



**Application by Highways England– A47/A11 Thickthorn Junction**  
**The Examining Authority’s written questions and requests for information (ExQ1)**  
**Issued on 23 September 2021**

The following table sets out the Examining Authority’s (ExA’s) written questions and requests for information - ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex B to the Rule 6 letter of 20 August 2021. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique topic prefix identifier (two or three letters) and reference number which starts with 1 (indicating that it is from ExQ1) and then a question number. For example, the first question on air quality and emissions issues is identified as AQ.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact [A47A11Thickthorn@planninginspectorate.gov.uk](mailto:A47A11Thickthorn@planninginspectorate.gov.uk) and include ‘A47/A11Thickthorn’ in the subject line of your email.

**Responses are due by Deadline 2: Tuesday 26 October 2021.**

**Abbreviations used:**

<b>ALC</b>	Agricultural Land Classification	<b>OTMP</b>	Outline Traffic Management Plan [APP-129]
<b>BoR</b>	Book of Reference [APP-022]	<b>PA2008</b>	Planning Act 2008
<b>CA</b>	Compulsory Acquisition	<b>RR</b>	Relevant Representation
<b>dDCO/DCO</b>	Draft/Development Consent Order [APP-016]	<b>REAC</b>	Register of Environmental Actions and Commitments
<b>DMRB</b>	Design Manual for Roads and Bridges	<b>SAC</b>	Special Area of Conservation
<b>DLL</b>	District Level Licence	<b>SI</b>	Statutory Instrument
<b>EIA</b>	Environmental Impact Assessment	<b>SMS</b>	Site Management Statement
<b>EPS</b>	European Protected Species	<b>SNDC</b>	South Norfolk District Council
<b>ES</b>	Environmental Statement [APP-038 to APP-121, consecutively]	<b>SoCG</b>	Statement of Common Ground
<b>ExA</b>	Examining Authority	<b>SoR</b>	Statement of Reasons [APP-020]
<b>FRA</b>	Flood Risk Assessment [APP-111]	<b>SPA</b>	Special Area of Protection
<b>HDD</b>	Horizontal Directional Drilling	<b>SSSI</b>	Site of Special Scientific Interest
<b>HRA</b>	Habitat Regulation Assessment	<b>TP</b>	Temporary Possession
<b>LIR</b>	Local Impact Report	<b>TPO</b>	Tree Preservation Order
<b>LoNI</b>	Letter of No Impediment	<b>VMP</b>	Vegetation Management Plan
<b>LSE</b>	Likely Significant Effects	<b>WR</b>	Written Representation
<b>NC</b>	Norwich City Council		
<b>NCC</b>	Norfolk County Council		
<b>NSER</b>	No Significant Effects Report [AS-005]		



### **The Examination Library**

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000214-TR010037%20-%20A47%20-%20A11%20Thickthorn%20Junction%20Examination%20Library%20Template%202%20PDF%20Version.pdf>

It will be updated as the examination progresses.

### **Citation of Questions**

Questions in this table should be cited as follows:

Issue reference: question number, e.g., GC.1.1 – refers to General and Cross-topic question 1 in this table.



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**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

<b>ExQ1</b>	<b>Question to:</b>	<b>Question</b>
<b>GC General and Cross-topic Questions</b>		
<b>General</b>		
GC.1.1	<i>Construction Phase</i> <b>The Applicant</b>	The construction programme set out in ES Chapter 2 [APP-039] paragraph 2.6.8 indicates a duration of 23 months. Can the Applicant: i) Confirm if there is any change to the anticipated programme inclusive of start dates, and, provide reasons for any changes. ii) Will any change acknowledged affect any of the assumptions in the ES particularly with respect to in-combination cumulative effects (and HRA in-combination effects)?
GC.1.2	<i>Update on development</i> <b>All Relevant Planning Authorities</b>	Provide an update of any planning applications that have been submitted, or consents that have been granted, since the Application was submitted that could either effect the proposed route or that would be affected by the Proposed Development and whether this would affect the conclusions reached in ES Chapter 15 [APP-052] or associated Appendices 15.1 and 15.2 [APP-117] and [APP-118].  <i>Provide a response alongside question DE.1.6.</i>
GC.1.3	<i>Update on development</i> <b>The Applicant</b>  <b>Relevant Planning Authority</b>	The ExA observed on an Unaccompanied Site Inspection [EV-001] that a housing scheme at Cringleford to the east of the A47 Thickthorn Junction is currently under construction and is aware the provision of potential public open space is anticipated as part of extant housing development close to the Thickthorn road improvement scheme.  Can the <b>Applicant</b> : (i) Further clarify why there is scope to not use public open space or land planned to be used as such. (ii) The stage by which any agreement to formalise planned public open space provision is expected to serve the extant housing development at Cringleford. (iii) The stage by which any existing formal amendment committing areas of land to public open space is to be subject to any revised/fresh legal agreement if applicable.

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		<p><i>You may wish to combine the answer to this question with the answer to question CA.1.7.</i></p> <p><b>Relevant Planning Authority:</b> Are there adequate provisions in place to ensure that the use of designated or potential planned public open space will not occur? Explain your reasons.</p>
GC.1.4	<p><i>Other Consents and Permits</i> <b>The Applicant</b></p>	<p>The ExA notes the Consents and Agreements Position Statement [APP-019].</p> <p>What other consents and permits (if any) would be required by the Proposed Development? If further consents and permits are required can you:</p> <ul style="list-style-type: none"> <li>i) Provide an update on progress with obtaining these consents/ licences.</li> <li>ii) Include a section providing an update on these consents/ licences in any emerging Statements of Common Ground (SoCG) that are being drafted with the relevant consenting authorities listed.</li> </ul> <p><i>You may wish to combine the answer to this question with the answer to question BIO.2.6.</i></p>
GC.1.5	<p><i>Alternatives</i> <b>The Applicant</b></p>	<ul style="list-style-type: none"> <li>i) When considering alternatives to the scheme clarify/explain to what extent was the strategic use of expanding the existing park and ride facility considered?</li> <li>ii) Explain what scope remains for the scheme to further complement the existing park and ride facility, any potential planned expansion of the facility, and its subsequent future use? If it wasn't considered, provide an update on these matters.</li> </ul> <p><i>You may wish to combine the answer to this question with the answer to question CI.1.3</i></p>
GC.1.6	<p><i>Cantley Stream realignment</i> <b>The Applicant</b></p>	<p>Application document [APP-127], The Scheme Design Report. Paragraph 4.2.9 indicates that the new link road would require the existing Cantley Stream to be realigned by approximately 550m. The adjacent access track would also be diverted south of the Cantley Stream realignment, but within the same land parcel. With further details found on the General Arrangement Plans (TR010037/APP/2.2).</p>

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		<p>Provide clarification of the details setting out the design of the Cantley stream realignment indicating how the works are to be undertaken allowing for consultation and the mechanism by which that will be secured.</p>
GC.1.7	<p><i>Construction earthworks</i> <b>The Applicant</b></p>	<p>A summary of principal earthwork volumes is given in Table 9.3 of the Scheme Design Report [APP-127]. It identifies Surplus topsoil from stripping which will need to be retained and stockpiled pending incorporation into Scheme (if possible) or held pending alternative use at estimated volume of 26,000 m<sup>3</sup>; the volume of site won material which may not be suitable for direct placement at estimated volume of 49,000 m<sup>3</sup>; the volume of surplus general earthworks (non-topsoil) material which will require stockpiling pending alternative use at estimated volume of 79,000 m<sup>3</sup>. The areas identified for materials storage, management and processing provide in total an estimated functional working area of 40,000m<sup>2</sup>.</p> <p>i) Clarify what provisions would be in place to ensure dust mitigation, debris management and transportation of the material alongside protecting the visual appearance of the area specifically arising from short/medium and long-term stockpiling anticipated will not erode from the local environment?</p> <p>ii) Clarify to what extent has scope for earth bunding/reprofiling or landscape recontouring using displaced material cut from the application site to provide natural planted barriers within the scheme's overall layout.</p> <p>iii) What other possible options are there for displaced material not needed for re-use on site? And is there a rough estimation of the amount of residual material likely to be left over that can be given?</p> <p>iv) Provide an estimate of the length of time displaced material from the scheme would be stored on land referred to in the application in the event it cannot be reused within the scheme improvement work areas proposed.</p> <p>If any of the above information is already provided, signpost that.</p> <p><i>You may wish to combine the answer to this question with the answers to question DE.1.4 and</i></p>

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		<i>DE.1.5.</i>
GC.1.8	<p><i>Update on development/ Traffic Management Plan</i></p> <p><b>The Applicant Vattenfall</b></p>	<p>The ExA is aware that Vattenfall's Norfolk Boreas and Norfolk Vanguard proposes new offshore wind farms off the north Norfolk coast, with onshore cabling crossing the A47 west of Dereham and a new substation connecting into the A478 west of Dereham. Construction programmes were expected to overlap during 2022 to 2024. Vattenfall were anticipated to import material from overseas via ports in Great Yarmouth or Lowestoft, and the materials will pass through the Scheme. Some of these loads were anticipated to include large abnormal deliveries, such as 80m long low loaders with new electricity substation transformers. Vattenfall refer to scope for regular meetings and exchange of information with the applicant during the respective detailed design and construction stages.</p> <p>Provide:</p> <p>i) An update on any discussions and overlaps.</p> <p>ii) Suggested wording within the dDCO or otherwise to deal with traffic management issues.</p> <p>Can the Applicant also:</p> <p>iii) Clarify Construction Traffic Management Plans/other Traffic Management Plans applicable and indicate when they will be finalised and submitted to the examination.</p>
GC.1.9	<p><i>Link Road between B1172 and Cantley Lane</i></p> <p><b>The Applicant Relevant Highway Authority Interested Parties</b></p>	<p>Relevant Representations received [RR-009, RR-012, RR-013] refer to the traffic currently using the B1172 increasing due to development occurring at Wymondham.</p> <p>i) Detail the surveys have been undertaken or information gathering exercises to gauge any potential uplift in traffic on the B1172.</p> <p>ii) Can the applicant provide clarification and further justification of the basis for a T-junction design proposed for the link between B1172 and Cantley Lane South (Work No.1 and Work No.2).</p> <p>iii) What evidence is available that the proposed junction design is sufficient to deal with existing traffic and any potential uplift in traffic. Please signpost analysis of junction capacity measurements and if these have considered new development occurring. If there is no such information detail,</p>



