

transcript_ISH1_session2_30112022

00:29

Thank you everybody is called to can we take our seats and resume please?

00:55

Okay, thank you now quarter to 12 Let's resume for the purse people online.

01:02

Can I, I we lost connection with us? I know you're no doubt aware, can I just reassure you that we immediately paused as soon as we knew, which was instantaneously, really, that connection had been lost, and we paused for a tea break. So you missed absolutely nothing other than finding out where you've gone,

01:26

but I can see the connections back up and running. So that's good. And I'll now hand back to Mrs. MILLIKEN case.

01:38

Thank you, Mr. Salvin.

01:41

Thank you. I think it's probably best if Laura drew speaks first on behalf of the town council. That's absolutely fine mystery. Larger on behalf of Barnard Castle Town Council. Can the applicant or Historic England confirm whether a similar heritage assessment has been conducted on the 43 listed?

02:09

Going to see the increased levels of traffic that we've mentioned earlier.

02:15

Thank you, Mr. I'd like to hear from all the interested parties before we ask the applicant.

02:21

I've got a couple of other questions lead on from that.

02:26

What What process do they go through to assess the harm on one heritage asset versus another?

02:38

And finally, how's the harm of either of those weighed up against other potential harms to, for example, life and limb and businesses, etc in the town.

02:54

Thank you. Thank you mystery, Mr. Sullivan.

02:59

Thank you.

03:01

Williamson solving chartered surveyor on behalf of Northam estates.

03:06

The owner of Rugby Park has been the driving force behind promoting the blue option.

03:18

It's nothing new. It was a process that started way back in the early part of the millennium. With the initial consultation between route K and route L.

03:31

We went for route L which is basically the blue option.

03:36

The roads people went for route K, which is the black option. We have been arguing ever since as to the degree of harm that either option will cause to the designated assets which are not just the the RPG the registered park and garden. It's obviously the other listed buildings, but it's also the wider historic landscape. And the only conclusions that really been reached and we've heard this morning is that both of them to a lesser or greater X extent create harm. It is

04:21

the first I have heard this morning of the

04:26

statement that neither to the minds of the applicant or indeed Historic England causes significant harm.

04:36

Because we have been told throughout

04:39

that the blue option does cause significant harm to which we've said oh no, it doesn't. To the extent that with the applicants agreement, we obtained specialist advice from Southern green this is part of our representation, which you already have

05:00

And if I can just read out a short summary,

05:05

which states this,

05:08

we anticipate that the blue two option, which I'll come to in a minute will bring about less than substantial residual harm on the great two star rugby, registered park and garden and will provide more advantages and fewer negative aspects when compared with the other options under consideration.

05:28

The blue two option is not only preferred by the landowner of Rugby Park and the surrounding farmland, but the analysis indicates fewer negative aspects and more positive aspects than either the national highways preferred black route or the secondary Blue Route.

05:46

So that is as good as summary as can be given

05:53

on the respective merits. Obviously, our consultants had the advantage over national highways in being able to have free access to the private parts of Rugby Park rugby Hall, St. Mary's Church, and also the the archive. And I just hold up an example of that from the Rotary Park collection. But I have shared these documents with national highways representatives, as freely and as often as I have been able to always saying, how have you or asking how have you reached the conclusion that you have that it's the black route over the Blue Route? And every time they have said, well, the black route doesn't overstep the red line boundary of the RPG, Twitch, we've said, well hang on a minute.

07:02

That's doesn't that's not the evidential test. And

07:09

to carry out the evidential test, effectively, we need to have prepared a statement of significance and a heritage impact assessment on the registered park and garden, the listed buildings and the wider historic estate. It can be done quite quickly, it will be very informative, and will hopefully enable the parties still to come together to agree an acceptable compromise to take forward. As it is at the moment as we heard yesterday, national highways are proposing to introduce changes on deadline zero. I appreciate this is still a draft time timetable, deadline zero on the 14th of December, but feel unable to provide

08:00

any further information such as a statement of significant sources, Nordic heritage impact assessment, or indeed, result of contractors surveys until the 24th of January.

08:13

I appreciate that the clock is ticking, it is running as of yesterday, and that you have six months with which to complete this development, consent order process. And

08:27

I'm not quite sure what can be done to ensure as equitable and outcome as possible, because we are now at a distinct disadvantage. We have fed into the process, as I say, since the early part of the millennium, and still find ourselves in front of you at loggerheads.

08:49

I did make a submission when the DCO application was made by national highways

08:59

on the 13th on the second of July, asking the application to be held until such time as a statement of significance or heritage impact assessment was prepared to enable the parties to have this evidential base to be able to compare the two options that has been acknowledged but hasn't been acted upon. So I use this morning as another opportunity of repeating that request to ask for Section Eight to be placed the DCO process to be placed in abeyance until such time as we have that statement of significance and heritage impact assessment so that we can actually then make the assessment of the degree of harm and the preference between the options fully informed because at the moment.

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Now natural national highways are at a disadvantage over

09:58

the estate because

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They have not sought the information that we believe would lead them to agree with us. And our consultants. Thank you.

10:09

Thank you, Mr. Salvin. The applicant like to make comments now, please.

10:22

In terms of the assessment, all right, sorry, Mr. Sekulow. Before I before we ask them to come out, can I just doubly check that there aren't any other IPs that wish to make comment? Sorry. Dr. Martin, thank you so much.

10:37

So I was just, obviously, I'm not concerned with this bit of the route. But there are general problems, which affects everybody. And I was very struck by your speaker from Historic England, talking about the relentlessness of the a 66, that in relation to heritage,

10:55

it's about the least harm, rather than, you know, a good outcome. And I just had a quick question, which is, are there speed cameras about that, that along that length of the route? And would this not be a way to

11:11

at least alleviate some of the current problems with the AES 66? Thank you.

