

A1 in Northumberland: Morpeth to Ellingham

Scheme Number: TR010059

7.32 Applicant's Responses to Deadline 8 and 8a Submissions

Rule 8(1)(c)

Infrastructure Planning (Examination Procedure) Rules 2010

Planning Act 2008

June 2021

Infrastructure Planning

Planning Act 2008

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

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

Development Consent Order 20[xx]

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Rule Reference:	8(1)(c)
Planning Inspectorate Scheme Reference:	TR010059
Document Reference:	7.32
Author:	A1 in Northumberland: Morpeth to Ellingham Project Team, Highways England

Version	Date	Status of Version
Rev 0	June 2021	Deadline 9

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1 APPLICANT'S RESPONSES TO DEADLINE 8 AND 8A SUBMISSIONS

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 response to submissions made at Deadline 8 and 8a. The Applicant notes that Historic England made a submission at Deadline 8 [REP8-030] but confirmed that they had no comments. The Applicant has not commented on Historic England's submission at Deadline 9.

Table 1-1 – Northumberland County Council - Responses to ExQ3

Ref	Question to	Question	NCC Response	Applicant's Comment
General				
GEN.3.4	NCC Applicant	In response to ExQ2 LV.2.15 NCC indicated [REP5-043] that the Northumberland Local Plan Examination has concluded and that the Inspector had written to the Council to advise that the plan is sound subject to a number of main modifications, with the plan expected to be adopted later in 2021. The Council is asked to provide an update on Local Plan adoption at D8 and if there is any change to the position at D11. The Applicant is asked to explain whether there are any changes to the Local Plan since the submission of the application which the ExA should take into account	<p>Following the close of the examination hearings in late 2020, the Inspectors wrote to the Council to confirm that, while they considered the submitted Local Plan not to be sound, it was likely that it could be made sound by modifications.</p> <p>Following this, the Council provided the Inspectors with a draft schedule of main modifications, which have been variously added to and amended by the Inspectors. The Council continues to await confirmation from the Inspectors that the eight-week consultation on these modifications can begin but remains optimistic that this consultation can be concluded over the summer. It is anticipated that the Local Plan will be adopted during the autumn of 2021.</p>	<ol style="list-style-type: none"> 1. No comment.
GEN.3.6	NCC All IPs	Changes to East Linkhall Access Road, West Linkhall Access Road and associated drainage proposed at D6 [REP6-005] are described as having been discussed with NCC. NCC and all other IPs are asked for their comments on the scope and effects of these proposed changes.	<p>The General Arrangement drawings proposed at D6 [REP6-005] reflect the agreements in relation to the carriageway proposals for East Linkhall Access Road and West Linkhall Access Road in terms of the revised carriageway widths.</p> <p>There remains the need for a turning head at the northern extent of the East Linkhall Road. This was discussed at a meeting with the applicant on 19th May and, we understand, will be included in the next submission of General Arrangement drawings.</p> <p>In respect to the drainage of these two access roads, item 10.10 in Table 3-2 the draft SoCG submitted at D7 [REP7-011] confirms the agreed position that positive drainage is being provided for the East and West Linkhall Access Roads (the item is only identified as remaining "under discussion" due to the Rock South Access Road drainage discussions).</p>	<ol style="list-style-type: none"> 1. The Applicant welcomes NCC's confirmation that they are satisfied with the revised General Arrangement Plans [REP6-005]. 2. The turning head at the northern extent of East Linkhall Road (Work No. 29I on sheet 16 of 19 of the Works Plans [REP6-004]) was shown on Sheet 16 of 19 of the General Arrangement Plans submitted at Deadline 8A [REP8a-002], having been agreed with NCC on a liaison call on 28/05/2021. 3. The Applicant confirms that the drainage provision on both East and West Linkhall Access Roads is agreed with NCC, and that the remaining discussion point noted in Table 3-2 of the recent SoCG [REP8-016] is for the provision of drainage to Rock South Farm Access Road. 4. It is still the intention for the Applicant to hand over Rock South Farm Access Road to NCC for adoption as the local highway authority. Article 13(1) of the draft DCO [REP8-004 and 005], provides for completion of streets (other than trunk roads) to the reasonable satisfaction of the local highway authority. This will allow NCC to ensure that drainage arrangements are satisfactory. As part of the drainage aspects for Rock South Farm Access Road remain under discussion, the duration of the Applicant's maintenance liability on this access road is still to be agreed but the intention of the parties is that this will be contained within a technical note which sets out the methodology for the

				adoption of roads in terms of Article 13(1). The latest discussions on the drainage aspects are recorded at item 8.5] of Table [3-2] in the Statement of Common Ground with Northumberland County Council [REP8a-010] submitted at Deadline 9.
GEN.3.7	Applicant NCC	<p>Paragraph 2.2.1 of the ES Addendum: East and West Linkhall Access Roads [REP6-024] states that widening of the East Linkhall Access Road to provide a two lane carriageway without passing bays was as a result of consultation with NCC on their requirements for adoption of the access road.</p> <p>Paragraph 3.3.3 describes the access roads as private accesses. Is there a conflict between these two statements? Is the intention that both access roads would be adopted by NCC? Where is this secured through the DCO?</p>	We agree with the ExA that there is a conflict between these statements. It is our understanding that East Linkhall Road will be offered to NCC for adoption as public highway subject to the details set out in Article 13 of the dDCO [REP6-010] and shown hatched Orange in the Proposed Highway Adoption and Maintenance Responsibilities drawing [REP6-009].	<ol style="list-style-type: none"> The Applicant provided clarification in relation to paragraphs 2.2.1 and 3.3.3 of the ES Addendum: East and West Linkhall Access Roads [REP6-024] at item GEN.3.7 in Table 1-1 of Applicant's Responses to ExA's Third Written Questions [REP-026], and does not consider there to be a need for clarificatory wording. The Applicant agrees with NCC's response in relation to the proposed adoption of East Linkhall Road subject to Article 13 of the dDCO [REP8-004 and 005] and as indicated on sheet 2 of 2 of the Proposed Highway Adoption and Maintenance Responsibilities plan [REP6-009].
GEN.3.10	Woodland Trust	The revised outline CEMP [REP6-025] has introduced a new measure ExA:S-L101 concerning potential veteran trees. Further detail about the compensation and mitigation for veteran trees is provided in Appendix A – Impacts to Ancient and Veteran Trees [REP6- 045]. IPs, especially those named, are asked for their views on Appendix A and measure ExA:SL101.	The Provisions of ExA:S-L101 are sufficient to secure a reasonable effort to retain potential veteran trees and Appendix A – Impacts to Ancient and Veteran Trees [REP6-045] provides clear detail as to which trees are likely to be retained and those that require removal.	1. The Applicant welcomes NCC's acceptance that S-L101 is sufficient.
	NCC		We have no specific concerns regarding potential landscape and visual effects arising from the retention or removal of the individual trees identified in Appendix A or the proposed mitigation. The Applicant's LVIA assumed a worst case scenario of all these trees being removed and efforts to retain some are welcome.	1. The Applicant notes that NCC has no specific concerns and acknowledges that efforts to retain trees where possible are welcomed by NCC.
	NE			We are satisfied that measures have been taken to avoid impacts on veteran trees and measures to secure invertebrate populations etc through
	Forestry Commission		translocation measures for tree material where trees are to be removed. The County Ecologist agrees that the test at para. 175 (c) of the NPPF is met re: wholly exceptional reasons and a suitable compensation strategy is being provided by the applicant.	
	Other IPs			
Biodiversity and Habitats Regulations Assessment				

BIO.3.1	Applicant NCC EA	In response to Hearing Action Point 7 [EV-054] the Applicant provided an Otter Position Statement [REP6-048] at D6, as did NCC [REP6-050] and the EA [REP6-053]. The Applicant has proposed potential mitigation and has indicated that the matter is under discussion between the three parties. It is noted that the Applicant's statement is exclusive to Part A and the position in relation to Part A is assumed to be agreed. However, this does not accord with NCC's statement. Parties are asked to provide a further update, either individually or jointly, at D8. Specifically, if NCC or the EA require changes to the DCO, CEMP or other mitigation measures to address their concerns any amendment should initially be discussed with the Applicant and submitted at D8.	A joint statement has been agreed with NCC/EA and the applicant with changes to the design to include crossing points/fencing for otter at the watercourses within Part B and some subsequent amendments to the outline CEMP to remove the need for further assessment and/or mitigation at that time (as it has been agreed at this stage). The fencing and crossing points represent a positive change for otter commuting across the existing road corridor. N.B. The applicant's updating surveys for water vole are also noted (APP-049) and NCC agree that water vole are likely absent. However, mitigation for otter and continuing ecological functionality of watercourses are important should water vole return from remnant or satellite populations. Updating walk over surveys are welcomed pre-construction.	<ol style="list-style-type: none"> 1. The Applicant notes that NCC consider the proposed otter fencing and crossing points to represent a positive feature. The Applicant confirms that a joint statement with NCC and the Environment Agency was submitted in response to BIO.3.1 at Deadline 8 [REP8-026]. The joint statement confirms that NCC and the EA are satisfied with the impact assessment and mitigation for otter for Part A (see Table 1-3 [REP8-026]). The joint statement also confirms that, following the inclusion of otter fencing for Part B, the Applicant has agreed with both the NCC and the Environment Agency that the proposed mitigation is sufficient to address their concerns regarding otter for Part B. As such, the assessment of, and proposed mitigation for, otter is agreed for the Scheme. 2. The Applicant also notes that NCC agree that water vole are likely to be absent. The pre-construction walkover surveys to which NCC refer are secured in measures A-B17 and B-B18 of the Outline CEMP [REP8-011 and 012] (and as updated at Deadline 9).
BIO.3.3	NCC	NCC provided a response to ExQ2 BIO.2.4 at D6 [REP6-051]. The Applicant is asked to comment on this response generally and in particular the relevance of offset improvement schemes or strategic compensation.	We have no further comments to make, noting the applicant's comments at REP7-017. It is understood that discussions are ongoing with EA and NE regarding this matter.	<ol style="list-style-type: none"> 1. Further to the Applicant's submission in the Applicant's Response to Deadline 7 Submissions [REP7-017] (see Table 1-6, Ref BIO.2.4), Natural England has confirmed that they accept the conclusion of no likely significant effect to the River Coquet and Coquet Valley Woodlands SSSI as a result of increased nitrogen deposition due to the Scheme (see email on 24/05/2021 of Table 2-1 in the Statement of Common Ground with Natural England [REP8a-011] (and as updated at Deadline 9)). 2. In relation to significant effects to two veteran trees (T82 and T701), as identified in the Updated Biodiversity Air Quality Assessment at D3 [REP3-010], the Applicant has provided compensatory tree planting for the theoretical damage to the veteran trees at a 1:30 ratio. This is captured on the Landscape Mitigation Masterplan Part A [REP8a-003] (labelled on sheet 17 as "0.1ha of woodland in relation to air quality impacts to veteran trees"), where a minimum of 60 trees would be planted. The compensatory ratio and location of tree planting was agreed with Natural England during a meeting on 09 May 2021, as detailed in the Statement of Common Ground with Natural England issued at Deadline 9. 3. The compensation detailed above is secured by measure ExA: S-B100 of the Outline CEMP [REP8-011 and 012] issued at Deadline 9. 4. In relation to significant effects to Borough Woods LNR/ancient woodland and Well Wood ancient

				woodland, as identified in the Updated Biodiversity Air Quality Assessment at D3 [REP3-010], the Applicant has agreed with NCC to fund habitat improvements, to be undertaken by NCC, as compensation for the theoretical damage to the sites as a result of increased nitrogen deposition from the Scheme. This is to be secured by a legal agreement between the Applicant and NCC. The Applicant issued a draft legal agreement to NCC for comment on 09 May 2021. The Applicant and NCC remain in discussion to finalise the legal agreement.
Draft Development Consent Order				
DCO.3.4	Applicant NCC	NCC's response to ExQ1 DCO.1.44 [REP1-073] stated that it is essential that legal widths for ProW are included in Art 16 of the DCO. The SoCG with NCC [REP6-030], at item 12.1 states that "NCC is content for the ProW widths to be captured in the SoCG, as long as this is agreeable with the Examiner. The standard widths employed by NCC are as follows: – The preferred width for a public footpath is 1.5 metres or 2.0 metres where the public footpath is proposed to be fenced or hedged on each side. – The preferred width for a bridleway is 3 metres." NCC is asked to explain the change in its position. Both NCC and the Applicant are asked to explain why widths of proposed PRowS should or should not be included in the DCO.	<p>Northumberland County Council's preference is that the widths of the rights of way are included in the Development Consent Order (DCO). This is on the understanding that the DCO is the instrument that confirms the legal changes to the rights of way network. Once the DCO is confirmed and after works are completed to being the new/diverted rights of way into effect the Council as the Surveying Authority will make a Legal Event Modification Order (LEMO) to amend the Definitive Map and Statement to reflect the new network. The LEMO will describe the alignment and width of the rights of way in accordance with the DCO.</p> <p>When we made this suggestion the applicant indicated that as there was no certainty at this stage on the actual widths of the rights of way to be created they would instead include the widths in the Construction (Rights of Way) Management Plan which would be prepared and agreed and signed off once more detailed information was available.</p> <p>The Council was content to agree to this approach subject to the ExA's agreement.</p> <p>As the widths proposed are minimum widths it is the Council's position that these could be properly included in the DCO and if any of the widths are wider than these minimum widths that can be reflected in the Legal Event Order once the project is complete. We would not agree to widths which are less than these minimums.</p>	<ol style="list-style-type: none"> 1. The DCO regulates the stopping up of existing rights of ways and the provision of replacement rights of way, as well as confirming the extent of public access along new and altered public rights of ways. However, the DCO does not prescribe the precise specification of rights of way or indeed any form of highway to be constructed under the Order. Furthermore, the inclusion of such detail is unprecedented in other DCOs and unnecessary given that the strategic highway authority for England is most unlikely to provide sub-standard rights of way. 2. This is a matter of detailed design which it is not appropriate to include in the DCO. Detailed design will be included in the public rights of way management plan which requires to form part of the CEMP. NCC will be consulted on the terms of the plan and this provides the mechanism for NCC to ensure that the public rights of way are of the appropriate standard. It also means that the design parameters of the public rights of way are sufficiently flexible to deal with any pinch points.
DCO.3.5	NCC	Further to NCC's response to ExQ2 DCO.2.3 [REP5-043] can the Council confirm that it is content with Schedules 3 and 4 of the dDCO.	<p>In respect to the existing road classifications issued to the applicant on both Schedules these have now been incorporated into the dDCO although a typographical error in respect to Part 3 of Schedule 3 for High Highlows Road omits the C140 designation.</p> <p>However, we can only be content with the contents of Schedule 3 in relation to the proposals as they currently stand as amendments to this schedule would be required to deliver</p>	<ol style="list-style-type: none"> 1. The Applicant confirms that the C140 designation should be included. This typographical error has been addressed in the next iteration of the draft DCO (document reference 3.1) to be submitted at Deadline 9. 2. Responses to the Council's proposed changes to Schedule 3 in relation to the provision of non-motorised user routes is set out in the response to NCC's comments on TT3.1.

