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Recipient name  
Address line 1  
Address line 2  
Town  
County  
Postcode

Your Ref:

Our Ref: TR010015

Date: 25 June 2014

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Dear Sir/Madam

## **Planning Act 2008 (as amended) – Section 89 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8**

### **Application by Norfolk County Council for an Order Granting Development Consent for the Norwich Northern Distributor Road (NDR)**

#### **Notice of procedural decisions**

I write to inform you of the appointment of a panel of Examining Inspectors to examine this application. I now provide a timetable for this examination and our first round of written questions. Please note that all requests for information in the letter of 6 June 2014 still apply and those deadlines are now within the timetable.

#### **Appointment of Examining Authority**

The Secretary of State, having had regard to the complexity of the case and the level of public interest in the outcome, has decided that this application should be handled by a panel of Examining Inspectors. The Secretary of State has thus appointed Peter Robottom, Austin Smyth and David Richards as the Examining Authority (**Annex A**). I, Peter Robottom, am the lead member of the panel of Examining Inspectors, collectively referred to as the Examining Authority. I must thank Elizabeth Hill for her work on this case to date which has been both professional and considerate.

My colleagues and I have now familiarised ourselves with the case and have the necessary knowledge of the proceedings to date which we endorse, in accordance with s71 of PA 2008. We have collectively prepared our first written questions and the timetable for examination; thank you for your patience during this period.

#### **Timetable**

I would like to thank those who responded to the draft timetable of 8 May 2014 and those who provided comment on it at the Preliminary Meeting. Our appointment as a panel has altered the proposed timetable, but we have sought to make necessary modifications in accordance with principles discussed and feedback received.

The timetable setting out the way in which the application is to be examined is attached as **Annex B**. Notably the proposed open floor hearings and accompanied site visit have been deferred by two weeks. Issue specific and compulsory acquisition hearings will take place in September.

We have set eight deadlines for the receipt of information. Timely submissions in advance of the deadlines set in the timetable are encouraged and welcomed. It is important to note that if material is not received by the dates specified in the timetable, we may disregard it.

### **Written representations, local impact reports and statements of common ground**

In the letter of 6 June 2014 the ExA requested that written representations and local impact reports be provided by 30 June 2014, and that statements of common ground provided by 21 July 2014. I would like to reiterate these deadlines which are included in the timetable, and thank those who have already provided such representations. I remind you that this examination is primarily a written process, so it is very important that you participate at this stage.

### **Examining Authority's first written questions**

The ExA has decided to ask a number of questions to receive further information about matters relevant to the application. These questions are generally directed to the applicant and statutory organisations, but responses from any other party are welcomed. These questions are published on the Norwich NDR section of the National Infrastructure pages of the Planning Portal website and can be accessed by following this link:

<http://infrastructure.planningportal.gov.uk/document/2532183>

Responses must be received by noon on **Monday 21 July 2014**. Please send these by email to [NorwichNDR@infrastructure.gsi.gov.uk](mailto:NorwichNDR@infrastructure.gsi.gov.uk), or in writing to the address at the top of this letter. It may be necessary for us to write with further questions or with a request for more information as the examination progresses.

### **Availability and inspection of representations and documents**

Application documents, relevant representations and notifications from the ExA are currently available for inspection online. Written representations, recordings of hearings and all other examination documents will be published online as soon as practicable (after the deadline to which they were submitted if relevant). Free access to the internet to inspect this material is available at the locations listed in **Annex C** and most local libraries. This material is available on the Norwich NDR section of the National Infrastructure pages of the Planning Portal website and can be accessed by following this link:

<http://infrastructure.planningportal.gov.uk/norwich>

Following discussions at the Preliminary Meeting, the applicant has provided a full table of contents for their application documents. They have also provided a searchable composite application document, with instructions. These documents have now been published at the above website address.

## Hearings

In the letter of 6 June 2014, the ExA sought notifications of a wish to participate in open floor and compulsory acquisition hearings. I now provide notice of open floor hearings on Tuesday 22 and Wednesday 23 July 2014, and of an issue specific hearing into the draft Development Consent Order on Thursday 24 July 2014 in **Annex D**.

If you wish to participate in any of these hearings, please notify the Case Manager, Nicholas Coombes, by email at [NorwichNDR@infrastructure.gsi.gov.uk](mailto:NorwichNDR@infrastructure.gsi.gov.uk) or by writing to the address at the top of this letter. Notifications should be received by **Monday 14 July 2014**; this extends the earlier deadline. Please make clear which hearing you wish to participate in.

