2	Northumberland County Council and the Highways Agency's responses to REP2-024, REP3-029 and REP4-024 respectively have been reviewed. The Examining Authority should be aware that discussions are continuing with the Local Planning Authority with regards the planning status of the site supported by advice from Clyde and Co.	<ol style="list-style-type: none"> 2. The Applicant has provided a full response in relation to the relevance to the examination of any historic permissions at point 4, below.
3	A copy of the most recent correspondence prepared by Clyde and Co, on behalf of Millhouse Developments Ltd, in support of the case that planning applications CM/00/D/D337 and CM/04/D.550 have been lawfully implemented is attached for information.	<ol style="list-style-type: none"> 3. For the reasons set out at point 4, below, the Examining Authority is not required to reach a conclusion as to the status of the historic permissions referred to by the Interested Party. For this reason, the Applicant has not responded to the points raised in the letter appended to the Interested Party's submission. 4. The question as to the validity of any permission is a matter for discussion between NCC (as the local planning authority) and the Interested Party, through the ordinary planning process. The Examining Authority will, however, note that NCC have confirmed that they do not consider there to be an extant permission, both in their submission at Deadline 3 [REP3-018] and in the correspondence referred to by the Interested Party.
4	On this basis it is considered that the proposals put forward by the Highways Agency should make suitable provision for access to the land that is owned by our client but not required for the dualling works to the A1. A contrived access arrangement is currently proposed through neighbouring land which is to be restricted for agricultural use only. As previously stated, this is inadequate for our client's purposes, particularly in view of the currently unrestricted access to their site from the A1 and the historic planning consent for 'Roadside service incorporating petrol filling station and shop' (reference CM/00/D/337 and CM/04/D.550)	<ol style="list-style-type: none"> 5. As detailed at Table 1-2 of the Applicant's Response to Deadline 2 Submissions [REP3-024], the Applicant has made suitable provision for access to the Interested Party's retained land. The replacement access will be from the new grade-separated West Moor junction on Part A via the Bywell Road extension. This replacement access need not be restricted for agricultural use only and represents the most direct practicable point of access following the closure of all direct access from the A1 on safety grounds. As such, it is not accepted that the replacement access constitutes a contrived arrangement or is restricted to agricultural use only. 6. The historic planning permission to which the Interested Party refers does not have a bearing on the suitability of the proposed access nor on the merits of this application for a DCO. Even if there were an extant permission, which NCC as the local planning authority have confirmed there is not, the Interested Party's proposed development (if it did benefit from planning permission and if it were ever viable given existing service station provision) would be impacted due to the land take requirements of the Scheme. Further, in order justify an alteration to the Scheme to facilitate any such development, the Interested Party would need to demonstrate that the proposed development was of sufficient importance to warrant an alteration to this nationally significant infrastructure project. Given the existing provision for fuel stations at Alnwick and Morpeth and the disparity in the scale of the Interested Party's development in comparison with the Scheme, it is clear that this threshold has not been met. 7. As such, the access arrangements proposed as part of the Scheme do not need to provide for anything other than the present use of the Interested Party's retained land, as an agricultural field. The proposed access is suitable for these purposes and need not be restricted for agricultural use only, as detailed above. This is the full extent to which the Examining Authority is required to

Ref. No.	Response:	Applicant's Response:
		consider the access arrangements at Burgham. If a valid permission were to be confirmed, this would be more likely to constitute a matter for consideration as to the quantum of consideration payable, rather than a matter for the Examination.
5.	We request that the Inspector gives due consideration to requisite access arrangements for our client's land in view of the advanced stage of the design development.	8. For the reasons set out above, the Applicant maintains that the proposed access is an appropriate solution.

Table 1-3 - Natural England

Ref. No.	Question to	Question	Response:	Applicant's Response:
BIO.2.4 1.	Natural England NCC	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 105 Air Quality).	1. The Applicant concurs with the response provided by Natural England. The Applicant provided a response to AQ.2.3 of the ExA's further questions outlining the same position [REP5-023]. The Applicant and Natural England are next meeting to discuss this issue at a Scheme level on the week commencing 3 rd May (although after Deadline 6 due to Natural England's availability).
2.			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 overcome." 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 1.	Natural England	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	The updated Letters of No Impediment revisions will be provided by deadline 6 of the Examination timetable.	1. The response is noted by the Applicant.

Ref. No.	Question to	Question	Response:	Applicant's Response:
		indication of when these revisions will be provided?		
BIO.2.12.1.	Natural England	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?	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.	<ol style="list-style-type: none"> The response is noted by the Applicant. Natural England provided an email to the Applicant confirming agreement with the conclusions of the Habitat Regulations Assessment (HRA) Report for the Scheme [REP1-012 and 013] on 11/01/2021. This engagement is captured within the Statement of Common Ground [REP5-016].
2.			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.	<ol style="list-style-type: none"> The Applicant acknowledged Natural England's advice regarding the potential impacts to European sites as a result of the Change Request. For the purpose of the HRA and this response, "Change Request" refers to the Stabilisation Works (as detailed in [REP4-063]) and Southern Access Works (as detailed in [REP4-064]). The Applicant submitted an Updated HRA Report for the Change Request at Deadline 4 [REP4-056 and 057]. In relation to the Change Request, in the absence of mitigation, Stage 1 of the HRA (screening assessment) identified the potential for likely significant effects to the following European Sites: <ul style="list-style-type: none"> - Northumbria Coast SPA - Northumbria Coast Ramsar - Northumberland Marine SPA - North Northumberland Dunes SAC - Coquet Island SPA The screening assessment identified a single element of the Scheme that may give rise to likely significant effects either alone or in combination for each of the European Sites listed above. This element was the potential impacts arising from pollution events during construction associated with the Change Request, via the hydrological connection of the River Coquet between the European Sites and Part A. This element has been taken through to Appropriate Assessment (Stage 2). The objective of the

Ref. No.	Question to	Question	Response:	Applicant's Response:
				<p>Appropriate Assessment is to establish whether adverse effects on the integrity of the European Sites can be ruled out, including the consideration of mitigation measures. Section 4.2 of the Updated HRA Report for Change Request [REP4-056 and 057] details mitigation measures secured to avoid or reduce impacts during construction. These measures are captured in Table 3-5 and Table 3-6 of the Outline CEMP [REP5-012 and 013] as updated and submitted at Deadline 6.</p> <p>6. As concluded at paragraphs 4.3.2 and 4.4.1 of the Updated HRA Report for Change Request [REP4-056 and 057], the avoidance and mitigation measures are suitable to prevent pollutants, sediment or contaminants from reaching the European Sites. As such, it is concluded that, following the implementation of mitigation, there are no adverse effects on the integrity of the European Sites listed above predicted during the construction of the Scheme alone or in combination with any other scheme.</p> <p>7. The Applicant has engaged with Natural England to request comments on the Updated HRA Report for the Change Request at Deadline 4 [REP4-056 and 057] and is awaiting a response. Further engagement will be captured within the Statement of Common Ground.</p>

Table 1-4 - Mark Hawes

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
LV.2.2 1.	Applicant IPs	The plans which form Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 [REP1-044] are annotated 'Draft'. The Applicant is asked to explain how this relates to the requirement in R5(3) of the dDCO for the landscaping scheme to include a strategy for the replacement of trees which are to be removed at Coronation Avenue? IPs are asked to comment on the proposals for Coronation Avenue.	In reviewing this documentation again, I remain disappointed by the scale of tree loss inflicted by the scheme. Undoubtedly the biggest impact is on the distinguished Coronation Avenue of trees which line both sides of the single carriageway. I am not aware of any other A classed road in the country which can boast such an extensive configuration of mature trees, which are now approaching 70 years age. The main source of frustration stems from an underlying belief that more could have been done to protect the trees and improve the levels of mitigation. For example, most of the work carried out on the existing road is asymmetric which means that the	<p>1. The removal of the trees at Coronation Avenue is necessary in order to construct the Scheme, either through direct loss of the trees or impacts on their roots that in the long term would reduce their viability. The removal of vegetation would be avoided where possible to safeguard any remaining trees, including those that make up the Coronation Avenue. This is secured through item SL-2 of Table 3-1 - Register of Environmental Actions and Commitments: The Scheme in Outline CEMP [REP5-012 and 013] (and as updated at Deadline 6).</p>

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
			<p>eastern edge of the road has been spared some of the major works. Unfortunately, this does not appear to have provided any extra protection to the trees on the eastern edge.</p>	<ol style="list-style-type: none"> 2. The Scheme has been designed in accordance with the Design Manual for Roads and Bridges (DMRB). This has guided the approach to the design, which inevitably would impact on existing roadside trees despite the broadly asymmetric approach adopted. Trees to the east of the Scheme would be impacted as a result of the construction of the main southbound carriageway and associated kerb lines, and underground services which run parallel with and to the east of the main carriageway. 3. The identification of trees to be removed as a result of the design of the Scheme, including those that form the Coronation Avenue has been appraised by a qualified arboriculturalist, and identified in Appendix 7.5 Arboricultural Report Part A [APP-220]. Further, the proposals at Coronation Avenue have been agreed with NCC, as evidenced at item 5.14 of Table 3-2 – Issues related to the Scheme of the draft Statement of Common Ground [REP5-015].
2.			<p>In total it appears that circa 200 coronation trees are to be felled and replaced with young trees which I understand will take a minimum of 15 years to mature. Even then the visual impact and environmental contribution will remain well short of what we enjoy today.</p>	<ol style="list-style-type: none"> 1. The Scheme would require the removal of existing roadside hedgerows and removal of 187no. existing trees that form the Coronation Avenue of trees. 2. The replacement of trees would be undertaken using advanced nursery stock, and this is secured through item SL-4 of Table 3-1 - Register of Environmental Actions and Commitments: The Scheme in Outline CEMP [REP5-012 and 013] (and as updated at Deadline 6). What this means in practice is that the trees would be of larger size when planted, being a minimum of 3m in height. The final height of the tree will depend upon the species selected. 3. It should be noted that trees will establish and grow continually until they reach maturity. The reference to 15 years is taken from the guidance for landscape and visual assessment, DMRB 135/10, a link to which is provided within Applicant's Responses to the ExA's Further Written Questions - Appendix C - Former and Updated DMRB Guidance [REP5-026]. This requires the assessor to consider the impact of the Scheme in the summer of year 15, when it is assumed that for the most part the planting will have sufficiently established in order to fulfil its function as mitigation. Trees, including those planted to replace the Coronation Avenue will continue to mature up to and beyond year 15. However, in the meantime