**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		<p>what are the reasons?</p> <p>iv) Is there flexibility in the design of the scheme to increase junction capacity using an alternative junction design upgrade such as a roundabout system if that is required? If so, detail that.</p> <p>v) If alternatives have already been considered please signpost those or provide information to the extent of junction provision considered?</p> <p><b>Interested Parties:</b> Provide comments on these points you wish to make if you have not already done so.</p>
GC.1.10	<p><i>Link Road between B1172 and Cantley Lane</i></p> <p><b>The Applicant</b> <b>Relevant Highway Authority</b> <b>Interested Parties</b></p>	<p>In terms of forthcoming Traffic Management Plan formulation and updating explain the extent to which new development in the area and potential for increased traffic levels arising from that has been/can be considered.</p> <p>Interested parties: Provide any comments on this issue you wish to make if you have not already done so.</p>
GC.1.11	<p><i>CA public highway</i></p> <p><b>The Applicant</b> <b>Norfolk County Council</b> <b>Relevant Highway Authority</b> <b>Interested Parties</b></p>	<p>Relevant Representations received [RR-011] questions the extent of land take in so far as sections of public highway should not be acquired permanently.</p> <p>Provide justification (or provide further clarification) for your views on this issue giving reasons for the favoured approach.</p>
GC.1.12	<p><i>Environmental Protection Plan</i></p> <p><b>The Applicant</b> <b>Interested Parties</b></p>	<p>The ExA notes the Environmental Management Plan (First Iteration) [APP-128] and the content of the Explanatory Memorandum [APP-018].</p> <p>The dDCO relies upon mechanisms to relating to first, second and third iterations of the Environmental Management Plan.</p>

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		The ExA notes that a streamlined two step approach in terms of an Outline and Final Environmental Plan in substantial accordance with the outline could be opted for. Justify why such a revised streamlined approach cannot be implemented taken and read alongside the REAC.
<b>Land Use</b>		
GC.2.1	<i>Agriculture</i> <b>The Applicant</b>	<ul style="list-style-type: none"> <li>i) Confirm whether the Proposed Development would result in any severance issues for farms and if it does how would this be addressed?</li> <li>ii) Explain if/ how short and long-term breaches of Agri-Environment schemes potentially caused by the Proposed Development, would be dealt with and who would take responsibility for dealing with any breaches – the applicant or the signatory of the scheme? If it is the signatory, is the Applicant proposing to provide any support/advice?</li> <li>iii) If this information has been provided, signpost where in the Application documents it can be found.</li> </ul>
<b>Contaminated Land and Waste</b>		
GC. 3.1	<i>Contaminated Land/Waste</i> <b>The Applicant</b> <b>Interested Parties</b>	<p>In response to the Environment Agency’s comments [RR-04] on paragraph 10.1.29 Appendix 10.3 Outline site Waste Management Plan (SWMP) [APP-107].</p> <ul style="list-style-type: none"> <li>i) Further clarify how waste management practices will be implemented (including hazardous waste) for managing excavated waste from the Cantley Lane landfilled waste area and the infilled gravel pit east of Cantley Lane South.</li> <li>ii) Advise what further waste assessments or details are to be advanced on the landfilled/infilled waste identified in Table 1 of Appendix 10.2 Waste Disposal Assessment, and how this activity will be managed to protect the environment and prevent harm to human health? Clarify the approach to be taken.</li> <li>iii) Regarding paragraph 10.1.39 of the outline SWMP, it is recommended by the Environment Agency that the final SWMP refers to an accurate description of the waste when referring to Duty of care documentation, such as transfer, or consignment notes rather than the type of waste. The SWMP is documented to be included as part of the Second Iteration of the EMP. Confirm when such details are to be firmed up.</li> </ul>

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		<p>iv) Confirm whether the Environment Agency will be included as a named consultee in respect of Requirement 4.</p> <p><b>Interested Parties:</b> Provide your comments on land contamination or waste matters if you have not already done so.</p> <p><i>The ExA acknowledges that this may be covered by a SoCG. If the answer to these questions is covered by a SoCG please indicate that accordingly.</i></p>
<b>Environmental Statement</b>		
GC.4.1	<p><i>Baseline Surveys/ Cumulative impacts</i></p> <p><b>The Applicant</b></p>	<p>The ExA recognises that some of the baseline survey information included within the ES is of some age. There are also circumstances which have arisen from the COVID 19 pandemic which may or may not had an effect to using the baseline data and any conclusions/assumptions to be drawn from that.</p> <p>Can the Applicant set out in a single schedule (with reference to the relevant chapters) any additional baseline data gathering that has taken place or is ongoing, or otherwise set out the reasons why that existing baseline data remains fit for purpose.</p> <p>Can the Applicant also set out their response to any potential impact on any baseline position and their views as to the overall reliability of submitted information taking into that particular change of circumstance and any other material change of circumstances anticipated.</p> <p>With respect to cumulative effects related information. Confirm any updates to that.</p>
GC.4.2	<p><i>Methodology</i></p> <p><b>The Applicant</b></p>	<p>Provide an update on the geoarchaeological monitoring proposed for Spring 2021 in the area of the proposed Cantley Stream diversion, as indicated in Chapter 6 [APP-043], and confirm when the results, and any revised assessment as necessary, will be made available to the Examination.</p>
GC.4.3	<p><i>Methodology</i></p> <p><b>The Applicant</b></p>	<p>ES Chapter 8 (Biodiversity) [APP-045] paragraph 8.5.3 and ES Appendix 8.4 (Great Crested Newt Survey Report) paragraph 3.5.2 highlight that there are ecological surveys to be completed in 2021 owing to Covid-19 and access restrictions, including eDNA surveys, to establish the presence or absence of great crested newts.</p>

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		Provide an update on these surveys and confirm when the results, and any revised assessment as necessary, will be made available to the Examination.
GC.4.4	<i>Methodology</i> <b>The Applicant</b>	Provide an update on the supplementary ground investigations indicated in ES Chapters 9 and 10 [APP-046 & APP-047] to be completed in Spring 2021, indicate when the results and any revised assessments as necessary, will be made available to the Examination.
GC.4.5	<i>Methodology</i> <b>The Applicant</b>	<p>i) ES Chapter 13 – Road Drainage and the Water Environment [APP-050] paragraph 13.5.2 notes that supplementary ground investigations and surveys are required to confirm construction and operation risks, particularly in relation to the Wards Wood underpass, works adjacent to the Cantley Stream (including the proposed diversion), and the use of unlined road drainage. Can the Applicant provide an update on these surveys and investigations and confirm when the results and any revised assessment as necessary, will be made available to the Examination.</p> <p>ii) ES Chapter 13 paragraph 13.5.6 highlights that a drainage survey to verify locations of the existing discharge locations identified on the Highways Agency Drainage Data Management System (DDMS) in 2020 is yet to be completed. Please can the Applicant confirm when the results of this survey will be made available to the Examination.</p>
GC.4.6	<i>Update</i> <b>The Applicant</b>	<p>i) ES Appendix 8.8 [APP-094]– Bat Roost and Crossing Point Survey Report paragraphs 3.6.3 – 3.6.4 note that due to delays and access issues, it was not possible to undertake dusk emergence or dawn re-entry surveys of all potential bat roost trees or to carry out all preliminary ground level roost assessments, and that further survey work is required in 2021.</p> <p>Can the Applicant provide an update on these surveys and confirm when the results and any revised assessment as necessary, will be made available to the Examination.</p> <p>ii) ES Appendix 8.9 [APP-095]– Otter and Water Vole Report paragraph 3.3.2 explains that the water vole and otter surveys were incomplete in some places due to inaccessible areas of dense vegetation and periods of rain prior to and during the surveys which may have washed away signs of their presence. Paragraphs 3.3.4–3.3.5 explain that access to potential holts was delayed and then marred by technical failure. These were both considered to be significant limitations.</p>

