



National Infrastructure Planning
Temple Quay House
Temple Quay
Bristol
BS1 6PN

9 July 2021

Dear Mr Shrigley

APPLICATION BY HIGHWAYS ENGLAND (THE “APPLICANT”) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR A47/A11 THICKTHORN JUNCTION (TR010037)

COMPLIANCE WITH SECTION 56 AND SECTION 59 OF THE PLANNING ACT 2008, AND REGULATION 17 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

APPLICANT’S RESPONSE TO THE SECTION 55 CHECKLIST

Following the closure of the Relevant Representation period on 7 July 2021 in relation to the application for development consent on the A47/A11 Thickthorn Junction (the “Scheme”) please find enclosed the following documents:

Certificate of Compliance

1. Certificate Of Compliance With Section 56 Of The Planning Act 2008
2. Certificate Of Compliance With Section 59 Of The Planning Act 2008
3. Certificate of Compliance With Regulation 16 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

The Applicant has also responded to the points raised by the Planning Inspectorate in section 55 Checklist on acceptance of the application for development consent on 27 April 2021 within this covering letter, For ease of reference the points raised by the Planning Inspectorate are set out in italics.

The numbering reflects that set out in the Section 55 Checklist:

Section 55 Checklist 6)

“The Planning Inspectorate has identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:

- *Norfolk and Waveney Clinical Commissioning Group*
- *Last Mile Gas Ltd*
- *Last Mile Electricity Ltd*

- Harlaxton Gas Networks Ltd
- Leep Gas Networks Ltd
- Indigo Power Ltd
- Forbury Assets Ltd
- WoDS Transmission plc

The Applicant's Consultation Report (Doc 5.1) does not explain why the bodies identified above have not been consulted. However, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.

None of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and are not listed in the Book of Reference (Doc 4.3).

Given the individual circumstances of this case, and taking a precautionary approach to ensure that all persons potentially affected by, or potentially likely to have an interest in, the application are given the opportunity to participate fully in the examination of the application, the Planning Inspectorate suggests that the Applicant may wish to include the above bodies amongst those on whom they serve notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary”.

Applicant's Response:

The Applicant notified all the bodies listed above under section 56 of the accepted DCO application for development consent

Section 55 Checklist 16)

“The Inspectorate notes that the dates the materials were available are missing from Table 3.5 of the Consultation Report (Doc 5.1). Paragraph 3.5.9 of the Consultation Report (Doc 5.1) states that the consultation materials were available to view from 31 May 2019. The materials are provided in Annex J of the Consultation Report (Doc 5.2).

The published SoCC notice provided at Annex K of the Consultation Report (Doc 5.2) states where and when the final SoCC was available to inspect”.

Applicant's Response:

The Applicant confirms that the consultation materials were available on the dates and locations set out within the published Statement of Community Consultation (SoCC) notice provided at Annex K of the Consultation Report [APP-034]. No update to the Consultation Report [APP-023] submitted at application is proposed.

Section 55 Checklist 18)

Table 5.1 of the SoCC (Annex F of the Consultation Report (Doc 5.2)) gives the locations that the consultation material would be made available to inspect at the public information points. The opening times for Hethersett Library and North Wymondam Community Centre given in the SoCC, differ to those given in Table 3.5 in the Consultation Report (Doc 5.1).

Applicant's Response:

The Applicant confirms that the opening times for Hethersett Library and North Wymondam Community Centre for inspection of consultation materials was correct in the published SoCC. No update to the Consultation Report [APP-023] submitted at application is proposed.

Section 55 Checklist 30)

“ES Chapter 13 Appendix 13.1: Flood Risk Assessment (FRA) (Doc 6.3)

In relation to fluvial flood risk, an assessment and information on relevant mitigation has been provided. However, FRA paragraph 8.2.6 and subsequent paras indicate that confirmation of the predicted impacts is subject to further survey data (described as currently being collected) and updated modelling, which could lead to reconsideration of the mitigation requirements. An Examining Authority (ExA) may request further information regarding this matter”.

Applicant’s Response:

The Applicant advises that paragraph 8.2.6 of the Flood Risk Assessment (FRA) at Appendix 13.1 of the Environmental Statement (ES) [APP-111] relates to a small parcel of land located [xxxx], which was a late addition to the Development Consent Order (DCO) boundary. As a result, there was not enough time to procure, undertake and analyse additional survey data and complete additional modelling for that particular parcel of land before the application was submitted. The Applicant will provide an update during the course of the examination.

Section 55 Checklist 30)

“Environmental Management Plan (EMP) (Doc 7.4)

It is stated that a number of management and other plans, which would contain required mitigation measures, would not be incorporated into the EMP prior to consent being granted for the Proposed Development. An ExA may request further information regarding this matter”.

Applicant’s Response:

The Applicant understands the Examining Authority (ExA) may request further information regarding the matter of a number of management and other plans, which would form part of the Environmental Management Plan (EMP) [APP-128] during the course of the examination.

