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Mr Richard Hawker  
(sent via email)

Your Ref: 10022486

Our Ref: TR010015

Date: 4 September 2014

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Dear Mr Hawker

Thank you for your email of 1 September 2014, I have now added your name to the attendance list for the hearings taking place on 16, 17 and 18 September 2014.

The decision maker has three options, either to grant development consent, grant development consent with conditions (known as requirements), or to refuse development consent.

As you may already know, the Examining Authority (ExA) are required to present a draft Development Consent Order (DCO) to the Secretary of State (SoS) irrespective of their recommendation. For example, should the ExA recommend that the SoS refuse to grant development consent for the proposed project, they would still need to present a draft DCO on what they believe could be granted if the SoS decided to grant development consent.

There are legal restrictions on both the ExA to recommend and the SoS to grant a scheme which is larger than that applied for, and similarly such restrictions apply to any scheme which would be considered a different scheme.

Therefore if the ExA decided to recommend development consent, it would be for the Norwich NDR scheme and no other. Whilst the ExA is entitled to consider and accept amendments to the Norwich NDR scheme, such changes (in order to be acceptable) would not, in the ExA's view, change the application in any material way and also be unlikely to cause prejudice to any party.

In the event the ExA recommended refusal of the NDR scheme they might refer to other alternatives which they have examined during the examination of the application, subject to the reasons for the refusal.

The hearings taking place give the opportunity for the ExA, along with interested parties, to discuss possible alternatives and minor changes to the existing application. However all parties are reminded that any such discussions do not indicate that the ExA has made up its mind about the application.

The Draft National Policy Statement for National Networks at paragraph 4.24 states that, "Whilst this national policy statement and supporting Appraisal of Sustainability have shown that there is no alternative, at a strategic level, to meeting the need for new National Network infrastructure as a whole, it must not be assumed that there will be no alternatives for individual projects."

Therefore, consideration of alternatives will help demonstrate to the ExA whether or not the application applied for by Norfolk County Council (NCC) is the scheme to meet the need.

Assessed alternatives are presented in the Environmental Statement submitted as part of NCC's application; I would advise that if there are any alternatives that you wish to comment on, or you would like to present any alternatives or minor changes of your own to the ExA at the hearings, then you should do so. I would be grateful if you could briefly outline anything you do wish to present to the ExA in writing to the case team by deadline 6 of 8 September 2014 to assist our preparations.

You can view the assessed alternatives as presented in the Environmental Statement here:

<http://infrastructure.planningportal.gov.uk/document/2216494> (Chapter 3)

<http://infrastructure.planningportal.gov.uk/document/2216500>

I would also like to remind you that agendas will be made available a week in advance of the hearings on the Norwich NDR pages of the National Infrastructure pages of the Planning Portal website. Agendas will include further detail on the proceedings and you will be able to view them here:

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

Should you have any further questions, please do not hesitate to ask.

Yours sincerely

*Steffan Jones*

**Steffan Jones**  
**Case Officer**

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.