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

<b>ExQ1</b>	<b>Question to:</b>	<b>Question</b>
		Can the Applicant explain how this was addressed in the assessment and confirm whether a worst-case scenario was considered?
GC.4.7	<i>Carbon Budget</i> <b>The Applicant</b>	The ExA notes that the Carbon Budget Order 2021 came into force on 24 June 2021. Can the applicant provide: a) additional information on the Proposed Development's compliance with the sixth carbon budget and an update to the assessment contained within ES Chapter 14 [APP-051]; and b) an update of the assessment contained within ES Chapter 15 [APP-052] of the potential cumulative effects of the Proposed Development with other existing and/or approved projects on climate, including greenhouse gas emissions and climate change adaptation with regard to the sixth budget.
GC.4.8	<i>Mitigation and Monitoring</i> <b>The Applicant</b>	ES Chapter 14 [APP-051] – Climate paragraph 14.9.7 mentions an intrusive pavement survey expected to be undertaken in Spring 2021, the results of which would inform a pavement design that may result in a reduction in importation and movement of materials and associated construction activity. Can the Applicant provide an update on this survey and its implications for the assessment?
GC.4.9	<i>Mitigation and Monitoring</i> <b>The Applicant</b>	A draft Environmental Management Plan - First Iteration (EMP) [APP-128] was submitted with the application, Table 3-1 of which contains a 'Record of environmental actions and commitments' (REAC). The ES chapters cross-reference to the EMP. The REAC contained within the EMP does not identify the relevant requirements in the dDCO that secure the required mitigation measures.  i) Update the REAC to provide explicit references. ii) The EMP refers to a number of management plans, including a Construction noise and dust management plan and a LEMP, that would only be prepared post-consent. Provide outline versions of each of these plans to the Examination.
<b>Policy</b>		
GC.5.1	<i>Central Government Policy and Guidance</i>	With respect to any relevant updates or changes to Government Policy or Guidance that have occurred since the Application was submitted. Can the Applicant or Relevant Planning Authorities

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<b>ExQ1</b>	<b>Question to:</b>	<b>Question</b>
	<b>The Applicant</b> <b>The Relevant planning Authorities</b>	identify any relevant changes, and if so, what are the implications in your view?
<b>AQ Air Quality and Emissions</b>		
AQ.1.1	<i>Baseline information</i> <b>The Applicant</b>	ES Chapter 5 [APP-042] paragraph 5.7.22 states that 2017 background pollutant maps were used to provide estimates background concentrations for specific pollutants. However, the DEFRA Background Maps for years 2018 – 2030 are available for NOx, NO2, PM10 and PM2.5 (available at: <a href="https://uk-air.defra.gov.uk/data/laqmbbackground-maps?year=2018">https://uk-air.defra.gov.uk/data/laqmbbackground-maps?year=2018</a> ).  Can the Applicant explain why DEFRA Background Maps for years 2017-2030 were used and if the application of 2018 Background Maps would affect the conclusions reached in the Air Quality assessment?
AQ.1.2	<i>Baseline information</i> <b>The Applicant</b>	Can the Applicant provide further justification as to why 2015 baseline traffic data remains valid for the purposes of an application in 2021 and explain whether any sensitivity testing has been undertaken in respect of more recent traffic data?
AQ.1.3	<i>Baseline information</i> <b>The Applicant</b>	Paragraph 2.6.8, Chapter 2, ES [APP-039] states construction of the Proposed Development will take approximately 23 months. However, Table 2-3, Construction phasing push box-method has a total estimated programme of 27 months and Table 2-4 Construction phasing top-down method has a total estimated programme of 27.5 months.  Can the Applicant explain the reason for this discrepancy and if this conflicts with the decision to exclude an assessment of air quality effects during construction of the Proposed Development based on the 2-year threshold advised in DMRB LA105?
AQ.1.4	<i>Air Quality /Human Health</i> <b>The Applicant</b>	Public Health England through relevant representation [RR-021] have identified that further clarification of the impacts to human health are needed before and after mitigation in the ES (Chapter 12 Population and Human Health) [APP-049]. They conclude that the construction year 2019 is also no longer applicable alongside a range of related matters which require updated information.  i) Provide a response on the additional baseline data/adjustment/clarification and the justification

**ExQ1: [23 September 2021]**

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ExQ1	Question to:	Question
		<p>for the approaches taken by the scheme with respect to the range of matters raised.</p> <p>ii) Confirm when the additional information referred to by Public Health England is to be submitted to the examination.</p>
AQ.1.5	<p><i>Monitoring</i></p> <p><b>The Applicant</b></p> <p><b>Interested Parties</b></p>	<p>ES Chapter 5 [APP-042] Section 5.9 sets out the activities recommended to monitor the effectiveness of the proposed mitigation measures which will be included in the EMP. These include:</p> <ul style="list-style-type: none"> <li>• Development of dust management plan with measures to monitor effectiveness of mitigation as part of the EMP;</li> <li>• Daily onsite and off-site inspections to be included in EMP; and</li> <li>• Record of complaints/exceptional dust events to be included in EMP.</li> </ul> <p>There is no mention of further consultation requirements with regards to construction dust monitoring. However, there is stockpiling of material envisaged and therefore can the applicant explain how potential construction dust issues from stockpiling will be successfully monitored?</p> <p><b>Interested parties:</b></p> <p>If you have concerns provide comments on potential monitoring requirements dealing with construction dust from stock piling.</p>
<b>BIO Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))</b>		
BIO.1.1	<p><i>Surveys</i></p> <p><b>Natural England</b></p> <p><b>Relevant Planning Authorities</b></p> <p><b>Interested Parties</b></p>	<p>i) Confirm whether you are satisfied with the range of surveys for ES Chapter 8 Biodiversity [APP-045]; and</p> <p>ii) If you consider the baseline information presented to be a reasonable reflection of the current situation?</p> <p>iii) In respect of i) and ii) if not, why not and what would resolve any residual concerns?</p> <p><i>You may wish to combine the answer to this question with the answer to question BIO.3.6.</i></p>
<b>Cantley Stream</b>		
BIO.2.1	<p><i>Update</i></p> <p><b>The Applicant</b></p> <p><b>The Environment Agency</b></p>	<p>The Environment Agency [RR-004] have identified that some additional detailed survey and modelling work is being undertaken by the Applicant for their approval.</p> <p>Can the Applicant and Environment Agency provide an update of when this information is to be agreed and submitted to the examination?</p>

**ExQ1: [23 September 2021]**

**Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
BIO.2.2	<p><i>Water Environment</i> <b>The Applicant</b></p>	<p>Document 6.1 Environmental Statement Chapter 9 – Geology and Soils [APP-046] sets out the rationale for the classifications regarding the sensitivity of receptors and magnitude of impacts presented in Table 9-4 and 9-5 (and repeated in Table 13.1 &amp; 13.2 of Chapter 13 Road Drainage and the Water Environment [APP-050]).</p> <p>The Environment Agency have indicated, it will be essential for the project to apply the principle that no private drinking water supplies can be derogated, even temporarily, without the prior consent of the owner and the provision of mitigation measures. It is also advised locating a drainage pond over an infilled gravel pit would not be appropriate unless the fill can be proved to be inert. A full investigation of the landfill and infilled pit, to better inform Tables 9-10 (Determination of magnitude of potential impact), 9-12 (Determination of residual effects significance) and the Materials Management Plan.</p> <p>Further assessments of linkages and mitigation for potential on-site and off-site contaminated land sources proposed in Section 6.11 of ES Appendix 9.3 – Preliminary Sources Study Report Part 1 of 2 are indicated to be required in tandem with the above.</p> <p>Provide an update on those information matters for the purposes of informing the Examination.</p>
BIO.2.3	<p><i>Water environment</i> <b>The Applicant</b></p>	<p>i) When water is planned to be diverted into the new channel at Cantley Stream for the first time, explain what measures will be in place to prevent silt and sediment from being flushed downstream from the new channel and by what mechanism?</p> <p>ii) Confirm and detail what provision during water diversion would ensure there would be appropriate oxygen levels for fish and other aquatic life and by what route will this be secured.</p> <p>iii) Clarify how the new re-aligned section of channel will be colonised with aquatic and marginal plants and the route by this will be secured.</p>
BIO.2.4	<p><i>Cantley Stream alignment</i></p>	<p><b>Applicant:</b> ES Chapter 13 [APP-050] Paragraph 13.9.44 states that for the Cantley Stream realignment, the detailed design including water vole enhancements will be agreed in consultation with the</p>



**ExQ1: [23 September 2021]**

**Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
	<p><b>The Applicant</b>  <b>Norfolk County Council/IPs</b></p>	<p>Environment Agency, Norfolk County Council and other stakeholders.</p> <p>i) Justify why such an approach can or should be undertaken post potential confirmation of any DCO, also acknowledging that the realignment works may also require provision for water resource licences, integration with other works for potential species benefit.</p> <p>ii) In respect of groundwater resources and quality explain what mechanisms are/will be in place to ensure that no private water supply can be derogated because of the works or operation of the scheme, even temporarily, without the prior written consent of the owner and the provision of mitigation measures?</p> <p>iii) Regarding potential impacts during construction and any proposed horizontal directional drilling (HDD) activity. Clarify what investigations, assessments, mechanisms, and consultation requirements are to be secured to ensure HDD works will not pose a risk to groundwater resources.</p> <p>iv) Explain what scope is available to coordinate stream realignment works with other engineering and new landscaping works to enable ecological corridors the earliest chance of re-establishment prior to completion of all works. Also explain how such potential provision could be secured.</p> <p><b>Norfolk County Council/Interested Parties:</b> Provide any comments you wish to make on the above.</p>
BIO.2.5	<p><i>Plan</i>  <b>The Applicant</b></p>	<p>Environmental Management Plan (First Iteration) (EMP) [APP-128] under paragraphs 1.1.5 and 1.1.6 indicates that there is no reference to a Temporary Surface Water Drainage Plan being prepared as part of the EMP. However, it is listed as a plan to be prepared in the dDCO under Requirement 4, and is referred to elsewhere within the EMP.</p> <p>Provide clarification on the plan being part of the EMP and the plans status within the Examination.</p>
BIO.2.6	<p><i>Permits and Licences</i>  <b>The Applicant</b></p>	<p>The ExA acknowledges that the Environment Agency highlights that works to realign Cantley Stream may require a transfer licence. An impoundment licence may also be necessary if a structure is required that restricts flow. An Environmental Permit is advised to be required for the importation and treatment of waste material falling outside the scope or limits detailed in either a</p>