			the non-motorised user route (see response to TT.3.1) or any part of the non-motorised connections. In respect to Schedule 4, subject to the confirmation in respect to the Memorandum on Adoption/Maintenance Responsibilities discussed in the most recent Hearing Sessions (to which a draft was submitted to us for review on 18th May 2021) confirming that flexibility on precise locations is built in, then we are content with Schedule 4 based upon the scheme as it currently stands.	3. The Applicant and NCC confirmed, at a liaison meeting held on 28/05/2021 that Rev1 of the Maintenance Boundary Methodology TN was suitable for the purposes of understanding the future steps to agree final boundaries between the strategic and local highway authorities. The agreement on the maintenance boundary methodology is recorded in the Statement of Common Ground with Northumberland County Council issued at Deadline 8a [REP8a-010].
DCO.3.6	Applicant NCC	In ExQ2 DCO.2.6 [PD-011] NCC was asked to expand on its concerns about the drafting of R4 and to propose amended wording at Deadline 5. The Applicant was asked to respond to NCC's suggestion at Deadline 6 unless the matter was agreed between the parties in the meantime. NCC's response at D5 stated that the Council did not have any alternative wording for R4 but would discuss with the Applicant prior to D6. The Applicant and NCC are asked to discuss R4 further and to confirm whether any changes are required beyond those contained in the latest version of the dDCO [REP6- 010].	We consider that the wording of R4 is satisfactory from a legal point of view and upon reflection do not request that the wording of the requirement is altered. The concerns of the RPA remain at a practical level for the submission of documentation for approval, especially where documents will require consultation with both the Environment Agency and NCC. We will discuss the consultation process with the EA outside of the formal DCO process.	1. The Applicant is further reviewing the wording of R4 in light of Issue Specific Hearing (ISH) 4 in relation to the provision of a LEMP. If necessary, a further iteration of the DCO will be provided along with the Applicant's written summary of their ISH 4 oral submissions at Deadline 10.
DCO.3.7	Applicant NCC	Following the Applicant's response to ExQ2 DCO.2.7 [REP5-023], at D6 the Applicant proposed a new requirement, R17 in respect of the Landscape and Ecological Management Plan (LEMP). The requirement provides for the undertaker to decide whether or not to prepare a LEMP having regard to the views of the relevant planning authority. In response to Action Point 9 from the April Hearings [EV-054] NCC indicated [REP6-050] that it would wish to see a greater level of narrative added to the outline CEMP in relation to the contents of a LEMP, confirming the commitments that would be contained in the LEMP. Would it not be more appropriate for the RPA to decide whether or not it wishes to have a LEMP? Accordingly, the Applicant and NCC are asked to comment on the revised wording below. In addition, NCC is asked to confirm whether this wording meets the objectives it	We would suggest slightly altered wording to the requirement as follows: <i>17.—(1) In place of the relevant provisions of the CEMP, the undertaker may prepare a single document known as a LEMP to address the management of the landscape and ecological impacts of the Scheme including—</i> <i>(a) environmental constraints;</i> <i>(b) landscape mitigation;</i> <i>(c) impacts on biodiversity; and</i> <i>(d) impacts on protected species.</i> <i>(2) Any LEMP which is produced shall reflect the mitigation measures set out in the REAC and include a graphic representation of the measures to be implemented</i> <i>(3) Should the relevant planning authority request the undertaker to produce a LEMP the undertaker shall consult and have regard to the views of the relevant planning authority on the contents of the LEMP and thereafter produce the LEMP addressing the matters within sub-paragraph (1) (a) to (d).</i> <i>(4) Where a LEMP is to be produced then it shall be submitted for the approval in writing by the Secretary of State,</i>	1. The Applicant is further reviewing the wording of R17 in light of ISH 4 in relation to the provision of a LEMP. If necessary, a further iteration of the DCO will be provided along with the Applicant's written summary of their ISH 4 oral submissions at Deadline 10.

		<p>set out in response to Action Point 9 and if it does not to propose further changes.</p> <p>17.—(1) Where it appears desirable to the undertaker, In place of the relevant provisions of the CEMP, the undertaker may prepare a single document known as a LEMP to address the management of the landscape and ecological impacts of the Scheme including—</p> <p>(a) environmental constraints;</p> <p>(b) landscape mitigation;</p> <p>(c) impacts on biodiversity; and</p> <p>(d) impacts on protected species.</p> <p>(2) Any LEMP which is produced shall reflect the mitigation measures set out in the REAC and include a graphic representation of the measures to be implemented</p> <p>(3) In deciding whether to produce a LEMP <u>Should the relevant planning authority request the undertaker to produce a LEMP and the contents of a LEMP</u> the undertaker shall consult and have regard to the views of the relevant planning authority <u>on the contents of the LEMP.</u></p> <p>(4) Where a LEMP is to be produced then it shall be submitted for the approval in writing by the Secretary of State, following consultation with the environment agency and relevant planning authority to the extent that it relates to matters relevant to its function.</p>	<p><i>following consultation with the environment agency and relevant planning authority to the extent that it relates to matters relevant to its function.</i></p> <p>We believe this would strengthen the wording of the requirement to compel the applicant to produce a LEMP should the RPA require the undertaker to produce such a document. Without this additional wording we believe the requirement would remain a request without any trigger for submission.</p>	
Landscape and Visual				
LV.3.1	NCC	<p>NCC's response to ExQ2 LV.2.9 stated that a response to Appendix LV.1 [REP1-050] would be provided at D6. NCC is asked to provide an update.</p>	<p>Appendix LV.1 was provided by the applicant in response to ExAQ1 LV.1.7 which states:</p> <p><i>“As summarised in paragraph 7.8.10 of the ES [APP-044], the Arboricultural Report (Appendix 7.5) [APP-220], details the landscape features that would be lost as a result of the construction of Part A comprising: clearance of 28.2 ha of woodland; clearance of 30.2 ha of trees and groups of trees; clearance of 12.5 ha of hedgerow (based on canopy cover) and removal of 187 of the approximate 300 trees that make up the Coronation Avenue.</i></p>	<p>1. All matters relating to landscape and visual are agreed between the Applicant and NCC, as recorded in items 5.1 – 5.16 of Table 3.2 in the Statement of Common Ground with NCC [REP8a-010] submitted at Deadline 9.</p>

			<p><i>The Applicant is asked to expand on this summary, providing further detail in terms of the number and value of the landscape features to be lost.</i></p> <p>Landscape and visual issues arising as a result of vegetation loss have been addressed in previous submissions and we have no further comment to make with respect to the summary information provided within Appendix LV.1.</p>	
Population and Health				
PHH.3.1	Applicant NCC	<p>The Applicant's Response to ExQ2 PHH.2.4 [REP5-023] does not appear to be reflected within the latest version of the Statement of Common Ground between the Applicant and NCC. Could NCC and the Applicant provide an update on their latest position in relation to this issue?</p>	<p>A meeting has been held to discuss this matter and it was verbally agreed that the impacts of the Scheme on Population and Human Health have been fully assessed. A summary of the impacts on communities within the Population and Human Health study area (1km from the Scheme) was requested by NCC, and the Applicant undertook to provide this. The summary of impacts has not yet been received by NCC.</p>	<ol style="list-style-type: none"> 1. A summary of the impacts on communities is provided in Appendix A at Deadline 9.
Traffic and Transport				
TT.3.1	NCC	<p>In response to Action Point 8 from the April Hearings [REP6-050] NCC indicated that in relation to the need to provide for non-motorised users the basic position between the Applicant and NCC remains divergent. The Council goes on to state that "we are willing to make suggested amendments to the key elements of the dDCO in relation to ensuring future delivery of the suggested NMU route should the ExA consider this to be appropriate". It is not for the ExA to advise IPs how to address their concerns but should NCC wish to propose any amendments to the dDCO to ensure the future delivery of the suggested NMU route then this should be done by D8, ideally having discussed the wording of any proposed amendment with the Applicant.</p>	<p>A meeting was held with the applicant to discuss this question on 19th May 2021. NCC issued suggested amendments to Schedules 1 and Schedule 3 to the applicant on 21st May 2021 which delivered the north-south non-motorised user routes from Fairmoor to Felton and made connections to the proposed footways at Fenrother junction and the Causey Park overbridge. It is recognised that there are alternatives to this particular suggestion that would necessitate alternative amendments and we work with the applicant to provide the ExA with the relevant position in relation to the changes to the dDCO despite the basic position remaining divergent. A copy of these schedule changes is submitted to the ExA for information as Appendix 1 to this response.</p>	<ol style="list-style-type: none"> 1. The Applicant's position is unchanged that the provision of facilities for NMUs is satisfactorily addressed by the Scheme in compliance with the National Policy Statement for National Networks (NPSNN) and that the creation of a new north-south connection for non-motorised transport is neither a requirement for mitigation of the project nor a requirement of policy. Whilst the Applicant will continue to try and assist the Council to deliver their aspirations for NMU provision, there is no justification for requiring such provision as part of the Scheme. The changes which NCC seeks to the DCO should therefore not be made. 2. At the meeting on 19/05/2021, held between NCC and the Applicant to discuss the needs of non-motorised users, it was agreed that the schematic of the opportunities to create the north-south NMU route should be appended to the Statement of Common Ground with Northumberland County Council [REP8-016], to be updated at Deadline 8A. 3. The Applicant was not aware until NCC provided a plan to them on 17/05/2021 that NCC was also seeking shared cycle/pedestrian provision south of the new Fenrother Lane (East) linking to existing footway on the eastern side of the existing A1 south of Warreners House. It is appreciated that paragraph 6.2.11 of the Local Impact Statement refers to "the potential to provide a continuous footway and cycleway

				<p>connection between settlements” However, the focus of discussions has always been on the detrunked section of the A1. It may well have been the intention of the Council to seek to impose a requirement for the Applicant to continue the NMU provision south of the detrunked section but this this was not clear from discussions with the Council prior to the plan being provided on 17/05/2021. Leaving aside the fundamental point that the NMU provision sought by NCC is not justified by the impact of the Scheme or policy, the Council’s detailed proposals have been introduced at too late a stage of the examination to enable proper consideration.</p> <ol style="list-style-type: none"> 4. The Applicant will provide detailed comments on the Council’s proposals at Deadline 10 with their written summary of their case for ISH 4. However, as discussed at the hearing, there are particular issues of deliverability of the changes which the Council seek (first) to the east of the A1 south of Highlaws Junction; (second) between NCC points NCC/01 and NCC/02 south of Warrener’s House and (third) on the detrunked section of the A1 south of the Fenrother Lane (East) link. 5. The existing footway to the east of the of A1 and south of Warrener’s House is constrained and there is insufficient space to from a bridleway as proposed by NCC. The Scheme has been designed to limit land take to the east so as to reduce the impact of trees on Coronation Avenue. Forming a bridleway here would require additional land take outwith the Order Limits which cannot be achieved at this stage of the examination and may have additional environmental effects which have not been assessed. Moving the carriageway works westwards to give space for the bridleway is not realistic. It would mean that the existing carriageway could not be reused which would clearly have additional environmental effects. There may also be additional impacts from moving the northbound carriageway westwards and at the very least the consideration of additional assessment would be required. 6. The Council’s proposals have not been subject to public consultation, and it might be anticipated that a number of parties to the examination may wish to make representations. 7. There are also constraints on the detrunked section of the A1 south of Fenrother Lane East which may mean that the Council’s proposals are not deliverable. In particular, there are two 90 degree bends where
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				<p>additional land take may be required, a crossing of the Floodgate Burn may be required and parapet work would be required at Priest's Bridge.</p> <p>8. The fundamental point is that there is too much uncertainty over the scope of the work (and required land take) which would be required to form NMU routes south of Fenrother Lane East. This means that these works cannot be secured through the DCO, again leaving aside the point that they are not justified by the Scheme.</p> <p>9. The works on the rest of the detrunked A1 and at Highlaws, Fenrother and Causey Park are less problematic in terms of physical delivery. Again, however, there is no justification for the works sought. Some of the works are on existing NCC roads where NCC has itself chosen not to provide NMU facilities, or at least failed to elect to do so, indicating that this is not a priority for NCC. It is understandable that NCC see the Scheme as an opportunity to expand NMU provision. However, the Scheme already enhances NMU movement through the provision of grade-separated junctions and it is not for the Scheme to address gaps in NCC's NMU network.</p>
<p>TT.3.2</p>	<p>NCC</p>	<p>The Applicant's response to Question 6.49 in the Applicant's Written Summaries of Oral Submissions to Hearings [REP6-044] stated that in oral submissions, NCC has confirmed that a cycleway on the de-trunked section of the A1 is not required for safety reasons. NCC is asked to confirm its position in writing.</p>	<p>The applicant may have mis-understood our statements at the hearing to this regard. The provision of the cycleway would make the use of the de-trunked A1 safer for cyclists than not providing one as it would separate potential conflicts between cyclists and users of the de-trunked A1 and would make the full route LTN1/20 compliant. The safety issue with the de-trunked A1 relates to speed of traffic due to the unnecessarily wide width of carriageway (as per the Stage 1 Road Safety Audit referenced in REP4-074) and a cycleway would not necessarily resolve that specific safety issue other than through the ability of narrowing the cross section to address that issue creating available space to provide a safer LTN1/20 compliant cycle provision on the de-trunked section as per what is being provided on the new link road south of the West Moor Junction.</p>	<ol style="list-style-type: none"> 1. The Applicant acknowledges that the provision of a dedicated cycleway would make the use of the de-trunked A1 safer for cyclists. However, the Applicant does not consider that handing over of an existing asset from the strategic road to local highway network would trigger a requirement to provide a cycleway – i.e. the de-trunked A1 would not be inherently "unsafe". The Applicant agrees with NCC that the provision of a cycleway would not necessarily resolve the potential for increasing vehicle speeds on the proposed de-trunked section of the A1 as identified in the Stage 1 Road Safety Audit (RSA). 2. However, an issue reported within a Stage 1 RSA does not automatically generate a requirement to change the Scheme design. The normal course of action is for the relevant highway authority to review the recommendations from the RSA and determine what mitigation measures, if any, are required. 3. The Applicant has confirmed to NCC that no works would be undertaken on the de-trunked section which would become local highway for which NCC will be responsible. 4. The designer's response to the RSA finding suggests changes to the speed limit on the de-trunked section. The Applicant is not proposing to change the speed limit on the de-trunked section as part of the Scheme

				<p>but notes that it is open to NCC to choose to do so, and provision to achieve this could potentially be included within the DCO if sought by NCC (although the Applicant's position is that this is not needed).</p> <p>5. As an alternative the Applicant confirms that, in accordance with design standards, narrowing the carriageway by physical or virtual means is a standard technique to reduce traffic speeds. There are therefore a variety of ways of addressing speed, but they do not justify the provision of a segregated cycleway.</p> <p>6. The Applicant confirms that the Scheme will, on the new section of link road to connect the de-trunked section of the existing A1 at Bockenfield to West Moor grade separated junction, construct a cycleway compliant with LTN 1/20, as appropriate for a new local highway scheme. However, as set out in item 17 of The Applicant's Response to Deadline 4 Submissions [REP5-029] this is not applicable for the handover of an existing asset to the local highway authority.</p>
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Table 1-2 – The Environment Agency - Responses to ExQ3

Ref. No.	Question to:	Question:	EA Response:	Applicant's Response:
GEN.3.11	EA	The revised outline CEMP [REP6-025] has introduced a new measure: ExA:S-WL101 which states that "riparian planting to compensate for the loss of channels will be undertaken with a mix of native tree species with an understorey along a range of channels as detailed within the Culvert Mitigation Strategy [REP5-022]". The EA is asked for its views on this measure.	<p>The level of compensation provided to date by the Applicant for the localised loss of watercourse and riparian habitat due to the culverting of watercourses throughout the Scheme is insufficient. Riparian planting is not considered to be like for like compensation.</p> <p>We recognise that the Applicant has explored opportunities to deliver compensation within the DCO boundary. However, opportunities within the DCO boundary are limited. We have proposed to the Applicant alternative options to deliver compensation for the localised impacts that the Scheme will have and for the loss of watercourses. It is our understanding that the Applicant is prepared to make a contribution towards offsite works in order to compensate for the localised loss of watercourses, subject to a legal agreement. The details of the contribution and associated offsite works are currently under discussion with the Applicant.</p>	<p>1. The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required and has proposed that this is addressed by the Applicant making a financial contribution towards the carrying out of offsite compensation works towards a water improvement project on the River Lyne to be carried out by the Environment Agency. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant is prepared to make a contribution towards offsite works as requested by the Environment Agency. The details of the contribution and associated offsite works are currently under discussion with the Environment Agency.</p>
BIO.3.1	Applicant NCC	In response to Hearing Action Point 7 [EV-054] the Applicant provided an Otter Position Statement [REP6-048] at D6, as did	<p>Joint Response between the Applicant, NCC and the EA:</p> <p>The Applicant has discussed this matter with the EA and Northumberland County Council and provides a joint update</p>	<p>1. The Applicant provided the same joint response at Deadline 8, within the Applicant's Responses to ExA's Third Written Questions [REP8-026].</p>