At the Preliminary Meeting, some parties requested a mechanism for providing advance notice and advance consideration of requests for cross examination at issue specific hearings. This has been provided for at items 6, 12 and 13 of the timetable provided at **Annex B**.

## Site visits

An accompanied site visit, to include the approximate route of the proposed scheme, nearby villages and the Wensum Valley, is being arranged for **Wednesday 23 July 2014**. Only interested parties who have requested to attend the site visit will be permitted to accompany the ExA as spaces will be allocated in advance.

If you wish to attend, please notify the Case Manager, Nicholas Coombes, by email to [NorwichNDR@infrastructure.gsi.gov.uk](mailto:NorwichNDR@infrastructure.gsi.gov.uk) or by writing to the address at the top of this letter. Such notifications must be received by noon on **Monday 14 July 2014**. It is important to note that site visits are not hearings, and there will be no opportunity to discuss the proposed scheme.

If you have suggestions of specific locations to visit, please provide these, with reasons by noon on **Monday 14 July 2014**. In providing such suggestions, please identify any particular features that you would wish to highlight, explaining their significance. In making suggestions please indicate if the sites suggested can be accessed via public road or footpath, or if access to private land will be required. If access to private land is required, please provide a contact point for access. The ExA will consider these, and provide details of the route to confirmed attendees.

## Award of costs

I draw your attention to the possibility of the award of costs against interested parties who behave unreasonably. You should be aware of the relevant cost guidance that applies to National Infrastructure projects. The 'Awards of costs; examinations of applications for development consent orders' is available on the National Infrastructure pages of the Planning Portal website:

<http://infrastructure.planningportal.gov.uk/legislation-and-advice/guidance/>

## Future notifications

If you are an interested party (reference number starting with 100, NNDR, NNDR-AFP or NNDR-S57) you will continue to receive notifications from the Planning Inspectorate about the examination throughout the process. You may write to me at any time to cease to be an interested party.

If you were invited to the Preliminary Meeting but you are not an interested party (reference number starting with NNDR-OP) you will **not** receive any further communication from us relating to this application. You can, however, visit the Norwich NDR project page on our website to stay informed of the progress of the examination of this application. If you have a legal interest in land affected by the proposal and have not already registered to become an interested party, then you can make a request to the Examining Authority using the form at:

<http://infrastructure.planningportal.gov.uk/interested-party-request-form.php?project=TR010015>

If you are a statutory party which has not made a relevant representation (with a reference number starting with NNDR-SP) you will **not** receive any further communication from us relating to this application. If your organisation wishes to become an interested party, you should email or write to me at the address at the top of the letter by **Monday 21 July 2014**.

Thank you for your interest in this examination; we look forward to working with you over the coming months.

Yours faithfully

*Peter Robottom*

**Peter Robottom**  
**Lead Member of the Panel of Examining Inspectors**

### Annexes:

- A. Notice of appointment of Examining Authority
- B. Timetable for examination of the application
- C. Availability of representations and application documents
- D. Notification of hearings

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

**Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 4**

**Application by Norfolk County Council for an Order Granting Development Consent for the Norwich Northern Distributor Road (NDR)**

**Notice of appointment of Examining Authority**

On 16 April 2014 a single examining inspector was appointed to hold the examination of the above application under s61 and s78 of the Planning Act 2008 (as amended) (PA2008).

Following the Preliminary Meeting, notice was given (in a letter dated 6 June 2014) that a review of the project was to be made and on 23 June 2014 a panel of three examining inspectors were appointed to hold the examination under s62 and s65 of the PA 2008.

The members of the panel (the Examining Authority) are as follows:

- Peter Robottom – lead member of the Panel
- David Richards – member of the Panel
- Austin Smyth – member of the Panel

