



PINS Ref: TR010059

Mr Kevin O'Hanlon
c/o The Planning Inspectorate
Major Applications and Plans
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Andrew Scatchard
Project Manager
Highways England
Lateral
2 City Walk
Leeds
LS11 9AR

Date: 21 March 2024

Dear Mr O'Hanlon

Planning Act 2008 (as amended) and the Infrastructure Planning (Examination Procedure) Rules 2010

Application by National Highways ("the Applicant") for an Order granting Development Consent to authorise the widening of an approximately 20.6km stretch of the existing A1 between Morpeth to Ellingham, with approximately 14.5km of online widening and approximately 6.1km of new offline highway.

CONSULTATION SEEKING COMMENTS FROM THE APPLICANT

REQUEST FOR UPDATED APPLICATION INFORMATION

Further to National Highways' (the "Applicant") 22 November 2023 response to the Secretary of State for Transport's request for comments set out in the Department for Transport's letter dated 7 November 2023, please find enclosed the Applicant's updated *6.33 Updated Biodiversity Air Quality Assessment* and the Applicant's new *6.54 Environmental Statement Addendum: Updated Desk Study and Habitat Verification Survey Report*.

Air Quality

This updated assessment supersedes the DMRB sensitivity air quality assessments presented in Appendix 16.7: Biodiversity DMRB Sensitivity Test: The Scheme of the ES [**APP-333**], Appendix 9.27: Biodiversity DMRB Sensitivity Test Part A [**APP-253**] and Appendix 9.12: Biodiversity DMRB Sensitivity Test Part B [**APP-310**]. This updated assessment also supersedes the Updated Biodiversity Air Quality DMRB Sensitivity Assessments submitted during the DCO Examination at Deadline 3 [**REP3-010**] and finally at Deadline 10 [**REP10-023**] (the original 2021 assessment).

The Applicant's submission of the environmental case for the scheme was based on the Pre-Application traffic appraisal. This appraisal was based on NTEM7 and RTF2015, (with a

sensitivity test undertaken with RTF2018) and an opening year of 2023. During Examination the appraisal was updated with an opening year of 2025.

Due to the postponement of the DCO decision, new growth data has been released via NTEM8 and RTP2022, as well as updated TAG parameters. Furthermore, the opening year of 2025 is no longer feasible for the scheme and a later opening year of 2029 is expected.

A review of the likely changes in traffic flow resulting from changes to guidance and the Scheme opening year (set out in Annex B of the Updated Biodiversity Air Quality Assessments Report) shows that there may be a marginal (2-3%) increase in traffic flows in the Scheme opening year in comparison to the flows assessed in the Air Quality Updated Assessment (Scheme Opening Year 2024) [REP3-012]. The air quality impacts of this increase in traffic flows will likely be more than offset by a decrease in emissions per vehicle. The results presented to date and presented below are therefore robust and a likely conservative representation of the impacts of the Scheme in 2029. Therefore, the further tasks set out in this submission to update air quality and biodiversity assessments using the traffic data published during the Examination represent a reasonable worstcase assessment.

The updated 2024 AQ assessment methodology is set out in Section 2 of 6.33 *Updated Biodiversity Air Quality Assessments*. To support the requirement for the assessment of the effects of ammonia emissions from vehicles, National Highways have produced a tool for the assessment of ammonia in the absence of government issued emissions factors for NH₃. This includes a tool which improves the performance of dispersion models in the vicinity of elevated roads, as a better modelled representation of the impact of the Scheme on pollutant concentrations at the River Coquet and Coquet Valley Woodlands SSSI/Duke's Bank Ancient Woodland.

This assessment identifies increases in operational nitrogen deposition and atmospheric ammonia concentrations as a result of the Scheme that are tabulated in Annex A of the report and are generally greater than those predicted in the original 2021 assessment.

The updated 2024 assessment identifies increases in operational nitrogen which are predicted to have adverse significant effects at River Coquet and Coquet Valley Woodlands SSSI, Duke's Bank Ancient Woodland, Park Wood / Bothal Bank Ancient Woodland, Cotting Wood Ancient Woodland, Davies Wood LNR / Ancient Woodland, Borough Wood LNR / Ancient Woodland, Well Wood Ancient Woodland and ten veteran trees.

Measures proposed to compensate for significant effects predicted by the updated 2024 assessment are detailed in Section 7 of the Updated Biodiversity Air Quality Assessment and follow the same strategy as concluded during the Examination for veteran trees and LNRs / Ancient Woodlands, except in relation to the SSSI where compensatory measures will be largely outside the SSSI. In addition to other beneficial impacts of the Scheme (including removing land from agricultural use) compensatory measures include:

- Commitment to planting 30 trees for each veteran tree where significant impacts are predicted;

- Funding habitat improvements within an area of 11.9ha to be undertaken by Northumberland County Council at Davies Wood, Borough Wood and Well Wood (Plessey Wood);
- The Ancient Woodland Strategy [**REP9-012**], to provide compensation for the potential impacts to the lower plant community of the River Coquet and Coquet Valley Woodlands SSSI/Duke's Bank Ancient Woodland.