Ref. No.	Question to:	Question:	EA Response:	Applicant's Response:
	EA	<p>NCC [REP6-050] and the EA [REP6-053]. The Applicant has proposed potential mitigation and has indicated that the matter is under discussion between the three parties. It is noted that the Applicant's statement is exclusive to Part A and the position in relation to Part A is assumed to be agreed. However, this does not accord with NCC's statement. Parties are asked to provide a further update, either individually or jointly, at D8. Specifically, if NCC or the EA require changes to the DCO, CEMP or other mitigation measures to address their concerns any amendment should initially be discussed with the Applicant and submitted at D8.</p>	<p>from all three parties. The below response has been agreed between the three parties, which is captured within the statements of common ground issued at Deadline 8.</p> <p>Otter was recorded along watercourses for Part A and appropriate mitigation has been proposed and secured in measures A-B2, A-B8, A-B10 and A-B17 of the Outline CEMP [REP7-008 and 009] (and as updated at Deadline 8). Both the Environment Agency and Northumberland County Council are satisfied with the impact assessment and mitigation for otter for Part A</p> <p>It is Part B where the EA and Northumberland County Council disagreed with the conclusion of likely absence, as set out in the otter assessment presented in Chapter 9: Biodiversity Part B [APP-049] and requested that mitigation be considered. Following Issue Specific Hearing 3 (ISH3), the Applicant held discussions with the Environment Agency and, during a meeting on 30 April 2021, the Environment Agency provided recent evidence of otter within the study area for Part B at Shipperton Burn. The Applicant has re-evaluated the position in light of this new evidence and now accepts that otter are present within the Order limits of Part B.</p> <p>Accordingly, the Applicant has now proposed otter fencing at four locations along Part B (Shipperton Burn, Western Tributary of Kitty Carter Burn, White House Burn and Denwick Burn) to direct otter passage through culverts beneath Part B that are of a sufficient size to offer safe passage. The Applicant has discussed and agreed the proposed location and length of fencing with the EA and Northumberland County Council. The proposed fencing is captured and secured by Commitment ExA: B-B100 of the Outline CEMP [REP7-008 and 009] updated at Deadline 8 and presented on an updated Landscape Mitigation Masterplan Part B [REP6-018] submitted at Deadline 8.</p> <p>The Applicant has agreed with both the EA and Northumberland County Council that the post-construction otter monitoring for Part B (measure B-B30 of the Outline CEMP [REP7-008 and 009] (and as updated at Deadline 8)), which would have informed retrospective mitigation, can be removed from the Outline CEMP as mitigation has now been incorporated into Part B.</p>	<p>2. The Applicant acknowledges that the Environment Agency will formally sign off the measures once they have reviewed Commitment ExA: B-B100 of the Outline CEMP [REP8-011 and 012] (and as updated at Deadline 9) and presented on an updated Landscape Mitigation Masterplan Part B [REP8- 010] submitted at Deadline 8.</p>

Ref. No.	Question to:	Question:	EA Response:	Applicant's Response:
			The Applicant has agreed with both the EA and Northumberland County Council that the proposed mitigation is sufficient to address their concerns regarding otter for Part B. As such, the assessment of, and proposed mitigation for, otter is agreed for the Scheme. However, it should be noted that the EA are unable to formally sign off the measures until the agreed amendments have been reflected in the updated outline CEMP which is due to be submitted at Deadline 8 and any other relevant documents.	
LV.3.2	Applicant EA	Item 1 of table 3-2 in the Statement of Common Ground with the Environment Agency [REP6-032] highlights that the appropriate levels of compensation/mitigations/off-setting in relation to the impacts of the proposal are still not agreed. Could the Applicant and the Environment Agency provide an update on the situation?	The level of compensation provided to date by the Applicant for the localised loss of watercourse and riparian habitat due to the culverting of watercourses throughout the Scheme is insufficient. Riparian planting is not considered to be like for like compensation. We recognise that the Applicant has explored opportunities to deliver compensation within the DCO boundary. However, opportunities within the DCO boundary are limited. We have proposed to the Applicant alternative options to deliver compensation for the localised impacts that the Scheme will have and for the loss of watercourses. It is our understanding that the Applicant is prepared to make a contribution towards offsite works in order to compensate for the localised loss of watercourses, subject to a legal agreement. The details of the contribution and associated offsite works are currently under discussion with the Applicant.	<ol style="list-style-type: none"> The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required and has proposed that this is addressed by the Applicant making a financial contribution towards the carrying out of offsite compensation works towards a water improvement project on the River Lyne to be carried out by the Environment Agency. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant is prepared to make a contribution towards offsite works as requested by the Environment Agency. The details of the contribution and associated offsite works are currently under discussion with the Environment Agency.

Table 1-3 – The Environment Agency - Deadline 8 Submission

Ref. No.	Response:	Applicant's Response:
EA Position		
1	The EA and the Applicant have held a number of meetings to discuss the levels of compensation in relation to the impacts of the scheme and are in agreement on a number of matters. However, the level of compensation provided to date by the Applicant for the localised loss of watercourse and riparian habitat due to the culverting of watercourses throughout the Scheme is insufficient. However, it is our understanding that the Applicant is prepared to make a contribution towards offsite works in order to compensate for the localised loss of	<ol style="list-style-type: none"> The Applicant's position remains that the proposed package of mitigation measures set out in the documents before the Examination are sufficient to address the impact of the Scheme on watercourses. As recorded in Table 2-1 of the draft Statement of Common Ground [REP8-018] (and as submitted at Deadline 9), the Environment Agency agrees that the Applicant has done all it reasonably can to address impacts on watercourses within the Order limits. However, the Environment Agency maintains that additional compensation is required and has proposed that this is addressed by the Applicant making a financial contribution towards the carrying out of offsite

Ref. No.	Response:	Applicant's Response:
	watercourses, subject to a legal agreement. The details of the contribution and associated offsite works are currently under discussion with the Applicant.	<p>compensation works towards water improvement projects on the River Lyne, to be carried out by the Environment Agency. The agreement would allow the Environment Agency to use the contribution for a variety of projects including floodplain re-connectivity and re-meandering, the creation of wetlands, changes in farming practices, increasing biodiversity in the riparian zone, reducing river access by livestock. management of invasive species and removing barriers to fish passage. This is detailed within Table 2-1 within the Statement of Common Ground with the Environment Agency [REP8-018] as submitted at Deadline 9.</p> <p>2. Notwithstanding that the Applicant is of the view that the mitigation proposals are satisfactory, the Applicant is in discussions with the Environment Agency to fund delivery of off-site mitigation by the Environment Agency. The Applicant understands that subject to entering into a suitable agreement the points that the Environment Agency raises will have been satisfactorily addressed.</p>
Deadline 7 Submission - 7.9.1.2 Flood Risk Assessment Addendum - River Coquet - Rev 1 [REP7-015]		
2	The submitted Flood Risk Assessment Addendum addresses the points raised in our previous written representations. The Hydraulic Models which form the basis of this addendum are currently under review with our modelling team. We will submit our position on the hydraulic model following the completion of the review.	<ol style="list-style-type: none"> 1. The Applicant notes that the Environment Agency confirms that Flood Risk Assessment Addendum - River Coquet [REP7-015] addresses the points raised in previous written representations. 2. The Applicant notes that in their Deadline 8a Submission - Responses to ExQ4 [REP8a-013], the Environment Agency confirms that the model review is now completed and that the baseline, construction and operational models are considered reasonable. An updated hydraulic modelling report (River Coquet Hydraulic Modelling Report [REP8a-004]) was submitted by the Applicant at Deadline 8a which addressed comments raised by the Environment Agency following their review of the Applicant's baseline hydraulic model.
Deadline 7 Submission - 6.48 Borrow Pit Dewatering Assessment [REP7- 004]		
3	The report identifies a risk to groundwater resources and groundwater dependent features such as Kittycarter Burn and Charlton Mires, and that a water resources abstraction licence may be required for dewatering. The report also identifies a number of measures to collect more monitoring data and to identify additional mitigation measures at the detailed design stage.	<ol style="list-style-type: none"> 1. The Applicant remains of the view that the proposed groundwater level monitoring is satisfactory to further identify and assess the risk to groundwater resources and groundwater dependent features. Mitigation measures will be assessed further once groundwater monitoring data is acquired at the detailed design stage. The requirement for groundwater monitoring for the dewatering assessment is secured via Table 5-1 and Commitment EA-W1 of Table 3-4 of the Outline Construction Environmental Management Plan (CEMP) [REP8-011 and 012] (and as updated at Deadline 9). As set out in the WE.4.3 of the Environment Agency's Deadline 8a Submission - Responses to ExQ4 [REP8a-013], the proposed borrow pit assessment, measures for further works, permitting and discharge applications put forward by the Applicant have been agreed as satisfactory by the EA. 2. As set out in Commitment EA-W1 of Table 3-4 of the Outline CEMP [REP8-011 and 012] (and as updated at Deadline 9), a water resources abstraction licence (for dewatering activities) and Environmental Permit (for water discharge) will be required for the Scheme.
4	It is noted that 7.3 Updated Outline Construction Environmental Management Plan (Clean) - Rev 6 [REP7-008 includes an action to apply to the EA for a dewatering licence once	<ol style="list-style-type: none"> 1. The Applicant agrees with the EA's comments regarding the required licenses and permits. As set out in Commitment EA-W1 of Table 3-4 of the Outline CEMP [REP8-

Ref. No.	Response:	Applicant's Response:
	dewatering exceeds 20m ³ /day. This is an acceptable assessment appropriate for this stage. Any risks will be further assessed at the detail design stage and groundwater resources protected via the water resources abstraction licence and through the permit. However, we request that section 5 of the Outline Construction Environmental Management Plan is updated to include reference to the groundwater monitoring outlined in this report. It currently fails to make reference to groundwater monitoring.	<p>011 and 012] (and as updated at Deadline 9), a water resources abstraction licence (for dewatering activities) and Environmental Permit (for water discharge) will be required for the Scheme.</p> <p>2. The requirement for groundwater monitoring for the dewatering assessment is secured via Table 5-1 and Commitment EA-W1 of Table 3-4 of the Outline CEMP [REP8-011 and 012] (and as updated at Deadline 9).</p>
5	Dewatering operations above 20 cubic metres a day will require a water abstraction licence from the EA prior to the commencement of dewatering activities at the site. In addition, if you intend to impound a watercourse, you will need an impounding licence from the EA. We recommend that the applicant submits a pre-application to the EA. The full application can take 3 to 4 months from submission and so must be given sufficient time prior to the start of the works, if delays are to be prevented.	<p>1. As set out in Commitment EA-W1 of Table 3-4 of the Outline CEMP [REP8-011 and 012] (and as updated at Deadline 9), the Applicant agrees that a water resources abstraction licence (for dewatering activities) and Environmental Permit (for water discharge) will be required for the Scheme. It is not intended to impound a watercourse; therefore, it is not anticipated that an impounding licence will be required.</p>
Deadline 7 Submission - 6.49 Options Appraisal of River Coquet Bridge Foundation Stabilisation and Scour Protection System [REP7-005]		
6	This is a welcome addition to the documents submitted by the Applicant. It contains information, that to date had been missing from the previous documents including a detailed and appropriate assessment of the sediment on and around the mid channel bar, a field map of the reach and a recognition and description of the role the gorge sides play in supplying sediment and influencing channel dynamics.	<p>1. The Applicant believes the heading reference at this section is incorrect and the Environment Agency is, in fact, referring to the River Coquet Fluvial Geomorphology Assessment [REP7-003]. Nonetheless, the Applicant notes that the Environment Agency considers the additional information to address a number of the previous matters raised. In their Deadline 8a Submission - Responses to ExQ4 [REP8a-013] the Environment Agency state they are satisfied with the updated geomorphology assessment (River Coquet Fluvial Geomorphology Assessment [REP7-003]) and they have no outstanding concerns in relation to the effects of the stabilisation and southern access works.</p> <p>2. In addition to the River Coquet Fluvial Geomorphology Assessment [REP7-003], the Applicant submitted further information to describe the valley-side channel connectivity at Deadline 8, in the form of Appendix A River Coquet Fluvial Geomorphology Assessment Valley Side Channel Connectivity [REP8-025]. This sets out the Applicant's position that the proposed works will not result in a deterioration of the river. This document sets out that contributions of sediment to the river in the location of the Stabilisation works and Southern Access Works is low, while other parts of the gorge contribute significantly more amounts of sediment and would be expected to continue to do in the future. Notwithstanding these proposed works, the gorge valley sides in other locations would still be able to behave naturally, including failures, and contribute sediment to the river.</p>
7	The geomorphological dynamic assessments based on the 2-D hydraulic modelling presented in this document is robust and comprehensive, providing a greater level of detail and understanding. However, the classifications used to show percentage change is not very user friendly. For example, the 30-100% change covers a large range of possible outcomes, and therefore limits the level understanding.	<p>1. The Applicant acknowledges the Environment Agency's comment regarding the ranges used in the classification of percentage change. However, any changes to the ranges used would not alter or change the assessment outcomes presented in the River Coquet Fluvial Geomorphology Assessment [REP7-003]. As such, the Applicant does not consider any such changes to be necessary. In their Deadline 8a Submission - Responses to ExQ4 [REP8a-013] the Environment Agency state they are satisfied with the updated geomorphology assessment (River Coquet Fluvial Geomorphology Assessment [REP7-003]) and they have no outstanding concerns in relation to the effects of the stabilisation and southern access works.</p>

Ref. No.	Response:	Applicant's Response:
8	<p>The report highlights that the magnitude of the increase in stream power and modelled sediment entrainment is greater than those anticipated in previous documents. During the construction phase, the document outlines a general increase in stream power and sediment entrainment within the construction works during all three flow scenarios. It is estimated that the size of sediment entrained increases by 30-100% across most of the channel, with the gravel, cobble, boulder bar likely to be included within this area. We recognise that the entrained sediment is likely to remain within the cobble range. However, there is a risk that it tips over into small boulder range and thus boulders are displaced, and features of interest may be lost.</p>	<ol style="list-style-type: none"> 1. The Applicant acknowledges and agrees that the increases in stream power and modelled sediment entrainment is greater than those anticipated in previous documents, specifically 6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063] and 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064]. 2. These increases are the result of the detailed 2D hydraulic modelling and subsequent geomorphological analysis compared to a mannings assessment based on one or two cross sections through the proposed works. As noted within the River Coquet Fluvial Geomorphology Assessment [REP7-003] (paragraph 8.4.4), the potential for these changes from the Baseline scenario were identified qualitatively in Table 9-7 and Table 9-8 of 6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063] and Table 8-7 and Table 8-8 of 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064] and, with the suggested mitigation, are not considered to significantly affect features of interest. In the Scheme Construction scenario, the extent and magnitude of the anticipated changes from the Baseline are as reported 6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063] and 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064] 3. Were the risk described by the Environment Agency to be realised, mitigation items SW-W4 and SAW-W3 (Updated Outline Construction Environmental Management Plan [REP8-011 and 012]) would be implemented as appropriate.
9	<p>The modelled scenarios suggest there remains a risk to the bar and we therefore welcome the recommendation to undertake a further detailed topographic survey of the mid-channel bar and other prominent channel boulders to allow their reinstatement should they be required to be moved or be inadvertently moved during high flow events in which the pattern of flow is altered by the Temporary Works. This supports actions SW-W4 within 7.3 Updated Outline Construction Environmental Management Plan (Clean) - Rev 6 [REP7-008].</p>	<ol style="list-style-type: none"> 1. The Applicant acknowledges that the Environment Agency welcomes the proposal for further detailed topographic survey of the mid-channel bar and other prominent channel boulders.
10	<p>Rivers are complex systems that respond to many variable, ever changing forces, spatially and temporally. By fixing the riverbank through rock armour and grey/green measures, it is not simply the replacement of a complex and varied riparian habitat that took years to develop with a homogenous simplified version, it is also restricts how the river will respond and evolve, influencing the form and function of the river well past the lifetime of the bridge. The proposals outlined for the River Coquet crossing are unlikely to change the morphological behaviour or affect the form or function of the river as they are designed to reflect the current bank position and profile. However, they will limit or prevent change from occurring in the future. In so doing, they will limit and restrict the rivers natural ability to change and adapt to changing external pressures such as climate change.</p>	<ol style="list-style-type: none"> 1. In addition to the River Coquet Fluvial Geomorphology Assessment [REP7-003], the Applicant submitted further information to the Examination at Deadline 8 which describes the valley-side channel connectivity (7.28.1 Appendix A River Coquet Fluvial Geomorphology Assessment Valley Side Channel Connectivity [REP8-025]). The proposed works are required to stabilise the north bank and prevent future erosion of the toe of the slopes on the north and south banks to safeguard the stability of the bridge. The Applicant's position is that this will not result in a deterioration of the river for the following reasons: <ul style="list-style-type: none"> – Contributions of sediment to the system at the location of the proposed works is low. The instability which has occurred at the proposed works location on the north bank has done so under differing climatic conditions. – Other parts of the gorge currently contribute a substantially greater amount of sediment to the system and are expected to continue to do in future. – Notwithstanding the Stabilisation Works, the gorge valley sides in other locations will still be able to behave naturally, including failures and contribution of sediment to the system.

