



# Northumberland

## County Council

A1 in Northumberland  
National Infrastructure Planning  
The Planning Inspectorate  
Temple Quay House  
Bristol  
BS1 6PN

**Your ref:** TR010059  
**Our ref:**  
**Enquiries to:** Mrs Katherine Robbie  
**Email:** [REDACTED]@northumberland.gov.uk  
**Tel direct:** [REDACTED]  
**Date:** 29 June 2021

Dear Sir/Madam

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

**Deadline 10 – 29 June 2021**

#### **ExA Action Points from ISH4**

Action Point 11 - Northumberland County Council (NCC) to provide written response in relation to Art 14 of the dDCO

In our submission to Deadline 9 (REP-9-030) it was confirmed that the additional wording added to Article 14(2) was acceptable and reflected the agreed position between the parties.

Action Point 12 - NCC to clarify if widths of RoW should be included in Art 16 of the dDCO

In our response to the ExA's Writing Questions 3, namely Question DCO.3.4 at Deadline 8 (REP8-028), our position in relation to this matter was set out. The applicant indicated a means of resolving the issue in relation to the minimum width, to which we were content subject to the ExA's agreement. The minimum widths stipulated by the Council in previous submissions have been incorporated into the Statement of Common Ground as Agreed under Item 12.1 (REP9-020) and therefore we are satisfied that the minimum widths will be incorporated into the detailed design. We have not had written agreement that the ExA were agreeable to this but would also not object to the ExA taking the view that the minimum widths should be in the DCO.

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### **Response to Deadline 9 Submissions (REP9-018):**

#### **Environmental Statement Addendum: Earthworks Amendments for Change Request - Landscape and Visual Errata Report [REP9-011]**

The Applicant has submitted an errata report to clarify visual effects as reported in the non-technical summary for the Earthworks Amendments change request. The NTS noted a number of receptors would experience 'slight beneficial' effects as a result of the proposed changes when what was meant was that there would be a slight improvement compared to effects assessed for the originally submitted scheme. A problem of terminology arose due to 'slight beneficial' being a defined term with the LVIA methodology and this is not what was assessed within the ES Addendum for the Earthworks Amendments.

NCC welcomes the submission of the errata report and agrees it corrects errors in the NTS to accurately reflect effects as assessed in the ES Addendum for the Earthworks Amendments.

#### **Requirement for a LEMP**

NCC identified early in the examination that there was insufficient detail in the submitted application to secure the proposed landscape and visual mitigation proposals. This arose due to there being little in the way of detailed information on proposed planting (species, densities, etc.) provided and a reliance on reference to the withdrawn, and no longer available, DMRB Volume 10 Section 0 Parts 2 and 3 in order to articulate the design intent. The Applicant subsequently provided the withdrawn DMRB document for NCC to review and it was agreed, and confirmed at ISH1, that subject to the requirement for a LEMP at the detailed design stage that NCC were content that landscape mitigation would be suitably secured. The requirement for a LEMP was included within the OCEMP Rev 2a [REP3-014] as item ExA: SL100 in Table 3-1. This was further amended in Rev 5a [REP6-026] to include explicit reference to DMRB Volume 10 Section 0 Parts 2 and 3 at which point NCC confirmed that they considered the landscape mitigation proposals suitably secured by this provision.

Subsequent to this, the Applicant submitted an amended version of the OCEMP (Rev 7a) at Deadline 8 [REP8-012] which effectively makes the LEMP, and information requirements identified in item EXA S-L100, an optional requirement to be submitted at the discretion of the Applicant. NCC were not consulted on this amendment and consider that without an absolute requirement for this information to be provided that the proposed landscape and visual mitigation is not adequately secured.

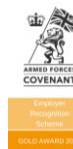
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In subsequent correspondence the Applicant has indicated that the same information could be provided within a combined CEMP/HEMP. In principle, NCC accept that the same information could be provided in this document in place of a LEMP. However, NCC consider that in order to ensure the landscape mitigation is delivered as intended the minimum information requirements set out in EXA: S-L100 of the OCEMP must be secured within the DCO.