11:18

Thank you, Dr. Martin.

11:24

Sorry, it may just help. County Durham is the only county that doesn't have fixed speed cameras in the country.

11:32

So that stretches in County Durham. So there aren't any fixed speed cameras. But there are radar valance.

11:40

Thank you

11:44

Mr. Santa Kula.

11:53

Think if we

11:56

first start with national policy.

12:01

I'd like to turn to document document at 242.

12:12

It'd be helpful if we put this up on the screen. I will get one up on the screen for them. But for this one, I thought I could take this point quite quick. Okay, no problem.

12:22

Where the requirement is, if it's relevant is subject EIA. We need to the applicant needs to undertake an assessment of any likely significant heritage impact. And you'll see there from the legislation policy compliance statement, we set out how we've done that.

12:38

That's in Chapter Eight of the ies and that's where we've assessed the likely significant effects of the project on the heritage assets. Not only have we assessed the significance, but also that impact. Now that you've got that reference there. Yes, to be clear, Mr. Semoga. This is to understand our and help our understanding of reasonable alternatives. That's the reason for these questions. Think

13:03

the next point that's come up that does.

13:08

So I just wanted to make that point clear. Because there there has been a point raised about our assessment of

13:14

harm. And it has been a comment to us saying that one of the routes would lead to likely significant effects.

13:24

And that'd be the first time that's been raised. And we've said that in the assessment, we assess both the blue and the black, one of them led to likely significant effects and the other didn't. So that's the first point there.

13:38

The second point I want to make is, in terms of how we've actually compared the routes, I think it'd be helpful to just go through the sifting matrix and the general approach to the blue and the black.

13:50

And with that, it's probably helpful for us to pull up the sifting matrix.

13:55

We're going to pull it out for you now.

13:58

The reference for that

14:04

is the route Development Report. App 247.

14:27

There's a summary, paragraph five, point seven nine. I'm not sure if that can get any bigger but I'm pushing that might be it.

14:38

So this shows the comparison for the blue and the black route.

14:42

I think it'd be helpful if

14:45

we could get Miss Wylie to just explain for us how it is that comparison was done and the relevant considerations that the relevant elements that we took into account

14:59

Hi

15:00

I carry Wally, I lead the lead the environment work on behalf of the applicant for the preparation of the DCA application. MCs point came up earlier about the number of factors and the range of factors that have been taken into account with the decision making. So we thought this would be helpful to run through, effectively for every choice that we had on the screen when we were looking at design options. And I included this comparison of the two functions rugby, we, we took a standardised sifting approach, where we looked at a number of factors to understand the benefits and the benefits of each of the options that we were looking at. So it was a comparative exercise. And as you can see, we've reported it in a way off from our baseline, which in this case was the the Western option, which is what has been taken forward. When we compared it to the eastern option, how did the Eastern option perform in comparison to that, so as you can see, we looked at a range of factors around both engineering, environmental factors, stakeholder factors, local community factors, and each of those, we did a comparison, as you can see, a number of them came out neutral. So actually, either of the options would have been acceptable from a policy from an impact assessment point of view. And from a number of factors. The Eastern was better, in fact that the the Eastern was worse. And so that all fed into our decision making. I can see from an environmental point of view, in particular, it wasn't only heritage, that there were a number of factors that at that point, based on that direct comparison of the junctions came out worse. But because the comparison was fairly close, and there was a lot of nuance in it, we then took that for that further forward. Again, it was one of the options that we then put forward in stock consultation that we took forward further environmental assessment, and that was reported then in the preliminary environmental information report, our statutory consultation.

16:45

And I think it's correct in saying and it's been referenced previously, the dominant factors that came out were the impact on heritage assets, and the effect it had on the traffic and the local community. So that's why the concentration, I think, has been on those factors. But we wanted to make clear that we looked at the full range of suite of factors when we were doing that sift. Thank you, are you able to explain the level of detail as to the assessment criteria here? I can do Yeah, at this stage. This is when we're this this reporting a fairly early option comparisons. So we would have at that point, we had outline drawings. And we had all of the database data and a number of surveys. This was partly through the scheme survey. So we have number of surveys in these areas to inform our assessment. But it was effectively a desk based assessment at that stage. The fact that this is one of the areas where it did come out very close, we then took that forward to the more detailed environmental impact

assessment that was then reported in draft at the preliminary environmental information report. Thank you.

17:45

So anything else wishes to add?

17:54

Mirage give one more reference, there is additional detail in terms of the sifting assessment, what you've seen, there is a summary. But if you look at Appendix A 6247.

18:06

That will give that additional detail as well. Okay.

18:10

I think we're just gonna leave that we'll leave that there. That's fine. Yeah. Let's leave it like that. Thank you.

18:17

Okay, briefly,

18:20

I'm turning to Historic England, again, and

18:26

I'd like to quickly ask whether

18:31

Historic England have any outstanding concerns with the with reference to the impact of traffic. I acknowledge and irata in the detailed agenda that stated HGV movements, but it was traffic movements.

18:48

I suppose. Yeah. Can he just confirm whether they have any concerns about the impact of traffic associated with the blank option? Thank you.

19:01

Are This is specifically with regards to the impact on assets. Thank you. Okay.