Ref. No.	Response:	Applicant's Response:
		<ul style="list-style-type: none"> - Any failure of the upper slopes on the north and south banks in the vicinity of the proposed works are likely to have substantial lag times before they contribute sediment to the river. - The transfer to the river of sediment by more energetic rockfalls on the south bank area unlikely to be interrupted by the proposed bank protection works due to the steepness of the slope and lack of obstruction presented by the proposed bank protection.
11	<p>When taking into account the long term fixing of the riverbank, the impact is considered to be moderate adverse rather than the minor adverse, and this should be taken into account when developing the mitigation and compensation package.</p>	<ol style="list-style-type: none"> 1. The Environment Agency has stated in their Deadline 8a Submission - Responses to ExQ4 [REP8a-013] that they are satisfied with the updated geomorphology assessment (River Coquet Fluvial Geomorphology Assessment [REP7-003]) and they have no outstanding concerns in relation to the effects of the stabilisation and southern access works. 2. The Applicant disagrees that the impact from long-term fixing of the bank is considered to be moderate adverse rather than minor adverse. 3. Nonetheless, the Applicant acknowledges that as a HPI and habitat of a SSSI, compensation should be provided for the loss of riverbank to the extent appropriate having regard to the impacts of the Scheme. The Applicant has explored opportunities for compensation for the loss of riverbank habitat through discussion with landowners. However, the Applicant has agreed with the Environment Agency that it is not practical for the Applicant to provide compensatory habitat on the River Coquet. Accordingly, the Applicant is in discussions with the Environment Agency to fund delivery of off-site mitigation by the Environment Agency.
Deadline 7 Submission - 7.3 Updated Outline Construction Environmental Management Plan (Clean) - Rev 6 [REP7-008]		
A-B40		
12	<p>It is noted that no changes have been made to this section. We have previously provided comments in relation to A-B40 and the improvements to compensate for the direct loss of ~35m of the Longdike Burn due to the Bockenfields culvert.</p> <p>We have concerns that delivering improvements along this reach of Longdike Burn, to compensate for the culverted watercourse is unrealistic. The reach is largely unmodified, surrounded by unmanaged pasture, and it is questionable whether marginal planting is necessary or appropriate.</p> <p>It is suspected that deer grazing is suppressing natural regeneration along the burn. This was discussed at our last meeting with the Applicant on Tuesday 18 May 2021. Please note that our comments to Deadline 6 Submission - 7.24.2 Applicant's Response to Deadline 5 and 5a Submissions - Appendix iii - Indicative Longdike Burn Proposals submitted 11 May 2011 (ref: NA/2020/115279/05-L01 are still applicable. These are outlined below.</p>	<ol style="list-style-type: none"> 1. The measures for the Longdike Burn, incorporating the comments provided by the Environment Agency in relation to measure A-B40, are included in the Outline CEMP [REP8-011 and 012] (and as updated at Deadline 9) and have been discussed with the Environment Agency during a meeting on 10 June 2021 2. A response to the question of the delivery of improvements along Longdike Burn was provided against Item 1 of Table 1-2 in the Applicant's Responses to Deadline 7 Submissions [REP8-024] (below). Discussions in relation to the Applicant's funding the delivery of off-site mitigation by the Environment Agency remain ongoing. <ul style="list-style-type: none"> - "The Applicant met with the Environment Agency on 18 May 2021 and one of the items discussed was the Longdike Burn. The Applicant considers that these measures would add benefit to the channel and speed up delivery of the regeneration as measures to prevent deer grazing on the new planting would be included as set out in item 2 below. - The Environment Agency express concerns that the natural planting is being suppressed by deer grazing and therefore, it can be inferred that there is an expectation that younger trees will not develop to enhance / replace the older trees. The proposed planting will provide this opportunity and is secured through the measures outlined in Item 2.

Ref. No.	Response:	Applicant's Response:
		<p>– The Applicant remains of the view that the package of mitigation and compensation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required and has proposed that this is addressed by the Applicant making a financial contribution towards the carrying out of offsite compensation works towards a water improvement project on the River Lyne to be carried out by the Environment Agency. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant is prepared to make a contribution towards offsite works as requested by the Environment Agency. The details of the contribution and associated offsite works are currently under discussion with the Environment Agency.”</p> <p>3. With regard to deer grazing / management a response was provided against Item 61 of Table 1-1 in the Applicant's Responses to Deadline 6 Submissions [REP7-017];</p> <p><i>“It is considered that it is beyond the requirements for the Scheme to prevent deer from accessing this parcel of land. Nevertheless, industry recognised best practice measures can be put in place to reduce the impact of deer grazing young planting, and suitable tree protection will be specified at detailed design stage where it is known that deer are potentially an issue. Suitable tree protection may include tree guards of a minimum height of 1.5m for roe deer and 1.8m for fallow deer (both species present within desk study data obtained by the Applicant). As industry recognised best practice measures, these would be identified and detailed within a Series 3000 specification document, which is secured by measures S-L11 and S-L13 of the Outline CEMP [REP6-025 and 026] (and as updated at Deadline 7).”</i></p> <p>4. The Applicant and the Environment Agency have agreed that the issue of deer grazing, together with compensation for the loss of a section of Longdike Burn, is addressed at detailed design through the improvement works proposed on Longdike Burn combined with the Applicant making a financial contribution towards the carrying out of offsite compensation works towards a water improvement project on the River Lyne, to be carried out by the Environment Agency. The proposed improvement works along Longdike Burn are secured in ExA: S-W101 and A-B40 of the Outline CEMP [REP8-011 and 012] (and as submitted at Deadline 9). The financial contribution will be secured by a legal agreement, which is currently being negotiated and anticipated to be concluded shortly.</p>
13	<p>We welcome the inclusion of Appendix iii Indicative Longdike Burn Proposals. This however confirms our concerns that delivering significant improvements along this reach of the Longdike Burn, to compensate for the culverted watercourses is unrealistic.</p> <p>Appendix iii does not provide plans for nutrient management measures or bankside stabilisation or the area of aquatic planting. This aquatic planting may not be suitable given the site already</p>	<p>1. The Environment Agency's concerns as to the delivery of improvements being unrealistic are addressed by the Applicant's response to item 12, above.</p> <p>2. A response in relation to nutrient management, bankside stabilisation and aquatic planting areas was provided against Item 10 of Table 1-2 in the Applicant's Responses to Deadline 7 Submissions [REP8-024];</p> <p><i>“Upon a more detailed review of the proposals, combined with discussions with the Environment Agency the Applicant has decided to remove the inclusion of nutrient management measures and bankside stabilisation. The aquatic</i></p>

Ref. No.	Response:	Applicant's Response:
	has potential marginal planting. However, this could not be confirmed due to the time of year and cold weather in spring 2021	<p><i>planting is shown on the plan to be adjacent to the enhanced berm and include aquatic macrophyte planting with the potential for amphibious or reed planting. Further assessment would be undertaken during detailed design, at an appropriate time of year, to ensure the measures proposed complement and enhance the existing situation.</i></p> <p>3. The Applicant and the Environment Agency have agreed that this issue is addressed through the improvement works proposed on Longdike Burn combined with the Applicant making a financial contribution towards the carrying out of offsite compensation works towards a water improvement project on the River Lyne, to be carried out by the Environment Agency. The proposed improvement works along Longdike Burn are secured in ExA: S-W101 and A-B40 of the Outline CEMP [REP8-011 and 012] (and as submitted at this Deadline 9). The legal agreement to secure the financial contribution is currently being negotiated and it is anticipated that it will be concluded shortly.</p>
14	During a recent walk over of the reach, it was noted that mature alder were semicontinuous along the whole reach. A number of these trees had fallen into the channel, adding greater complexity to an already diverse channel. The reach is largely unmodified, surrounded by unmanaged pasture, and it is questionable whether marginal planting is necessary or appropriate. Tree cover along the burn is dominated by mature and post mature alder, with limited younger trees available to replace these older trees.	<p>1. A response to this question was provided against Item 11 of Table 1-2 in the Applicant's Responses to Deadline 7 Submissions [REP8-024]. Discussions in relation to the Applicant's funding the delivery of off-site mitigation by the Environment Agency remain ongoing.</p> <ul style="list-style-type: none"> - "This is a similar question to Item 10, as such the response above applies here too. The Applicant is proposing enhancing the tree cover, as noted by the Environment Agency this is only semi-continuous. - In Items 1 and 2 above, the Environment Agency express concerns that the natural planting is being suppressed by deer grazing and therefore, it can be inferred that there is an expectation that younger trees will not develop to enhance / replace the older trees. The proposed planting will provide this opportunity and is secured through the measures referred to in Item 2. - The Applicant remains of the view that the package of mitigation and compensation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required and has proposed that this is addressed by the Applicant making a financial contribution towards the carrying out of offsite compensation works towards a water improvement project on the River Lyne to be carried out by the Environment Agency. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant is prepared to make a contribution towards offsite works as requested by the Environment Agency. The details of the contribution and associated offsite works are currently under discussion with the Environment Agency."
15	Natural regeneration was noted within pockets of the site, and it is suspected that deer grazing is suppressing natural regeneration along the burn. We believe that although some planting is likely to assist the aging woodland present along the burn, deer management is likely to provide the greatest benefits. Without this management, the planted shrubs may fall prey to the browsing deer. Furthermore, the new alignment of the road may deter deer from browsing along the Longdike Burn, resulting in reduced pressures and lead to natural regeneration. As such, any planting may only speed the natural process up over a very short timescale, with the same result seen in the long term, rendering the proposals ineffective in achieving their initial aim, offsetting the impacts of culverting.	<p>2. The Applicant considers that the additional text added to this submission by the Environment Agency is sufficiently covered by the previous response. Furthermore, the Applicant and the Environment Agency have agreed that this issue is addressed through the improvement works proposed on Longdike Burn combined with the Applicant making a financial contribution towards the carrying out of offsite compensation works towards a water improvement project on the River Lyne, to be</p>

Ref. No.	Response:	Applicant's Response:
		<p>carried out by the Environment Agency. The proposed improvement works along Londike Burn are secured in ExA: S-W101 and A-B40 of the Outline CEMP [REP8-011 and 012] (and as submitted at this Deadline 9). The legal agreement to secure the financial contribution is currently being negotiated and it is anticipated that it will be concluded shortly.</p>
16	<p>Compensating for the loss of watercourses by improving other watercourses through riparian planting is not direct like-for-like compensation. However, given that additional watercourse lengths could not be gained through the scheme, then increasing the river biodiversity and value elsewhere is the next best solution. Given the proposals seen within 7.24.2 Appendix iii Indicative Longdike Burn Proposals only provide a limited benefit to the Longdike Burn, we request that the Applicant seeks to deliver or support a meaningful compensation package elsewhere on the effected watercourses which are locally more degraded, unlike the Longdike Burn in the DCO which is in a relatively good state in comparison to many other stretches within its catchment.</p>	<ol style="list-style-type: none"> 1. A response to the other part of this question was provided against Item 3 of Table 1-2 in the Applicant's Responses to Deadline 7 Submissions [REP8-024]. 2. "A response was provided against item 6 of Applicant's Responses to Deadline 6 Submissions [REP7-017]"; 3. "The Applicant considers that the measures proposed adequately mitigate and / or compensate for the impacts upon the watercourses and channels, as discussed below. 4. The Applicant can also confirm that 1,240m of riparian planting is to be provided. Noting that the riparian planting, which will provide improvements to the watercourses to offset the impacts is one of the compensation measures included in the Scheme for loss of watercourse, other measures included within the comprehensive mitigation package are: <ul style="list-style-type: none"> • <i>Fish baffles</i> • <i>Realigned watercourses</i> • <i>Improvements to Longdike Burn;</i> • <i>Inclusion of natural beds within the culverts</i> 5. This is a significant length when compared to the length of watercourse lost and is considered sufficient to also compensate for any short lengths of additional watercourse which may be lost when the construction requirements are known. This additional vegetation loss is shown on the Vegetation Clearance Plans for Change Request [REP4-040] for ease of interpretation by the Environment Agency a watercourse specific plan will be submitted at Deadline 8 [Riparian Planting Plan (document reference: 2.12)]. The Applicant continues to engage with the Environment Agency with regards to the loss of watercourse as a result of culverting across the Scheme. The position of the Applicant is that sufficient measures have been identified to mitigate and/or offset the assessed impacts, although the Environment Agency disagree. In the Environment Agency Deadline 5 Submission [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." 6. The Applicant remains of the view that the package of mitigation and compensation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required and has proposed that this is addressed by the Applicant making a financial contribution towards the carrying out of offsite compensation works towards a water improvement project on the River Lyne to be carried out by the Environment Agency. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant is prepared to make a contribution towards offsite works as requested by the

Ref. No.	Response:	Applicant's Response:
		<p>Environment Agency. The details of the contribution and associated offsite works are currently under discussion with the Environment Agency.”</p> <p>7. The Applicant and the Environment Agency have agreed that this issue is addressed through the works detailed in the Culvert Mitigation Strategy [REP8-023] combined with the Applicant making a financial contribution towards the carrying out of offsite compensation works towards a water improvement project on the River Lyne, to be carried out by the Environment Agency. The works detailed in the Culvert Mitigation Strategy [REP8-023] are secured in ExA: S-W101 of the Outline CEMP [REP8-011 and 012] (and as submitted at this Deadline 9). The legal agreement to secure the financial contribution is currently being negotiated and it is anticipated that it will be concluded shortly.</p>
ExA SW100 & SW101		
17	<p>Riparian planting is not just stated as compensation for the loss of watercourses, it is also for the loss of existing riparian woodland. Compensating for the loss of watercourses by improving other watercourses through riparian planting is not direct like-for-like compensation. However, given that additional watercourse lengths could not be gained through the scheme, then increasing the river biodiversity and value elsewhere is the next best solution. The compensation in this manner for the loss of river habitat through culverting, must be over and above the compensation for the loss of existing riparian habitat.</p>	<ol style="list-style-type: none"> 1. The Applicant's position remains that the package of mitigation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. 2. The Applicant recognises that compensating for the loss of watercourses by improving other watercourses is not direct like for like compensation, however, given the linear nature of the Scheme, the baseline status, nature and quality of the watercourses it is not sensible or practical to undertake direct like for like compensation. 3. The Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required and has proposed that this is addressed by the Applicant making a financial contribution towards the carrying out of offsite compensation works towards a water improvement project on the River Lyne to be carried out by the Environment Agency. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant is prepared to make a contribution towards offsite works as requested by the Environment Agency. The details of the contribution and associated offsite works are currently under discussion with the Environment Agency and are detailed in Table 2-1 of the Statement of Common Ground with the Environment Agency. The legal agreement to secure this contribution is currently being negotiated and it is anticipated that it will be concluded shortly.
A-B2		
	<p>This measures require updating to reflects the Environment Agency's discovery of several otter spraints on the Shipperton Burn within 200m of the scheme, including spraints just upstream of the existing road boundary. Otter fencing has been suggested by the Applicant at several watercourse in Part B to which the EA are in agreement with.</p>	<ol style="list-style-type: none"> 1. As detailed in Item 37 of Table 1-2 in the Applicant's Responses to Deadline 7 Submissions [REP8-024], measure A-B2 relates to Part A of the Scheme. The proposed measures for Part B are captured and secured by Commitment ExA: B-B100 of the Outline CEMP [REP8-011 and 012] (and as updated at Deadline 9) (see below). 2. As detailed in the Applicant's response to BIO.3.1 issued at Deadline 8 [REP8-026], which represents a joint response with both the Environment Agency and Northumberland County Council, the Environment Agency and Northumberland County Council are satisfied with the impact assessment and mitigation for otter for