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
				<p>awareness of the top of the Coronation Avenue trees will be diminished until such time as the crowns of the replacement trees are visible beyond the property's existing boundary vegetation, which screens the majority of the views of the Coronation Avenue trees from the property's north facing elevation.</p> <p>4. The assessment of landscape and visual effects has considered the impact that the removal of existing roadside trees would have on the perception of landscape character and associated views. Taking into account the sum of the impacts, which includes the impact on the existing roadside trees, this assessment concludes that there would be a moderate adverse effect on LCA 38b – Lowland Rolling Farmland – Longhorsley in year 1, although would reduce to a slight adverse effect in year 15,, as set out in Chapter 7: Landscape and Visual Part A [APP-044].</p>
3.			<p>In looking at the plans for the new arrangement of replacement trees the Avenue effect would appear to have been lost. The configuration of the trees is no longer linear and there are too many gaps in the flow to emulate the Avenue effect. Furthermore, the distances between the trees flanking each side of the road are over 50 metres in some cases.</p>	<p>1. The strategy for the replacement of the Coronation Avenue, as agreed with NCC, is shown on Landscape Mitigation Masterplan Part A for Change Request Rev 3 [REP4-060], and secured through item S-L2 (c) of Table 3.1 – Register of Environmental Actions and Commitments: The Scheme in the Outline CEMP [REP5-012 and 013] (and as updated at Deadline 6). The strategy for the replacement of the trees that contribute to the Coronation Avenue would be on a like for like basis in terms of numbers and would replace the important landscape feature that would be impacted by Part A with an informal avenue effect, rather than 'pairs' of opposing trees, and which would be similar to what is currently experienced. This is identified in paragraph 7.9.14 (a) of Chapter 7: Landscape and Visual Part A [APP-044]. The replacement trees would also comprise more advanced nursery stock (and would therefore be larger and more discernible than transplants, which would make up the bulk of the mass planting of woodland and scattered trees), this is identified in paragraph 7.9.14 (h) of Chapter 7: Landscape and Visual Part A [APP-044].</p> <p>2. The replacement planting along the wider corridor would increase the width between the lines of trees either side of the Scheme. However, the replacement strategy is such that, over time, the tree lined nature</p>

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
				<p>of the corridor would be substantially restored to form an informal avenue that would be a key feature of the view travelling along the A1, similar to what is experienced currently. The replacement strategy is identified on Landscape Mitigation Masterplan Part A for Change Request Rev 3 [REP4-060] submitted at Deadline 4, and secured through item S-L2 (c) of Table 3.1 – Register of Environmental Actions and Commitments: The Scheme in the Outline CEMP [REP5-012 and 013] (and as updated at Deadline 6). As such, the informal avenue effect would over time be restored.</p>
LV.2.6 1.		Appendix LV3 Response to LV.1.13 [REP1-051] considers potential additional mitigation measures, their suitability and the prospect of potentially reducing significant effects to non-significant. What are the views of IPs in respect of these further potential mitigation measures?	Although the opening paragraph does make the claim that additional mitigation may reduce significant effects to non-significant, I could not find any example in the rest of the document which suggested that this had been achieved.	<ol style="list-style-type: none"> 1. Within Appendix LV3 Response to LV.1.13 [REP1-051] consideration was given as to whether additional mitigation might reduce significant effects to non-significant. The Applicant reviewed the mitigation strategy for those receptors where a significant effect was anticipated to remain following construction of the Scheme and considered whether the effect could be reduced should further measures be identified. The conclusion of that review for all locations assessed was that further screening, in the form of planting or fences, would not provide sufficient mitigation or might in themselves result in impacts on views and/or changes to landscape character. As such, further screening is not proposed as part of the Scheme.
2.			I was interesting to read that other properties which look out onto a noise barrier have been assigned a significant effects rating. In being consistent, I would have expected the same rating for Northgate Farm.	<ol style="list-style-type: none"> 1. The assessment of the visual effects on Northgate Farm are set out in Appendix 7.3 Residential Visual Effects Schedule – Part A [APP-218]. This identified that the occupants of Northgate Farm would be subject to a significant effect during construction, but that, as a consequence of the retention of the majority of the western boundary vegetation and of the northern boundary vegetation, and the capacity of the noise barrier itself in screening near distance views from the entrance, the effect in year 1 would be in the order of slight adverse, which, in accordance with the Significance of Visual Effects Matrix set out at paragraph 7.4.68 of Chapter 7: Landscape and visual Part A [APP-044], is not considered by the Applicant to be significant. Furthermore, and as mitigation measures establish, including proposed hedgerows to the north of the property's boundary

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
				<p>along with the replacement trees to the north, the effect would remain slight adverse (non-significant) in year 15.</p> <p>2. The assessment of each property considers all associated factors at that property, including the baseline view and the degree to which this would be changed as a result of the Scheme. A view of a noise barrier is not automatically considered to represent a significant effect but may be considered to be less intrusive than views of a carriageway and associated traffic. Specifically, in relation to Northgate Farm, the proposed noise barrier would screen views of the Scheme in close proximity to the west of the property, reinforcing the existing capacity of the dense vegetation to the western boundary, such that awareness of the carriageways and associated traffic would be much reduced. This is considered within the context of the existing view which comprises both the existing carriageways and associated traffic at the existing entrance directly off the A1 and which is substantially screened by vegetation on the western boundary.</p>
<p>NV.2.5 1.</p>		<p>Paragraph 6.9.32 of the ES [APP-042] states that reflective noise barriers are proposed for two locations. What other mitigation measures are being considered if these were not provided? Why are these only proposed and not agreed? How has the assessment of environmental impacts accommodated the uncertainty surrounding the proposed barriers?</p>	<p>I understand from a meeting with the Applicant on the 11th February that the noise barrier at the south end of the scheme (PNB1) is now going ahead. However, it is very disappointing to be learn that there is no scope to extend the barrier to the full extent of my boundary leaving the majority of the property exposed to a significant increase in road traffic volume. This will be particularly noticeable at the point of entry to the property which will be totally exposed to the new carriageway. It is further disappointing to hear that "value for money" is the only reason for not considering an extension. Given the significant increase in noise levels I am struggling to understand how you make a value for money assessment when considering the impact on family health and enjoyment of the property.</p>	<ol style="list-style-type: none"> 1. The Applicant can confirm that the proposed 70m long noise barrier (PNB1) will be constructed as part of the Scheme. 2. The operational stage noise assessment presented in the Noise Addendum [REP1-019] is based on guidance contained within DMRB LA 111 <i>Noise and vibration</i> which requires that noise level changes are predicted at noise-sensitive buildings. 3. The Scheme, including the benefits of PNB1, will lead to noise level changes resulting in a beneficial impact (noise level reduction) at the Northgate Farm building. 4. In the opening year (2024), without Scheme scenario, noise levels are predicted to exceed the significant observed adverse effect level (SOAEL) on one façade during both the daytime and night-time (albeit only marginally). In contrast, in the opening year, with Scheme scenario (with PNB1 in place), noise levels at the building are predicted to exceed the SOAEL on one façade during the night-time only and to a slightly lesser extent than in the opening year without Scheme scenario. Therefore, in the opening year the highest absolute noise level at the Northgate Farm

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
				<p>building will be lower (during the daytime and night-time) with the Scheme (including PNB1) than without the Scheme.</p> <p>5. In summary, PNB1 has been designed to mitigate noise levels at Northgate Farm such that the operational road traffic noise effect at this building would not be significant. The proposed barrier provides a meaningful noise benefit, mitigates the significant adverse effect and also is value for money, therefore an extension in line with that requested by Mr Hawes is unnecessary.</p>
2.			<p>The constraints on the barrier length leaves the majority of the north facing aspect of the house fully open to the new dual carriageway. This includes 11 windows (8 on the upper tier) which have a direct line of sight to the new carriageway with negligible benefit from the noise barrier. Furthermore, the barrier offers no benefit to those parts of the garden that we spend most of our time and enjoy the most.</p>	<ol style="list-style-type: none"> 1. The operational stage noise assessment presented in the Noise Addendum [REP1-019] is based on guidance contained within DMRB LA 111 <i>Noise and vibration</i> which requires that noise level changes are predicted at noise-sensitive buildings. 2. Noise level predictions were undertaken at upper floor level (4m above ground) at a number of locations around the building, including on the northern façade. 3. The proposed barrier has been designed to mitigate noise levels at Northgate Farm such that the operational road traffic noise effect at this property would not be significant. The proposed barrier provides a meaningful noise benefit, mitigates the significant adverse effect and is also value for money, therefore an extension is unnecessary. 4. With respect to garden areas, it should be noted that, as shown on Figure 4: Short-term Noise Level Change – Part A within Noise Addendum Appendix D Part 1 [REP1-021], the noise level changes in the garden of the property are predicted to be of no greater than minor magnitude of impact based on the magnitude of impact scale presented in DMRB LA 111. As expected, at greater set back distances from the A1 carriageway, the absolute noise levels within the garden will decrease, and be at lower levels than those predicted at the building.
3.			<p>As highlighted in the question I am equally confused as to how previous environmental assessments have been carried out given the uncertainty of the barrier. As the barrier was not guaranteed presumably the assessments had to assume that there was no barrier. As such the</p>	<ol style="list-style-type: none"> 1. At the time of writing the Noise Addendum [REP1-019], and specifically the text referring to the mitigation and enhancement measures presented within Section 1.12 Design, Mitigation and Enhancement Measures of the Noise Addendum [REP1-019], it could not be confirmed whether noise