19:06

Obviously, we

19:10

because I wasn't aware of the that it was a definite irata about the HTV. I've just mostly prepared about the HGVs around us. Generally. However, you know, obviously we we are not traffic experts. That's not

our remit doesn't fall within our remit in any way. So we have to take at face value the assessments that the applicant presented to us when we were looking with regard to any wider impacts on the historic environment. And on the basis of the information that suggested that traffic flows going into buying a castle would be reduced. We have no particular concerns with regards to buying a castle Bridge, which is a shedule monument highly designated asset is a highways bridge Durham County Council maintain it as a highways bridge and that is their responsibility to continue to do so.

20:00

And

20:01

so we had no particular comments about that.

20:06

Given that the transport assessment was not indicating a significant rise in traffic through Barnard Castle Town Centre, again, we had no particular concerns.

20:18

With regards to rock the church, the black route moves the bulk of the traffic away from the church, the a 66, as is at the moment remains as a de trunked road primarily for HDV access to get onto the sea road.

20:34

So we'll have a less

20:37

reduction in the amount of noise of traffic on the grid to star church.

20:43

We also get a reduction in the impact of traffic on the parking garden generally because the the black route moves the traffic to the south.

20:53

And then with regards to Eggleston Abbey or Eggleston Abbey bridge, I wasn't quite sure which asset you were specifically referring to there. The HGVs already used that bridge, so there would be no change. There might be perhaps I don't know, and I haven't seen any evidence to suggest there might be a less normal traffic going that way, potentially. But the HGVs still have to go that way.

21:19

I actually want one other thing,

21:22

the junction with the sea road to burn a castle off the 66 that will be vastly improved, because it is a very at the moment very fast junction. And there have been numerous road traffic accidents at that junction that have

21:37

harmed the designated assets at the gate, the gate piers. And obviously slowing down the traffic down the D trunk to a 66 will have a significant effect on those assets.

21:51

Thank you, before I ask the applicant if they wish to comment, are there any interested parties who have comments to make on what they've just said?

22:03

Ryan? Yeah, Phil Ryan crosslands, Ruby Community Liaison Group, I think it's just important to say that the comments about the junctions and the traffic at St.

22:18

Mary's Church are the same whether it's the blue or the black, because the a 66 main route is the same and the junction will be altered whichever route it was.

22:33

I also struggled to see

22:36

on the traffic planning that that I've seen there is an increase in traffic on the cells. Where is it going?

22:44

I think it's you can't assume that it's all going to go up teesdale. I would have said that at least some of that traffic, if not the majority is going to go up the lower part of the town.

22:57

Thank you, Dr. Ryan. Apologies.

23:05

Apologies, Mr. Salvan. Will himself in multiple states, just picking up a issue of the existing c 165 a 66 junction as the person responsible with repairing all these listed structures, I'm only too aware of the dangers of these protected assets in close proximity to large vehicle volumes. But I would say that the blue option addresses that more effectively than the black because as an example, the black option proposal has at the 11th

23:42

added a mini roundabout immediately adjacent to the grade two pillars at that junction, which didn't feature in our consultants report because obviously it wasn't on

23:58

on the table. It wasn't proposed at that time. And it just all adds weight to the need to step back and make a proper appraisal of the Heritage assets that were involved with.

24:11

This is all done. Thank you. So much cooler. No additional points.

24:18

Thank you. Let's move on.

24:26

So the next item within this agenda point is noise now.

24:34

We've had relevant representations submitted that state

24:41

that there may have been benefits to residents with regards to reduce traffic disturbance.

24:49

I just wondered whether the applicant has anything they would like to state in relation to those points made

25:00

But

25:02

madam as as you'll see from representations we've made

25:06

the choice of the blue, sorry, of the black over the blue took into account a number of factors of which noise was was one of them.

25:15

You'll see

25:18

the comparison between those options given in the sifting matrix. And you've got those references, both the summary and

25:30

Appendix A six, which provides some additional detail.

25:36

So, I mean, that's the general position as to how noise fed into the decision of the black over the blue.

25:45

We have our noise specialist here. If there are any specific questions about

25:53

about that particular assessment.

25:56

I think at that point, that's that is as much assistance as I can give you. I think having the sifting exercise in front of us has helped us on that point. I've got no

26:06

further questions on that. No, no.

26:12

All right. Nothing, nothing more for me. And

26:19

yes, gentleman in the back. Can you wait for the roving mic, please?

26:24

Mr. Charles, with how Charles with local residents.

26:29

I'd like to know about the assessment. Is it just

26:33

concentrated on the 66? Or did they take into account the extra traffic and they've admitted as going to lose more traffic extra traffic going through my castle? Through

26:47

what is a very

26:50

slow bridge, especially with three roads feeding into the bank? And that surely will have some environmental effect the extra traffic there? Was that taken into account in this system?

27:04

I think just before the applicant responds to that.

27:08

It might help. I think, if the applicant could just go into this table here this sifting exercise, when we say better, worse neutral.

27:21

I appreciate earlier you said this was comparing the blue option to the black option. But is this the Is this the blue options comparison to the black option or the black options comparison to the blue option? So in other words, are the utilities is is this? Is it better than the blue option? Or

27:42

better than the black option is? What is the base for this table? And what are we measuring against so the baseline there is at the top, top of the table, it's that it's the black option.

27:53

And it's the blue option compared against that as the alternative. So just

28:00

so for the benefit of everybody here, the blue option would have a better engineering in utilities than the black option. And I'm not saying that that's necessarily, you know, should have been the decision we've had. I'm just pointing out what it says here. So and in terms of structures, the blue option would be worse than the black option. The blue option would be worse. Yeah, the black option. Yes, indeed. Salsa radio. Okay.

28:34

You want to come in

28:36

yesterday, Mr. Charles was asked a question and you may want to just respond.

28:52

Would it help if I asked Mr. Charles, Would you repeat the question? Yes. Sorry. Could you repeat that question for us? Please? Would you mind repeating yourself?