Ref. No.	Response:	Applicant's Response:
		<p>Part A. This has also been previously confirmed by the Environment Agency within their response to BIO.3.1 [REP8-029].</p> <p>3. As detailed by both the Applicant [REP8-026] and Environment Agency [REP8-029] in response to BIO.3.1, the Applicant has proposed otter fencing at four locations along Part B (Shipperton Burn, Western Tributary of Kitty Carter Burn, White House Burn and Denwick Burn) to direct otter passage through culverts beneath Part B that are of a sufficient size to offer safe passage. The Applicant has discussed and agreed the proposed location and length of fencing with the Environment Agency and Northumberland County Council. The proposed fencing is captured and secured by Commitment ExA: B-B100 of the Outline CEMP [REP8-011 and 012] (and as updated at Deadline 9) and presented on an updated Landscape Mitigation Masterplan Part B submitted at Deadline 8 [REP8-010].</p> <p>4. The Applicant has agreed with both the Environment Agency and Northumberland County Council that the proposed mitigation is sufficient to address their concerns regarding otter for Part B. As such, the assessment of, and proposed mitigation for, otter is agreed for the entirety of the Scheme. The Applicant understands that the Environment Agency will formally sign off the measures once they have reviewed Commitment ExA: B-B100 of the Outline CEMP [REP8-011 and 012] (and as updated at Deadline 9) and presented on an updated Landscape Mitigation Masterplan Part B [REP8-010] submitted at Deadline 8. This was identified by the Environment Agency in their response to BIO.3.1 [REP8-029] and is captured in Item 1 of Table 3-3 of the draft Statement of Common Ground [REP8-018].</p>
SW-B4 / SAW-B2 / SAW-B3		
	<p>The rock armouring of the riverbanks will permanently fix the riverbed and banks, restricting and influencing the form and function of the river well past 125 year lifetime of the bridge. The proposed scour protection using large rock armour cannot replicate the heterogeneous and dynamic nature of the existing bank. Rivers are rarely stable for extended periods of time. Over time the rock armour will vegetate up, however it is unlikely to be as diverse as the lost natural bank. As such, it is considered that compensation is required, and a commitment should be recorded within the outline CEMP once or if agreed. It is our understanding that the Applicant has concluded that the rock armour will cause an adverse impact on the River Coquet and compensation is being investigated.</p>	<p>1. This comment is a replica of a previous comment made by the Environment Agency in its Deadline 7 submissions. The Applicant provided the below response to Item 58 of Table 2-1 in the Applicant's Response to Deadline 7 Submissions [REP8-024]. Discussions in relation to the Applicant's funding the delivery of off-site mitigation by the Environment Agency remain ongoing.</p> <p><i>"The Applicant indicates that elements of the comments raised by the Environment Agency here have been made in previous responses. As follows:</i></p> <p><i>"The rock armouring of the riverbanks will permanently fix the riverbed and banks, restricting and influencing the form and function of the river well past 125 year lifetime of the bridge." was commented in the Environment Agency's Deadline 5 Submission [REP5-044]. The Applicant's Response to Deadline 5 and 5a Submissions [REP6-040], which is quoted below.</i></p> <p><i>"Table 9-8 Chapter 9 Road Drainage and the Water Environment of the Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063] acknowledges that the change in materials from which the north bank is composed, would reduce the channel's ability to adjust. Paragraphs 9.10.40 and 9.10.41 set out that presence of bank protection is unlikely to alter future sediment supply to the reach, of which the north bank is not considered to be an important source of sediment. The impacts from the Stabilisation Works are local to the works and unlikely to affect the form or function of the river</i></p>

Ref. No.	Response:	Applicant's Response:
		<p>beyond the immediate locality of the works. The bank protection works are not considered to change the morphological behaviour of the reach, or the function as a sediment transfer zone.</p> <p>The impacts on sediment regime, natural fluvial processes and morphology will be set out following analysis of the outputs from the hydraulic modelling. This will be reported and submitted to the Examination at Deadline 7 as the Environment Agency itself has helpfully acknowledged.</p> <p>Should the structure (bridge) not plan to remain operational beyond the intended 120 year design life, then it would be decommissioned along with all other supporting elements of the scheme (rock armour etc.). However, it should also be noted that the assessment design year should be – as is normal – 15 years and not 125 years.”</p> <p>The Applicant therefore acknowledges that as a HPI and habitat of a SSSI, compensation should be provided for the loss of riverbank to the extent appropriate having regard to the impacts of the Scheme. The Applicant has explored opportunities for compensation for the loss of riverbank habitat through discussion with landowners However, the Applicant has agreed with the EA that it is not practical for the Applicant to provide compensatory habitat on the River Coquet. Accordingly, the Applicant is in discussions with the Environment Agency to fund delivery of off-site mitigation by the Environment Agency.”</p> <p>2. The legal agreement to secure a financial contribution towards off-site mitigation is currently being negotiated and it is anticipated that it will be concluded shortly.</p>
SW-W5 / SAW-B7 / SAW-W5		
	<p>Chemical Dosing of silt laden water may be required due to the steep slopes, exposed soils and heavy construction traffic that will generate contaminated water during or after rainfall events. Settlement lagoons require a substantial area to allow sediments to settle, and often due to the chemical composition of the soils, finer particles may remain suspended. The area required for these ponds is unlikely to be available due to the minimal working area designed to reduce the ancient woodland loss. As such, lamella tanks and chemical dosing are likely to be required and the relevant permits and permissions from the EA and Natural England must be sought.</p>	<p>1. This comment is a replica of a previous comment made by the Environment Agency in its Deadline 7 submissions. The Applicant provided the following response to Item 59 in the Applicant's Response to Deadline 7 Submissions [REP8-024]:</p> <p><i>“The Applicant will work with the Environment Agency to further develop the agreed approach prior to applying for the relevant permissions.”</i></p> <p>2. The development of an agreed approach will be undertaken as part of the Scheme's detailed design and construction preparation, as part of the Applicant's site specific drainage management plan (to be created in accordance with measures SW-W5 and SAW-W5 of the Updated Outline Construction Environmental Management Plan [REP8-011 and 012]).</p>

Table 1-4 – The Environment Agency - Responses to ExQ4

Ref. No.	Question to:	Question:	Response:	Applicant's Response:
WE.4.1	EA	The EA [REP5-044] requested that the Flood Risk Assessment should be updated to include the risk	The EA have reviewed the submitted Flood Risk Assessment [REP7-015] and are satisfied with the	1. The Applicant notes that the Environment Agency is satisfied with the conclusions discussed in the

Ref. No.	Question to:	Question:	Response:	Applicant's Response:
		implications of the proposed temporary bridge across the River Coquet. The applicant has submitted a Flood Risk Assessment Addendum - River Coquet - Rev 1 [REP7-015] which seeks to address this point in light of the proposed changes and recent geotechnical investigations. Could the EA confirm if it is satisfied with the information submitted and if there are any remaining concerns regarding the effects of the proposed changes on flooding?	<p>conclusions discussed. There are short term risks with the proposed temporary bridge crossing during the construction phase. Receptors are not affected however depths are increased upstream and there are some areas of land which were dry in the baseline scenario, but which become wet as a result of the construction scenario (particularly the 100 year). The increased risk is largely contained within areas which are already at flood risk within the baseline model with potential depths increasing from 4 to 10cm during the 1in100 year scenario.</p> <p>Our model review has now completed, and the reviewer has stated that the baseline, construction, and operational models are considered reasonable. Therefore, the model used within the Flood Risk Assessment [REP7-015] is acceptable. We are satisfied with the information submitted and we have no concerns regarding flood risk.</p>	<p>Flood Risk Assessment Addendum – River Coquet [REP7-015].</p> <ol style="list-style-type: none"> 1. The Applicant notes that the Environment Agency is satisfied with the information submitted (Flood Risk Assessment Addendum - River Coquet [REP7-015]) and has no concerns regarding flood risk. 2. The Applicant confirms that an updated hydraulic modelling report (River Coquet Hydraulic Modelling Report [REP8a-004]) was submitted at Deadline 8a which addressed comments raised by the Environment Agency following their review of the Applicant's baseline hydraulic model. The Applicant notes that the Environment Agency considers the model acceptable.
WE.4.2	EA NE	The EA [REP5-044] and NE [REP5a-004] have expressed concerns regarding the effect of the change request for stabilisation work and southern access works on to the River Coquet, particularly in relation to its geomorphology. Consequently, the EA has requested that the River Coquet Geomorphology Modelling Assessment be updated. The Applicant has submitted the River Coquet Fluvial Geomorphology Assessment [REP07-003] in order to address these concerns. Can the EA and NE please confirm if they are satisfied with the information submitted and if there are any remaining concerns in relation to the effects of the change request for stabilisation work and southern access works on the River Coquet?	We are satisfied with updated geomorphology assessment. We have no outstanding concerns in relation to the effects of the stabilisation and southern access works. However, we disagree with the Applicant's determination of the nature and scale of the impact. The Applicant has stated that the scheme will have a 'minor adverse' impact. We consider the impacts to be 'moderate adverse' as the Applicant is permanently fixing the channel in this location, thus preventing the river from changing and adapting. Overall, we consider the impacts to be 'moderate adverse' and that the Applicant must provide compensation for the impacts of the stabilisation and southern access works. The Applicant is prepared to make a contribution towards offsite works in order to compensate for the stabilisation and southern access works and for the localised loss of watercourses. This would be subject to a legal agreement. The details of the contribution and associated offsite works are currently under discussion with the Applicant.	<ol style="list-style-type: none"> 1. The Applicant notes that the Environment Agency is satisfied with the updated geomorphology assessment (River Coquet Fluvial Geomorphology Assessment [REP7-003]) and has no outstanding concerns in relation to the effects of the Stabilisation Works and Southern Access Works. However, the Applicant disagrees that the impact from permanent fixing of the channel is considered to be moderate adverse rather than minor adverse. 2. Nonetheless, the Applicant acknowledges that as a HPI and habitat of a SSSI, compensation should be provided for the loss of riverbank to the extent appropriate having regard to the impacts of the Scheme. The Applicant has explored opportunities for compensation for the loss of riverbank habitat through discussion with landowners. However, the Applicant has agreed with the Environment Agency that it is not practical for the Applicant to provide compensatory habitat on the River Coquet. Accordingly, the Applicant is in discussions with the Environment Agency to fund delivery of off-site mitigation by the Environment Agency.

Ref. No.	Question to:	Question:	Response:	Applicant's Response:
WE.4.3	EA	The EA [REP5-044] has stated that a plan identifying the borrow pits which require dewatering and daily quantity and duration/ restoration proposals has been asked to be submitted as part of the DCO submission. In addition, it has also stated that a dewatering assessment should consider impacts to unknown licensed and private water supplies and groundwater dependent designation such as peat bogs. Subsequently, the Applicant has submitted a Borrow Pit Dewatering Assessment [REP7-004] in order to address the EA's concerns. Can the EA confirm if it is satisfied with the information submitted and if there are any remaining concerns regarding the borrow pit dewatering assessment and its impacts?	We are satisfied with the borrow pit dewatering assessment and its impacts. Sufficient mitigation measures have been provided in 7.3 Updated Outline Construction Environmental Management Plan (Clean) - Rev 6 [REP7-008]	1. The Applicant acknowledges that the Environment Agency considers that its concerns have been addressed.
WE.4.4	EA	The EA [REP5-044] asked for confirmation of the type of lining to be utilised in Borrow Pit 4, as it is proposed to be used as a detention basin. The EA also raised concerns regarding the methodology used in order to backfill Borrow Pits 1 and 2 and also requested further information regarding the proposed long-term use of Borrow Pits 3 and 4. the Applicant, in [REP6-040], has addressed this matter. Can the EA confirm it is satisfied that its concerns have been addressed	We are satisfied with the type of lining to be utilised in the borrow pit 4 and the methodology for backfilling the borrow pits.	1. The Applicant notes that the Environment Agency is satisfied with the type of lining to be utilised in borrow pit 4 and the methodology for backfilling the borrow pits.

Table 1-5 – Mark Hawes

Ref. No.	Response:	Applicant's Response:
Reference Table 1-3 – D6 Submission		
	<p>In responding to Deadline 6 the Applicant has provided detailed responses to each of the issues raised. As with previous submissions there are a number of responses which are inaccurate or out of context.</p> <p>For example, in the loss of benefits section, point 8, we highlight the loss of our private bridleway access leading south from the property, but the Applicant has interpreted this as public bridleway access despite raising this a number of occasions in the past.</p>	<ol style="list-style-type: none"> 1. The Applicant does not accept that the detailed explanations provided in the Applicant's Responses to Deadline 6 Submissions [REP7-017] and previous submissions are inaccurate. The Applicant endeavours to understand and address all issues raised as part of the examination process, both in its written submissions and through direct liaison with all interested parties. The specific points raised by Mr Hawes are addressed in this response. 2. Following a further review of land registry data, the Applicant is not aware of a private bridleway access leading south from Northgate Farm.