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
			environmental assessments should be revisited in light of this. This should include reassessment of the visual effect.	<p>barrier PNB1 could be constructed, due to potential design constraints. Consequently, as stated within paragraph 1.13.19 of the Noise Addendum [REP1-019], the noise reduction afforded by the barriers was not included in the final assessment of likely significance as summarised within Table 1-40 (within Section 1.13 Assessment of Likely Significant Effects within the Noise Addendum [REP1-019]), thereby representing a worst-case assessment.</p> <p>2. However, it was also noted in paragraph 1.13.11 of the Noise Addendum [REP1-019] that, should the barrier be constructed, Northgate Farm is predicted not to experience a significant adverse effect. Therefore, the Noise Addendum [REP1-019] covered both scenarios. Given it has now been confirmed that the proposed noise barrier (PNB1) will be constructed as part of the Scheme, the conclusion in paragraph 1.13.11 of the Noise Addendum [REP1-019], that Northgate Farm is not predicted to experience a significant adverse effect, applies. As such, the assessment does not need to be revisited.</p> <p>3. Similarly, in the assessment of visual effects, it was assumed that a noise barrier would be present. This is identified in Appendix 7.3 Residential Visual Effects Schedule Part A [APP-218], reference R98 – Northgate Farm. Therefore, a re-assessment of the visual effects on this receptor is not required.</p>
4.			In recognising that the barrier length was constrained by budget I understand that the Applicant did consider other mitigation measures, but these were not taken forward. In considering an earth bund the applicant suggests that this is not feasible due to the lack of space. We are surprised by this conclusion as there is a sizeable area at the end of the noise barrier where a bund could have been accommodated.	<p>1. The earth bund discussed in point 6 of Ref. 7 of the Applicant's Responses to Written Representations [REP3-026] submitted at Deadline 3 was in the context of a replacement for the proposed noise barrier rather than as an additional measure. The barrier in this location mitigates noise levels such that the operational road traffic noise effect at Northgate Farm would not be significant and the barrier is also value for money. Therefore, additional mitigation measures (such as the extension of the noise barrier in the form of a bund) are considered unnecessary in this location. North of the noise barrier, there would not be sufficient verge width available to create a noise bund that would avoid barriers, signs, utilities and root protection zones.</p>
5.			I noted that Paragraph 6.9.32 included the following statement, "The barrier would be constructed if it can be	<p>1. Paragraph 6.9.32 related to Chapter 6: Noise and Vibration Part A [APP-042]. This response has been</p>

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
			<p>built meeting the value for money criteria in paragraph 6.9.29. If PNB1 can be built, Northgate Farm would not be eligible for compensation under the NIR". I do not understand why Northgate Farm has been singled out here and was not aware that partial mitigation action disqualified affected properties from compensation. Given the limitations of the barrier I do not accept this conclusion but will address this directly with the Applicant rather than responding here.</p>	<p>prepared on the basis of the Noise Addendum [REP1-019]. However, the essence of the points being made remain the same.</p> <ol style="list-style-type: none"> 2. In order for a property to qualify for noise insulation under the Noise Insulation Regulations (NIR) (1975), the following criteria must be fulfilled at 1m in front of the most exposed door or window of an eligible room in the façade of a property: <ul style="list-style-type: none"> • Be within 300 m of the Scheme • Show a relevant noise level (the noise level in the future year with the scheme) of at least 68 dB LA10,18h (façade) • Show a noise increase between the relevant noise level and the prevailing noise level of at least 1 dB(A) • The contribution to the increase in the relevant noise level from the Scheme must be at least 1 dB(A) 3. The inclusion of mitigation does not disqualify a property from compensation under the NIR, however, in the case of Northgate Farm, the attenuation afforded by PNB1 is predicted to be sufficient such that both the second and third of the above listed criteria for eligibility under the NIR are not met at any individual assessment point as a result of the Scheme (including PNB1). 4. As discussed within paragraphs 1.11.45 and 1.11.46 of the Noise Addendum [REP1-019], there are three properties (including Northgate Farm) which are likely to be eligible for compensation under the NIR if PNB1 cannot be built, but are unlikely to be eligible if PNB1 can be built. 5. It is noted in paragraph 1.11.47 of the Noise Addendum [REP1-019] that only a preliminary assessment of potential NIR eligibility can be undertaken at this stage. Row A-N6 of Table 3-2 within the Outline CEMP [REP5-012 and 013] (and as updated at Deadline 6) requires that a full assessment in accordance with the NIR will be carried out for the Scheme. 6. It remains possible for an application for compensation to be made, but the above information will also be taken into consideration and, whilst the conclusion is not certain, it seems likely that such an

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
				application for compensation would not be successful.

Table 1-5 – Northumberland County Council (NCC)

Ref. No.	Question to	Question:	Response:	Applicant's Response:
General				
GEN2.7	NCC	At D2 the Applicant submitted an update to the Rights of Way and Access Plan [REP2- 003]. This was updated to address comments made by NCC at D1. What are NCC's comments on the updated plan?	The Council supports the updated Rights of Way and Access Plan and has no further comments to make at the present time.	1. The Applicant welcomes NCC's support of the updated Rights of Way and Access Plan [REP4-038].
Air Quality				
AQ2.2	NCC	Is NCC content that the Proposed Development will not significantly increase the levels of air pollution within the wider area by increasing the number of vehicles?	<p>Baseline levels from DEFRA background maps for thirty-five of the nearest receptors (ten in Part A and twenty-five in Part B) shows the existing background levels of the following atmospheric pollutants; Nitrogen Dioxide (NO₂) – 6 to 33 µg/m³, and; Particulates 10 and 2.5 micron (PM₁₀ / PM_{2.5}) – 8 to 24 µg/m³.</p> <p>The modelling of nitrogen dioxide (NO₂) impacts for thirty-five human receptors has shown that the difference between Do-Minimum (without dualling) and DoSomething (dualling of the two sections as proposed) results in an increase of 1.0 microgramme per cubic metre (µg/m³) or less for the opening year (2023) for the majority of receptors. Only one receptor would experience an increase of 3.1 µg/m³ and this would result in a concentration at this receptor which is still below the current national Air Quality Objective for nitrogen dioxide (40 µg/m³ annual mean).</p> <p>The modelling of particulate (PM₁₀ and PM_{2.5}) impacts for thirty-five human receptors has shown that the difference between Do-Minimum (without dualling) and Do-Something (dualling of the two sections as proposed) results in an increase of 0.4 µg/m³ for the Opening Year (2023) or less for the majority of receptors. Only one receptor would experience an increase of 1.3 µg/m³ and this would result</p>	<ol style="list-style-type: none"> 1. The Applicant notes that NCC has undertaken their own sensitivity assessment to gauge the air quality impacts of the Scheme. Whilst the Applicant cannot verify the sensitivity assessment without the provision of further information by NCC, the results of the sensitivity test are aligned with those set out in the Air Quality assessment set out in Chapter 5 Air Quality Part A [APP-040] and Part B [APP-041], and the conclusions are supported by this analysis. 2. In particular, Chapter 5: Air Quality Part A [APP-040] and Part B [APP-041] of the Environmental Statement (ES) state that the modelled air quality impacts from the operation of the Scheme do not cause any exceedance of the national Air Quality Objectives for nitrogen dioxide or particulate matter (as PM₁₀ or PM_{2.5}) at the modelled receptors. Overall, the Scheme is unlikely to have a significant effect on air quality. This aligns with NCC's response which states that the predicted air quality impacts from the operation of the dualled sections at receptors are minimal and do not cause any exceedance of the national Air Quality Objectives for nitrogen dioxide or particulates at the identified receptors.

Ref. No.	Question to	Question:	Response:	Applicant's Response:
			<p>in a concentration at this receptor which is still below the current national Air Quality Objective for PM10 (40 µg/m³ annual mean).</p> <p>Whilst the transmittance of small particulates occurs differently from the dispersion and dilution of gaseous pollutants, the DEFRA nitrogen dioxide fall off calculator gives some indication as to the fate of exhaust pipe pollutants with distance from the source: https://laqm.defra.gov.uk/tools-monitoring-data/no2-falloff.html</p> <p>This is support by a report from Air Quality Consultants Ltd for DEFRA (NO₂ Concentrations and Distance from Roads, 2008).</p> <p>For a worst-case scenario for nitrogen dioxide and using the highest background level of 33.3 µg/m³ and a roadside (three metres from kerb) NO₂ level of 40 µg/m³, the fall-off calculation predicts 36.6 µg/m³ at twenty metres from the road.</p> <p>The predictions show that there will be a net reduction in emissions by 2038, even with an increase in AADT because of a "natural" replacement of older, higher emission vehicles over this time.</p> <p>As an exercise in confirming the number of existing and future receptors, the Public Health Protection Unit considered all receptors where a façade of dwellings (or gardens) fell within a 45-50 metre buffer from carriageway (Part A and B). This was an indicative assessment of receptor impacts and assuming a single carriageway road width of 5 metres and 10 metres for a dual carriageway, we counted the properties at 45 and 55 metres or less from the centre-point of the existing and proposed sections of the A1 to be dualled.</p> <p>As an exercise in confirming the number of existing and future receptors, the Public Health Protection Unit considered all receptors where a façade of dwellings (or gardens) fell within a 45-50 metre buffer from carriageway (Part A and B). This was an indicative assessment of receptor impacts and assuming a single carriageway road</p>	

Ref. No.	Question to	Question:	Response:	Applicant's Response:
			<p>width of 5 metres and 10 metres for a dual carriageway, we counted the properties at 45 and 55 metres or less from the centre-point of the existing and proposed sections of the A1 to be dualled.</p> <p>The 45 and 55 metres is the distance at which the NO2 fall-off model predicts a 50 per cent reduction in NO2 at approximately 45 metres from the carriageway. Although the fall-off calculation can be done beyond 20 metres from the roadside the calculation prediction is less certain.</p> <p>The result of that count of receptors within 45 metres of the edge of the existing and proposed carriageway was; for Part A of the scheme there would be a reduction from twenty-four (three commercial) to nine receptors (zero commercial) and Part B there would be a reduction from seven to six residential receptors (with the compulsory purchase and demolition of the one dwelling at Charlton Mires).</p> <p>The net benefits of the removal of sixteen receptors for the current situation should be seen as a positive for the scheme, especially in Part A of the scheme. In conclusion, the predicted air quality impacts from the operation of the dualled sections at receptors are minimal and do not cause any exceedance of the national Air Quality Objectives for nitrogen dioxide or particulates at the identified receptors. Impacts further afield would not be expected as gaseous and particulate pollutants disperse, dilute and settle out from the atmosphere.</p>	
Biodiversity and Habitats Regulation				
BIO2.4	Natural England NCC	The Applicant submitted an Updated Biodiversity Air Quality Assessment at D3 [REP3- 010]. 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	This issue remains under review and a response will be provided at Deadline 6.	1. The Applicant notes that NCC will respond to this point at Deadline 6 and will therefore respond at Deadline 7.