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		<p>Regulatory Position Statement or a waste exemption.</p> <p>With respect to 'Waste Materials', the consenting authority for certain mobile plant permits such as concrete crushers is the relevant local authority, and therefore they should be listed along with the Environment Agency within the dDCO.</p> <p>Provide clarification and an update on these matters.</p> <p><i>You may wish to combine your answer with question GC.1.4.</i></p>
<b>Trees</b>		
BIO.3.1	<p><i>Trees</i> <b>The Applicant</b></p>	<p>The ExA at Site Inspection [EV-001] noticed a significant group of trees near the boundary shared with the A11 (Hethersett Bypass) close to where the new connector road is proposed. In terms of any expected tree loss arising from the scheme as a whole can the applicant expand on the following points:-</p> <ul style="list-style-type: none"> <li>i) Clarify how many trees would be removed or are likely to be removed or damaged as a result of the scheme overall.</li> <li>ii) Clarify the position of all trees that are likely to be lost or damaged. Provide a plan showing the location of the trees that would be affected.</li> <li>iii) Are the trees that would be lost, damaged or likely to be damaged protected? and if so how?</li> <li>iv) Are any of the trees noble or veteran trees?</li> <li>v) Could the loss of trees be mitigated and if so how?</li> <li>vi) Has any engagement with Natural England or the Forestry Commission taken place with respect to potential tree removal or other impacts for Cantley Wood which may entail ancient woodland? If it has not taken place, can you explain the approach to potential ancient woodland considerations and tree impacts as a whole with an update.</li> </ul>
BIO.3.2	<p><i>Trees</i> <b>The Applicant</b> <b>Relevant Planning Authorities</b></p>	<p>Clarify tree planting proposed via APP-123 Environmental Masterplan by the scheme and any scope to increase capacity for that provision including the following points:</p> <ul style="list-style-type: none"> <li>i) Have all relevant spaces in the vicinity of the junction improvement been considered for further</li> </ul>

**ExQ1: [23 September 2021]**

**Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
	<b>Interested Parties</b>	<p>additional new planting, as well as for replacement planting? If not, why not?</p> <p>ii) How would any potential tree planting/ related landscaping unreferenced in the dDCO be secured?</p> <p>iii) Has tree planting (or other related landscaping) been considered to further complement local informal nature corridors on the ground? If not, why not?</p> <p>iv) Explain if planting/ landscaping schemes can be coordinated in a way to ensure they establish and provide positive links with existing wildlife corridors whilst construction activity takes place.</p> <p><b>Relevant Planning Authorities/Interested Parties:</b> Do you have any further comments on tree planting or landscaping provision?</p> <p><i>You may wish to combine the answer to this question with the answer to question BIO.3.5</i></p>
BIO.3.3	<i>Protected Trees</i> <b>The Applicant</b> <b>Interested Parties</b>	<p>Are there any trees that would be affected protected by either a Tree Preservation Order (TPO) or by virtue of being located in a Conservation Area? If they are, provide details of where these trees are located and extracts from the relevant TPO citations. If the information has already been provided, please signpost that.</p> <p><i>You may wish to combine the answer to this question with the answer to question BIO.3.4.</i></p>
BIO.3.4	<i>Pre-commencement tree clearance</i> <b>The Applicant</b>	<p>Confirm/clarify the following:-</p> <p>i) For the avoidance of any doubt confirm where pre-commencement tree and vegetation clearance works are proposed. Clarify any changes to pre-commencement tree and vegetation clearance works proposed. If there are changes, where would those occur and what trees/areas would be affected? Provide a plan in giving your response.</p> <p>ii) When would this clearance occur?</p> <p>iii) Under what legislation would the works be undertaken. If the information has already been provided signpost that.</p>
BIO.3.5	<i>Biodiversity Net Gain</i>	Both Norfolk County Council and Anglian Water have expressed encouragement for biodiversity net

**ExQ1: [23 September 2021]**

**Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
	<b>The Applicant</b>	<p>gains to be provided by the scheme.</p> <p>The ExA notes that the application includes some measures to for habitat re-creation and enhancement. Please could the Applicant explain/clarify:</p> <p>i) Confirm to what extent have options to deliver a biodiversity net gain been considered. If it has not been considered, explain why not.</p> <p>ii) If a biodiversity net gain is to be achieved, by how much, and what measures will be taken to achieve this. If not, why not?</p>
<b>Protected Species/ Other species</b>		
<p>BIO.3.6</p>	<p><i>Bats/Owls</i></p> <p><b>The Applicant</b></p> <p><b>Natural England</b></p> <p><b>Interested Parties</b></p>	<p>Relevant representations [including RR-029 and RR-010] have referred to the presence of <i>Barbestelle Bats and owls</i> in the vicinity of the proposed development.</p> <p>i) Clarify and detail whether there is adequate baseline survey information to confirm or discount the potential presence of Barbestelle Bats as a relevant consideration at this location (inclusive of considerations of their status is as a protected species).</p> <p>ii) Confirm details of migration where would the bats/owls be traveling to/from?</p> <p>iii) Can the Applicant provide further details as to what mitigation measures would be included if Barbestelle Bats/owls not anticipated by relevant survey or likely to be present?</p> <p>iv) Can the applicant also clarify if there is a need for a separate Barbestelle Bats/owl mitigation plan?</p> <p><b>Natural England/Interested Parties:</b> Are there any comments/ concerns you wish to raise with respect to the above matters?</p> <p><i>You may wish to combine the answer to this question with the answer to question BIO.1.1.</i></p>
<p>BIO.3.7</p>	<p><i>Water Voles</i></p> <p><b>The Applicant</b></p>	<p>Clarify what provision and by what mechanisms will ensure there would be a suitable alternative habitat for displaced water voles during and after construction.</p>
<p>BIO.3.8</p>	<p><i>Water Voles</i></p> <p><b>The Applicant</b></p>	<p>ES Chapter 8 - Biodiversity 3.1 [APP-045] highlights that ecological enhancements are to be incorporated as part of the realignment of Cantley Stream, including the provision of additional habitat suitable for water voles.</p>

**ExQ1: [23 September 2021]**

**Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		<p>The ExA notes that mitigation will be detailed and implemented as part of the Record of Environmental Actions and Commitments (REAC) within the Environmental Management Plan (EMP). The EMP falls under Requirement 4, which is to be consulted upon with relevant parties.</p> <p>i) Explain the attributes of the wetland habitat to be provided/created inclusive of physical parameters (indicative or otherwise).</p> <p>ii) To what extent will the habitat be complementary to other existing local wildlife habitats for other mammals and species and what adaptations are to be made to ensure there is integration?</p> <p><i>You may wish to combine the response to this question with your response to question BIO.3.5</i></p>
BIO.3.9	<i>Wildlife Corridors</i> <b>The Applicant</b>	<p>At the ExA's Unaccompanied Site Inspection [EV-001] the probable existence of informal wildlife corridors within nearby surrounding areas was observed which could be potentially used by a wide variety of species.</p> <p><b>Applicant:</b> i) Clarify if the effect of the proposed development on potential informal wildlife corridors has been considered and also ii) provide further clarification to the extent of integration with those and how integration could be secured either through the Environmental Masterplan APP-123 or any other appropriate means/mechanisms available.</p>
<b>HRA</b>		
BIO.3.10	<i>HRA</i> <b>The Applicant</b>	<p>The proposed new culvert to carry the diverted Cantley Stream beneath the existing Cantley Lane South carriageway is described in the Report to inform HRA [AS-005] (hereafter referred to as the No Significant Effects Report, NSER) as 1.1m high, whereas in Chapter 2 of the ES [APP-039] and Appendix 13.5 it is described as 2.35m high.</p> <p>Can the Applicant confirm the proposed height of the culvert and the height that was used for the purposes of the HRA. If it was incorrect, and that the worst-case scenario was not assessed, please provide an updated version of the NSER that contains an assessment of potential effects of the new culvert on the European sites considered in the report.</p>

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

<b>ExQ1</b>	<b>Question to:</b>	<b>Question</b>
BIO.3.11	<i>HRA</i> <b>The Applicant</b>	Paragraph 2.2.9 of the NSER states that additional European sites should be subject to screening where the existence of ecological connectivity between the Proposed Development and European sites is identified beyond the screening criteria set out in paragraph 2.2.8.  Can the Applicant explain how such ecological connectivity would be determined?
BIO.3.12	<i>HRA</i> <b>The Applicant</b>	The ExA notes that at the end of each DMRB 'Conclusion Table', contained in Section 4 of the NSER, it is stated that 'All information on the assessment process and data used is set out in the full assessment report.' It is unclear if this refers to the NSER [AS-005] or another report. Please could the Applicant clarify the meaning of this statement and identify the location of the relevant report within the application documents, if applicable.
BIO.3.13	<i>HRA</i> <b>The Applicant</b>	The assessment provided in the NSER [AS-005] of in combination effects of the Proposed Development is very limited and relies heavily on the information provided in ES Chapter 15 [APP-052]. The location of relevant information is not identified, and Chapter 15 does not explicitly consider in combination effects on European sites. In addition, the wording of the evidence notes relating to in combination effects for the matrices contained in NSER Appendix C is confused and its meaning is unclear.  Can the Applicant update the NSER to address these issues.
BIO.3.14	<i>In-combination effects assessment methodology</i> <b>The Applicant</b>	Can the Applicant confirm if the developments considered in the HRA in combination assessment are those listed in ES Appendix 15.2? Justify and explain the approach taken.
BIO.3.15	<i>Screening for likely significant effects/Otters</i> <b>The Applicant</b>	Noting that otters are a qualifying feature of the Broads SAC and that they are known to occupy large territories and range over large distances (<35km), can the Applicant explain what evidence has been used to exclude the possibility that otters commuting along Cantley Stream originate from the SAC.
BIO.3.16	<i>Screening for likely significant effects/Otters</i> <b>The Applicant</b>	In relation to otters, it is proposed that the realignment of Cantley Steam would be constructed and ecologically matured to optimum condition prior to its connection to the existing Cantley Stream and the decommissioning of the existing stretch. It is not specified in the NSER [AS-005] where and how the timing of this measure is secured and there does not appear to be a reference to it in the