*Pauleen Lane*

**Dr Pauleen Lane CBE FICE MBA  
Group Manager, National Infrastructure  
On behalf of the Secretary of State**

### Timetable for examination of the application

Item	Matters	Due Dates
1	Preliminary Meeting	<b>Monday 2 June 2014</b>
2	<p><b>Deadline 1</b></p> <p>Deadline for receipt from applicant of:</p> <ul style="list-style-type: none"> <li>• Report on status of negotiations with affected persons in respect of compulsory acquisition for each plot</li> </ul>	<p><b>Noon</b></p> <p><b>Thursday 5 June 2014</b></p>
3	<p>Issue by Examining Authority (ExA) of:</p> <ul style="list-style-type: none"> <li>• ExA's first written questions</li> </ul>	<b>Wednesday 25 June 2014</b>
4	<p><b>Deadline 2</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on revisions to application documents</li> <li>• Written representations (WRs) by all interested parties</li> <li>• Local impact report (LIR) from any local authorities</li> </ul>	<p><b>11.59pm</b></p> <p><b>Monday 30 June 2014</b></p>
5	<p><b>Deadline 3</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on relevant representations (RRs)</li> <li>• Notification of wish to speak at the open floor hearings on Tuesday 22 and Wednesday 23 July 2014</li> <li>• Notification of wish to participate in the accompanied site visit on Wednesday 23 July 2014</li> <li>• Notification of wish to make oral representations at the issue specific hearing on Thursday 24 July 2014</li> </ul>	<p><b>Noon</b></p> <p><b>Monday 14 July 2014</b></p>
6	<p><b>Deadline 4</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Responses to ExA's first written questions</li> <li>• Statements of common ground (SoCG)</li> <li>• Comments on WRs</li> <li>• Comments on LIRs</li> </ul>	<p><b>Noon</b></p> <p><b>Monday 21 July 2014</b></p>

	<ul style="list-style-type: none"> <li>• Comments on report on status of negotiations with affected persons in respect of compulsory acquisition</li> <li>• Revised draft Development Consent Order (DCO) from applicant</li> <li>• Notifications from statutory parties of a wish to be considered as interested parties</li> <li>• Requests to cross examine at issue specific hearings</li> </ul>	
7	<p>Open floor hearing</p> <p>To be held in central Norwich during the day</p>	<b>Tuesday 22 July 2014</b>
8	<p>Open floor hearing</p> <p>To be held in Thorpe Saint Andrew during the evening</p>	<b>Tuesday 22 July 2014</b>
9	<p>Accompanied site visit</p> <p>To include the approximate proposed route, nearby villages and the Wensum Valley</p>	<b>Wednesday 23 July 2014</b>
10	<p>Open floor hearing</p> <p>To be held in Drayton during the evening</p>	<b>Wednesday 23 July 2014</b>
11	<p>Issue specific hearing about the draft DCO</p> <p>To be held in central Norwich during the day</p>	<b>Thursday 24 July 2014</b>
12	<p><b>Deadline 5</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on responses to ExA's first written questions</li> <li>• Responses to comments on RRs</li> <li>• Post-hearing documents including any written summary of an oral case put at any hearing</li> <li>• Any further information requested by the ExA</li> <li>• Updates to SoCGs</li> <li>• Responses to requests to cross examine at issue specific hearings</li> </ul>	<p><b>Noon</b></p> <p><b>Monday 4 August 2014</b></p>
13	<p>Issue by ExA of:</p> <ul style="list-style-type: none"> <li>• Second written questions</li> <li>• Procedural decision regarding cross examination at issue specific hearings</li> </ul>	<b>Friday 15 August 2014</b>

14	<p><b>Deadline 6</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Responses to ExA's second written questions</li> <li>• Applicant's revised draft DCO</li> </ul>	<p>Noon</p> <p><b>Monday 8 September 2014</b></p>
15	<p>Issue specific hearings</p> <p>To be held in central Norwich during the day</p>	<p><b>Tuesday 16, Wednesday 17, Thursday 18 and Friday 19 September 2014</b></p>
16	<p><b>Deadline 7</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on responses to ExA's second written questions</li> <li>• Post-hearing documents including any written summary of an oral case put at any hearing</li> <li>• Any further information requested by the ExA</li> </ul>	<p>Noon</p> <p><b>Monday 29 September 2014</b></p>
17	<p>Compulsory acquisition hearing (including, if required, issues related to s127 of the Planning Act 2008)</p> <p>To be held in central Norwich during the day</p>	<p><b>Tuesday 30 September, Wednesday 1, Thursday 2 and Friday 3 October 2014</b></p>
18	<p>Issue by ExA of:</p> <ul style="list-style-type: none"> <li>• ExA's draft DCO</li> <li>• Report on the Implications for European Sites (RIES)</li> </ul>	<p><b>Friday 10 October 2014</b></p>
19	<p><b>Deadline 8</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on the ExA's draft DCO</li> <li>• Comments on the RIES</li> <li>• Any further information requested by the ExA</li> </ul>	<p>Noon</p> <p><b>Monday 3 November 2014</b></p>
20	<p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p>	<p><b>Tuesday 2 December 2014</b></p>

## Availability of representations and application documents

Norfolk County Council, as applicant, has provided a copy of the application documents as submitted to the Planning Inspectorate for inspection and copying at the following two venues:

- The Forum library
- Norfolk Record Office

Anyone wishing to view documents in relation to the examination of the project, which are regularly updated, can do so via the internet on the National Infrastructure pages of the Planning Portal website by following this link:

<http://infrastructure.planningportal.gov.uk/norwich>

Access to the internet is available at the locations listed and most local libraries.