Ref. No.	Question to	Question:	Response:	Applicant's Response:
BIO2.5	NCC	In its LIR [REP1-071] NCC stated (paragraph 5.48) that it was considered far from clear that the loss of ancient woodland was being addressed satisfactorily from a spatial point of view in terms of the wording of Policies ENV1 and QOP 4 in the emerging Northumberland Local Plan. It was recognised by NCC that while the policies cannot be given full weight, neither of the parts quoted is the subject of significant outstanding objections. The Applicant responded to the LIR at D3 [REP3-025]. NCC is asked to comment on the Applicant's response within the context of NCC's statement that the overall ancient woodland strategy is welcomed (LIR 6.7.10).	This issue remains under review and a response will be provided at Deadline 6.	1. The Applicant notes that NCC will respond to this point at Deadline 6 and will therefore respond at Deadline 7.
BIO2.6	NCC	The Applicant's Comments on the LIR [REP3-025] responding to paragraph 6.7.1 of the LIR indicate that the Applicant has issued additional assessment information comprising Updated HRA Reports [REP1- 012 and REP1-013] and HRA Addendum Report [REP1-043]; Biodiversity No Net Loss Assessment for the Scheme [REP2-009]; Annex A – Approach to the Assessment of Losses and Gains of Watercourse [REP2-010]; and Updated Biodiversity Air Quality DMRB Sensitivity Assessment [REP3-010]. NCC has not yet commented on these documents and is asked to do so.	This issue remains under review and a response will be provided at Deadline 6.	1. The Applicant notes that NCC will respond to this point at Deadline 6 and will therefore respond at Deadline 7.
Draft DCO				
DCO2.3	NCC	The Applicant's Comments on Responses to ExQ1 – Appendix A PRoW Response [REP2-021] provides comments on NCC's response to DCO.1.44 and specifically proposed changes to Schedules 3 & 4 of the dDCO. Can NCC confirm that it is content with the proposed changes to Schedules 3 & 4 of the dDCO?	SCHEDULE 3 – PART2: The current dDCO has inconsistencies in relation to the southern extent of the de-trunked section of the A1 at Priest's Bridge over that which has been agreed between the applicant and NCC in so far that maintenance responsibly of the bridge over the River Lyne would not transfer to NCC. An e-mail detailing this was sent to the applicant on 23rd March 2021 but in relation to this Schedule (along with the description of Works No 10a in Schedule 1) an amendment is required to reflect the start of the de-trunked A1 to be vested in the local highway authority being at approximately 418569E, 591638N.	1. Part 2 of Schedule 3 to the draft DCO has been revised to clarify that the section of de-trunked road to be transferred to NCC would start at the location referred to by NCC. This will ensure that NCC do not take on responsibility for the detrunked A1 from Priest's Bridge southwards. In discussions, NCC had also requested that Work No.10A be revised to clarify that the detrunking works referred to do not mean that all of the road to be subject to such works is transferred to the local highway's authority. This change is not considered to be necessary or appropriate. The works in Schedule 1 set out what the undertaker is authorised to do as per of the Scheme. They

Ref. No.	Question to	Question:	Response:	Applicant's Response:
				do not set out the maintenance responsibilities for works constructed under the scheme. That is a matter which is covered by Article 14 with the details set out in Schedule 3. The change made to Schedule 3 is sufficient to protect the Council's position.
			<p>SCHEDULE 3 – PARTS 3&4: Additional information in relation to the classification of roads within the scheme was sent to the applicant by e-mail on 24th March 2021. This broadly confirms the classification of the roads used in the dDCO as being correct although the Fenrother Lane (east) link is classified currently as the C139. For the ExA benefit, the following post-scheme road classifications were supplied to the applicant in this e-mail:</p> <ul style="list-style-type: none"> · Part A: <ul style="list-style-type: none"> o C111 - To be applied to the de-trunked A1 from West Moor Junction through to the new Fenrother Junction (Works No. 9I, 10B, 16L) - this would require the reclassification of Fenrother Lane (east) from C139 to C111 (Works No. 9I); o C129 - To be applied from the new junction to the west of the de-trunked A1, along the de-trunked A1 to the Tritlington Road junction (Northern Section Works No. 10A); o U6727 - To be applied to the de-trunked A1 from the Tritlington Road junction to the end of the future adopted highway before Priests Bridge (Majority of Southern Section Works No. 10A); o C134 - To be applied to the new link from Bywell Road to West Moor Road (Works No. 16B); o C133 - To be applied to the realigned West Moor Road (Works No. 16D). · Part B: <ul style="list-style-type: none"> o U3158 - To be applied to the new East Hall Link Road (Works No. 29I); o U3151 - To be applied to the new section of West Hall Link Road to connect with the existing layby (Works No. 29H) o U3004 - To be applied to the new Rock South Farm access road (Works No. 30B). 	<ol style="list-style-type: none"> 1. The requested change has been made to the description of Fenrother Lane (east). The Applicant notes that the Council have supplied proposed post-scheme road numbering. The Applicant has no difficulty with the re-numbering proposed by NCC. However, this is not a matter which is appropriate to set out in the DCO. It is not a matter which is necessary in order for the Scheme to proceed. Indeed, it could be counter-productive to provide such detail in the DCO as a change to road numbering in the future might require an amendment of the DCO. The new road numbering is therefore a matter which would be addressed outside the DCO process in full consultation with NCC as local highways authority.
			<p>SCHEDULE 3 - PART 5: No comments to make. The Council has reviewed the changes to Schedule 4 contained in the draft DCO – Revision 4 with respect to public rights of way and supports all of the changes.</p>	<ol style="list-style-type: none"> 1. The Applicant notes that NCC has no comment on Schedule 3 Part 5 and welcomes their support.
			<p>SCHEDULE 3 – PART 6: The extent of the footways/cycleways to be provided may change as a result of the ongoing discussions in relation to access for non-motorised users as discussed in the Issue Specific Hearing Sessions and in the Deadline 4 submissions. As stated in</p>	<ol style="list-style-type: none"> 1. As explained at the issue specific hearings, the Applicant considers that the provision of facilities for non-motorised users is satisfactorily addressed by the Scheme and does not to propose to provide additional facilities.

Ref. No.	Question to	Question:	Response:	Applicant's Response:
			<p>our initial Relevant Representation (Ref: RR001) there are proposed footways within the scheme that do not connect to existing infrastructure especially at the new grade separated crossings of the new dualled A1. In respect to the dDCO as submitted and notwithstanding the above, the following comments are made:</p> <ul style="list-style-type: none"> · Footway on Fenrother Junction connector road: Shall continue eastwards to connect with existing/diverted footway on detrunked A1 · Footway on Causey Park Overbridge: Shall continue eastwards to connect with the existing/improved footway on the de-trunked A1. 	<p>2. In relation to the 2 specific changes referred to, there is no existing footway infrastructure to tie in to on either the east or to the west of the existing local roads at Fenrother and Causey Park structures, other than diverted Public Rights of Way (PRoWs) as shown on the Rights of Way and Access Plans [REP4-038] to be updated at Deadline 6. The plans show footways over structures as a 'future proofing' measure; the structures are designed such that, should there be a future access improvement opportunity, the structures will not restrict this improvement but there is no requirement to provide these extended links in order to address the impact of the Scheme. What these works do is to manage and mitigate existing severance and provide for later works to enhance the position should they be promoted by NCC. Therefore, the Applicant does not agree to extend the footways to the east at Fenrother Junction nor Causey Park Overbridge.</p>
DCO2.6	NCC Applicant	Point 25 of NCC's Response to Action Points from Hearings [REP4-074] stated that there may be alternative wording which could make R4 clearer, easier to follow and more explicit as there is potentially multiple cross-referencing between documents. NCC is asked to expand on its concerns about the drafting of R4 and to propose amended wording at Deadline 5. The Applicant is asked to respond to NCC's suggestion at Deadline 6 unless the matter is agreed between the parties in the meantime.	The council does not have an alternative wording to suggest for R4 but will discuss with the applicant prior to deadline 6, however it was clear at the hearing sessions that the applicant wishes the requirements to be worded in this way. The comment reflects the discussion at the hearing sessions that it is important the Local Planning Authority is clear what the documents are, what the approved plans are etc. during the discharging of the requirements and during the implementation phase of the project.	<p>1. The Applicant has been in discussions with NCC but is yet to receive a proposed alternate wording for Requirement 4 ahead of Deadline 6. NCC has undertaken to provide comments in the near future, and discussions with NCC will continue once these are received.</p>
DCO2.10	NCC Applicant	Point 25 of NCC's Response to Action Points from Hearings [REP4-074] stated that the Council was satisfied that R9 provides for archaeological remains to be identified and recorded but recognised that alternative wording could make the requirement clearer, easier to follow and more explicit. NCC is asked to expand on its concerns about the drafting of R4 and to propose amended	The Council would like the applicant to confirm what the purpose of the Archaeological Control Plan will be that is referred to in R4. If the Archaeological Control Plan is to identify areas of archaeological mitigation, then reference to the plan it should also be incorporated into R9. The council does not have a suggested alternative wording but will endeavour to discuss this with the applicant prior to deadline 6 and come to an agreement on this issue.	<p>1. The Archaeological Control Plan is not a separate document but is a reference to the archaeological mitigation measures to be set out in the Construction Environmental Management Plan (CEMP) . As the reference to the Archaeological Control Plan effectively duplicated what would be in the CEMP in any event, references to the Archaeological Control Plan were removed from the Draft DCO Requirement 4 [REP5-034 and</p>