### Provision for Non-Motorised Users – Applicant's Response to TT.3.1 [REP9-018]

The Applicant in their Deadline 9 submission (REP9-018) to TT3.1 and 3.2 makes further comment on the provision for NMU's on the scheme. The Council's and the Applicant's positions remain divergent on this issue. The Council's view remains that the Applicant should make provision for NMU's as part of the scheme and an opportunity exists to provide an enhanced NMU connection from Morpeth to Felton. We would strongly refute the statement made by the Applicant in their Deadline 9 submission at TT3.1 point 3 that "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." The Council has consistently stated throughout the Examination process that it was seeking NMU provision from Morpeth to Felton, and it is therefore astonishing that the Applicant could suggest they were unaware until 17th May 2021 that this included the length between the new Fenrother Lane (east) junction and Morpeth. Not only was this included in our Local Impact Report submitted at the start of the Examination (REP1-071), it was also discussed in the Hearing on the 26th February 2021 and further included in the Council's Deadline 5 submission (REP5-042)

On this length from the new Fenrother Lane (east) junction to Fairmoor, Morpeth the Applicant now says that enhanced NMU provision cannot be achieved as proposals have been introduced at too late a stage of the examination to enable proper consideration. The Council believes that this is an opportunity missed and that at relatively low cost enhanced NMU provision could be achieved over this length and could certainly have been achieved had Highways England engaged on this aspect from the outset of this Examination. The dismissal of the details of the proposals during the Hearing Session on 10th June 2021 with technical matters that prevent delivery of a link could have been avoided had the Applicant engaged with the Council in respect to finding a means of achieving NMU provision on this section. As stated in the hearing session on 10th June 2021, there are varying options to achieve the link and an optioneering process could have been undertaken to identify constraints and agree a position taking those constraints into account. It is therefore disappointing that the Applicant did not engage with us to develop this, with the Council being required by the ExA to put forward a proposal without the benefit of

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understanding constraints that the Applicant could have identified. This would have also reduced the uncertainty over the scope of the work mentioned in the Applicant's response as a reason why the link cannot be delivered. The Council believes that the Applicant could and should continue to explore providing this enhanced NMU provision between the new Fenrother Lane (east) junction and Fairmoor, Morpeth as part of the A1 Dualling scheme.

With regard to the de-trunked A1 from Priest's Bridge to Bockenfield, the Council view remains that provision for NMU's should be made along the full de-trunked length, to connect into the new cycleway being provided by the Applicant from Bockenfield to West Moor under Works 16L. We do not accept that LTN1/20 only applies to new network and that the principles should apply where works are required under the scheme. The de-trunked section of the A1 falls within the scheme and DCO limits and therefore LTN1/20 shall apply. If the Applicant considers that a segregated provision is required north of Bockenfield is necessary on this section of the parallel local road network to the A1, then we struggle to understand on sustainable transport and road safety grounds why such a provision, for both carriageway width and NMU provision is not applied along the full length of the de-trunked A1.

We note the Applicant's previous comments regarding Designated Funds being sought in respect of this issue, but would note that use of Designated Funds was first raised by the Applicant over 3 years ago and that no specific proposals have been drawn up and no applications for initial preliminary design funding have been made.

With regard to completing the connections at Highlaws, Fenrother and Causey Park we do not agree with the statement made under Point 9 of the Applicant's Response in respect that these footway connections between the de-trunked A1 and those provided by the scheme are the responsibility of NCC. The gaps in the NMU network at Fenrother and Causey Park are solely due to the delivery of the scheme and not because NCC have "failed to elect to" provide footway connectivity. The scheme introduces new footways at the Fenrother junction and Causey Park bridge, which is deemed required by the Applicant, yet does not make the connectivity to the existing provision of footways on the de-trunked A1. We fail to understand how the Scheme is not required to close a gap in provision of its making through the provision of footways at the grade separation at Fenrother and Causey Park to connect with the existing provision on the de-trunked A1.