**ExQ1: [23 September 2021]**

**Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		EMP. Can the Applicant please explain where and how it is secured.
BIO.3.17	<p><i>Screening for likely significant effects</i></p> <p><b>The Applicant</b></p>	<p>It is stated in the DMRB Broads SAC screening matrix (Table A.1) that the lighting design for the Proposed Development is ongoing, only outline information is known at present, and the assessment will be updated when final information about the lighting design has been provided. Can the Applicant indicate when the final information will be made available and when an updated version of the NSER [AS-005] will be provided?</p>
BIO.3.18	<p><i>Screening for likely significant effects</i></p> <p><b>The Applicant</b></p> <p><b>Natural England</b></p>	<p>The ExA notes that it is stated that the screening does not take into account mitigation measures introduced to avoid harm to the European sites or avoid LSEs but does include “legally required elements of design and construction to comply with statutory standards set out by the EA and contained in the WFD.”</p> <p>Reference is also made throughout the NSER [AS-005] to best practice measures that would be implemented. A statement is made in Appendix B that potential impacts arising from an increase in pollutant loads in highway runoff would be “mitigated” through the use of filter drains and attenuation basins. NE, in the correspondence contained in Appendix F, state that they agreed with the conclusion in the draft NSER that there would be no LSE on the European sites subject to implementation of the proposed “avoidance and mitigation measures”. Can the Applicant confirm:</p> <ul style="list-style-type: none"> <li>i) whether they are confident that the legally required and proposed best practice measures do not constitute mitigation and that therefore an assessment of the effects of the Proposed Development on the integrity of the European sites is not required;</li> <li>ii) whether they consider that there could be a LSE on the European sites in the absence of the best practice measures; and</li> <li>iii) respond to NE’s description of the proposed measures as mitigation.</li> </ul> <p><b>Natural England</b></p> <p>Can NE provide their view on whether an assessment of the effects of the Proposed Development on the integrity of the European sites is required, on the basis of their description of the proposed measures as mitigation.</p>
BIO.3.19	<p><i>Matrices</i></p> <p><b>The Applicant</b></p>	<p>The information on potential effects of the Proposed Development is not consistent throughout the NSER [AS-005], and there are discrepancies and omissions within and between the information presented in both the DMRB and the Inspectorate matrices. Can the Applicant provide an updated NSER that addresses these inconsistencies.</p>

**ExQ1: [23 September 2021]**

**Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		<p>The updated NSER should address the following points:</p> <ul style="list-style-type: none"> <li>• the effect of the spread of invasive non-native species is identified in the DMRB Broads SAC and Broadlands SPA screening matrices (Tables A.1 and A.2) (Pages 36 and 41, respectively) as a vulnerability, however it is not subsequently mentioned within those matrices. Conversely, air quality is not identified as a vulnerability but is subsequently discussed in those matrices.</li> <li>• reference is included in the DMRB Broadlands SPA screening matrix (Table A.2) to effects on barbastelle bats, which are not a qualifying feature of this SPA.</li> <li>• the effects considered in the Conclusion Tables (Tables 4.1, 4.2 and 4.3) (noise and vibration disturbance, light disturbance, air pollution and water pollution) are not presented consistently with and differ to those listed in the Inspectorate screening matrices (Tables C.2, C.3 and C.4). Additional effects are considered in the Inspectorate screening matrices, e.g., mortality through traffic collision and mortality as a result of reduced food sources; while other effects included in the Conclusion Tables and the DMRB screening matrices, e.g., light disturbance, are not. Noise disturbance is included in the DMRB matrices for all three European sites and in the Inspectorate matrices for the SPA and Ramsar site but not in the Inspectorate Broads SAC matrix (Table C.2). Neither is it included in Table C.1 in Appendix C, which identifies the potential effects to be included in each of the three Inspectorate screening matrices.</li> <li>• the effects that are considered in the Inspectorate matrices are not consistent with those identified in Table C.1, e.g., severance of commuting routes is not identified as a potential effect in Table C.1 but is included in the Inspectorate Broads SAC screening matrix (Table C.2). In addition, 'Reduced breeding success - noise disturbance' is listed three times and 'Mortality – reduced food sources' is listed twice in the Ramsar site matrix.</li> </ul> <p>Provide Word versions of the updated Inspectorate screening matrices.</p>
BIO.3.20	<p><i>Matrices</i>  <b>The Applicant</b></p>	<p>The narrow-mouthed whorl snail is described in paragraph 3.3.9 of the NSER [AS-005] as a qualifying feature of the Broadlands Ramsar site, however it is not included in the qualifying features identified in either the DMRB or matrices (Tables A.3 and C.4, respectively), and it is not listed in the Broadlands RIS. Please can the Applicant clarify whether it was included in error and remove the reference from the updated NSER. The Broadlands RIS notes under Ramsar Criterion 2 that the site supports outstanding assemblages of rare plants and invertebrates including nine British Red Data Book plants and 136 British Red Data Book invertebrates. This is not included in</p>



**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		<p>the Inspectorate Broadlands Ramsar site screening matrix (C.4) although it is stated in the DMRB Broadlands Ramsar site screening matrix (A.3) that the site "supports a number of rare species and habitats."</p> <p>Provide an assessment of effects on these features and update the matrices accordingly.</p>
BIO.3.21	<p><i>Consultation/Evidence</i> <b>The Applicant</b> <b>Natural England</b></p>	<p>The ExA notes that Section 3.6 of the NSER [AS-005] states that consultations were carried out with NE in 2019 and the conclusions of the screening exercise undertaken in February 2020 were discussed with them.</p> <p>However, there is no additional relevant information on NE's position in the Consultation Report (Doc 5.1) or ES Chapter 8: Biodiversity [APP-045].</p> <p>Confirm whether the correct features were considered in the HRA and whether they are satisfied with the scope and conclusions of the HRA, including in respect of the in-combination assessment.</p>
BIO.3.22	<p><i>Other information</i> <b>The Applicant</b></p>	<p>Paragraph 3.3.13 states that Figure 1 in Appendix D of the NSER [AS-005] contains a plan showing the presence of qualifying features of the European sites that were recorded during all of the study area surveys (full details of which are set out in ES Chapter 8). However, no such plan is identified in the Table of Contents and Figure 1 in Appendix D contains a 'Designated sites map'. Can the Applicant include a copy of the relevant plan in an updated NSER.</p>
BIO.3.23	<p><i>Other information</i> <b>The Applicant</b></p>	<p>It is stated within the DMRB Screening Matrix for The Broads SAC that full descriptions of the vulnerabilities of each feature of the SAC (and Broadlands Ramsar site) can be found in Section 2.4.5 however there is no such section within the NSER [AS-005] so it is unclear to which document this refers.</p> <p>Clarify and provide any omitted information as necessary in an updated NSER.</p> <p>The ExA notes that:</p> <ul style="list-style-type: none"> <li>• The cross-references to the ES chapters simply state the chapter title and do not identify the location of the relevant information within the chapters (or their associated figures and appendices).</li> </ul>

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

<b>ExQ1</b>	<b>Question to:</b>	<b>Question</b>
BIO.3.24	<i>Other information</i>  <b>The Applicant</b>	<p>Figure 1 in NSER Appendix D [AS-005] depicts the location of a SAC and a Ramsar site but does not identify them by name. They appear to be considerably further away than the European sites considered in the assessment and on the other side of Norwich to the Proposed Development site. The figure also shows the location of the Norfolk Valley Fens SAC and the legend indicates that it was 'scoped in' to the assessment although it is explained in the NSER that it was screened out. NSER paragraph 3.2.3 states that the closest part of the SAC is over 6km south of the Proposed Development site, however the SAC appears to be considerably further away than the European sites that were screened in (11.5km away) and is shown as to the west/northwest.</p> <p>Clarify the information and provide a corrected Figure 1 in the updated NSER.</p>
<b>CC Climate Change</b>		
CC.1.1	<b>The Applicant Interested parties</b>	<p><b>Applicant:</b></p> <p>i) Chapter 14 Climate of the ES [APP-051] discusses how the proposed Scheme considered manages its effects on the climate (i.e., carbon emissions) and potential vulnerability to climate change (i.e., resilience to projected climate changes). Is there any more detail or reasoning on likely climate change effects to be submitted taking into account other planned schemes and any changes that may have occurred?</p> <p>ii) ES Appendix 14.1 Embodied Carbon Report [APP-116] specifies that embodied Carbon emissions for the Scheme have been calculated for the design using the Highways England Carbon Tool. Have there been any changes to the baseline information? If not, is the present information being relied upon an accurate best estimate?</p> <p>iii) What are the potential implications arising from any future estimated increases in electric vehicles using public roads in the overall planning of the scheme?</p> <p><b>Interested Parties:</b></p> <p>iv) Do interested parties have any further comments on the information presently being considered with respect to climate change matters. If so, clarify if you have not done so already.</p>