Ref. No.	Question to	Question:	Response:	Applicant's Response:
		wording at D5. The Applicant is asked to respond to NCC's suggestion at D6 unless the matter is agreed between the parties in the meantime.		<p>REP-035] for Deadline 5. Requirement 9 deals with the preparation of written schemes of investigation for particular areas where such investigation will be required. No updates are required to Requirement 9.</p> <p>2. Wording in the Outline CEMP [REP5-012 and 013] Table 2-1 has been updated for Deadline 6 to reflect the wording in Requirement 4 and provide clarity between the roles of the archaeological mitigation works set out in the REAC which will be included in the CEMP and the further investigatory works which are secured by the written scheme of investigation.</p>
DCO2.14	NCC	Sch. 4 - Permanent Stopping up of Streets, Public Rights of Way and Private Means of Access. Is NCC content with the Applicant's proposed changes to Sch. 4 at D4?	<p>PART1: The amendments to the Part 1 of Schedule 4 are acceptable in broad terms and include road classification numbers where relevant. Some typographical errors are present in the Schedule and we trust these will be picked up in future versions of the dDCO. The labelling of location points currently shown in the Rights of Way and Access Plans in column (2) tie in to the drawings, however, following our ongoing discussions in respect to the limits of future adoption, it may be that these locations are relocated slightly to ensure that future highway verge is not Stopped Up under this Schedule. For example, Point 15/L on Sheet 15 of the Rights of Way and Access Plans may require relocation slightly east so that the highway verge and embankment that will be created through the realignment of the B6341 under Works 29A remains as public highway</p> <p>PART 2: no comments to make. The Council has reviewed the changes to Schedule 4 contained in the draft DCO – Revision 4 with respect to public rights of way and supports all of the changes.</p>	<p>1. The Applicant has reviewed Schedule 4 Part 1 of the DCO [REP5-005 and 006] and corrected any typographical errors for Deadline 6.</p> <p>2. Corrections to the limits of stopping up shown on the Rights of Way and Access Plans [REP4-038] with respect to limits of future adoption have been made at Deadline 6.</p> <p>3. At a meeting with NCC on 16/04/2021 it was agreed by both parties that the Scheme is operating within Limits of Deviation (LoDs) and future adoption limits will be refined at detailed design and finalised with the as-built records. Therefore Point 15/L is confirmed to be within the LoDs and will be refined with CJP following making of the DCO.</p> <p>1. The Applicant notes that NCC has no comment on Schedule 4 Part 2 and welcomes their support.</p>
Landscape and Visual				
LV2.2	Applicant IPs	The plans which form Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 [REP1-044] are annotated 'Draft'. The Applicant is asked to explain how this relates to the requirement in R5(3) of the dDCO for the landscaping scheme to include a strategy for the replacement of trees which are to be removed at	The number and location of replacement trees for Coronation Avenue as illustrated on the draft plans are appropriate. These proposals are now also reflected on 6.31 Landscape Mitigation Masterplan – Part A – Rev 2 submitted at Deadline 4.	<p>1. The Applicant welcomes NCC's confirmation that the measures in Appendix LV.2 Trees to be Removed and Replaced at Coronation Avenue WQ LV.1.8 [REP1-044] are appropriate. This is reflected in the Landscape Mitigation Masterplan Part A for Change Request [REP4-060].</p>

Ref. No.	Question to	Question:	Response:	Applicant's Response:
		Coronation Avenue? IPs are asked to comment on the proposals for Coronation Avenue.		
LV2.6	IPs	Appendix LV3 Response to LV.1.13 [REP1-051] considers potential additional mitigation measures, their suitability and the prospect of potentially reducing significant effects to non-significant. What are the views of IPs in respect of these further potential mitigation measures?	Additional mitigation has been discussed and agreed with the Applicant at West Moor and Fenrother junctions and to the west of Causey Park Bridge. This is reflected on 6.31 Landscape Mitigation Masterplan – Part A – Rev 2 submitted at Deadline 4. This represents a welcome improvement in the landscape mitigation proposals although NCC agree with the assessment provided by the Applicant that the previously identified significant effects would remain.	1. The Applicant welcomes NCC's support for the landscape mitigation proposals.
LV2.8	Applicant NCC	Reference 1.1.23 of the Applicant's response to Relevant Representations [REP1-064] suggests that matters are agreed in relation to the replacement of any vegetation and trees to restore Coronation Avenue. Could both the Applicant and NCC confirm that this position is resolved?	Draft plans [REP1-044] submitted at Deadline 1 propose enhanced replacement of trees on Coronation Avenue and are in line with what was discussed and agreed with the Applicant in January 2021 (also see response to LV2.2). NCC are content that this position is resolved.	1. The Applicant welcomes NCC's support for the tree replacement proposals on Coronation Avenue.
LV2.9	NCC	The Applicant's Response to Deadline 2 Submissions [REP3-024] noted that NCC has still to carry out a detailed review of Appendix LV.1 [REP1-050]. NCC is asked to respond.	This issue remains under review. A response will be provided at Deadline 6.	1. The Applicant notes that NCC will respond to this point at Deadline 6 and will therefore respond at Deadline 7.
LV2.10	NCC	As defined within Policy S5 of the Northumberland County and National Park Joint Structure Plan, a specific section of the scheme lies within the Green Belt [REP1-071]. The emerging NCC Local Plan seeks to confirm the boundaries of the Green Belt. Could NCC confirm the status of the emerging policy and provide an update on when the emerging NCC Local Plan is expected to be adopted.	The Northumberland Local Plan Examination has now concluded, and the inspector has written to the Council to advise that the plan is sound subject to a number of major modifications. The modifications do not involve the Green Belt boundary in this part of the County. The plan is expected to be adopted later in 2021.	1. This submission does not require a response by the Applicant.
LV2.16	Applicant NCC	In response to [REP1-036], NCC has raised concerns [REP2-025] in relation to the mitigation measures for receptors at VP27 – View looking northeast from Howdens Glebe cottages, off West Moor Road, and also road users at West Moor. Can the Applicant provide an update on this matter?	See response to LV2.6.	1. See response to LV.2.6 above.

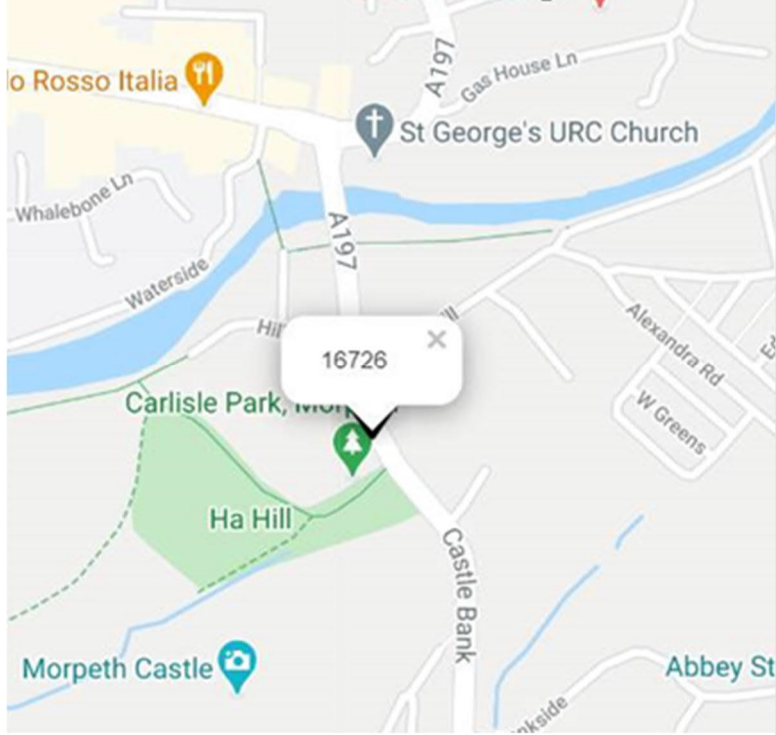
Ref. No.	Question to	Question:	Response:	Applicant's Response:
LV2.17	NCC	[REP1-036] identifies that residential receptors at VP1, VP6, VP10 and VP36 will be subject to adverse visual effects. The justification provided states that these will typically arising where views would be experienced at close quarters or where existing open and expansive elevated views of open countryside would be impacted by the construction of the Scheme. Does NCC agree with this assessment and that no further mitigation measures are necessary?	NCC agrees with this assessment and is content that no further mitigation measures are necessary.	1. The Applicant welcomes NCC's confirmation that no further landscape mitigation is required.
LV2.18	NCC	[REP1-036] identifies that PRoW users in relation to VP4, VP6, VP29, VP32, VP33, VP37 will be subject to large adverse visual effects. It also identifies that Users of Long Distance Path VP24 will too be subject to large adverse visual effects. The justification provided states that these will typically arising where views would be experienced at close quarters or where existing open and expansive elevated views of open countryside would be impacted by the construction of the Scheme. Does NCC agree with this assessment and that no further mitigation measures are necessary?	NCC agrees with this assessment and is content that no further mitigation measures are necessary.	1. The Applicant welcomes NCC's confirmation that no further landscape mitigation is required.
Material Resources				
MR2.2	NCC	The Applicant's Comments on the LIR [REP3-025] responding to paragraph 6.10.3 of the LIR address discrepancies raised by NCC in the potential capacity for inert landfill in the county as set out in Table 13- 11 of the ES [APP-056] [APP-057]. Is NCC content with the Applicant's response?	The Applicant has responded by to state that removing the availability of landfill capacity from Merryshields Quarry and Alcan Ash Lagoons, the total regional capacity falls by less than 200,000 metres ³ . They have not included a calculation for Hollings Hill, but most recent Environment Agency data suggests another 40,000 metres ³ should be included in this calculation (leaving an available capacity of 532,853 metres ³ at this site). The applicant states that the overall reduction is less than 0.7% of the regional capacity for landfill and is therefore not significant. This is accepted, although it is perhaps worth noting that the majority of this regional capacity is found in sites in Durham and Teesside. When removing the Alcan Ash Lagoons and Merryshields Quarry sites, the most recent Environment Agency data finds a remaining landfill capacity of 1,452,862 metres ³ in Northumberland. However, it is agreed that when assessing on a regional basis the reduction in available	1. The Applicant welcomes NCC's confirmation that the assessment of impacts on the county's landfill capacity is accepted.