Ref. No.	Response:	Applicant's Response:
		<ol style="list-style-type: none"> 3. Chapter 12 Population and Human Health Part A [APP-054] (which has been carried out in accordance with DMRB Volume 3, Section 11, Parts 6 Land Use, 8 Pedestrians, cyclists, Equestrians and Community Effects and 9, Vehicle Travellers and sensitivity tested against the updated LA 112) includes the assessment of designated public rights of way on public and private land and non-designated paths on publicly accessible land. As a result, Bridleway 407/010, a designated Bridleway which runs east to west, south of Northgate Farm, is the only bridleway included in this assessment in this location. Bridleway 407/010 will be retained under the Scheme, amended slightly and extended to the south to connect with Northgate Hospital Access Road as set out in Part 5 of Schedule 3 of the draft DCO [REP8-004 and 005] and as shown on Sheet 1 of the Rights of Way and Access Plans [REP6-006]. 4. Any non-designated connecting pathways leading from the property have not been included in the assessment. However, the Applicant does not consider that the Scheme will impede private access for equestrians or pedestrians to the south of the property across private land. In addition, Mr Hawes will be able to access Bridleway 407/010 via the private means of access PA1/3 being created as set out in Part 3 of Schedule 3 of the draft DCO [REP8-004 and 005] and as shown on Sheet 1 of the Rights of Way and Access Plans [REP6-006].
	<p>As with previous responses there is no material change and none of our issues are addressed by the responses. Although the natural inclination is to respond to each of the points we have decided, as with deadline 6 submission, to refrain from doing so here. We do not believe the continued exchange of recursive iterations are helpful to the examination process. In this instance we prefer to address the points directly with the Applicant outside of the Examination process.</p> <p>To this end, we had a constructive meeting with the Applicant on the 13th May to walkthrough the list of issues providing extra detail and context. It is unfortunate that this meeting occurred after the deadline 7 was submitted. As part of the walk through we did identify a handful of issues which could, potentially, be addressed by detailed design. Unfortunately, this will not be available until after the Examination process has completed.</p> <p>In the same meeting an update was provided by the Applicant on the status of the PMA access road which highlighted that discussions were ongoing and that a final decision had not been made.</p>	<ol style="list-style-type: none"> 1. The responses provided to Mr Hawes' written submissions throughout the Examination are of a factual nature and are therefore consistent with previous responses on the same issues. The Applicant is required to provide a response to all points raised by interested parties such as Mr Hawes and has provided responses to demonstrate that the relevant assessments undertaken for the Scheme comply with the relevant guidance and/or standards. 2. The Applicant welcomes the constructive engagement with Mr and Mrs Hawes and will continue to work with them to address their concerns. At the meeting on 13 May 2021, the Applicant confirmed that its position in relation to the majority of Mr and Mrs Hawes' concerns remains as previously set out in items 1 to 73 of Table 1-3 in the Applicant's Responses to Deadline 6 Submissions [REP7-017]. The majority of the remaining issues discussed would be able to be addressed by the Applicant at detailed design. 3. The only issue that was agreed by all parties as a current issue is the access route from the Private Means of Access (PMA) to Northgate Farm. The options considered to access Northgate Farm are set out in the Northgate Farm Private Means of Access Options Technical Note submitted at Deadline 8A [REP8A-005]. Discussions with Mr Hawes and Mr Davidson in relation to this matter are ongoing, with the last face to face meeting held on 03/06/2021.
	<p>Although the meeting on the 13th was helpful, we were not able address any of the issues at this stage, with exception to issue number 73 Combined Effect, which has now been removed. We now understanding that even though the referenced scheme did overlap with this project it cannot be considered in the combined effect assessment as it is now complete.</p>	<ol style="list-style-type: none"> 1. Mr Hawes' confirmation that item 73 has been removed is noted. As documented in response to item 73 in Table 1-3 of The Applicant's Response to Deadline 6 Submissions [REP7-017], the Morpeth Northern Bypass scheme has already been constructed and is in operation. As the Morpeth Northern Bypass is already operational it would form part of the existing environment (i.e. baseline conditions for the environmental impact assessment for the Scheme). The environmental impact assessment assesses change from the existing environment (baseline) with the proposed Scheme in place. As such, the Morpeth Northern Bypass scheme does not

Ref. No.	Response:	Applicant's Response:
		form part of the cumulative assessment for the Scheme. Rather, it informs the baseline against which the Scheme is assessed.
	Unfortunately, all the other issues remain outstanding, but we will continue to work with the Applicant to try to reduce the list.	1. The Applicant is cognisant of Mr and Mrs Hawes' concerns and has continued to engage with them both through formal submissions and during meetings held throughout the development and examination of the Scheme. The Applicant will continue to work with Mr and Mrs Hawes to address their concerns.
	In reviewing the responses from the Applicant to the hearings which took place on week commencing 19th April 2021 there are some points which require a response.	1. The Applicant has provided responses to the specific points raised by Mr Hawes below.

Table 1-4 – Written Summary to hearings

Wednesday, 21st April 2021 – Issue Specific Hearing 3

2.1	The original point was specific to the PMA leading to Northgate Farm only.	2. The Applicant's submission at item 2.1 of Table 1-4 in the Applicant's Responses to Deadline 6 Submissions [REP7-017] provides context to the PMA. Item 2.2 confirms that the construction of the section of PMA leading to Northgate Farm will require temporary land take and rights from Northgate Farm, Warreners House, Capri Lodge and the agricultural landowner. Items 2.3 and 2.4 address the question of ongoing discussions regarding the PMA.
2.4	Whilst we understand that powers granted will become legal rights it is not particularly reassuring to have to rely upon the court system to enforce rights of access. Furthermore, even if access is begrudgingly accepted, it does not make for a harmonious arrangement or a long-term sustainable solution. Hopefully this can be resolved with a mutually acceptable outcome.	<p>1. The Applicant maintains the responses in point 4I of Table 1-6 in the Applicant's Response to Written Representations [REP3-026] and Reference 4G of Table 1-7 in the Applicant's Response to Deadline 4 Submissions [REP5-029]:</p> <p><i>"The Applicant will ensure that each party is provided with access rights suitable to their property type and needs. These rights will be conferred formally so that the rights of each party are clear. This is an arrangement that works perfectly well in other circumstances."</i></p> <p><i>"The Applicant will ensure that each user has the required rights following the creation of the new access road. The Applicant will continue to discuss potential methods of dispute resolution with Mr Hawes and the other residents should that be required."</i></p> <p>2. In addition, the further options considered to access Northgate Farm are set out in the Northgate Farm Private Means of Access Options Technical Note submitted at Deadline 8A [REP8A-005]. Discussions with Mr Hawes in relation to this matter are ongoing. It should also be noted that all access rights are ultimately enforceable by the Courts, This is not a point of distinction in any way in relation to Mr Hawes's circumstances.</p>

Wednesday, 22nd April 2021 – Issue Specific Hearing 3

Agenda: Landscape and Visual Impacts

Ref. No.	Response:	Applicant's Response:
	<p>The Applicant continues to place great store in the masking capabilities of the trees along the western edge of the boundary. Unfortunately, this is misplaced for the following reasons:</p>	<ol style="list-style-type: none"> 1. As set out at Reference 1, point 2.4 of Table 1-7 (page 50) in the Applicant's Response to Deadline 4 Submissions [REP5-029], there is no legal right to a private view or protection to a view. Nevertheless, the Applicant is seeking to reduce the visual effects of the Scheme on residential receptors such as Mr Hawes through appropriate mitigation measures. 2. The Applicant's response in the Landscape and Visual Impacts section of Table 1-4 (page 59) in the Applicant's Responses to Deadline 6 Submissions [REP7-017] describes how the assessment of visual effects, undertaken from publicly accessible locations, has assessed the impacts of the Scheme as a whole, considering both adverse and beneficial effects. This analysis included the existing boundary vegetation, the proposed noise barrier, the retained vegetation in the foreground of the view from the northern elevation of the property and additional planting to the east of the Scheme. 3. The specific concerns raised by Mr Hawes in relation to the existing boundary vegetation are addressed at items 1 to 3, below.
1	<p>The trees are at an age where they are "leggy" with very little undergrowth and even in the summer the road can be seen through the trees. In the winter the road becomes even more visible.</p>	<ol style="list-style-type: none"> 1. As has been stated previously in item 5.3 of Table 1-1 in the Applicant's Written summaries of Oral Submissions to Hearings at Deadline 6 [REP6-044], there is a strong block of planting on the western boundary of the existing A1 to the west of the property, which screens the A1. The assessment of visual effects has been undertaken from publicly accessible locations, therefore outside of the property boundary. The trees comprise evergreen conifers, and immature beech on the outer (highway) side which appears to have been trimmed and which for the majority of the winter holds onto its dead leaves, until pushed off by new emerging foliage. Professional judgement was used to assess the effectiveness of the existing boundary vegetation. Inevitably the view during winter months through the understorey is likely to be greater than in the summer months but this is at a relatively low height, the views becoming less apparent as the vegetation thickens higher up. The filtered awareness of the road during winter would for a substantial length of the boundary be screened through the provision of the noise barrier. The management of Mr Hawes' existing planting is outside the scope of the Scheme. Mr Hawes is, of course, entitled to maintain his own planting.
2	<p>By the time the construction is completed the limited masking offered by the trees will be further reduced as they continue to grow leaving only intermittent trunks to mask the worse of the visual effect.</p>	<ol style="list-style-type: none"> 1. The trees comprise evergreen conifers, and immature beech on the outer (highway side) which appears to have been intermittently trimmed. It is inevitable that trees will continue to grow and mature and this may change their capacity to provide screening. The proposed noise barrier would screen the views from ground level as vegetation matures over a substantial length (approx. 50% of the planted section of the western boundary and 100% of the existing access point), refer to R98 of Appendix 7.3 Residential Visual Effects Schedule Part A [APP-218], the alternative being views of the modified highway corridor, including moving traffic. The Applicant considers that the combined effect of the retained vegetation and proposed noise barrier would effectively screen the majority of ground level views from the dwelling itself.
3	<p>Some of the trees may be removed to facilitate the new point of access, exposing the new carriageway further.</p>	<ol style="list-style-type: none"> 1. Should the new point of access be constructed on the northern boundary and to the west of Capri Lodge, the removal of vegetation to facilitate the new access point would occur immediately either side of the existing gateway that allows shared access to Capri Lodge to the north. The removal of this vegetation would allow some awareness to the north, however, mitigation planting extending to the east of the main alignment, between the main alignment and the PMA would over time reduce the views to the north, this is

Ref. No.	Response:	Applicant's Response:
		<p>identified on Landscape Mitigation Masterplan Part A [REP8a-003] and secured through measure L2 of the Outline CEMP [REP8-011 and 012].</p> <p>2. The further options considered to access Northgate Farm are set out in the Northgate Farm Private Means of Access Options Technical Note submitted at Deadline 8A [REP8A-005]. This identifies in paragraphs 3.2.10 and 3.3.9 that should an alternative access point be adopted, that treatment of the vegetation associated with the forecourt to the north and west of Northgate Farm would be unchanged. Discussions with Mr Hawes in relation to this matter are ongoing.</p>
	<p>The response provided by the Applicant appears to suggest that the Noise Barrier will further improve the visual effects by also masking the worst impacts of the scheme.</p> <p>Again, we are struggling to understand the logic behind this for the following reasons:</p>	<p>1. The Applicant has assessed the Scheme with the noise barrier in place beyond the existing boundary vegetation, as this represents the maximum degree to which elements of the Scheme would be in place. As such, the assessment of visual effects, undertaken from publicly accessible locations has assessed the impacts of the Scheme as a whole, considering both adverse and beneficial effects. This analysis included the existing boundary vegetation, the proposed noise barrier, the retained vegetation in the foreground of the view from the northern elevation of the property and additional planting to the east of the Scheme.</p>
	<p>Whilst the shortened noise barrier will mask at ground level some of the visual impact directly west of the property it does not provide any protection from a Northerly aspect which is where most of the changes will occur. The noise barrier provides no screening from the upper floor of the property.</p>	<p>1. The Applicant has provided the necessary length of noise barrier to mitigate the noise impacts of the Scheme, as presented in the Noise Addendum [REP1-019]. The length of barrier proposed has consistently been presented to Mr Hawes and has at no point been shortened.</p> <p>2. The Applicant notes Mr Hawes' acknowledgement that the proposed noise barrier will mask at ground level some of the visual impact directly west of the property. The proposed noise barrier does not extend to the northern boundary of the property as it is not required in order to provide the required noise attenuation. Further information in relation to the length of the noise barrier is provided at item 5.4 of Table 1-1 in the Applicant's Written Summaries of Oral Submissions to Hearings [REP6-044].</p> <p>3. Mr Hawes asserts that the majority of change will arise on the northerly aspect. It is assumed this is due to the perceived impacts occurring as a result of the proposed new access point for the PMA. Should the new point of access be constructed on the northern boundary and to the west of Capri Lodge, the removal of vegetation to facilitate the new access point would occur immediately either side of the existing gateway that allows access to Capri Lodge to the north. The removal of this vegetation would allow some awareness to the north. However, mitigation planting extending to the east of the main alignment, between the main alignment and the PMA would over time reduce the views to the north. This is identified on Landscape Mitigation Masterplan Part A [REP8a-005] and secured through measure L2 of the Outline CEMP [REP8-011 and 012] and results in the assessment of a slight adverse effect on the occupants of Northgate Farm at summer year 15 (as presented in Appendix 7.3 Residential Visual Effects Schedule Part A [APP-218]).</p> <p>4. With reference to providing screening to the upper floor of the property, the assessment has been carried out in accordance with IAN 135/10, and has considered the views from principal aspects from residential dwellings (refer to Table 7-8 Visual Sensitivity of Chapter 7: Landscape and visual Part A [APP-044]), and identified that the visual effects in year 1 and year 15 would not be significant. As a result of this finding, further mitigation of visual effects from secondary aspects (this would include upper storey windows which typically comprise bedrooms or circulatory areas) is not essential and</p>

Ref. No.	Response:	Applicant's Response:
		<p>therefore has not been proposed. Nevertheless, the existing, and proposed trees, will filter and reduce views from the upper floor as they mature, but it is likely that some awareness would remain.</p>
	<p>The vast majority of the 70-metre noise barrier will be visible from the property with only 10 metres of overlap with vegetation, which as highlighted above provides minimal screening. As such the Applicant statement "The visual impact arising as a result of the presence of the noise barrier would also be offset by the retained vegetation in the foreground of the view from the northern elevation of the property" is not correct on a number of fronts.</p>	<p>1. The upper portion of part of the proposed noise barrier will be visible from the dwelling from south facing windows, which for ground floor views on the south elevation will be visible above the existing boundary wall over a distance of approximately 4-5m. However, beyond this the noise barrier will be substantially screened by the Warreners Cottage and garages and will replace existing views of the A1 and associated traffic movements with a 3m fence, effectively screening visual detractors from view. The noise barrier will also close the approximately 4m existing gap where the current direct access onto the A1 exists, with the northern section, comprising approximately 10m being masked by the existing boundary vegetation. It is this section of the noise barrier that will be offset by the existing boundary vegetation.</p>
	<p>The barrier will be clearly visible from the property. Although the barrier will screen some visual effects, the view of the barrier only represents a marginal improvement on what it is hiding. At the time of writing the design of the noise barrier is not available and as such we are not able to fully assess impact the barrier will have on the visual effect. Given this uncertainty we are surprised that the Applicant can be so confident of the visual effect.</p>	<p>1. There will be sections of the proposed noise barrier that will be visible from the north and south facing elevation, which for ground floor views will replace existing views of the A1 and associated traffic movements with a 3m fence, effectively screening visual detractors from view. The details of the noise barrier design will be developed at the detailed design stage. However, it is the Applicant's professional opinion that the noise barrier would replace existing and future visual detractors (the existing A1 and associated traffic movements, as noted in Appendix 7.3 Residential Visual Effects Schedule Part A [APP-218]) and as a result would reduce the significance of effect.</p>
<p>Combined and Cumulative Effects</p>		
	<p>Cumulative effects. Having read the referenced technical note document (ref 7.26.3) we remain unconvinced by the outcome and conclusions of the document for the following reasons</p>	<p>1. The specific concerns raised by Mr Hawes are addressed at items 1 to 5, below.</p>
<p>1</p>	<p>Although the document provides additional detail and makes reference to individual properties the analysis is still carried out with groups of properties. The level of granularity is still high with very little distinction made between properties and how they are individually impacted by the scheme. Throughout the analysis Northgate Farm is grouped alongside Warreners House. Even though the circumstances and impact upon the two properties are very different they both have the same outcome. For example, Warreners house is set back away from the road and is protected by the new carriageway by other properties, including Northgate Farm, it is assessed as having the same visual effect (and combined effect) as Northgate Farm, which I do not accept.</p>	<p>1. The combined effects assessment is presented in Chapter 15: Assessment of Combined Effects Part A [APP-060], Chapter 15: Assessment of Combined Effects Part B [APP-061] and, for the Scheme, in Chapter 16 Assessment of Cumulative Effects [APP-062], and has been informed by DMRB, Volume 11 Section 2, Part 5 and The Planning Inspectorate Advice Note Seventeen - Cumulative Effects Assessment, with consideration of DMRB LA 104.</p> <p>2. Table 2-1 Screening of Receptors Groups for Cross Topic Combined Effects during Construction (Part A) of 7.26.3 Combined Effects Technical Note - Rev 1 [REP7-016] presents all individual residential receptors that are exposed to residual effects of 'minor' or above for more than one technical topic, including Northgate Farm. The impacts and residual significance of effects have been listed for each individual receptor, based on the worst-case effects reported for each relevant receptor within the technical chapters of the ES. They have been used to inform the potential combined effect for each individual receptor provided in Table 2-1, Table 2-2, Table 3-1, Table 3-2 and Table 4-1. The overall combined effect sets out the range of significance of combined effects for the receptors in the common receptor group as a reasonable worst case.</p>