**ExQ1: [23 September 2021]**

**Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
<b>CI Construction Impacts</b>		
CI.1.1	<p><i>Traffic Management/ Access during construction</i> <b>The Applicant</b></p>	<p>Application document APP-129, the Outline Traffic Management Plan.</p> <p>i) Clarify the provisions which would be made to allow essential vehicle access or emergency vehicle access on B1172 (Norwich Road), Hethersett Bypass, the A47, Cantley Lane South and Station Lane during construction stages?</p> <p>ii) Clarify the provisions to be contained within the Outline Traffic Management Plan responding to relevant representation concerns from uplifts in traffic movements (for example as a result of new development in Wymondham and Cringleford areas). In doing so further clarify details of monitoring, consultation, and the safeguards for appropriate management mechanisms available to deal with potential uplifts in traffic.</p> <p>iii) Confirm if a separate Construction Traffic Management Plan is to be formulated.</p>
CI.1.2	<p><i>Update</i> <b>Royal Mail, Vatten Fall Wind Power Ltd, Orsted Hornsea Project Three (UK)</b></p>	<p>In your relevant representation(s) you indicate a range of concerns where it is possible ongoing discussions with the Applicant regarding the formulation of Traffic Management Plans.</p> <p>Provide an update on any discussions and set out any outstanding concerns in this respect or highlight how the Applicant could address your concerns, if you have not already done so.</p>
CI.1.3	<p><i>Park and Ride Car Park Site</i> <b>The Applicant</b>  <b>CM Watt Residual Trust</b> <b>Relevant Highway Authority and Planning Authority</b></p>	<p>Existing obligations for securing land to expand the existing Park and Ride Site and for the construction of a new slip road from the A11 to reduce traffic at the Thickthorn Junction are referred to in Relevant Representation [RR-011].</p> <p><b>Applicant:</b></p> <p>i) Explain if the Proposed Development inclusive of construction phases will or will not render any part of those works undeliverable, and if so, what are the specific reasons for that?</p> <p>ii) To what extent would the scheme compliment any planned improvements to the Park and Ride</p>

**ExQ1: [23 September 2021]****Responses due by Deadline 2: Tuesday 26 October 2021**

ExQ1	Question to:	Question
		<p>Car Park Site having regard to any existing obligations entered into?</p> <p><b>CM Watt Residual Trust:</b></p> <p>iii) Explain and detail any aspect of the park and ride expansion or upgrade that would be rendered undeliverable clarifying the specific details of directly related benefits such as improvements to historic parkland if you have not already done so.</p> <p><b>Applicant, Highway Authority and Planning Authority, CM Watt Residual Trust:</b></p> <p>(iv) To what extent is any existing legal agreement covering the park and ride car park planned improvements potentially undermined by the proposed scheme and is proactive engagement forthcoming to resolve any aspect of obligation already entered, if necessary.</p> <p><i>You may wish to combine the response for this question with the answer to question GC.1.5.</i></p>
CI.1.4	<p><i>Road Safety</i> <b>The Applicant</b></p>	<p>On the Unaccompanied Site Inspection [EV-001] the ExA observed that there is gas pipeline sign along Station Lane close to the junction shared with the A11. Can you confirm whether the use of this access by construction vehicles has been assessed acknowledging there is a pipeline, alongside comments as to whether it would cause damage to existing infrastructure.</p>
CI.1.5	<p><i>Railway Safety</i> <b>The Applicant</b></p>	<p>The ExA notes that Cringleford Rail Bridge is in close proximity to the scheme alongside associated railway line infrastructure. RR-008 sets out objections to the scheme having regard to protective measures and requirements.</p> <p>Clarify the measures to ensure the safe operation of the rail network, at all times, and the steps to be undertaken to resolve the objection.</p>
CI.1.6	<p><i>Temporary construction compounds</i> <b>The Applicant</b></p>	<p>ES Figure 2.1 (The Proposed Scheme) (TR010037/APP/6.2) [APP-054] indicates the areas of the proposed temporary construction compounds</p> <p>i) Provide further explanation for the need for the compounds of the scale proposed, in relatively close proximity to each other.</p> <p>ii) Further clarify the details of the need for the areas of land required for each of these</p>

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ExQ1	Question to:	Question
		compounds.
CI.1.7	<i>Road Network</i> <b>The Applicant</b>	<p>At an Unaccompanied Site Inspection [EV-001] the ExA observed that surrounding local rural roads in and around the Thickthorn Junction are narrow, and some with bends. Further clarification is required on the following points:</p> <ul style="list-style-type: none"> <li>i) Signpost or give indication and further clarification of the volume, size and type of construction vehicles which would still use the local rural road network during construction as well as the nature of traffic re-routing likely to be experienced through displacement of any existing traffic presently using the A47/A11/B1172.</li> <li>ii) The likely frequency and time periods for movement of heavy vehicle movements.</li> <li>iii) Mitigation measures to prevent access of roads not suitable for use by heavy vehicles, or exacerbated traffic volumes and to ensure the safety of other road users, and how such measures can be secured in the dDCO.</li> </ul>
CI.1.8	<i>Road Network</i> <b>The Applicant</b> <b>The Relevant</b> <b>Highways Authorities</b> <b>Interested Parties</b>	<p>Construction traffic would have the potential to damage the existing road network including drainage provision.</p> <ul style="list-style-type: none"> <li>i) Will an assessment of the effects on existing road and bridge condition (surface, drainage etc) be undertaken and secured?</li> <li>ii) What mitigation, for example: weight limits, agreed delivery routes are proposed to minimise any damage to the road network by construction traffic are to be secured through a Construction Traffic Management Plan (CTMP) if necessary?</li> <li>iii) Who would be liable for any damage to the road network and who would be responsible for any repairs?</li> </ul> <p>Relevant Planning/Highway Authority and Interested Parties: any comments on these issues you wish to make.</p>
CI.1.9	<i>Phasing/Access</i> <b>The Applicant</b> <b>The Relevant</b>	<p>There are a range of impacts referred to in RR-038. Can the Applicant provide further clarification of the following:</p> <ul style="list-style-type: none"> <li>i) Phasing of the works for Cantley Stream with respect to holiday cottage occupation.</li> <li>ii) Farm access details including provision/specification, ownership and associated rights under</li> </ul>

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ExQ1	Question to:	Question
	<b>Highways Authority</b> <b>Relevant Planning Authority</b> <b>Interested Parties</b>	consideration. iii) Retention of boundary treatments as well as new or additional boundary treatments envisaged iv) Phasing of drainage/"lagoon" works the RR refers.  <b>Relevant Planning/Highway Authority and Interested Parties:</b> Provide any comments on these issues you wish to make.
<b>CA Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations</b>		
CA.1.1	<i>Update Table</i> <b>The Applicant</b>	In their Rule 6 letter, the ExA requested to be regularly provided on the progress of negotiations for Compulsory Acquisition (CA) of the Freehold of land, of new rights over existing land and of Temporary Possession (TP) of land.  Confirm acceptance of this request.
CA.1.2	<i>Protective Provisions</i> <b>The Applicant</b>	The Book of Reference (BoR) [APP-022] includes a number of Statutory Undertakers with interests in land:  i) Provide a progress report on negotiations with each of the Statutory Undertakers listed in the BoR, with an estimate of the timescale for securing agreement with them. ii) State whether there are any envisaged impediments to the securing of such agreements. iii) State whether any additional Statutory Undertakers have been identified since the submission of the BoR and whether the latest version of BoR includes any recently identified Statutory Undertakers.
CA.1.3	<i>Statutory Undertakers</i> <b>The Applicant</b>	Where a representation is made by a statutory undertaker under section 127 of the Planning Act 2008 (PA20080 and has not been withdrawn, the Secretary of State would be unable to authorise powers relating to the statutory undertaker land unless satisfied of specified matters set out in section 127. If the representation is not withdrawn by the end of the examination confirmation would be needed that the "expedience" test is met.

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ExQ1	Question to:	Question
		<p>The Secretary of State would also be unable to authorise removal or repositioning of apparatus unless satisfied that the extinguishment or removal would be necessary for the purpose of carrying out the development to which the Order relates in accordance with section 138 of the PA2008. Justification would be needed to show that extinguishment or removal would be necessary.</p> <p>Indicate when, if the objections from Statutory Undertakers are not withdrawn, this information would be submitted into the Examination.</p>
CA.1.4	<p><i>Availability of Funding</i> <b>The Applicant</b></p>	<p>The Applicant is reminded that the Department for Communities and Local Government (as it then was) Guidance related to procedures for CA (September 2013) states that; <i>“Applicants should be able to demonstrate that adequate funding is likely to be available to enable compulsory acquisition within the statutory period following the Order being made, and that the resource implications of a possible acquisition resulting from blight notice has been taken account of”</i>.</p> <p>The Funding Statement [APP-021] identifies that the estimated scheme cost is £91.2m. Paragraph 3.1.5 also states that the funding commitment was reiterated in the Highways England Delivery plan 2020–2025 which was published in August 2021.</p> <ul style="list-style-type: none"> <li>i) Detail the CA costs separately from the overall land acquisition costs that resulted in this overall figure.</li> <li>ii) Clarify how the CA figure was arrived at, and how these costs would be met.</li> <li>iii) Are there any updates with respect to any claims or potential claims for blight or other matters?</li> </ul>
CA.1.5	<p><i>Public Interest vs Private Loss</i> <b>The Applicant</b></p>	<p>The SoR [APP-020] states that there is a compelling case in the public interest for the CA.</p> <ul style="list-style-type: none"> <li>i) Set out what assessment, if any, has been made of the effect upon individual APs and their private loss that would result from the exercise of CA powers in each case.</li> <li>ii) Demonstrate within the application that the public benefits of the Proposed Development outweigh any residual adverse effects including private loss suffered by individual landowners and occupiers.</li> <li>iii) Demonstrate how such a conclusion has been reached and how the balancing exercise between public benefit and private loss has been carried out.</li> </ul>