Ref. No.	Question to	Question:	Response:	Applicant's Response:
			capacity does not materially affect the findings of the assessment carried out.	
Noise and Vibration				
NV2.5	Applicant and IPs	Paragraph 6.9.32 of the ES [APP-042] states that reflective noise barriers are proposed for two locations. What other mitigation measures are being considered if these were not provided? Why are these only proposed and not agreed? How has the assessment of environmental impacts accommodated the uncertainty surrounding the proposed barriers?	<p>Some responses to these questions may lie with the applicant as the Public Health Protection Unit can only comment upon the information submitted and which is in the public domain. If the applicant has considered other options and not presented them, then we are unable to comment upon them.</p> <p>The proposal includes reflective noise barriers on Part A of the scheme only; at Northgate Farm (PNB1) and at Felmoor/Bockenfield (PNB4).</p>	<ol style="list-style-type: none"> <li data-bbox="2101 533 2792 600">1. This submission does not require a response by the Applicant. <li data-bbox="2101 785 2813 1881">1. The Applicant confirms that noise barriers PNB1 and PNB4 (both reflective) are proposed at Northgate Farm and Felmoor Park and Bockenfield Holiday Park respectively. The primary purpose of PNB1 is to mitigate noise levels at Northgate Farm (which would experience a significant adverse operational road traffic noise effect without the barrier in place). However, the barrier also provides enhancement to other properties in the area and is anticipated to be value for money. As PNB4 is an enhancement barrier (which is not required to mitigate significant adverse effects), the approach taken for the Scheme is that the barrier must represent value for money (in terms of a comparison of the cost of the barrier against the monetised acoustic performance of the barrier). Further investigation is required at the detailed design stage in order to determine whether PNB4 can be constructed, whilst meeting the value for money criteria, as committed within row A-N5 of Table 3-2 of the Outline CEMP [REP5-012 and 013] (and as updated at Deadline 5)). <li data-bbox="2101 1577 2813 1881">2. Additional barriers PNB2 and PNB3 (reflective and absorptive respectively) are proposed at Causey Park and New Houses Farm respectively as mitigation measures for significant adverse operational road traffic noise effects at The Cottage and Joiners Cottage, Causey Park (PNB2) and New Houses Farm (PNB3). These four barriers are all located within Part A of the Scheme.

Ref. No.	Question to	Question:	Response:	Applicant's Response:
			<p>[1] It is noted that a low noise road surface is also proposed for the section of carriageway in the location of Northgate Farm. Should the barrier not be constructed then one receptor at Northgate Farm would be eligible for compensation under the Noise Insulation Regulations.</p>	<ol style="list-style-type: none"> 1. The whole Scheme will be laid with low noise road surface with the exception of structures, where HRA will be laid. This is committed within row A-N1 of Table 3-2 and row B-N1 of Table 3-3 of the Outline CEMP [REP5-012 and 013] (and as updated at Deadline 6). 2. Previously, as it was not confirmed whether PNB1 could be constructed it was noted within paragraph 1.11.45 of the Noise Addendum [REP1-019] that five properties (including Northgate Farm) were potentially eligible for compensation under the Noise Insulation Regulations (NIR). However, it has now been confirmed that PNB1 will be constructed as part of the Scheme. With the attenuation afforded by PNB1, only Capri Lodge and Strafford House are considered potentially to be eligible for noise insulation under the NIR. 3. It is noted in paragraph 1.11.47 of the Noise Addendum [REP1-019] to the ES that only a preliminary assessment of potential NIR eligibility can be undertaken at this stage. Row A-N6 of Table 3-2 within the Outline CEMP [REP5-012 and 013] (and as updated at Deadline 6) requires that a full assessment in accordance with the NIR will be carried out for the Scheme.
			<p>[2] The role of the Public Health Protection Unit is to provide technical advice to Northumberland County Council on this application, in this role we indicate whether the submitted information is factually and technically correct and follows legislation and guidance.</p>	<ol style="list-style-type: none"> 1. This submission does not require a response by the Applicant.
			<p>[3] The Public Health Protection Unit are unable to answer this question other than to comment that it appears the option is either the reflective barrier(s) to be incorporated or not.</p>	<ol style="list-style-type: none"> 1. It has now been confirmed that PNB1 (reflective barrier at Northgate Farm) will be constructed as part of the Scheme.
			<p>Comments; It appears that because of the assessment criteria in the previous version of the DMRB (HD 213/11) to the current one (LA 111) has changed, specifically in the way that vehicle speed are "banded" has led to some differences in the previous and current noise predictions.</p>	<ol style="list-style-type: none"> 1. The original Environmental Impact Assessment presented within Chapter 6: Noise and Vibration Part A [APP-042], Chapter 6: Noise and Vibration Part B [APP-043] and Appendix 16.5 Noise and vibration likely significant effects of the Scheme [APP-331] were undertaken in accordance with DMRB HD213/11 and IAN185/11 which advised that the speeds used for operational road traffic

Ref. No.	Question to	Question:	Response:	Applicant's Response:
				<p>modelling should be pivoted (DMRB LA 111 states, in Appendix A, that 'Speed pivoting ensures that modelled speeds from the traffic model are consistent with observed speeds.' This process is undertaken as part of the Scheme transport modelling) and then banded. The Noise Addendum [REP1-019] to the ES operational stage assessment was undertaken in accordance with DMRB LA 111 which was first released in November 2019. DMRB LA 111 no longer requires that the speeds used for the operational road traffic modelling are banded, instead advising that the pivoted speeds should be used. This change in approach to speeds, along with other factors such as the delay to the projected opening year; consistent integration and assessment of the two parts of the Scheme; and other changes in methodology from DMRB LA 111, has led to some changes in the predicted noise levels both with and without the Scheme. This is discussed further within the Noise Addendum [REP1-019] Sections 1.2 and 1.3, Purpose of the Noise Addendum and Scope of the Noise Addendum.</p>
			<p>For the one impacted dwelling at Northgate Farm it appears that should the reflective barrier (PNB1) not be built the property would be eligible for compensation under the Noise Insulation Regulations. Whilst not ideal, this might allow the occupant to invest in some noise mitigation of their own (ie enhanced glazing). Felmoor/Bockenfield would not be eligible for compensation under the Noise Insulation Regulations.</p>	<ol style="list-style-type: none"> 1. It has now been confirmed that PNB1 will be constructed as part of the Scheme. With the attenuation afforded by the barrier, Northgate Farm is considered unlikely to be eligible for compensation under the NIR as one or more of the qualifying criteria (for eligibility under the NIR) are not predicted to be met. 2. It is noted in paragraph 1.11.47 of the Noise Addendum [REP1-019] that only a preliminary assessment of potential NIR eligibility can be undertaken at this stage. Row A-N6 of Table 3-2 within the Outline CEMP [REP5-012 and 013] (and as updated at Deadline 6) requires that a full assessment in accordance with the NIR will be carried out for the Scheme. 3. Given the ambiguity in the uses of the receptors at Felmoor Park and Bockenfield Holiday Park, a preliminary assessment of NIR eligibility has not yet been undertaken. However, this will be undertaken for the Scheme as discussed above.

Ref. No.	Question to	Question:	Response:	Applicant's Response:
			<p>In respect of Felmoor/Bockenfield (PNB4), it is noted in Section 3.2.6 of the that "The results (following LA 111 (Ref. 1.1) methodology) for Felmoor Park and Bockenfield Holiday Park were also compared with the results following HD 213/11 (Ref. 1.2) methodology. Whilst the predicted noise levels have changed due to the factors discussed above, no receptors in this area are likely to experience significant adverse effects, as was previously the case."</p>	<p>1. The quoted text is from Environmental Statement Appendix 6.10 Noise and Vibration DMRB Sensitivity Test Part A [APP-215]. The operational noise assessment (which the quote is referring to) within this document has been replaced by the Noise Addendum [REP1-019]. However, the Applicant agrees that no operational road traffic noise significant adverse effects are predicted in the area of Felmoor Park and Bockenfield Holiday Park in the Noise Addendum [REP1-019] assessment (which follows DMRB LA 111).</p>
			<p>Following comments included in the supporting documents, the Public Health Protection Unit are also unsure of the occupation types for these two sites although Felmoor Park appears to offer sales and rentals the same is not clear for Bockenfield Country Park.</p>	<p>1. The Applicant notes this comment from NCC. The ambiguity in the uses of the receptors in this location is discussed within paragraph 1.10.8 of the Noise Addendum [REP1-019] to the ES. Given this ambiguity, rather than a receptor specific assessment, as undertaken for other noise sensitive buildings, the predicted noise level changes in the areas of Felmoor Park and Bockenfield Holiday Park are presented in the noise contour figures within Appendix D Noise Addendum Figures Part 1 and Part 2 [REP1-021 and 022].</p>
			<p>In terms of the magnitude of the impact, the Public Health Protection Unit cannot replicate the noise modelling the applicant has commissioned but in respect of the Northgate location, this is immediately north of the existing dual-carriageway. Local knowledge of this location is that vehicles (particularly cars) begin accelerating southbound at the point where the current access is to Northgate Farm is off the A1, particularly where they are behind slower moving vehicles. On the northbound carriageway, the dualled section ends just south of the A697 flyover but traffic is still travelling at speeds greater than 60 mph, again trying to "jump" in front of vehicles in the nearside carriageway even filtering back in on the hatched areas/</p>	<p>1. The operational stage road traffic noise assessment within the Noise Addendum [REP1-019] includes both A1 and A697 road links within the Part A detailed calculation area. The operational noise model includes traffic speeds for these links, which have been derived from the Scheme transport modelling.</p>
			<p>It is difficult to select a road link section in the submitted traffic data which shows representative baseline, Do-Minimum 2023 and a Do-Something 2023 traffic flows at Northgate. However, using a DfT road census point (Site number: 8427) just south of Northgate and the A697 junction which has an AADT of approximately 30k in 2015,</p>	<p>2. The operational stage noise assessment presented within the Noise Addendum [REP1-019] is based on traffic data generated as part of the Transport Assessment. The Noise Addendum [REP1-019] assessment is based on a projected opening year for the Scheme of 2024.</p>