29:02

Does this assessment assess anything happening in bar castle which is affected by the roots?

29:13

So the question is whether or not we've we've conducted a noise assessment as to the impact that Barnard castle

29:21

and Mr. Here you can take that.

29:29

Afternoon, David hilar. A mirror noise lead for the applicant. Yes, the traffic modelling for the pier and for the environment statement.

29:42

Sorry, that's the preliminary environmental information report. did look at the road routes through Banner Castle, as far as is required by the design manual for roads and bridges of high national highways. That sets out the procedures for modelling traffic noise

30:05

Yes, Miss Evans, thank you, Miss Evans resident and Ana Castle ATV Action Group. I saw some of this at the consultation that took place, looking at the noise. And from what I could see, what happened was that for the black route,

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if you looked at the whole map, there was

30:31

a slight reduction here, slight reduction there, perhaps a little bit more here and whatever. What happened, sorry, with with the with the Blue Route, that that's what happened. With the black route, what happened was that there was a little bit of change here, there and everywhere. And then along the sills. And for residents that would get noise from the sales, there was a marked increase. So my understanding from the seeing what was at the consultation was that perhaps on balance, they might have been able to get the Blue Route to look worse. But actually, in terms of dramatic increases in noise, there was more of a dramatic increase in noise on the black route around that sills and around the areas where where the where the noise would now, the consultation was quite a long time ago. I do struggle with all of these bits of paper and such like I might not be correct. But I just wanted to say that at this point, just to think that actually that does need to be looked at a bit more carefully. Thank you. Thank you before asking the applicant to comment, Mr. Humphrey.

31:49

Kosova that's one of the reasons earlier on and asked about fine grained assessment, the 53% increase in traffic. With having said that we'll ask the applicant to respond

32:06

I've just got to get a quick indication as to the assessment document that we're we're looking at.

32:13

So just give me one moment.

32:44

Sorry, I was just getting the correct expert for everybody.

32:49

Miss swelling will take that price now.

32:52

I actually thought it'd be helpful to explain, because I think we've undertaken as a two stage assessment. And so what we're seeing is you're seeing presented two piece of information. So I wanted to talk about how we got from one to the other first, and then I'm going to hand to Mr. Hill to talk about exactly your point on the noise. So what you saw on the sifting screen there where we judged the the blue option to be worse than the black option. That was a direct comparison we did early on of the junction itself. So that was looking at the junction itself and the immediate surrounds off the junction. And that's where, as I explained, we did the comparison, we realised that there were pros and cons of both, and we need to take it further in the assessment. What we then did was we took that forward into the more detailed fine grained assessment, which is where we did all the traffic modelling. And from that we then did noise modelling. So at that point, it became clear that the combination of the cross lanes and rugby junctions together have this effect on traffic that we've talked about and that you've been explained this morning. And so that's where we understood at that point, what happened in terms of the traffic movements and the effects in Barnard castle. And so what was presented in the pier. So the preliminary environmental information report at statutory consultation was the noise assessment based on that modelling, which was the much wider area and considered those effects that's been described.

34:05

And that detailed assessment you've just referred to, is that in Appendix six, a six sorry, that you've referred to, is that is that for the benefit of everybody, where would I find that in the application documents?

34:22

So I'm trying to find exactly what reference it is.

34:26

So understand that the preliminary information report is annex L of the consultation report. Do we have the app reference number?

34:34

I'll find you the app reference number.

34:44

App 252.

34:48

Thank you. Thank you, if I could turn to Mr. Hiller to talk about the noise assessment that was entered into

34:55

Thank you, David Hill for the applicant, the sun

35:00

Noise assessment in the PIR preliminary environmental impact report to set out in detail the various options, and the different number of identified likely significant effects both beneficial and adverse for the various options that were looked at at that stage.

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The what's now called the Blue option on there had

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had fewer adverse and beneficial

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likely significant effects on the black option had

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both the black and the blue option had broadly similar number of

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likely significant beneficial adverse effects. So as a consequence of rebooting traffic, traffic noise,

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likely significant effects

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become beneficial on the roads that are the traffic taken off and become adverse on the

36:04

routes that the traffic flows are diverted onto.

36:10

So just taking in absolute numbers terms, if the likely adverse effects and likely beneficial effects, the black route, now called Black route, with the traffic modelling at the time, the preliminary environmental impact report

36:29

showed the black group to have a greater number of adverse and beneficial, likely significant effects from the blue. Okay, that's clear. Thank you.

36:39

Oh,

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sorry, sir. I don't think I have anything else to add on that. So

36:45

that's it from us on that. Okay. Great. Thank you.

36:49

Moving on to agenda item 2.2.

36:53

Just just as anybody got just before we do that, just before we move on, does anybody got any other comments or wish to make on scheme? Eight? Before?

37:04

Yes, very briefly, please. Mr. It was just willing to tell them all the mistakes is just really to learn. We keep posing questions, and we get reassurance that

37:14

we'll get an answer. I was just wondering, in terms of the feedback process, because we're sitting here at this end of the table wondering what's happening when?

37:31

Specifically, what did you have in mind? Are you talking about the applicants response to your comments today?

37:40

There's that there are obviously issues outstanding with regards to heritage impact assessment and,

37:47

and that sort of thing. But also, I invited the examining authority to undertake a site visit to parts of Rugby Park, that weren't visible from the public highway yesterday morning, and I await a response from you. All on that point, where we will still consider that as to whether to hold an accompanied sign inspection. And if we do, we will consider whether we will wish to we we wish to visit the Ruby RPG that's still being discussed at that point. The other points you raised, I'm sure, I'm sure Mr. Some Akula, you'll confirm that you will be providing a post hearing note, and you will address the questions or the points made by

38:35

that you've heard from all interested parties today. Yes, sir.