Section 55 Checklist 30)

“Report to Inform Habitats Regulations Assessment (Doc 6.9)

Paragraph 3.3.13 states that Figure 2 in Appendix E of the report contains a plan showing the presence of qualifying features of the European sites that were recorded during all of the study area surveys, however Figure 2 is entitled ‘Otter survey’ and identified as such on the Report Contents page”.

Applicant’s Response:

The Applicant confirms that paragraph 3.3.13 of the Report to Inform Habitats Regulation Assessment [APP-124] has been updated to confirm Figure 1 of Appendix D shows the designated sites. The updated report is submitted with this covering letter

Section 55 Checklist 30)

“Statement of Reasons (Doc 4.1)

Para 2.1.3 says the A11/A47 link will be 1.65km, yet Work No 24 in the Draft DCO (Doc 3.1) says 1.51km”.

Applicant’s Response:

The Applicant confirms that paragraph 2.1.3 of the Statement of Reasons [APP-020] should have stated 1.51km. The Applicant is not proposing to submit an updated version of the Statement of Reasons at this time, but will ensure this correction is picked up in the next revision submitted.

Section 55 Checklist 30)

“Land Plans (Doc 2.3)

The plans should reflect the principal land use power(s) sought in the draft DCO in respect of that plot and correspond with relevant other documents like the Book of Reference (BoR) and Explanatory Memorandum (EM). Plans should also clearly illustrate the location and the size of the plots.

The following are examples of discrepancies identified by the Inspectorate:

- *The annotations/labels 3/3k and 3/3l do not clearly identify the plots.*
- *Plot 7/1b is coloured pink (permanent possession) however the BoR states the plot is for the temporary possession and use (green).*
- *Plot 7/1c is coloured green (temporary possession) however the BoR describes it as land to be permanently acquired (pink).*
- *The word ‘temporary’ is missing from the legend of Sheet 6 (in relation to the description of plots shaded in green)”.*

Applicant’s Response:

The Applicant confirms that annotations in relation to Plot 3/3k and Plot 3/3l on the Land Plans [APP-006] have been amended so that the plots are clearly identified.

The Applicant confirms that Plot 7/1b and Plot 7/1c were correctly identified on the Land Plans [APP-006] and the Book of Reference [APP-022] has been updated to address the discrepancy. An updated clean and tracked change version of the Book of Reference is submitted with this covering letter. In addition, a Schedule of Changes to the Book of Reference is also provided to aid clarity to the changes made.

The legend on Sheet 6 of the Land Plans [APP-006] has been updated to include the description of “temporarily”. An updated version of the Land Plans is submitted with this covering letter.

Section 55 Checklist 30)

“Crown Land Plans (Doc 2.9)

- *Annotations/labels 6/1b and 6/1d do not clearly identify the plots (two short black lines visible in isolation in the middle of the plan)”.*

Applicant’s Response:

The Applicant has updated the Crown Land Plans [APP-012] to clarify the annotations/labels in relation to Plot 6/1b and Plot 6/1d. The updated plans are submitted with this covering letter.

Section 55 Checklist 30)

“Works Plans (Doc 2.4)

- *There are three kinds of shading for the minor utilities diversion and minor works limit of deviation, however there is only one description for these with no distinction given. Neither the draft DCO nor the EM clarifies what the shading refers to”.*

Applicant’s Response:

The Applicant confirms that the three different types of shading used on the Works Plans [APP-007] have been used solely to ensure the different works package can be differentiated where utilities corridors overlap. There is no other distinction between the shading and Schedule 1 of the draft DCO [APP-017] clearly describes each Work package.

Section 55 Checklist 30)

“Location Plan (Doc 2.1)

- *There are multiple maps on the one page and the scale of each of them is unclear. No scale is included at the side of the plan”.*

Applicant's Response:

The Applicant has reviewed the plan and the scales are shown on the Location Plan [APP-004] as individual scale bars on each inset drawing, to reflect the different scales on each inset drawing. The legend box directs the reader to these scale bars with the words 'As Shown'. Therefore, the Applicant does not propose to submit any changes to the Location Plan [APP-004].

Section 55 Checklist 30)

"Traffic Regulations (Doc 2.6)

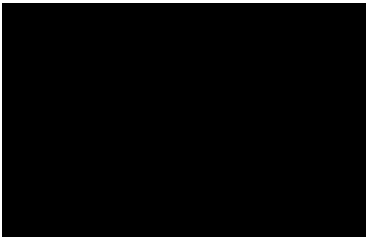
- *The draft DCO mentions the removal of restricted road status but this isn't shown on any of the plans".*

Applicant's Response:

The Applicant has reviewed the Traffic Regulations Plans [APP-009] and is proposing to include a red dashed line on the plans to indicate the location of proposed de-restrictions. The Applicant will submit revised Traffic Regulations Plans [APP-009] within the next 14 days.

If you have any queries on any of these matters please do not hesitate to contact me.

Yours sincerely,



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