Ref. No.	Question to	Question:	Response:	Applicant's Response:
			<p>road link 2303_24021 seems to have a corresponding 2015 traffic flow. This link has a 2015 Base or 28756, Do-Minimum 2023 of 29852 and a DoSomething 2023 of 30423 and taking a higher HDV of 11 per cent from elsewhere for each scenario). This indicates that even without dualling there would be an increase in traffic flows of about 4 per cent, with dualling the increase would be about a 6 per cent increase.</p> <p>A simplified noise calculation is included in The Calculation of Road Noise (Department of Transport, 1988) which includes a number of factors to predict road traffic noise, but the main contributions are from the traffic flows (AADT) and HDV percentage. Using the calculation in CRTN, with an increase of six per cent over baseline indicates a less</p>	<p>3. The SATURN model link 2303-24021 corresponds to Castle Bank in Morpeth as shown on the image below.</p>  <p>4. The nearest DfT traffic census point is site reference as 16726 and records an AADT at 2015 of 22,040 and a HDV percentage as 4%.</p> <p>5. The traffic AADT numbers for link 2303-24021 stated by NCC are correct, except for the 2023 do minimum, which should be 29652 (not 29852). This results in a 3% and 6% increase for the 2023 do minimum and 2023 do something respectively compared with the 2015 base model AADT of 28756.</p> <p>6. It is unclear why NCC are referencing the 11% HDV figure in this response, as both the DfT census site and the SATURN model show a 4% HDV figure for this location.</p> <p>1. The operational stage road traffic noise modelling within the Noise Addendum [REP1-019] uses the prediction methodology contained within the Calculation of Road Traffic Noise (CRTN) as directed by DMRB LA 111. The Noise Addendum</p>

Ref. No.	Question to	Question:	Response:	Applicant's Response:
			<p>than one decibel increase in noise levels at ten metres from the carriageway. The difference between Do-Minimum 2023 and DoSomething 2023 is around 0.1 decibels. The CRTN calculation predicts noise levels at 10 metres from the carriageway. The western, gable end of Northgate Farm is approximately 8.5 metres from the carriageway and 1 & 2 Warreners Cottages about 13 metres from the carriageway.</p>	<p>[REP1-019] assessment is based on a projected opening year for the Scheme of 2024.</p> <ol style="list-style-type: none"> The operational noise modelling is based on traffic data, generated as part of the Transport Assessment which incorporates road traffic flows (in terms of Annual Average Weekday Traffic (AAWT)), vehicle speeds and heavy duty vehicle (HDV) percentages. Other factors are also relevant in the calculation of noise levels at sensitive receptors with and without the Scheme, including road alignment, road surface types, distance from and view of the road, screening and type of ground cover. The Noise Addendum [REP1-019] assessment presents the noise level changes at Northgate Farm and Warreners Cottages as a result of the Scheme, which have been predicted at each property façade, and are influenced by all of the above factors as well as screening from PNB1. Whilst at the time of writing the Noise Addendum [REP1-019] it was not yet confirmed whether PNB1 could be constructed, it has since been confirmed that the barrier will be built. Therefore, as concluded within paragraph 1.13.20 of the Noise Addendum [REP1-019], as PNB1 will be built, a significant adverse operational road traffic noise effect is not predicted at Northgate Farm. Instead a minor beneficial (non-significant) effect is predicted (as stated within Table 1-39 of the Noise Addendum [REP1-019]).
Traffic and Transport				
TT2.1	Applicant NCC	<p>At D1 the Applicant submitted a revised version of the Rights of Way and Access Plans [REP1-003]. The key indicates that the revision reflects amendments to Rights of Way Refs and details. This was further updated at D2 [REP2-003] with the description amended to 'Examination Deadline 02 Update'. The Applicant is asked to explain the source of these updates? Do they incorporate changes proposed by NCC? Can NCC confirm the accuracy of the revised plans?</p>	<p>No comments to make at the present time on the accuracy of the plans.</p>	<ol style="list-style-type: none"> This submission does not require a response by the Applicant.

Ref. No.	Question to	Question:	Response:	Applicant's Response:
TT2.2	Applicant NCC	The Applicant's Response to D3 Submissions [REP4- 024] states that the Applicant's Comments on Responses to Written Questions - Appendix A - Public Rights of Way Response [REP2-021] retains a small number of minor amendments to references which would be communicated in writing. The Applicant and NCC are asked to provide an update on addressing these outstanding matters.	The Council can confirm that either the minor amendments to the plans and schedules have been made or are no longer required because of other changes to the schedules.	<ol style="list-style-type: none"> 1. The Applicant welcomes NCC's confirmation that either the minor amendments to the plans and schedules have been made or are no longer required because of other changes to the schedules.
TT2.3	Applicant NCC NE	The Applicant submitted a revised Construction Traffic management Plan at D1 [REP1- 025] [REP1- 026]. NCC is asked to confirm whether the document is acceptable in its current form. The Applicant is asked to confirm whether or not this is a draft document subject to approval through the DCO. NE is asked to comment on the advice regarding the use of the A1068 as a diversion route.	The applicant has submitted a further revision to the Construction Traffic Management Plan at D3 [REP3-015 and REP3-026] that incorporates the minor changes made in our response to the original document. Actions and point of clarification in relation to the document were discussed at a meeting with the applicant on 15th February and the actions and points of note from that meeting are agreed.	<ol style="list-style-type: none"> 1. The Applicant welcomes NCC's confirmation that the updates to the Construction Traffic Management Plan are accepted [REP3-015 and 016].
			It is assumed that these points will be confirmed in a subsequent submission of the Construction Traffic Management Plan and the meeting notes forming the Statement of Common Ground as appropriate	<ol style="list-style-type: none"> 2. An updated version of the CTMP to include these remaining points is submitted at Deadline 6.
TT2.4	NCC	Appendix TT.3 Maintenance Boundaries is provided in response to ExQ1 TT.1.23. Is NCC content with the material provided in in Appendix TT.3?	The proposed maintenance boundaries contained within the material provided in Appendix TT.3 concentrates on the boundaries around the grade separated junctions within the scheme. The boundaries shown in Figure 2-5 for the grade separated junctions in Part A and Figure 3.2 for the Charlton Mires junction in Part B are agreed in principles subject to the detailed design. As stated in our response at D4, for the avoidance of doubt, we would wish to see similar maintenance boundaries included for the full extent of the scheme. This will subsequently feed into revised Rights of Way and Access Plan as well as the locations of Stopping Up as detailed in our response to DCO2.14	<ol style="list-style-type: none"> 1. The Applicant welcomes NCC's confirmation that the maintenance boundaries at the Scheme junctions are now agreed in principle, subject to the detailed design. 2. It has been agreed between the Applicant and NCC that it is not necessary or appropriate to show the maintenance boundaries along the full extent of the Scheme, as any changes agreed as part of the detailed design would require changes to the certificated DCO plans and requiring Secretary of State acceptance of the change. 3. The latest submission of the Rights of Way and Access Plan [REP4-038] updated at Deadline 6, already reflects the agreed boundaries for both Parts A and B. The Proposed Highway Adoption and Maintenance Responsibilities drawing [REP4-042] is updated at Deadline 6 to reflect the agreed drainage maintenance boundaries discussed with NCC. 4. Article 13(1) requires that any street (other than a trunk road) must be completed to the reasonable satisfaction of the local highway authority to

Ref. No.	Question to	Question:	Response:	Applicant's Response:
				<p>whom is to be transferred. NCC will therefore have an opportunity to satisfy itself on the roads to be transferred before this transfer takes place.</p> <p>5. A methodology of how maintenance boundaries will be finalised is currently being developed between the Applicant and NCC. Once agreed this will be captured in a future iteration of the SoCG with NCC [REP5-015].</p>
Water Environment				
WE2.4	Applicant NCC	The second bullet in Section 7 of Appendix 10.5 Drainage Strategy Report for Part A [APP258] states that the maintenance of trunk and local drainage assets will be subject to a Memorandum of Understanding (MoU) between Highways England and NCC. Nevertheless, MoU referenced in the SoCG [REP4-016] only makes reference to details of the detrunking aspects of Part A. Could the Applicant provide confirmation that such a MoU is being developed and agreed. How would it be secured through the DCO? NCC is also invited to comment.	Items relating to highway drainage of the new links within Part B have been discussed with the applicant and there is the requirement that all new local roads be positively drained. We are awaiting follow up discussions in respect to this. We will continue to work with the applicant to develop the MoU for both Parts of the scheme.	<p>1. The SoCG with NCC [REP5-015] is updated for the drainage assets and submitted at Deadline 6. The additions to this SoCG were discussed in the meeting held on 16 April 2021. The Applicant has recently issued design information to NCC for review and will schedule further meetings to finalise this issue.</p>

Table 1-6 – Environment Agency

Ref. No.	Question to	Question	Interested Party's Response	Applicant's Response
BIO.2.3	EA Applicant	<p>The Applicant commented on responses to ExQ1 [REP2-020] including the EA's response to BIO.1.9 which focused on the impact of the Proposed Development on otters. The EA's representation at D4 [REP4-076] also addressed the impact of the Proposed Development on otters.</p> <p>The EA is asked to respond to the Applicant's comment.</p> <p>The Applicant is asked to respond to the EA's comments.</p>	<p>The EA highlighted in 'Environment Agency Deadline 4 submission' [REP4-076] that otters are likely present and at least likely to be commuting. This is agreed by the applicant in BIO.1.9 comment 4 of REP2-020: 'The Applicant accepts that there is potential for otter to use crossing points / watercourses as commuting routes'.</p> <p>Yet despite historical records of dead otters from road traffic collisions on the A1, they are considered absent and therefore no mitigation proposed. Mitigation to minimise road traffic collisions is essential.</p>	<p>1. The Applicant provided a detailed response to the Environment Agency's Deadline 4 submission [REP4-076] in the Applicant's Responses to Deadline 4 Submissions [REP5-029] submitted at Deadline 5.</p> <p>2. The Environment Agency has taken the Applicant's comment in response to BIO.1.9 [REP2-020] out of context. The Applicant stated in their response to BIO.1.9 that "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." This statement was made in response to the Environment Agency's response to BIO.1.9 that stated "Records of otter in the wider area should be factored into the assessment due to their</p>