38:39

Okay, just one final comment. I'd like to confirm that none of the proposed changes being considered to be brought forward relate to our blue related respective scheme, a cross lens to rugby.

38:57

And then no further comments for us on that agenda item. Okay. Thank you.

39:04

So, we're now going to move on to the 2.2 on the agenda, and this is the Appleby to Bruff scheme six.

39:15

And we're going to as I said at the beginning, we're going we'll deal with the second part of the item on that agenda, which is third paragraph, the langree junction.

39:26

So I'm going to hand over to Mr. Humphrey, but recently, I don't know if you want, as we did with scheme, eight for the applicant to take us through the options of that junction. And then we'll ask Mr. Thompson to say what she wants to say.

39:40

Okay, could we start on this agenda item with the applicant briefly setting out a route option selection process for scheme? Six Apple beta Bruff?

39:52

Yes, if I could just provide some references for you.

39:58

It's app 244

40:00

All

40:04

permanent Overview report that section 5.5.

40:11

App 247

40:14

the root development report, section 5.6.

40:25

AP 046.

40:29

Environment environmental statement, assessment of alternatives

40:35

chapter three

40:39

one point 5.47 to one

40:43
point 5.57.

40:47
And the examination library references that chapter just as you've got it there.

40:53
I thought it was oh four six, if I'm wrong on that. That was that was one I gave it initially, I can just check that I think it's Oh, four six.

41:06
We have Mr. Mr. Carey here who is going to take us through the route selection process for this scheme. Thank you.

41:13
Excuse me?

41:16
Is it possible to have a map on the screen? I thought this was going to happen.

41:23
Let me just check if we can do that. If you just give us what I have to say I think that would be rather helpful if I'm angry. Sheet five, have AP or 01 for

41:37
the general arrangement plan.

41:42
Yep. Good afternoon.

41:45
My name is Paul Carey.

41:48
I'm a chartered engineer with AMI.

41:51
I was the design engineering lead throughout the development of the project and

41:55
on behalf of the applicant, national highways, the drawing I have on screen is particularly focused in the language area, perhaps I'll just zoom out in the context the wider scheme if that will be helpful to start with.

42:08

So, there is a bit perhaps we could go to figure 16 In a PDR it just as an overall context it sets the root in the wider wider scheme of things if that would be okay. So, in terms of the scheme itself, is covered in Section Five of the PDR application document to for for

42:31

early development of this scheme led to two principal options basically the western end and east and then joined together an online solution the western end and by western end, I mean from Cafe 66 broadly down to the Wheatsheaf area the project and then east of that and offline duelling section

42:52

from the Wheatsheaf area to take into into Bruff

42:58

for context is probably worth stating in this area has some significant constraints, which we will touch on in latter parts of the agenda in more detail. But principally you have the the AONB on screen that is shown by the green area, which the Eastern two thirds of the routes

43:18

can be seen visible. The LNB is defined as the northern edge of the ACC six existing AC six carriageway along the majority of its length. And also in this area we have the MO D facilities with their operations or walk up. So as this scheme has developed through the stages of Project Control Framework that national highways operate within, it's been about the evolution of the route to try and better and respond to data appraisals stakeholder feedback, and the reason I pulled this drone directorial series is because it breaks it down into parts for just for ease of description. So at the western end,

44:01

we responded to saturate consultation feedback here. And the option selection here was Moreover, about whether the route should widen to the self, whether it should widen to the north of the existing a 66. There is no solution that we took to start commerce to the south. However, based on feedback from from residents, from landowners, we move that along to the north. So the route that we submitted into DCO reflects that and the roots tracks principally online but to the north of the existing road.

44:30

As we move into the central section,

44:33

the alignment there we have two options on screen that were developed during PCSD. Three, we have the Blue Route and the black route here. And the principle difference here is that we had an elevated solution that the principal stayed out with the AONB and

44:56

that was

44:59

at

45:00

The renovation will probably be 10 or 11 metres because significant bank land principally to allow connectivity of the local side roads, particularly mid facility in terms of their training camp, so the the tank park and that ran eastwards along the fringe of the AONB. The alternative that we put forward in terms of the options selection process, and

45:22

was to look at a lower level impact, but actually moving slightly further northwards. So then that's put the existing 66 at the centre of the road. And we basically widen in both directions was allowed the a 66, Julian to occur principally on the southern side, and a local road, principally retained on the northern side. That's the lower level down to approximately three metres above ground compared to the 10 or 11. Benefiting from a reduced impact on visual and noise, especially, that was done in consultation, say based on feedback with stakeholders taken on board, Mo D feedback. It did encroach into the LMB and perhaps our park are pleased in terms of that conversation from policy perspective. And my colleague, Mr. Smith will explain the policy context in a bit more detail.

46:09

at the eastern end of their say, it says an options process. We compared the the black route there with the orange now the the black route here

46:19

encroach into the AONB to land the structure that you can see that what looks like a junction arrangement at the eastern end there, thus provide access per farm on the southern to the north, but also to a small complex of properties at least and and the comparison there was with the orange route to test the encroachment of the a&b and the policy tests.

46:40

And the findings were that is that we that we, our preference was to retain the black route along that length. So we ended up with a solution whereby we combine those those options together

46:50

to come up with with a preference and that being just a just a double check myself here was

46:59

like at the western end, blue in the central

47:03

black at Eastern end.

47:08

So in terms of

47:11

the the option sifting process thereafter, we also looked at particular reference the language area that we'll touch on shortly as well. We looked at how the connectivity between the flintham area and the language area and then that area or perhaps part of this conversation for later explain how that evolved in detail. So if that's okay, perhaps leave to the higher level and refer to my colleague, Mr. Smith in the policy context if that's okay, yes, it's fine.