Ref. No.	Response:	Applicant's Response:
		<p>3. By way of comparison, Warreners Cottages (R100) and Warreners House (R101) have, in Appendix 7.3 Residential Visual Effects Schedule Part A [APP-218], been identified as being subject to visual effects that are the same as Northgate Farm (R98). For Warreners Cottages, this reflects the degree of change experienced by the occupants, whereby there is greater awareness of the existing A1 in views experienced from both Northgate Farm and Warreners Cottages. These changes occur within the context of the existing awareness and, in comparison, the occupants of Warreners House have a lower awareness of the existing A1, and the changes occur within the context of the views where the A1 is less of an existing visual detractor. This results in a comparable visual effect.</p>
2	As part of the Population and Human Health category I was expecting some recognition of other key benefits lost.	<p>1. The Population and Human Health assessment has been undertaken in accordance with DMRB Volume 11 Section 3, Part 6 Land Use, Part 8 Pedestrians, Cyclists, Equestrians and Community Effects, and Part 9 Vehicle Travellers. A sensitivity test has also been undertaken in accordance with the updated DMRB guidance LA 112 Population and Human Health. All potential impacts required to be assessed within these guidance documents have been considered within Chapter 12: Population and Human Health Part A [APP-054] and Part B [APP-055], and also within the assessment of cumulative effects reported in Chapter 15: Assessment of Combined Effects Part A [APP-060], Chapter 15: Assessment of Combined Effects Part B [APP-061] and, for the Scheme, in Chapter 16 Assessment of Cumulative Effects [APP-062].</p>
3	The cumulative effects analysis does not appear to recognise the aggregated impact for properties which are impacted by each category.	<p>1. Deadline 7 Submission 7.26.3 Combined Effects Technical Note - Rev 1 [REP7-016] presents all individual residential receptors that are exposed to residual effects of 'minor' or above for more than one technical topic. The impacts and significance of residual effects identified for each individual receptor have been listed and used to inform the potential combined effect for each individual receptor provided in Table 2-1, Table 2-2, Table 3-1, Table 3-2 and Table 4-1. The overall combined effect sets out the range of significance of combined effects for the receptors in the common receptor group as a reasonable worst case.</p>
4	The analysis is very much dependent upon the accuracy of the other category findings which feed into the model. All of which have are being questioned. There appears to be no contingency for margin of error	<p>1. As stated in Section 1.2 of 7.26.3 Combined Effects Technical Note - Rev 1 [REP7-016], to ensure a robust assessment, the combined effects assessment is based on the worst-case effects reported for each relevant receptor within the technical chapters of the ES, which are considered to be accurate and robust. The 'overall combined effect on common receptor group' column sets out the overall range of significance of combined effects for the receptors in the common receptor group as a reasonable worst case. This provides the contingency to which Mr Hawes refers.</p> <p>2. The screening matrices presented in 7.26.3 Combined Effects Technical Note - Rev 1 [REP7-016] include all reported effects from the Scheme, including the additional effects as a result of the updated DMRB guidance and reassessments for operational noise and air quality assessments as provided in Noise Addendum [REP1-019 to 022], the Air Quality Assessment (Scheme Opening Year 2024) [REP3-012] and the Updated Biodiversity Air Quality DMRB Sensitivity Assessment [REP3-010]; and the Change Request as provided in Environmental Statement Addendum: Earthworks Amendments for Change Request [REP4-061], Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063] and Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064].</p>

Ref. No.	Response:	Applicant's Response:
5	There is no recognition that the partial noise barrier that is proposed will have a negative impact on visual effect for Northgate Farm.	<ol style="list-style-type: none"> 1. The Applicant has provided the necessary length of noise barrier to mitigate the noise impacts of the Scheme as presented in the Noise Addendum [REP1-019]. The length of barrier proposed has consistently been presented to Mr Hawes and has at no point been shortened. 2. There will be sections of the proposed noise barrier that will be visible from the north and south facing elevation. From the northern elevation, the full height of the 3m noise barrier will be visible for a 4-5m width, at the existing entrance to the properties (which will be closed), north of this point the barrier will be filtered/screened by existing boundary vegetation. From the southern facing elevation, existing ground floor views where awareness of the A1 and associated traffic movements exists will be replaced with a 3m fence, effectively screening visual detractors from view. It is the Applicant's professional opinion, as outlined in Appendix 7.3 Residential Visual Effects Schedule Part A [APP-218] ref 98 – Northgate Farm, that a reduction in views of traffic movements and of existing and future road infrastructure would be less visually intrusive than the present view of the A1. This has been reported within Appendix 7.3 Residential Visual Effects Schedule [APP-218] and informed the combined and cumulative effects.
6	Although the Applicant makes reference to mitigation measures, they provide minimal benefit in this analysis. This includes:	<ol style="list-style-type: none"> 1. The specific concerns raised by Mr Hawes are addressed at items 6a to 6c, below.
6a	The applicant states the following for Northgate Farm; “ is to provide a boundary hedgerow and trees to the northern and eastern boundaries to provide screening to the proposed PMA”. Although I am not sure why this is referenced in this context the statement is misleading. There are no plans to provide hedgerow along our boundary as suggested. I understand from the previous meeting with the Applicant that the hedgerow referenced here is the Hedgerow that follows the PMA road which will only form part of our boundary where it cuts through the property and existing trees and hedgerow are removed. This still leaves the vast majority of the property exposed.	<ol style="list-style-type: none"> 1. The statement referred to by Mr Hawes is taken from the Applicant's response at item 3.1 of Table 1-4 in the Applicant's Responses to Deadline 6 Submissions [REP7-017]. The Applicant's full response is reproduced below: <i>“The Applicant disputes that it accepted that there was a “full house” of impacts at this property. It is also not accepted that the only mitigation that has been confirmed is the noise barrier. A response in respect of the visual impact assessment of PNB1 is provided above and is not repeated here. Furthermore, the Applicant is to provide a boundary hedgerow and trees to the northern and eastern boundaries to provide screening to the proposed PMA, in addition to the measures to avoid the removal of trees on the north-east boundary (as set out in Applicant's Written Summary of Oral Submissions at Hearings - Appendix D - Warreners Private Means of Access [REP4-029]).”</i> 2. This response identified that, in addition to PNB1, further planting along the boundary of the property and garden space would be provided. This is indicated on the Landscape Mitigation Masterplan Part A [REP8a-003], whereby a hedgerow is proposed to be included alongside the PMA and extending the full length of the north and eastern boundary with Northgate Farm, and not solely where existing trees and remnant hedgerow are removed. This is secured through measure S-L2 of the Outline Construction Environmental Management Plan [REP8-011 and 012].
6b	The applicant makes reference to the introduction of low noise surfacing to help offset the increase in noise. As the current surface was also categorised as a low noise surface, I am doubtful that it will make the significant improvements forecast. Furthermore, it is generally recognised that the noise reduction properties will reduce with wear and use. We	<ol style="list-style-type: none"> 1. Information regarding the existing road surface type has been provided via the Highways England Pavement Management System (HAPMS) (as discussed within paragraph 1.8.5 of the Noise Addendum [REP1-019]). 2. For the existing section of the A1 immediately adjacent to Northgate Farm, HAPMS shows that the existing road surface is low noise surface (LNS). The appropriate road surface noise level correction for LNS has therefore been incorporated into the noise

Ref. No.	Response:	Applicant's Response:
	<p>understand that the composition of the road surface has yet to be ratified and as such the impact of the new surface cannot be predicted with certainty.</p>	<p>model. The surface corrections adopted in the noise assessment are those stated for use within Appendix A of the DMRB LA 111 (as discussed within paragraph 1.8.8 of the Noise Addendum [REP1-019]) which is the appropriate guidance.</p> <p>3. The entire length of the Scheme, once complete, will be surfaced with a new LNS (apart from on structures, where HRA will be laid) as set out Commitment A-N1 and B-N1 of the Outline CEMP [REP8-011 and 012] (and as updated at Deadline 9). As the existing road surface immediately adjacent to Northgate Farm is LNS, the Applicant has not forecast significant improvements (in terms of noise level changes) at Northgate Farm as a result of the new LNS.</p> <p>4. Mr Hawes' concerns in relation to the resurfacing and maintenance of the road surface following construction of the Scheme have been addressed by the Applicant previously within Ref No. 7 row 2 (on page 81) of Table 1-8 within Applicant's Response to Deadline 4 Submissions [REP5-029] which stated:</p> <p><i>"1. The Outline CEMP [REP4-013 and 014] (and as updated at Deadline 5) include the commitment (in Table 3-2 row A-N1) that the entire length of the A1 (apart from structures) will be laid with a low noise surface (LNS) as part of the Scheme. Bullet point 'b' of this row states: "All existing sections of LNS on the A1 will be replaced with a new LNS (and if necessary, replaced again by the future year such that they can be considered to be well maintained)."</i></p> <p><i>2. With regard to the resurfacing of the road, paragraph 5.2.5 of the Outline CEMP [REP4-013 and 014] (and as updated at Deadline 5) states that: "In the longer term, expected planned maintenance will include activities such as resurfacing the road and replacement of assets when they become life expired."</i></p> <p><i>3. Requirement 4 of Schedule 2 to the dDCO [REP2-004 and 005] requires the Scheme to be constructed in accordance with the CEMP approved by the Secretary of State, which must be based on the Outline CEMP [REP4-013 and 014] (and as updated at Deadline 5). Further, paragraphs 4 to 6 of Requirement 4 require a HEMP to be developed by the end of the construction, addressing matters in the CEMP relevant to operation and maintenance. The Scheme must then be operated and maintained in accordance with the HEMP.</i></p> <p><i>4. As such, the maintenance requirements set out in the Outline CEMP [REP4-013 and 014] (and as updated at Deadline 5) are secured. Pursuant to section 161(1)(b) of the Planning Act 2008, a breach of the terms of this requirement would constitute a criminal offence. This should provide Mr Hawes with reassurance that the Applicant will meet its maintenance obligations, as set out in the Outline CEMP [REP4-013 and 014] (and as updated at Deadline 5)."</i></p>
6c	<p>The Applicant continues to place a high degree of confidence to the noise reduction provided by the Noise barrier even though it does not extend to the full boundary and leaves the majority of the northerly facing windows with a direct line of sight to the carriageway.</p>	<p>1. Points in relation to the noise barrier have been addressed by the Applicant previously within Ref No. 2 (on page 12) of Table 1-4 within Applicant's Comments on Responses to Further Written Questions [REP6-023] which stated:</p> <p><i>"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.</i></p> <p><i>3. The proposed barrier (PNB1) has been designed to mitigate noise levels at Northgate Farm such that the operational road traffic noise effect at this property</i></p>

Ref. No.	Response:	Applicant's Response:
		<p><i>would not be significant. The proposed barrier provides a meaningful noise benefit, mitigates the significant effect and is also value for money, therefore an extension is unnecessary."</i></p> <p>2. The specific concerns raised by Mr Hawes in relation to visual impacts are addressed in the Landscape and Visual Impacts section above, including items 1 to 3.</p>

Table 1-6 – Royal Mail

Ref. No.	Response:	Applicant's Response:
	Following negotiations between Royal Mail and Highways England, on 17 May 2021 Highways England's Solicitors proposed by email to amend the Construction Traffic Management Plan (CTMP) for A1 Northumberland: Morpeth – Ellingham improvement to reflect the wording used on paragraph 2.8.1 of the CTMP for Highways England's A1 Birtley to Coal House Improvement Scheme, as below [extract from CTMP included].	
	Highways England's Solicitors confirmed to Royal Mail's Solicitor by email on 24 May 2021 that the above amendments will be incorporated into the final CTMP for A1 Northumberland: Morpeth – Ellingham improvement, together with amendments to Tables 5 and 6 as follows [extracts from CTMP included].	1. The Applicant can confirm that the Outline Construction Traffic Management Plan [REP8-013 and 014] includes the agreed wording in section 2.8 and the amendments to Tables 5 and 6.
	On the basis of this confirmation, Royal Mail hereby withdraws its objection.	3. The Applicant welcomes Royal Mail's withdrawal of their objection.
	In reaching this agreement with Highways England, Royal Mail is not setting a precedent and the withdrawal of the objection in this case by Royal Mail should not be taken as such. In particular, Royal Mail may require a CTMP requirement for advance consultation - as distinct from notification – on road closures, diversions and alternative access arrangements and agreeing to accept a requirement for notification only in this case must not prejudice Royal Mail's ability to secure these controls on other Highways England schemes in the future where considered necessary by Royal Mail to mitigate the level of risk presented by the proposed works. Furthermore, Royal Mail may also look to secure a requirement for advance notification and/or consultation on construction management measures within the DCO itself on other future Highways England schemes, as it did recently in the A303 Amesbury to Berwick Down DCO in addition to, or as an alternative to, a provision in the CTMP. Acceptance of only the CTMP requirements in this case should not preclude Royal Mail from seeking DCO requirements, or such other mitigation as it considers necessary on future schemes.	4. No position is offered by the Applicant in respect of the position which Royal Mail has reserved. Any future representations made on other schemes will be a matter for assessment of merits at the time and with the benefit of evidence on the detriment which Royal Mail alleges to be resultant from the scheme in question.
	Within 14 days of this submission, Royal Mail will provide Highways England with its relevant operational contacts, who should then be notified and consulted by Highways England or its contractor in accordance with the CTMP.	1. The Applicant confirms receipt of these contacts and will act in accordance with the Outline Construction Traffic Management Plan [REP8-013 and 014].

Table 1-7 – The Woodland Trust - Responses to ExQ3

Ref.	Question to:	Question:	Woodland Trust Response:	Applicant's Comment:
General				
GEN.3.10	Woodland Trust NCC NE Forestry Commission Other IPs	The revised outline CEMP [REP6-025] has introduced a new measure ExA:S-L101 concerning potential veteran trees. Further detail about the compensation and mitigation for veteran trees is provided in Appendix A – Impacts to Ancient and Veteran Trees [REP6- 045]. IPs, especially those named, are asked for their views on Appendix A and measure ExA:SL101.	We have reviewed the measures proposed in ExA:S-L101, and we note that the applicants have outlined protection for veteran trees in line with the BS 5837:2012. However, any veteran specimens within influence of the scheme should be afforded an un-encroached Root Protection Area (RPA) of 15 times the stem diameter or 5 metres beyond the canopy (if that's greater) in line with Natural England's Standing Advice1.	<ol style="list-style-type: none"> 1. The Applicant has updated the required measures outlined in ExA: S-L101 in Table 3-1 Register of Environmental Actions and Commitments in the Outline Construction Environmental Management Plan (CEMP) provided at Deadline 8 [REP8-011 and 012] to specify the methodology for the calculation of Root Protection Areas (RPA), in line with Natural England's standing advice. 2. Nevertheless, in adopting this methodology for the calculation of the RPA for veteran trees and reviewing the potential alignment of access tracks and earth mounding as part of the development of the detailed design, the Applicant does not consider that further veteran trees, in addition to T688, will be directly impacted by the Scheme. This is due to the existing assessment incorporating an area with a radius 15 times the stem diameter for ancient and veteran tree root protection areas (paragraph 2.6.9 of Appendix 7.5 Arboricultural Report Part A [APP-220]) and paragraph 2.6.23 of Appendix 7.1 Arboricultural Report Part B [APP-286]) and a buffer of 15 m having been applied to the Order limits (paragraph 2.7.1 of Appendix 7.5 Arboricultural Report Part A [APP-220] and paragraph 2.7.1 of Appendix 7.1 Arboricultural Report Part B [APP-286]).