				<p>potential to move along suitable commuting routes within the DCO ...” For Part A, field surveys recorded presence of otter and appropriate mitigation has been developed and secured by the Outline CEMP [REP5-012 and 013] (as submitted at Deadline 6). A pre-construction survey would be completed to update the baseline conditions and verify the suitability of existing mitigation (measure A-B17 [REP5-012 and 013]). Mammal ledges have been incorporated into culvert designs, where possible (measure A-B8 [REP5-012 and 013]) and additional wildlife culverts have been included to provide additional safe passage beneath the Scheme (measure A-B10 [REP5-012 and 013]). The Applicant has not received comments from the Environment Agency identifying disagreement with the assessment of otter, or the proposed mitigation measures, for Part A.</p> <p>3. The Applicant and the Environment Agency disagree about the conclusion of likely absence of otter for Part B. The desk study for Part B identified historic otter records, with the most recent record returned from 2015 approximately 1km to the east of the A1 carriageway. Otter surveys for Part B were undertaken by experienced surveyors along watercourses spanning either side of the existing A1 carriageway in 2016, 2017, 2018 and 2019, with no evidence of otter activity or presence recorded along any watercourses or riparian habitat within the Survey Areas. It is on the basis of the negative field survey results over a number of years and presence of predominantly suboptimal habitats to support the species, which have informed a “likely absent” classification for otter within the Order limits, which is then corroborated by historic data. 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 Responses to Deadline 4 Submissions [REP5-029]; Table 1-4, reference 24). In addition, cattle creeps</p>
--	--	--	--	--

				<p>associated with White House Burn and a Tributary of Kitty Carter Burn provide ample space and opportunity for mammal passage. A pre-construction survey would be completed to verify and, where required, update the baseline conditions (measure B-B18 [REP5-012 and 013]). As detailed in the Applicant's Responses to Deadline 4 Submissions [REP5-029], the Applicant has also proposed to undertake post-construction monitoring of otter passage to identify any road traffic collisions of otter and monitor usage of culverts beneath Part B. This information would thereafter aid in determining needs for mitigation in discreet locations. The proposed post-completion monitoring has been secured by measure B-B30 of the Outline CEMP [REP5-012 and 013] (updated at Deadline 6).</p> <ol style="list-style-type: none"> 4. As set out in their Deadline 4 submission [REP4-076], the Environment Agency has accepted that the surveys were undertaken in accordance with the relevant standard guidelines and methods. The Applicant has also detailed how historical records were taken into account in assessing the likely presence of otter. Following this assessment, the Applicant has proposed appropriate measures for both Part A and Part B, with post-construction monitoring proposed for Part B despite the conclusion of likely absence of otter for Part B. 5. The Applicant held discussions with the Environment Agency on the 23 and 30 April 2021 to further explore the evidence for the presence of otter. Recent evidence of otter adjacent to Part B was provided by the Environment Agency at the meeting on the 30 April and the Applicant is considering this and the potential need for fencing along Part B at key crossing locations. The potential for retrofitting mammal shelves for Part B has previously been discounted by the Applicant due to construction health and safety concerns (working in confined spaces). However, the Applicant is checking the options available at Shipperton Burn (the watercourse where new evidence has been presented by the Environment Agency) and
--	--	--	--	--

				continues to discuss this matter with the Environment Agency to seek resolution.
BIO.2.9	EA	Appendix F – Proposed Woodland and Marginal Planting Plan [REP4-031] describes how the marginal planting and riparian woodland is proposed to offset the impacts to watercourses. The plan was produced in response to discussion at ISH2 involving the Applicant and the EA. The EA is asked to comment on the proposals and whether they adequately offset the impacts to watercourses.	Appendix F – Proposed Woodland and Marginal Planting Plan [REP4-031] clearly shows the vast majority of the woodland being planted as mitigation and compensation for the impact on the watercourse is neither 'wet woodland' as originally claimed nor riparian and is in fact broadleaf woodland. This habitat is not a water dependant habitat, has a different form and function and does not improve the watercourses affected by the scheme as the vast majority of this planting is disconnected from the watercourses.	<ol style="list-style-type: none"> 1. Woodland planting is not recognised or proposed as like-for-like compensation for the loss of watercourse and the Applicant acknowledges that it is not possible to directly compensate for loss of watercourse with the provision of a different habitat type. However, proposed woodland planting along watercourses and channels has been identified as one of the measures that would improve the watercourses by providing bank strength, sediment capture and shading (for aquatic life) and also improving the linear connectivity of the watercourse for wildlife. This planting is shown in Appendix F – Proposed Woodland and Marginal Planting Plan [REP4-031]. Additional improvement measures identified that collectively form the current package of compensatory works for impacts to watercourse include design of realigned watercourse channels (138m, Part A) to be better (in terms of environmental condition and biodiversity value) than that lost, retrospective installation of fish baffles on the existing culvert of the River Lyne (Part A), replacement of the wooden baffles within an existing culvert of Longdike Burn (Part A) to increase the life span of this feature and improvements to the 850m of Longdike Burn that falls within the Order limits. The combination of these measures, including the woodland planting, provides appropriate compensation for the assessed impact. 2. The Applicant agrees that the term “wet woodland” does not accurately represent the habitat types that are proposed. As discussed during a meeting with the Environment Agency on 19/03/2021, it was agreed that such woodland creation along watercourses should more accurately be described as “riparian woodland.” This is acknowledged within Item 4.16 of the Applicant’s Written Summary of Oral Submissions to Hearings [REP4-025] and in the SoCG with the Environment Agency [REP5-017].

			<p>We do not believe the proposals put forward by the Applicant adequately mitigates or compensates for the disturbance and damage to, and the loss of watercourses associated with the scheme.</p>	<ol style="list-style-type: none"> 3. The Applicant considers the package of improvements detailed above to be sufficient to mitigate and/or offset the assessed impacts of the Scheme with regard to loss of watercourse channel. However, in addition to the current package of works, the Applicant is exploring opportunities to improve lengths of other existing watercourses that fall within the Order limits to further compensate for the loss of watercourse channel. This forms part of the ongoing discussions with the Environment Agency, with the next meeting scheduled for 30/04/21. 4. In their Deadline 5 response [REP5-044] the Environment Agency outlined that the culverting and loss of watercourses as a result of the Scheme could be offset / compensated outside of the DCO boundaries, this remains under discussion.
WE.2.2	EA	<p>Can the EA confirm whether they are satisfied with the pollution control measures proposed within the outline CEMP [REP4-013] in relation to the impact of the Proposed Development on watercourses?</p>	<p>The EA are generally satisfied with the proposed pollution related measures set out in the CEMP. The EA notes the inclusion of additional silt mitigation measures and concepts such as those in S-W9 which are highly welcomed. However, we would like to reiterate our comments made on 12 March 2021 [REP4-076] in regards to the avoidance of using the permanent detention basins to treat silt.</p> <p>S-GS4 states 'Pollution control measures including detention basins and filter drains will be incorporated into the drainage design of the Scheme.' This appears to indicate that the permanent structures designed to handle the operational phase and not the construction phase may be used. Detention basins are designed for the operational phase of the scheme, as such these should not be relied upon to deal with the large volumes of contaminated water that are associated with construction activities, as they are highly unlikely to be able to cope, and therefore result in pollution incidents and impacts upon ecology throughout the scheme. It is recommended that dedicated sediment traps and settlement ponds should be designed into the scheme, and where these are unlikely to be effective, treatment systems such as lamella tanks and chemical dosing should be costed into the scheme.'</p>	<ol style="list-style-type: none"> 1. The Applicant notes that the EA is generally satisfied with the proposed pollution related measures in the Outline CEMP [REP5-012 and 013] (and as updated at Deadline 6), including additional silt mitigation measures and concepts such as those in S-W9 of the Outline CEMP [REP5-012 and 013] (submitted at Deadline 6). 2. The Applicant provided a response to the Environment Agency's concerns regarding the temporary construction drainage infrastructure at row 37, table 1-4 of the Applicant's Response to Deadline 4 Submissions [REP5-029]. As stated in that response, the design of the temporary drainage infrastructure for the construction phase is a matter for detailed design. However, each of the matters raised by the Environment Agency are secured by item (d) of measure S-W1 of the Outline CEMP [REP5-012 and 013] (and as updated at Deadline 6). In addition, the requirement for consultation with the Environment Agency prior to the approval of the detailed CEMP has been included in Requirement 4 of Schedule 2 to the dDCO [REP5-034 and 035] and paragraph 1.1.8 of the Outline CEMP [REP5-012 and 013], as stated in Row 7, Table 1-4 of the Applicant's Response to Deadline 4 Submissions [REP5-029]. 3. Further, the Outline CEMP [REP5-012 and 013], Table 3.1 ref S-W8 includes the Action "The CEMP will set out how construction activities will

				<p>be undertaken in accordance with appropriate good practice guidance, such as CIRIA's control of water pollution from construction sites (C532). Although withdrawn, the Pollution Prevention Guidelines (PPG) published by the Environment Agency still provide good practice guidance, particularly PPG1 - General guide to the prevention of water pollution; PPG 5 - Works in, near or liable to affect watercourses; and PPG 6 - Working at construction and demolition sites. It also states that 'A Sediment Control Plan and appropriate monitoring programme will be further developed as part of the Main Contractor's working method statements'.</p> <p>4. The combination of the above measures will ensure that any contaminated water associated with construction activities is appropriately managed.</p>
WE.2.5	EA	<p>Paragraph 10.4.13 of the ES [APP-050] states that following consultation with the EA it was agreed that detailed hydraulic modelling of the River Coquet would not be required, as the proposed southern pier would be aligned with the existing pier. Annex B Flood Risk Assessment Addendum [REP1-067] states that the potential movement of the southern pier would take this structure further towards the river channel and potentially within the estimated 1 in 1000 years flood extent.</p> <p>Is the EA content with the information and advice provided in light of changes detailed in Annex B Flood Risk Assessment Addendum?</p>	<p>The EA are happy with this approach. This is due to the minimal expected impact on flood risk, the incised nature of the River Coquet at this location and the lack of receptors upstream of the proposals.</p>	<p>1. The Applicant agrees with the Environment Agency that no further assessment/hydraulic modelling is required to support the changes detailed in Annex B of the Flood Risk Addendum [REP1-067].</p>



© Crown Copyright. All rights reserved.
You may re-use this document in any format or medium, subject to any third party copyright notices and our Creative Commons Licence. To view this licence: visit www.nationalarchives.gov.uk/doc/open-government-licence/ or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email psi@nationalarchives.gsi.gov.uk.

This document is also available on our website at www.gov.uk/highways



If you have any enquiries about this document
A1inNorthumberland@highwaysengland.co.uk
or call 0300 470 4580*.

**Three White Rose Office Park
Millshaw Park Lane
Leeds
LS11 0DL**

wsp.com