47:40

You da AONB point, there is a point on the agenda. Now, I didn't really want to get into that right at this moment, because I want to if you're finished now, move on to zoom in on the language.

47:54

And then we'll go back to the AONB.

47:58

Any questions?

48:01

Okay, could we put the other plan back up, which is ap 01 45.

48:08

And I was going to start with some questions for the applicant. But I think in courtesy to Mrs. Thompson, I'd like to hear what Mrs. Thompson had first, then go to the app, and then go to the applicant and hear what other IPS say and then the final response to you. So, Dr. Martin if Mrs. Thompson good

48:32

is it p for the dual carriageway to go north of the current a 66 rather than South on the Appleby Bruff section, especially at the proposed new language junction, as in the current plans, instead of enlarging the present road south of the existing road and causing noise and disruption to the present buildings.

49:07

Some of them very would be very close to the road.

49:13

They're creating creation of a good wide route somewhat further north could be a great success.

49:22

It would enable visitors to the area to enjoy the beauty of trees and fills now hidden by the huge trees among the Preston Road,

49:36

which is a great loss.

49:40

present situation.

49:43

The views of the trees

49:49

and the Fells beyond the trees would be an attraction to visitors to the area. It will be worth coming to visit simply to enjoy

50:00

realism

50:04

and with some easy walking as well, for those who wanted a good wide road could be built to allow a good number of cars, etc to enjoy it without the damage and upheaval, which enlarging the 866 to the south of the current road would cause impinging on good fields and beautiful trees.

50:31

Some visitors might also enjoy climbing the beautiful low fill in the

50:39

Nether, the road beyond the road.

50:45

The road to the north of the current, a 66 could be a big further a bit further north, then where farming is needed. There's plenty of space there for the farm farming. And then the road

51:05

and some lovely walks.

51:09

A northern route would not be

51:13

damaged, damaging to anyone else, living

51:19

LCS, living into anyone else's living space, which is the case with the current proposals,

51:28

which will certainly impinge on those who have houses and live around that area.

51:38

So it would be a great benefit to visitors and attraction to visitors

51:47

to lovely support.

51:50

And, and it would leave the present housing, free of new noise and

52:03

unpleasant happenings.

52:10

Shall I carry on? Yes, please.

52:14

Is there any chance that someone would the point it could just show the sight of Loeb remake? Sorry, I shouldn't have mentioned that. The house is marked on the map anyway, normally, so people know what we're talking about. So it's Yeah, that's absolutely correct. So

52:34

we're talking excuse me cough. We're talking about a small cottage, which currently is in a field which is completely empty. And apart from barley, and so on. And the road at the very top is the current a 66. So what this is an our family have had this house for 70 years, I've always considered it one of the most unspoiled and beautiful places in the country. And so I just want to take what will happen is that currently, the whole field will be filled with roads, and sink ponds. So of course, that's going to be very destructive for the environment. But I'm particularly worried about the impact of 290 year olds who are living right on the edge of it. I just like to take you through a little bit of detail about the consultation. So the first preferred route in the spring of 2020. Simply involved extending the existing a 66, slightly very slightly south.

53:38

Then we'll come to march 2021. Some representatives from national highways visited my parents at their home, they don't have internet, but they will run up and ask to have well they do have Internet now they can't use it. They were rung up and asked for a visit the end of an hour, when apparently it was all very awkward and no one knew what was happening. They were presented with some plans, which are equivalent to some of the ones that Mr. Kerr has shown earlier, which showed roads going all the way around the house. Just very slightly worse than what's happening now. So I'd like to emphasise that our family have been very active in all the consultations, we've done our best to comply with the democratic process. There were some amendments made after we've written to the MP and so on in the autumn of 2021.

54:31

At the supplementary consultations in January and February

54:36

this year, the whole issue was raised about whether this junction so the junction at the top is the lung route junction and is completely new, whether this was actually necessary. And this was raised actually by the chair of Walker parish council and is supported by this isn't secret Musgrave parish council and local councillors as well.

55:00

There's been a whole campaign for the route to go north, I have a separate thing to say about the northern route. But I'll just stick with language for now if that's okay. And so we were then told that there was a schedule of commitment to look at the language junction, in March,

55:19

we come to June. And that little spur, which goes to the north of the house was actually not on the plans, that consultation. So we only found out about it after the consultation. And after the DCO documents had been released. Now, I very much enjoy talking to people from national highways involved in the scheme. But you know, there's a real issue of trust. In the sense, we've now been told that our limits of deviation had been drawn up so that the roads the spur above the house, the access road, could be moved further north. I don't know if I can say any more. But I mean, I obviously quite anxious that this has been going on quite a long time. And this would have an enormously negative damaging effect on two very old people. When in our view, there is a very good case to be made for the northern route.

56:18

Can I come on to the northern route now? Or do you want to stop and talk about language? I always stop and talk about language, the northern route, the other bit the agenda, the second, the first part of the second paragraph? We'll talk about once we've talked about linework.

56:35

Yes, that's fine. But obviously, what's happening at lambrick is very closely related to the case for the northern route, which has been supported by the MP and by numerous, you know, a very high proportion of local residents. And

56:51

can I just make the point that the northern route has never been offered to people living in this area, there are bits going north on the current plans near Walkup. But it was never on the option as a form of consultation. I think it's important that people know that. Okay, thank you very much for your time. Thank you, Dr. Martina. And this is Samson. As I said before, I think right now I'd like to run through the design issues about language here what any other IPS have to say about that and your response. And then we will move on to the second part about the northern route.