The Applicant's response to the ExA Written Question TT.3.1 within REP8-026 may give the impression to the ExA that progress has been made with two Designated Fund meetings held with the Council on 18th March 2021 and 14th May 2021. We do not consider this to be the case. Whilst the provision of the NMU route was briefly

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discussed in the first meeting, in the second meeting no further discussion or indication of progress was detailed. Furthermore, at the second meeting other potential Designated Fund schemes were discussed rather than the Morpeth to Felton NMU route and no indication was provided that any significant or meaningful progress has been made in securing or starting to secure funding for the NMU provision.

Given this situation we have no confidence that this NMU provision will be forthcoming through Designated Funds

### Cross Section of De-Trunked A1 – Road Safety – Applicant's Response to Question TT.3.2

The Council continues to be concerned regarding the width of the de-trunked section of the A1, given the new purpose the road will serve as a result of the dualling scheme. The existing A1, which will be de-trunked, is excessively wide for the new traffic flows which it will carry and this is expected to lead to high speeds and road safety issues, as documented in the NCC submission at Deadline 5 (REP5-042). The Council identified this concern early in the development of the scheme and had provided the Applicant a preferred revised cross section with a reduced width of 7.3m in June 2018 (Meeting record of 28/6/18 contained within Rev 8 of the SoCG on Page 30 (REP9-020)).

The issue had also been identified in a Stage 1 Road Safety Report prepared by WSP for the Applicant in September 2018 and the Designer's Response accepted the problem and recommendation and identified that details of the section of the de-trunked A1 should be determined and agreed with the applicant and NCC, with a view to this being developed and confirmed during detailed design. Such proposals have not been brought forward, nor has any agreement been given by the Applicant that a width reduction will be incorporated in the scheme.

In the Applicant's response at Deadline 9 to TT.3.2 (REP9-018) the Applicant states that

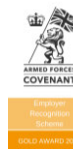
"4. The designer's response to the RSA finding suggests changes to the speed limit on the de-trunked section. The Applicant is not proposing to change the speed limit on the de-trunked section as part of the Scheme A1 in Northumberland: Morpeth to Ellingham Applicant's Responses to Deadline 8 and 8a Submissions Planning Inspectorate Scheme Ref: TR010059 Page 11 of 39 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).

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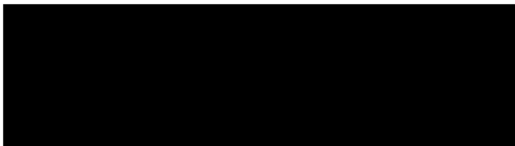
"5. As an alternative the Applicant confirms that, in accordance with design standards, narrowing the carriageway by physical or virtual means is a standard technique to reduce traffic speeds. There are therefore a variety of ways of addressing speed, but they do not justify the provision of a segregated cycleway."

As anyone with any involvement in road safety is aware, changing driver behaviour and reducing vehicle speeds is not something that can effectively be achieved by changing speed limits alone. The applicant's concentration on the speed limit reduction solution to the Road Safety Audit Problem is therefore not considered appropriate. As Highway Authority taking on the responsibilities associated with the de-trunked A1, any resolution of issues raised in the Stage 1 Road Safety Audit must be considered by the Council as future Overseeing Organisation of the de-trunked A1. The reduction in speed limit solution to this problem has not been signed off or considered appropriate by the Council. The nature of the road environment has a more significant effect on driver behaviour and vehicle speeds than speed limits. Therefore the Council strongly believes that a reduction to the road width of the de-trunked section to 7.3m should form part of the works under Work Nos. 10a and 10b with Schedule 1 of the Development Consent Order.

On a number of occasions, the Applicant has stated that changes to the de-trunked section would be able to be carried out by the Council after the overall A1 Dualling scheme has been completed, if the Council felt this was required. However the necessary work to reduce the width of the de-trunked section is a direct consequence of the A1 Dualling Scheme and should be carried out as part of that scheme and also addressing the issue raised at the Stage 1 Road Safety Audit. It does not seem appropriate that the burden of necessary work as a consequence of the A1 Dualling scheme should fall on the County Council.

I trust this is all the information you require from the authority at the present time.

Yours sincerely,



Katherine Robbie  
Senior Planning Officer

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