Table 1-8 – The Woodland Trust - Woodland Trust - REP6-045 - Applicant's Written summaries of Oral Submissions to Hearings - Appendix A Impacts to Ancient and Veteran Trees

Ref	Woodland Trust Comment	Applicant's Response
1	We welcome the retention of T91, T494, T682 and T690, four veteran trees previously outlined for removal (paragraph 1.3.8), but we would like to maintain our concerns with regards to the loss of T688. We refer to our position above on the protection of veteran trees during construction of the proposals. We also note the applicant's revision of G21 as non-veteran specimens (paragraph 1.3.8), but would ask that any trees within the group displaying veteran characteristics are retained and protected as outlined above	<ol style="list-style-type: none"> 1. The loss of T688 is necessary to construct a substantial drainage attenuation basin (no. 19), north of the River Coquet and to the east of the Scheme to reflect the underlying drainage strategy. To re-design the drainage strategy so as to avoid T688 would require substantially greater land take, and potentially impact on a further veteran tree to the south (T682). Whilst it is regrettable that a tree that shows the characteristics of a veteran tree will require removal, the Applicant considers that this is necessary, and will follow the compensation strategy as set out in section 1.4 of Appendix A Impacts to Ancient and Veteran Trees [REP6-045] (and as updated at Deadline 9). 2. In relation to compensation, and as an update to paragraph 1.4.7 of Appendix A Impacts to Ancient and Veteran Trees [REP6-045] which references a 1:12 ratio (loss to planting), the Applicant has reviewed the proposed compensation for the loss of veteran tree T688 and increased this to a 1:30 ratio. This increase acknowledges the ratio advocated by the Woodland Trust (as detailed in their response at Item 2 below) and further comments received by Natural England. The proposed compensatory ratio of 1:30 was agreed with Natural England during a consultation meeting on 09 June 2021, as captured on page 43 in the draft Statement of Common Ground issued at Deadline 9. An update of Appendix A Impacts to Ancient and Veteran Trees is issued

Ref	Woodland Trust Comment	Applicant's Response
		<p>at Deadline 9 with the proposed compensatory planting ratio amended at paragraph 1.4.7.</p> <p>3. With reference to G21, the Applicant has identified in paragraph 1.3.2 of Appendix A Impacts to Ancient and Veteran Trees [REP6-045] that the individual trees are not considered to represent veteran trees, therefore the compensatory planting as outlined above would not apply. The group of four hawthorn (G21) would require removal in order to construct the Scheme due to their proximity to the main alignment; the requirement to remove a larger Coronation Avenue tree immediately adjacent; and the construction of the access track and below ground services that are required to be located within the verge. The Applicant would seek to retain as much of the living material on site, potentially translocating the trees within the newly planted hedgerow, or placing them alongside the proposed hedgerow within the verge. This approach reflects the mitigation and compensation measures outlined in section 1.4 of Appendix A Impacts to Ancient and Veteran Trees [REP6-045] (as updated at Deadline 9) and secured through ExA: S-L101 in Table 3-1 Register of Environmental Actions and Commitments in the of the Outline Construction Environmental Management Plan (CEMP) provided at Deadline 8 [REP8-011 and 012].</p> <p>4. The Scheme's compliance with the relevant tests under the National Policy Statement for National Networks (NPS NN) and National Planning Policy Framework (NPPF) is detailed in section 1.5 of Appendix A Impacts to Ancient and Veteran Trees [REP6-045].</p>
1.4 Compensation and mitigation for veteran trees		
2	<p>As highlighted within our Deadline 5 Submission [REP5-050], the Woodland Trust advocates a compensatory replanting ratio of 30:1 to account for the loss of irreplaceable habitats, including veteran trees. Whilst we acknowledge that there is no set ratio for the loss of ancient woods and trees (paragraph 1.4.2), Natural England released a statement in February 2020 detailing its position on ancient woodland and HS2 Phase 2a and stated the following in respect of compensation ratios:</p> <p><i>"In Natural England's 2016 review of HS2's methodology for calculating no net loss of biodiversity, we advised that for HS2, where ancient woodland is to be replaced by new woods, an area based ratio of 30:1 is appropriate. If that is legally impracticable to implement for Phase 1, it should be implemented for Phase 2. Natural England strongly believes that the level of compensation needs to be commensurate with the irreplaceable nature of the habitat and with the high standards expected from any government-led scheme that has a significant environmental footprint."</i></p>	<p>1. The Applicant provided a response to a similar point raised by the Woodland Trust at Deadline 1 (see Table 1-14 of the Applicant's Response to Relevant Representations [REP1-064]).</p> <p>2. As per reference 1.14.1 of the Applicant's Response to Relevant Representations [REP1-064] (and as updated at Deadline 9), there is no set guidance for the ratio for woodland compensation in relation to ancient woodland and trees, with assessments made on a case-by-case basis. The provision of compensatory planting for ancient woodland for the Scheme, which equates to a 12:1 ratio (creation:loss), reflects the agreement with Natural England. This agreement was confirmed by Natural England within their Deadline 1 submission [REP1-076]; "Natural England can confirm that the location and size of the woodland planting to address the loss of ancient semi-natural woodland is acceptable. The size and location of the compensatory woodland was agreed in 2018, and is based on specialist advice, given there is no set ratio for compensating for an irreplaceable habitat. The negotiation for this is carried out on a site by site basis." The Natural England statement quoted by the Woodland Trust specifically relates to HS2. Given Natural England have provided a statement specifically in relation to the Scheme, the statement quoted by the Woodland Trust should be afforded little, if any, weight.</p> <p>3. As detailed above in response to Item 1, in relation to compensation for the loss of veteran trees, the Applicant has reviewed the proposed compensation for the loss of veteran tree T688 and increased this to a 1:30 ratio (loss to planting). This increase acknowledges the ratio advocated by the Woodland Trust and further comments received by Natural England. The proposed compensatory ratio of 1:30, specific to</p>

Ref	Woodland Trust Comment	Applicant's Response
		<p>this Scheme was agreed with Natural England during a consultation meeting on 09 June 2021, as captured on page 43 of the draft Statement of Common Ground issued at Deadline 9. An update of Appendix A Impacts to Ancient and Veteran Trees is issued at Deadline 9 with the proposed compensatory planting ratio amended. As such, a 1:30 ratio has been applied to the loss of a single veteran tree (T688) as a result of the Scheme. The loss of this single veteran tree, whilst regrettable, is unavoidable and the efforts to avoid or reduce the magnitude of impacts on veteran trees through Scheme design and to mitigate and compensate impacts by implementing protective and salvage measures, as set out in Appendix A Impacts to Ancient and Veteran Trees [REP6-045] (and as updated at Deadline 9), reflects the Applicant's recognition of the importance of veteran trees.</p>
3	<p>While we note that the above statement refers to ancient woodland specifically, Natural England outlines that compensation needs to be commensurate to the irreplaceable nature of the habitat and therefore we consider that the appropriate compensatory replanting ratio for veteran trees should be 30:1.</p>	<ol style="list-style-type: none"> 1. The Applicant has addressed the question of the compensatory ratio for veteran trees in the above response. As identified on sheet 17 of the Landscape Mitigation Masterplan Part A [REP8a-003], compensatory planting of twelve scattered trees to the east of drainage attenuation basin no. 19 is provided for the loss of veteran tree T688 as a result of the construction of the drainage attenuation basin. A further 18 trees are to be planted within an area to the northwest of the River Coquet Bridge (labelled on sheet 17 as "0.1ha of woodland in relation to air quality impacts to veteran trees"). Both planting locations will be undertaken within the permanent highway boundary. These locations have been chosen as they are either adjacent or as close as practicable to the existing location of tree T688, but set back from the Scheme (A1 carriageway) and therefore outside the anticipated area that would be subject to any increases in nitrogen deposition that may give rise to significant effects. 2. The removal of the 4no. hawthorn (G21) that make up the remnants of a hedge will be compensated with the planting of a new hedgerow (hawthorn dominant) on the highway boundary, this will have the effect of restoring the former field boundaries, alongside the planting of the trees that will make up the Coronation Avenue trees.
4	<p>With regards to translocation of veteran trees, our position is that this process should be considered as a last resort solution to save trees which are otherwise approved to be felled. This method should not be considered as a viable alternative to the protection, management and retention of veteran trees in their original location. The translocation of veteran trees is a highly risky method that has a very low chance of ensuring the continued survival of such trees – it is a process much more suited to young trees.</p>	<ol style="list-style-type: none"> 1. The Applicant acknowledges the difficulties associated with translocating veteran trees. In accordance with the mitigation hierarchy, this course of action would only be pursued where no other reasonable means of retaining the veteran tree in its original location is feasible, and the tree would otherwise be lost to the Scheme. All reasonable efforts will be made to retain the existing veteran trees in place, and this approach is secured through measure ExA: S-L101 of the Outline CEMP [REP8-011 and 012]. Should the removal of a potential veteran tree be required to construct the Scheme, the approach to compensation will follow that set out in section 1.4 of Appendix A Impacts to Ancient and Veteran Trees [REP6-045] (and as updated at Deadline 9), including translocation and compensatory planting.
5	<p>We also note the applicant's assertion that there will be no net loss of biodiversity (paragraph 1.4.6). Where a proposal results in the loss of irreplaceable habitats, such as ancient woods and trees, biodiversity net gain is impossible to achieve.</p>	<ol style="list-style-type: none"> 1. The Applicant acknowledges that the wording in paragraph 1.4.6 [REP6-045] is incorrect and that the final sentence should be deleted ("<i>The proposals for planting and habitat creation comprise, in summary, no net loss of biodiversity through a robust strategy of woodland, hedgerow and grassland habitat creation.</i>"). An update of Appendix A Impacts to Ancient and Veteran Trees is issued at Deadline 9 with the statement at paragraph 1.4.6 corrected. 2. Whilst not a requirement for a Nationally Significant Infrastructure Project (NSIP), a biodiversity no net loss report has been produced for the Scheme [REP5-038 and

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		<p>039] in order to meet the Applicant's own internal biodiversity plan (Highways England Biodiversity Plan). As detailed in the Executive Summary of the Biodiversity No Net Loss Assessment for the Scheme for Change Request [REP5-038 and 039], "biodiversity no net loss (or net gain) cannot be achieved for the Scheme as a whole as there is loss of an irreplaceable habitat" (i.e. ancient woodland).</p> <p>3. However, as detailed in paragraph 4.1.4 of the Biodiversity No Net Loss Assessment for the Scheme for Change Request [REP5-038 and 039], whilst no net loss cannot be claimed for the Scheme as a whole, the assessment calculation does identify a net gain in hedgerows, area-based priority woodland and wetland habitats.</p>
1.5 – Compliance with the NPSNN and NPPF		
6	The Woodland Trust acknowledges that the proposed scheme falls within the definition of wholly exceptional as defined within footnote 58 of the National Planning Policy Framework. However, as an environmental charity which advocates for the protection of ancient woods and trees, we maintain an objection to all developments which result in the loss and deterioration of irreplaceable habitats.	<ol style="list-style-type: none"> 1. The Applicant notes that the Woodland Trust acknowledges that the Scheme falls within the definition of "wholly exceptional" as defined within footnote 58 of the NPPF. 2. The Applicant's position in relation to the Scheme's compliance with the relevant tests under the NPS NN and NPPF remains as detailed in section 1.5 of Appendix A Impacts to Ancient and Veteran Trees [REP6-045] and Table 1-5 of the Applicant's Response to Deadline 5 and 5a Submissions [REP6-040].

Table 1-9 – Natural England – Deadline 8a Submissions

Ref. No.	Question:	Applicant's Response:
Habitat Regulations Assessment Queries: 4.4 Revised HRA Conservation Objectives [REP4-056]		
1	I can confirm that Natural England agrees with the proposed objectives of the Updated HRA Report for the Change Request and are considered appropriate.	<ol style="list-style-type: none"> 1. The Applicant understands that this comment relates to BIO.4.4 of the ExA's Fourth Written Questions [PD-018]. The Applicant notes Natural England's agreement that the application of Conservation Objectives for the Northumbria Coast SPA for the Northumbria Coast Ramsar (as detailed in Table 2-2 of Updated HRA Report for the Change Request [REP4-056 and 057]) is appropriate.
4.6 Habitats Regulations Assessment (HRA) Conclusions		
2	I can confirm that Natural England agrees with the conclusions of the Updated HRA Report for the Change Request i.e. that the mitigation strategy proposed in the Appropriate Assessment (stage 2) of the Updated HRA is considered to be sufficient to ensure that proposals set out in the Change Request will not have an adverse effect on the integrity of the European sites listed in the Updated HRA Report.	<ol style="list-style-type: none"> 5. The Applicant understands that this comment relates to BIO.4.6 of the ExA's Fourth Written Questions [PD-018]. The Applicant welcomes Natural England's agreement with the conclusions of the Updated HRA Report for the Change Request [REP4-056 and 057] and confirms that this agreement is captured in the statement of common ground [REP8a-011] (and as updated at Deadline 9).
Geomorphology: Deadline 7 Submission - 6.49 Options Appraisal of River Coquet Bridge Foundation Stabilisation and Scour Protection System [REP7-005]		
3	We are satisfied with the updated geomorphology assessment. We have no outstanding concerns in relation to the effects of the stabilisation and southern access works. However, we disagree with the Applicant's determination of the nature and scale of the impact. The	<ol style="list-style-type: none"> 1. The Applicant notes that Natural England are satisfied with the updated geomorphology assessment (River Coquet Fluvial Geomorphology Assessment [REP7-003]) and have no outstanding concerns in relation to the effects of the

Ref. No.	Question:	Applicant's Response:
	<p>Applicant has stated that the scheme will have a 'minor adverse' impact. We consider the impacts to be 'moderate adverse' as the Applicant is permanently fixing the channel in this location, thus preventing the river from changing and adapting. Overall, we consider the impacts to be 'moderate adverse' and that the Applicant must provide compensation for the impacts of the stabilisation and southern access works. The Applicant is prepared to make a contribution towards offsite works in order to compensate for the stabilisation and southern access works and for the localised loss of watercourses. This would be subject to a legal agreement. Please note, this response has been made in conjunction with the Environment Agency and Natural England concur with their findings.</p>	<p>Stabilisation Works and Southern Access Works. However, the Applicant disagrees that the impact from permanent fixing of the channel is considered to be moderate adverse rather than minor adverse.</p> <ol style="list-style-type: none"> 2. Nonetheless, the Applicant acknowledges that as a HPI and habitat of a SSSI, compensation should be provided for the loss of riverbank to the extent appropriate having regard to the impacts of the Scheme. The Applicant has explored opportunities for compensation for the loss of riverbank habitat through discussion with landowners. However, the Applicant has agreed with the Environment Agency and Natural England that it is not practical for the Applicant to provide compensatory habitat on the River Coquet. Accordingly, the Applicant is in discussions with the Environment Agency to fund delivery of off-site mitigation by the Environment Agency. The Applicant will continue to ensure that Natural England are informed of the results of these ongoing discussions.

Table 1-10 – Northern Powergrid – Deadline 8a Submission

Ref. No.	Northern Powergrid Comment:	Applicant's Response:
4 June 2021	<p>I am writing to advise that I am withdrawing the objection for NPG to this scheme as we have an appropriate costs undertaking from Highways England. However, I would like it noted that subsequent negotiations with third party landowners for new equipment resulting from the CPO can become protracted and inevitably leads to delays on the delivery of the scheme all of which are outside of Northern Powergrid control.</p>	<ol style="list-style-type: none"> 1. The Applicant understands Northern Powergrid's 8 June 2021 submission to represent the most up to date position of Northern Powergrid and has responded to this below.
8 June 2021	<p>Further to my email of 4 June 2021, I write to clarify NPG's position in relation to their objection to the DCO. NPG do not have any particular land interests which are being acquired by the promoter under the DCO and therefore, they do not object to the CPO provisions being sought for the scheme. However, our objection does remain in relation to the drafting of the DCO on the basis that the draft protective provisions are not adequate. That said, NPG are working with the promoter to negotiate alternative provisions and we are hopeful that these will be in place by the end of this month. However, until such time as the alternative provisions are agreed, our objection to the DCO remains in place.</p>	<ol style="list-style-type: none"> 1. The Applicant welcomes Northern Powergrid's confirmation that they do not object to the compulsory acquisition provisions within the dDCO [REP8-004 and 005]. In light of Northern Powergrid's 4 June 2021 submissions, the Applicant understands that Northern Powergrid's sole remaining objection relates to the protective provisions for electricity undertakers in Part 1 of Schedule 10 to the dDCO [REP8-004 and 005]. 2. The Applicant's position remains that the protective provisions in the present draft are appropriate. Nonetheless, the Applicant continues to engage with Northern Powergrid in relation to the protective provisions and welcomes Northern Powergrid's confirmation that they view agreement as being achievable before the end of the Examination.

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