REAC commitments A-B3 and ExA: S-B100 have been updated in 7.3 Updated Outline Construction Environmental Management Plan (Outline CEMP) to capture these compensation measures, which are considered adequate to address the significant effects detailed within 6.33 Updated Biodiversity Air Quality Assessment.

Biodiversity

The Applicant has completed an updated ecology desk study and a habitat verification walkover for the Scheme. The habitat walkover survey was to confirm that the habitat types have not changed significantly from the original baseline assessment that was set out in the Application. The information collected has been used to validate the impact assessment and mitigation proposed within the Application (and as updated during the Examination).

The updated desk study identified no additional designated sites or areas of Habitats of Principal Importance (HPI) and ancient woodland in comparison to those assessed within Chapter 9: Biodiversity Part A [**APP-048**] and Chapter 9: Biodiversity Part B [**APP-048**]. Therefore, the impact assessments and significance of effect detailed within the chapters in relation to these receptors remains the same. As detailed within the new *6.54 Environmental Statement Addendum: Updated Desk Study and Habitat Verification Survey Report*, this statement excludes impacts and effects associated with air quality for designated sites and ancient woodland for Part A. An updated assessment has been completed and reported separately.

Phase 1 habitats identified during the verification survey were broadly the same as those identified during the original assessment (Figure 9.1 Final Phase 1 Plan Part A [**APP-105**] and Figure 9.3 Phase 1 Habitat Survey Part B [**APP-155**]). There were no changes that would result in amendments to the impact assessments or the significance of effect detailed in Chapter 9: Biodiversity Part A [APP-048] and Chapter 9: Biodiversity Part B [**APP-048**].

A review of updated desk study information, survey data collected since the Examination and information collected during the 2023/2024 habitat walkover survey was undertaken. This found no changes that would result in amendments to the impact assessments or significant of effect detailed within the DCO documentation in relation to protected and notable species, with the exception of impacts and effects associated with air quality as addressed in 6.33 Updated Biodiversity Air Quality Assessments. As a result of the updated desk study and habitat verification survey, the mitigation and compensation measures outlined within the Outline Construction Environmental Management Plan [**REP11-006**] remain valid.

National Policy Statement Review

Since the Applicant's 22 November 2023 response, the draft National Policy Statement for National Networks (the "2024 NPSNN") has been published, although it has not yet been

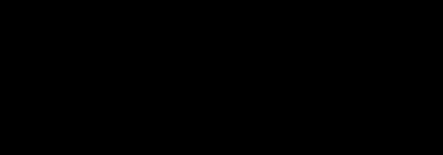
designated. Paragraphs 1.16-17 of the 2024 NPSNN confirm that the existing 2014 NPSNN remains the relevant NPS for the Scheme, with the 2024 NPSNN potentially an important and relevant consideration. In this context, the Applicant has undertaken a review of the 2024 NPSNN to confirm that pertinent matters have been addressed in the Application. Following that review, the Applicant does not consider that there are any areas of significant divergence amounting to important and relevant considerations.

Given its relevance to the matters dealt with under the Air Quality heading, above, the Applicant has had particular regard to paragraph 5.63 of the 2024 NPSNN. This introduces a “wholly exceptional reasons” test in respect of the loss or deterioration of irreplaceable habitats, listing situations where the public benefit would clearly outweigh the loss or deterioration of habitat as an example of such a reason. As set out in the Applicant’s Response to the Relevant Representation made by the Woodland Trust [REP1-064], the Applicant confirmed compliance with the requirement under the 2014 NPSNN for the national need for and benefits of the development to clearly outweigh the loss. The Applicant also confirmed in that response that the Scheme meets the wholly exceptional reasons test under the equivalent wording within the National Planning Policy Framework. In light of the reference to wholly exceptional reasons and public benefit in the 2024 NPSNN, the analysis in respect of the 2014 NPSNN and NPPF applies. Further, the Applicant does not consider that the impacts referred to in 6.33 Updated Biodiversity Air Quality Assessment alter the position, due to the need for the Scheme remaining as previously reported and the incorporation of the mitigation and compensation measures referred to in Section 7 of that Assessment.

Conclusion

The Applicant considers that the Secretary of State now possesses sufficient information to conclude that development consent may and should be granted.

Yours sincerely



Andrew Scatchard

Project Manager

National Highways

Email: [REDACTED]