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<b>ExQ1</b>	<b>Question to:</b>	<b>Question</b>
CA.1.6	<i>Human Rights</i> <b>The Applicant</b>	The SoR [APP-020] includes a section on human rights. With respect to that: i) Explain and clarify how it is demonstrated that interference with human rights in this case would be proportionate and justified. ii) Explain how the proportionality test has been undertaken and explain how this approach has been undertaken in relation to individual plots.
CA.1.7	<i>Special Category Land</i> <b>The Applicant</b>	The DCO as drafted means that special parliamentary procedure should not apply in relation to the proposed CA of special category land. Is any change of circumstance probable or potentially probable that will prevent the relevant subsections in Section 131 or 132 of the PA2008 from being adhered to.  <i>You may wish to combine the answer to this question with the answer to question GC.1.3.</i>
CA.1.8	<i>Crown Land</i> <b>The Applicant</b>	Consent is required for any other provision in the DCO which relates to Crown land or rights benefiting the Crown in accordance with s135(2) PA2008. Among other things this includes consent for any Temporary Possession sought over Crown land.  The PA2008 does not authorise CA for Crown land. The SoS can only authorise the CA of these plots with the consent of the relevant Crown authorities.  Indicate whether consent for any provisions affecting Crown land or rights is forthcoming.
CA.1.9	<i>Protective Provisions</i> <b>Network Rail</b> <b>Cadent Gas</b> <b>Environment Agency</b> <b>National Grid</b>	It is stated in the respective RRs [RR-RR-008], [RR-003], [RR-004], [RR-007] that adequate Protective Provisions are required in the draft DCO [APP-015]. To date, these have not yet been agreed with the Applicant. The ExA requires a regular update to this position. If, by Deadline 5, Monday 20 December, Protective Provisions have not been agreed, the ExA requests the relevant Statutory Undertaker's preferred wording, clean and tracked changed, together with an explanation of where the difference(s) of opinion lie(s).
CA.1.10	<i>Access</i> <b>The Applicant</b>	In their RR [RR- RR-034] Birketts LLP on behalf of members of the public raise concerns regarding the extent of the access serving their property as being inadequate, lawful means of access and



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ExQ1	Question to:	Question
		<p>rights for services as well as a range of interrelated amenity concerns.</p> <p>Can the applicant provide a response to those points and indicate if they are to be addressed through additional submissions for the Proposed Scheme explaining the approach to be taken.</p>
<b>DE Design</b>		
DE.1.1	<p><i>New Footbridge</i> <b>The Applicant</b></p>	<p>With respect to the replacement bridge (Cantley Lane footbridge, Cringleford) (Work No. 35) across the A47. Can the applicant provide:</p> <p>i) Indicative visuals of the type of footbridge infrastructure proposed.</p> <p>ii) A more detailed explanation of the design, function and locational criteria for the proposed footbridge having regard to its visual prominence. Confirm if a local formal Design Review is anticipated to be undertaken for this element, and if not why not?</p> <p>iii) How will the appearance of the footbridge inclusive of consultation measures.</p> <p>iv) Clarification of any mitigation proposed to reduce the visual impact of the bridge inclusive of any earth profiling/bunding and landscaping at its entry and exit points for visual integration.</p> <p>v) What consideration has been given/can be given to the replacement bridge complying to relevant cycle path standards in addition to carrying pedestrians and mobility vehicles, and how will such provisions be achieved?</p> <p>(vi) What consideration has been given/can be given for horse riders to also use the bridge safely, the final design meeting those functional requirements and how will this design function be secured?</p> <p>(vii) What considerations, and to what extent, have been given to potential bridge coverings on the top of the structure as well as the sides, for both mandatory safety purposes as well as future users feeling safe. If not, why not?</p>
DE.1.2	<p><i>New Underpasses</i> <b>The Applicant</b></p>	<p>New underpasses (Work No. 10 and No. 19). Provide indicative visuals of the type of underpasses proposed and how they will integrate or complement their surroundings.</p>
DE.1.3	<p><i>New Overbridge/ bridge</i></p>	<p>New overbridge(s) (Work No.44 and No. 31). The Cantley Wood overbridge would convey the new</p>

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<b>ExQ1</b>	<b>Question to:</b>	<b>Question</b>
	<i>extension</i> <b>The Applicant</b>	Cantley Lane Link Road over the A11 carriageway as part of the Scheme. Provide indicative visuals of the type of overbridge/ extension proposed and clarification of any measures proposed to reduce/improve the visual impact/appearance of the structures.
DE.1.4	<i>Fencing</i> <b>The Applicant</b>	<p>The Scheme Design Report [APP-127], Paragraph 3.4.3 indicates that fencing has been allowed for at the highway boundary to clearly delineate landownership and for safety and security. With the exception of where alternatives have been agreed with neighbouring landowners or been specified for environmental mitigation, timber post and rail fence would be provided in accordance with Manual of Contract Documents for Highway Works standard details.</p> <p>Provide the following further details of any proposed or anticipated fencing:</p> <ul style="list-style-type: none"> <li>i) Explanation of the design criteria for the fencing including heights/details of proposed colour.</li> <li>ii) Clarify the consideration given to natural boundary treatments over post and rail or other fencing. Advise whether the fencing anticipated could be replaced or combined/complemented with long term natural plantings throughout the scheme having regard to the current Environmental Masterplan submitted.</li> </ul>
DE.1.5	<i>Landscape and Visual</i> <b>The Applicant</b>	<ul style="list-style-type: none"> <li>i) Is a local Design Review process anticipated to be undertaken for any aspect of the scheme?</li> <li>ii) Explain how any non-material working change to the scheme as a result of local design considerations/representations could be accommodated if necessary.</li> </ul> <p><i>You may wish to consider giving your response alongside question NV.1.8.</i></p>
DE.1.6	<i>Built Environment</i> <b>The Applicant</b> <b>Relevant Planning Authority</b>	<p>Have there been any changes to the built environment in the vicinity of the land subject to scheme improvement currently submitted? If so, please identify where, and consider if the plans and statements would need to be updated/ amended.</p> <p><i>Please provide a response alongside question GC.1.2.</i></p>
<b>DCO Draft Development Consent Order (DCO)</b>		
DCO.1.1	<i>General Advice</i>	Please note the dDCO should be:

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ExQ1	Question to:	Question
	<b>The Applicant</b>	i) In the Statutory Instrument (SI) template; ii) follow guidance and best practice for SI drafting (for example avoiding “shall/ should”) in accordance with the latest version of guidance from the Office of the Parliamentary Counsel; iii) follow best practice drafting guidance from the Planning Inspectorate and the Departments contained in Advice Note 15 – <i>drafting development consent orders</i> (and see specific references to Advice Note 15 below); iv) fully audited to ensure that there are no inconsistencies within the dDCO and its constituent parts such as definitions or expressions in the articles, requirements, protective provisions, other schedules and any book or reference, that all legislative references in the dDCO are to extant provisions and all schedules refer to the correct articles.
DCO.1.2	<i>Precedents</i> <b>The Applicant</b>	<p>Notwithstanding that drafting precedent has been set by previous DCOs or similar orders full justification should be provided for each power/ provision taking into account the facts of this particular DCO application.</p> <p>Where drafting precedents in previous made DCOs have been relied on, these should be checked to identify whether they have been subsequently refined or developed by more recent DCOs so that the DCO provisions reflect the Secretary of State’s current policy preferences. If any general provisions (other than works descriptions and other drafting bespoke to the facts of this particular application and dDCO) actually differ in any way from corresponding provisions in the Secretary of State’s most recent made DCOs, an explanation should be provided as to how and why they differ (including but not limited to changes to statutory provisions made by or related to the Housing and Planning Act 2016).</p> <p>Where necessary, provide a list any additional previous DCOs which have been used as a precedent for the drafting of this dDCO to expand on a particular point should it be warranted.</p>
DCO.1.3	<i>Novel Drafting</i> <b>The Applicant</b>	<p>The purpose of and necessity for any provision which uses novel drafting, and which does not have precedent in a made DCO or similar statutory order should be explained. The drafting should:</p> <ul style="list-style-type: none"> <li>• be unambiguous;</li> <li>• achieve what the Applicant wants it to achieve;</li> </ul>

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ExQ1	Question to:	Question
		<ul style="list-style-type: none"> <li>• be consistent with any definitions or expressions in the provisions of the dDCO; and</li> <li>• identify the PA2008 power on which the provision is based.</li> </ul>
DCO.1.4	<p><i>Article's 2 and 8</i></p> <p><b>The Applicant</b></p>	<p>The extent of any flexibility provided by the DCO should be fully explained, such as the scope of maintenance works and ancillary works, limits of deviation and any proposed ability (through tailpieces) of discharging authorities to authorise subsequent amendments.</p> <p>The preferred approach to limiting this flexibility is to limit the works (or amendments) to those that would not give rise to any <u>materially new or materially different</u> environmental effects to those identified in the environmental statement. Also, further as to tailpieces, see section 17 of Advice Note 15.</p> <p>The drafting which gives rise to an element of flexibility (or alternatives) should provide clearly for unforeseen circumstances and define the scope of what is being authorised with sufficient precision. For example, the Secretary of State had to amend Article 6 (Benefit of Order) of the National Grid (Richborough Connection Project) Development Consent Order 2017 at decision stage to remove ambiguity (as later corrected by the National Grid (Richborough Connection Project) (Correction) Order 2018 ).</p> <p>In relation to the flexibility to carry out advance works, any “carve out” from the definition of “commencement” should be fully justified and it should be demonstrated that such works are de minimis and do not have environmental impacts which would need to be controlled by requirement. See section 21 of Advice Note 15. Pre-commencement requirements should also be assessed to ensure that the “carve out” from the definition of “commencement” does not allow works which defeat the purpose of the requirement.</p> <p>The ExA notes that the DCO should not permit works outside those that have been assessed in the ES.</p> <p>i) What scope is there to ensure the definition of commence to limit these preliminary carved out operations to those that have been assessed in the ES?</p>