### The Forum Library

Millenium Plain, Norwich NR2 1FT

Opening times:	Monday to Friday	9am – 8pm
	Saturday	9am – 5pm

Copying charges:	Black and White	A4: 10p, A3: 15p	per sheet
	Colour	A4: 50p, A3: £1	per sheet

### Norfolk Record Office

Martineau Lane, Norwich NR1 2DQ

Opening times:	Monday, Tuesday, Wednesday, Friday	9am – 5pm
	Thursday	9am – 7pm

Copying charges:	Black and White	A4: 50p	per sheet
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You may also wish to view the information online in your local library. Libraries adjacent to the route have been supplied with a poster explaining how you can access and view the documents online. Copying charges may apply, but Norfolk County Council does not charge for access to the internet.

## **Notification of hearings**

The Examining Authority (ExA) provides notice of the following hearings, in compliance with Rule 13 of The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended).

As set out in the examination timetable (**Annex B**), those interested parties who wish to speak at hearings should notify Nicholas Coombes at [NorwichNDR@infrastructure.gsi.gov.uk](mailto:NorwichNDR@infrastructure.gsi.gov.uk) or using the postal address on the front page of this letter. To speak at hearings listed below, you should notify by noon on **Monday 14 July 2014**. It would assist us if you could notify us of any special needs you may have (eg disabled access, hearing loop etc). Please ensure that you include your interested party reference number in your correspondence, and make it clear which hearing you wish to participate in.

There will be a projector available to display images if integral to a presentation. Please provide material before the start of the meeting on a USB data stick.

### **1. Open Floor hearing – Norwich Assembly House**

Date of hearing: Tuesday 22 July 2014

Time of hearing: 10.00am to 4.00pm

Venue: Assembly House, Theatre Street, Norwich, Norfolk NR2 1RQ

### **2. Open Floor hearing – Thorpe Saint Andrew**

Date of hearing: Tuesday 22 July 2014

Time of hearing: 6.30pm to 9.00pm

Venue: Oaklands Hotel, 89 Yarmouth Road, Norwich Norfolk NR7 0HH

### **3. Open Floor hearing – Drayton**

Date of hearing: Wednesday 23 July 2014

Time of hearing: 6.30pm to 9.00pm

Venue: Bob Carter Centre, School Road, Drayton, Norfolk NR8 6DW

The purpose of an open floor hearing is to allow members of the public to address the ExA on relevant matters of their choosing. Speaking time will be shared between interested parties who register in advance. Parties who do not register in advance may be heard at the end of the meeting if there is time available at the discretion of the ExA. The venues will open to the public half an hour prior to the start of the hearing. The hearings will close earlier than the advertised end time if there are no remaining parties present wishing to speak. The hearing in Norwich city centre on Tuesday 22 July 2014 is scheduled from 10.00am to 4.00pm. If this entire period is required, the ExA will allow comfort breaks and a one hour lunch break.

#### **4. Issue specific hearing – draft Development Consent Order**

Date of hearing: Thursday 24 July 2014

Time of hearing: 10.00am to 2.00pm

Venue: Assembly House, Theatre Street, Norwich, Norfolk NR2 1RQ

The purpose of an issue specific hearing is for discussion on the relevant issues led by the ExA. Parties should expect to be questioned by the ExA and justify their statements.

This hearing will concentrate on the specific issue of the draft Development Consent Order (DCO). This is the order which the Secretary of State would make if they wished to consent the application. Discussion at this hearing is 'without prejudice'; this means that parties may make contributions to improve the quality of the draft DCO without invalidating their own positions of support or opposition to the scheme as a whole. Irrespective of its recommendation, the ExA is required to present a draft DCO to the Secretary of State. Discussion about the specifics of the draft DCO does not indicate that the ExA has made up its mind about the application.

The hearing into the draft DCO is likely to be of a technical nature and will be based on the specific wording of the order.

The venue will open to the public half an hour prior to the start of the meeting. The hearings will close earlier than the advertised end time if the business has been concluded. The ExA will allow comfort breaks and a one hour lunch break. Agendas will be published one week in advance of the hearing on the National Infrastructure pages of the Planning Portal website at this link:

<http://infrastructure.planningportal.gov.uk/norwich>