

DURHAM COUNTY COUNCIL

Reference No. 20032071

Principal Areas of Disagreement Summary Statement (PADS) at Deadline 5 (14/03/2023)

| The principle issue in question | The brief concern held by Durham County Council which will be reported on in full in WR / LIR | What needs to; <ul style="list-style-type: none"> • change, or • be included, or • amended so as to overcome the disagreement | Likelihood of the concern being addressed during Examination |
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| <i>Cross Lanes to Rokeby</i> <i>Rokeby junction</i> | In principle Durham County Council DOES NOT OBJECT to the proposed junction at Rokeby, however given the lesser impact of the “Blue” route, referred to in the Statutory Consultation, in relation to increased traffic on the B6277 The Sills, the strong preference of the Council remains for the “Blue” route. Reasons for this are set out in Appendix 1 to the Council’s representation. | A change to the “Blue” route. | Unlikely unless the route is altered. |
| <i>Cross Lanes to Rokeby</i> <i>Rokeby junction</i> | In terms of cultural heritage in respect of the “Blue” route, the balance of harm derived from the “Black” or “Blue” route is nuanced and, as such, whilst the “Blue” route remains the preference for the | A change to the “Blue” route. | Unlikely unless the route is altered. |

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| | <p>reasons set out in Appendix 1 to the Council's representation, it is acknowledged that design refinement and the preparation of the heritage mitigation strategy in the Environmental Management Plan provides a reasoned justification for the selected route.</p> | | |
| <p>All schemes within County Durham</p> | <p>Queries raised in Appendix 1 to the Council's representation require addressing.</p> | <p>Ongoing discussions are taking place. Outstanding issues include:</p> <p>Air quality: DCC and the Applicant are progressing on outstanding air quality matters. The Applicant has issued a number of documents/information that DCC is currently reviewing to satisfy earlier comments, to include operational phase dispersion model verification methodology, ecological assessment approach taken on NOx and ammonia, and the further air quality assessment undertaken on The Sills. Whilst progress is therefore being made on some air quality issues, DCC is yet to reach a conclusion or agreement on the air quality impact of the construction phase traffic, both in relation to the Annual Average Daily Traffic impact to the A67, and determination of the Affected Road Network on roads</p> | <p>Likely.</p> <p>DCC's RR dated 31 August 2022 (Examination Document RR-073) summarises the Council's position regarding Schemes 7 and 8. Appendix 1 (contained in the same document) sets out questions which the Council has raised.</p> <p>The Applicant in Examination Document PDL-013 'National Highways Procedural Deadline Submission – 6.5 Applicant's Response to Relevant Representations Part 4 of 4' sought to address DCC's queries.</p> <p>DCC responded to the above in PDL-013.</p> <p>In REP2-016 (Deadline 2 Submission - 7.7 Applicant's Response to Written Representations made by</p> |

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| | | <p>within DCC. DCC is expecting further information over the next week regarding construction phase traffic and this will be followed by a meeting with the Applicant. Week.</p> <p>Climate change: As of 23.01.2023, DCC has one outstanding comment where DCC requested the provision of vehicle kilometres travelled data in which road-user GHG emissions have been reported.</p> <p>Biodiversity: The NPPF asks for a net gain (paragraph 174(d)). Applying the principle of no net loss or 0% as measured by the metric does not align with the above – a commitment to delivery of a net gain for biodiversity is more appropriate. Given the commitment to maximising biodiversity delivery, the Applicant should commit to a 10% net gain in line with the forthcoming secondary legislation which would be in the spirit of the Applicant’s commitment to maximising biodiversity delivery achieved by the Project’ and align with the NPPF.</p> <p>Access & Rights of Way: The ‘cycle tracks’ which are proposed alongside</p> | <p>Interested Parties subject to an SoCG at Deadline 1 - Rev 1) the Applicant has sought to address DCC’s comments in PDL-013. DCC’s comments were contained in its Deadline 3 response REP3-058 & REP3-059.</p> <p>In REP4-014 (Deadline 4 Submission - 7.27 Applicant’s Response to Deadline 3 Submissions) Table 1, the Applicant responded to REP3-058 & REP3-059 stating that <i>“Issues will be addressed through an updated Statement of Common Ground with the Council to be submitted at Deadline 5”</i>.</p> <p>As stated in DCC’s covering letter dated 15 March 2023, it was noted in DCC’s Deadline 3 response dated 24 January 2023 (REP3-058 & REP3-059) that the Applicant was proposing changes to the DCO as set out in REP2-042 (‘Deadline 2 Late Submission Accepted by ExA-Applicants Response to the ExA Rule 9 Letter Dated 6 January 2023’) and that the PADS may well alter as a result. DCC is of the view, based on plans previously seen, that it is unlikely new issues would be</p> |
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| | <p>the A66, between Cross Lanes and Greta Bridge in Co Durham raise issues. Whilst welcomed in principle, DCC would like clarification on a few matters. If these are to be statutory Cycle Tracks, then they would exclude equestrian use and it is queried if this is intentional, because no reason can be seen as to why they should be excluded. The specification would be suitable for equestrians to use. DCC considers that they should either be formally created as Public Bridleways, which gives clarity as to future maintenance and certainty for users as to their rights and as to connectivity, as they would be shown on Ordnance Survey maps. A lesser alternative is that they are clearly labelled and signed as multi-user routes, either within National Highways land or with the permission of the landowner.</p> <p>Issues raised at ISH3 on 02/02/2023 about shared public use with private means of access is not of concern as there are many public footpaths and bridleways which share farm access tracks – generally vehicle numbers are low and all parties are aware of the shared use. Of more concern is</p> | <p>introduced that would alter the position stated above.</p> |
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the question of future maintenance; if they are to become public bridleways then our ongoing maintenance responsibility is to a standard suitable for that level of public use, not to a standard for the private vehicular use. In most cases that works fine in practice, but there are concerns that the Applicant may construct very high standard vehicular access which landowners would expect DCC to maintain in the future. The ongoing responsibilities need to be clearly communicated to all parties.

Matters relating to diversions, detrunking and maintenance is considered in Appendix 1 of DCC's Deadline 5 response.