57:26

So

57:27

with that in mind,

57:30

my notes backup.

57:35

I mean, I've read a number of relevant representations about the design here and the design on the screen. And what Dr. Norton

57:46

describes a little stub road to me on this plan, and I am scaled this plan looks like fairly enormous. They're almost junction onto a very small lane.

57:58

And why.

58:04

paccheri on behalf of the applicant.

58:10

First of all, I'd just like to acknowledge that

58:14

having spoken to Dr. Martin, Mrs. Thompson and

58:19

the African acknowledges that there is a significant volume of engineering work is taking place in this area.

58:25

I reciprocate this Dr. Martin's views in regard to the conversation we've had and an invitation to their property to go and talk to them in detail about the the the project. So thank you, in terms of the size of the junction next in your question. So

58:44

it has been designed to accommodate movements HGV movements, east and north and south of the junction onto a relatively narrow road. And therefore, the the turning circle to overlaps in turn turning north and south leading to the wider junction that you see on the screen, sir.

59:04

Okay, but isn't that a function of the way the access road is placed?

59:10

means you have to have that must have the enormous Bell mouth. What I want to know is what other design options have you considered for that road, for instance, not suggesting this. But moving it along? Slightly. I want you know westwards

59:27

taking in only on language because the West movement, it's not much of a diversion, if you didn't have out onto the dual carriageway.

59:38

The westward just alternative designs would allow that to be moved up towards the form for instance entrance, which will have much less impact on the residential properties. We acknowledged in terms of the design and also in our submission in the DCO in terms of Article Seven of

59:58

and we've increased the link

1:00:00

Do the limits of deviation

1:00:02

that allow the flexibility of the road the the horizontal road or east and west West West road that we can see on screen right now. And allow the move to the junction that I think you're referring to. So in terms of the language junction onto the s&p Six to move westwards, they are in our limits of deviation that allow that and then the stub, if we call that onto leg rig, Liang rig, could then move up and move around and be accommodated. So that is something that we have included is a level of flexibility within our limits of deviation. So within the article seven.

1:00:33

And so if I could add, I mean, I can confirm that we are continuing to look at localised changes at language more generally. So will we see these? I mean, it's I understand what you're saying about the DCO and the limits of deviation. But I mean, that's not a guarantee that anything will change. This is what we're presented with. I can agree with Mr. Semak, you're here that this is an area that we have discussed

1:00:58

internally within the project and are currently reviewing as a potential area of change. That will bring forward I'm not in a position to confirm given the ongoing studies and work and understanding of how those changes may impact others and the level of design will be needed before we could confirm those arrangements. So but yes, this is an area that we are reviewing as part of the change process. Okay. And with that, what about the two ponds? I mean, who is Yeah, so the reason for the two ponds, that the larger pond that you can see there is the drain the ACC six, itself is a low point in the design

1:01:36

and outfalls into the into the back to the south, the small pond is to drain the

1:01:43

local road and have been separated but in accordance with guidance. This is a conversation that we have had within the project, how we can minimise the size of the ponds, how we can better place them in detailed design using more detailed topographical information.

1:02:00

And that,

1:02:03

again, is a consideration that our digital designers are taking into account. I mean, there's also I don't know what there'll be surface with the service roads and the parking areas, we've got two of those, you know,

1:02:16

it's it looks like an awful lot of engineering round, a very small cottage.

1:02:23

But that is only shown this is one of the principal reasons for the change that in this area that we are considering as well as our original intention within the DCO and the limits of deviation that we have included thus far.

1:02:34

Okay.

1:02:41

Yes, thank you.

1:02:45

It will not be lost, I suppose on on you. I haven't imagined that the fact that this is an agenda item

1:02:52

should be a suggestion that this is that this area is of interest to the examining authority.

1:03:01

Particularly the property in question.

1:03:05

As you can see from the from the map, the the yellow area, the yellow shaded area, is the area outside of the order limits. That's correct, isn't it?

1:03:17

The obvious question, is the property in question is

1:03:23

somewhat awkwardly

1:03:26

shaped. And I would like to know why. Or was it explored as to whether that property was what should have been included within the order limits and acquired?

1:03:39

It may be that we'll come to whether that was actually required from the from the owner themselves. But from your point of view, could you explain to me why the property was left outside of the order limits?

1:03:52

I think I'll have to take that point away for you to return to that point. I don't have the answer to hand.

1:04:02

Dr. Martin, could you

1:04:06

that's quite a delicate question. But was

1:04:10

I have to say it was acquisition of the property for binational highways put to you know, was it and is it something that you would have desired?

1:04:20

Given what you see,

1:04:23

we've never as a point of fact, we've never been offered it. The last visit, we happen to have heard about the depreciation scheme and asked about it and was sent a leaflet but that's completely different from compulsory acquisition. So and the fact we were sent the leaflet confirms what I'm saying. Do you want me to answer this second question about whether we would have wanted it?

1:04:47

I have a long answer first, and then I lost my mother but I've asked my parents, numerous occasions if they would consider moving the answer's no. They're very old. You know, there's some

1:05:01

health issues which would make moving particularly damaging, you probably know we're living in a social care crisis. So the response of Adult Social Care was, you know, they're doing really well, we want people to stay in their home as long as possible. So

1:05:19

there aren't really any options. I've actually looked at local properties and found nothing equally

1:05:26

suitable. And, yes, I'm just going to ask my mother what she would think is that okay, so absolutely fine asking how you would feel about rumoured thing purchased? I'm not can I just say I'm not suggesting that we can do that? I'm I'm it's more of a hypothetical question that had worked well, was the option of it being acquired, put to you? And how you would feel about that? Would you object to that, for example, you I think you've indicated that your parents wouldn't want to move from the property. So

1:06:02

I'm not suggesting that the applicant purchase it. I'm just trying to find out almost hypothetically, has it been put to you, and I think your sister wants to come in as well. But Louise teller Kenyan. So I'm another one of Joy's daughters. It was never put to us. But also, I think if it had been put to us at the very beginning, it would obviously have been a totally different discussion that we would have had, because I think presented with that, that option. At the beginning of the process, obviously, we would have been in a different position, because we would have had to face up to a different set of circumstances, but it was never offered. And we did discuss it. I remember, you know, there was a conversation. And it just wasn't wasn't. Can I also just add,

1:06:51

I appreciate the comments about needing to have HGV Access on and off the 66 language lane is not a lane that can take HGV traffic any further than the bridge at the bottom that goes over the watercourse. So, I mean, there is a need for the for traffic farm traffic for infinitum to

1:07:14

to have access, but languid Lane itself is, is a very small and

1:07:22

you know, very little traffic on it. Just didn't make that point. Okay. No, I think I'm content to leave it there. In terms of the mic conversation. I think collectively, I understand what you're saying. I think if I can just reiterate firstly to the applicant that I would like a response on, on on certainly the in writing, if you can't have the information now as to why.

1:07:47

It just seems I posed the question that way. As you can see from the plan, the property is pretty much surrounded by this development, where currently, there is nothing other than the existing 866, which is currently north that is of interest to this examining authority and the income, potential concerns around the living conditions of that property. So I will be very interested to see what change requests come forward.

1:08:13

However, I would like an answer in writing, please, as to the point I've raised, and

1:08:20

yes, I was going to hand back to Mr. Humphrey on the traffic point raised, can I just add one detail, if I may. So the orange, that the kind of funny little orange squares or rectangles, those are going to be kind of concrete access points for lorries or maintenance vehicles for the ponds. So there's going to be a further intrusion on their privacy from the back.

1:08:46

Under understood, and the other point is that the lane sometimes gets completely snowed in. But so

1:08:55

no, that's that's very helpful. Thank you for that. Yes, thank you. I do understand that point as part of the discussion I had with the applicant about those service areas for the ponds. But I took it that the access for HGVs was to the farm immediately adjacent.

1:09:15

Not that language Lane was intended to be an HGV route, but I'll get the applicant to confirm that but before I do, is there any other interested parties want to make a comment on this particular issue? No.

1:09:31

Could I come in?

1:09:34

I'm sorry. Mr. Blackett ord Yes.

1:09:40

If I may.

1:09:42

I'm going to speak soon, I hope on the northern route generally. But on the language big point, I think I'd like to wholly agree with Dr. Martin what she says and indeed local people are strongly on

1:10:00

herbicide. The point that I would add is that when Peter Kerry was describing the proposals and disparaging the idea of a northern route for that new road, he said, Oh, well, there are army facilities and so forth up on the army land. That is not true. And when I hope you'll go again and examine the sock, you will see that north of langree it is open heathland, there's absolutely nothing there, which would read anyway damage by having the road north in the weather, Dr. Dr. Martin suggests.

1:10:46

Thank you, Mr. Blackett.

1:10:49

So good to hear from Africa now, please, your response?

1:10:55

Perhaps I could respond to your first question in regard to the movement of vehicles? You're absolutely right. So in terms of the it's not the intention, that language Lane becomes a HTV route, it is merely to ensure that we have the turning vehicles for refuge vehicles, foreign vehicles in and out north and south down the road. So could I could I make the point then it might be more appropriate opposite to farm insurance than opposite. Because as I read that plan, it's opposite a residential property in a moment, it is

1:11:26

probably don't want to go into the detail of the design and standards in relation to the geometry of the road. So but in terms of where it joins the connecting route to the north is an important aspect from a design perspective, which we can explain in more detail, perhaps in a different occasion. But it certainly is placed based on design standards. But but there are opportunities for yes. Okay.

1:11:47

And Mr. Black at odds point,

1:11:50

or do you want to deal with that?

1:11:53

About route to the north? Do you want to deal with the second way that strikes me that can be covered in the when we address the route to the north? So right now we're looking at design arrangements and language. So we'll come back to that point. Well, having said done out, probably all I need to ask about on the language junction, but I'll know customers who've never done

1:12:20

that sorry.

1:12:22

Okay. Yes, I was just going to break for lunch. But can I just say I'm really sorry. It's just a point for clarification, that a big yellow block is they're not very big farms. I've never seen an HGTV near that. What happened is in the consultation that people at flit in, I understand, which is a village further along, said they wanted more access, and they've now got an underpass. But I just wanted to clarify these. I mean, one of those houses is not a farm anyway, it's just a house, and the other has barns and a few animals. But it's nothing major. That's all Thank you.

1:13:01

Thank you.

1:13:13

Yes, we were going to break for lunch at this point. But you also wanted to talk about the second part of this discussion. Are you

1:13:21

able to stay further after the answer? Even if Okay, we'll do that then. Okay. Thank you.

1:13:27

So I'll leave that there with the hopefully very

1:13:34

message on the applicant that we look forward to seeing the change request on that junction and what I hope is an improvement to it if I if I may say so. Making that point Elisa, thank you.

1:13:47

So it's just coming up to one o'clock if because we've got to be out of here by half past three and I think we're on track to do that. The party is happy with a roundabout 45 minute lunch break.

1:14:01

Is that acceptable to everybody so that we can resume Okay, well, it's literally a minute before one o'clock. So if we say quarter to two, and we will resume on the second part of the scheme six discussion. So until then This hearing is adjourned.