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ExQ1	Question to:	Question
		<p>ii) Limits of deviation (Art 8): explain and justify the need for additional flexibility to that already incorporated with the limits of the deviation. The ExA may also wish for the applicant to explain what process is in place for the SoS to determine whether exceeding the vertical limits would not give rise to any materially new or materially worse adverse environmental effects.</p>
DCO.1.5	<p><i>Article 5</i> <b>The Applicant</b></p>	<p>The intent of this article is to avoid inconsistency with other relevant statutory provisions applying in the vicinity, but, notwithstanding other precedents, as much information as possible should be provided about “any enactments” together with clarification about how far from the Order limits the provision might bite. Can the Applicant respond to those points?</p>
DCO.1.6	<p><i>Article 27</i> <b>The Applicant</b></p>	<p>These provisions (and any relevant plans) should be drafted in accordance with the guidance in Advice Note 15, in particular sections 23 (extinguishment of rights) and 24 (restrictive covenants)</p> <p>The Secretary of State DfT’s decision (paragraph 62 of the <a href="#">M4 Motorway (Junctions 3 to 12) (Smart Motorway) DCO</a>) should be noted: <i>“to remove the power to impose restrictive covenants and related provisions as he does not consider that it is appropriate to give such a general power over any of the Order land as defined in article 2(1) in the absence of a specific and clear justification for conferring such a wide-ranging power in the circumstances of the proposed development and without an indication of how the power would be used”</i>. Other DfT decisions have included very similar positions, e.g. the A556 (Knutsford to Bowdon Improvement) DCO and the Lancashire County Council (Torrisholme to the M6 Link (A683 Completion of Heysham to M6 Link Road)) DCO.</p> <p>Where an applicant wishes to create and compulsorily acquire new rights over land, those rights should be fully, accurately, and precisely defined for each relevant plot and the compulsory acquisition should be limited to the rights described. This could be done by drafting which limits the compulsory acquisition of new rights to those described in a schedule in the DCO or to those described in the book of reference.</p> <p>The article is drafted to enable compulsory acquisition of new rights over <b>all</b> of the Order land, with a schedule which limits the compulsory acquisition power in defined plots to the defined rights listed in that schedule, this approach (allowing undefined rights in land not listed in that Schedule) should</p>

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		<p>be clearly identified and the need for it explained and justified in the Explanatory Memorandum and Statement of Reasons. It is likely to be difficult to justify. There must be evidence to show that persons with an interest in the Order land were aware that undefined new rights were being sought over <b>all</b> of the Order land and were consulted on that basis. The Secretary of State DfT has in at least three decisions (A585 Windy Harbour to Skippool Highway DCO, A30 Chiverton to Carland Cross DCO, Manston Airport DCO) limited the power to create undefined new rights by amending the temporary possession article (see below at 22).</p> <p>It should be noted that in the Manston Airport DCO the Secretary of State DfT removed the ability to create undefined new rights over land identified for temporary possession even though it was not an issue in examination. The reasons for this are set out at paragraph 121 of the DL: "The Secretary of State is concerned about the creation of new unidentified rights and is unclear whether affected landowners have been appropriately consulted".</p> <p>In all respects (including in relation to the book of reference), the applicant should follow <i>Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land</i> published by DCLG (now MHCLG) in September 2013.</p>
DCO.1.7	<i>Article's 36 and 37</i> <b>The Applicant</b>	<p>Where a representation is made by a statutory undertaker (or some other person) that engages section 127(1) of the Planning Act 2008 and has not been withdrawn, the Secretary of State will be unable to authorise compulsory acquisition powers relating to that statutory undertaker land unless satisfied of specified matters set out in section 127. If the representation is not withdrawn by the end of the examination, the ExA will need to reach a conclusion whether or not to recommend that the relevant statutory test has been met in accordance with s.127.</p> <p>The Secretary of State will be unable to authorise removal or repositioning of apparatus (or extinguishment of a right for it) unless satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the order relates in accordance with section 138 of the Planning Act 2008. Justification will be needed to show that extinguishment or removal is necessary.</p>
DCO.1.8	<i>Discharge of Requirements</i> <b>The Applicant</b>	<p>Provide clarification of which undertaker will be consulted upon for each requirement set out in the dDCO.</p>

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DCO.1.9	<i>Requirements 4, 6 and 8</i> <b>The Applicant</b> <b>Environment Agency</b>	<p>The Environment Agency through written submission [RR-004] has requested modification of Requirement 6 and that they are added as a named consultee to Requirements 4 and 8.</p> <p>Can an update of the revised wording to be used be given?</p>
DCO.1.10	<i>Suggested Requirement</i> <b>The Applicant</b>	<p>The Royal Mail [RR-022] have requested the addition of two requirements to the dDCO to enable the delivery of mail services throughout the construction period:</p> <ol style="list-style-type: none"> <li>1. the DCO includes specific requirements that during the construction phase Royal Mail is consulted by Highways England or its contractors at least one month in advance on any proposed road closures / diversions / alternative access arrangements, hours of working, and on the content of the final CTMP.</li> <li>2. the final CTMP includes a mechanism to inform major road users (including Royal Mail) about works affecting the local highways network (with particular regard to Royal Mail's distribution facilities near the DCO application boundary as identified above).</li> </ol> <p>Comment as to whether you consider these requirements are to be included and secured?</p>
DCO.1.11	<i>Draft DCO</i> <b>The Applicant</b> <b>Cadent</b>	<p>The ExA notes that Cadent in their RR [RR-003] refers to low and medium pressure gas pipelines and associated apparatus located within the order limits which are affected by works proposed and for which the dDCO proposes two diversions referenced as Work No's. 40 and 46. Cadent is not satisfied that the dDCO includes adequate land rights for Work No. 40 (the diversion of a low pressure main) over plots 7/1a, 7/7b and 7/7d.</p> <p><b>The Applicant:</b> Provide an update as to what land rights are to be included in the DCO to ensure that Cadent's statutory obligations can be maintained.</p> <p><b>Cadent:</b> Can you provide an update of any agreement reached with the applicant.</p>
DCO.1.12	<i>Draft DCO wording</i>	<p>The draft DCO wording describes the Environmental Management Plan in terms of First, Second and Third Iterations. The applicant is requested to consider the justifications for that approach rather</p>

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	<b>The Applicant</b>	than Outline Environmental Management Plan and Environmental Management Plan.
<b>Articles</b>		
DCO.2.1	<i>General Advice</i> <b>The Applicant</b>	<p>The extent of any flexibility provided by the dDCO should be fully explained, such as the scope of maintenance works and ancillary works, limits of deviation and the ability (through tailpieces in requirements) of discharging authorities to authorise subsequent amendments.</p> <p>The preferred approach to limiting this flexibility is to limit the works (or amendments) to those that would not give rise to any <u>materially new or materially different</u> environmental effects to those identified in the ES.</p> <p>The drafting which gives rise to an element of flexibility (or alternatives) should provide for unforeseen circumstances and define the scope of what is being authorised with sufficient precision. For example, the Secretary of State had to amend article 6 (Benefit of Order) of the National Grid (Richborough Connection project) Development Consent Order 2017 at decision stage to remove ambiguity (as later corrected by Richborough connection correction order).</p> <p>In relation to the flexibility to carry out advance works, any “carve out” from the definition of “commencement” should be fully justified and it should be demonstrated that such works would be <i>de minimis</i> and would not have environmental impacts which would need to be controlled by a requirement (see section 21 of Advice Note 15).</p> <p>The drafting of requirements should reflect sections 17 and 19 of Advice Note 15.</p>
DCO.2.2	<i>Article 2 – definition of “commence”</i> <b>The Relevant Planning Authorities</b>	<p>The effect of the definition proposed may permit some works before the discharge of the requirements.</p> <p>Confirm whether you are concerned with any particular works that could be carried out prior to the discharge of requirements giving reasons inclusive of regard to works which could, or are, controlled by a requirement.</p>



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DCO.2.3	<p><i>Article 3</i> <b>The Applicant</b></p>	<p>The guidance in section 25 of Advice Note 15 should be followed and, if not already provided, additional information sought such as</p> <ul style="list-style-type: none"> <li>• the purpose of the legislation/statutory provision</li> <li>• the persons/body having the power being disapplied</li> <li>• an explanation as to the effect of disapplication and whether any protective provisions or requirements are required to prevent any adverse impact arising as a result of disapplying the legislative controls</li> <li>• (by reference to section 120 of and Schedule 5 to the Planning Act 2008) how each disapplied provision constitutes a matter for which provision may be made in the DCO.</li> </ul> <p>Where the consent falls within a schedule to the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 evidence will be required that the regulator has consented to removing the need for the consent in accordance with s.150 Planning Act 2008.</p>
DCO.2.4	<p><i>Article 4</i> <b>The Applicant</b> <b>Relevant Planning Authorities</b> <b>Relevant Highway Authorities, Flood Authority and Drainage Board</b></p>	<p>Ensures drainage provision falls to the appropriate undertaker. Do you have any comments to make on the scope and extent of that power.</p>
DCO.2.5	<p><i>Article 7</i> <b>The Applicant</b></p>	<p>This article is intended to allow development not authorised by the DCO to be carried out within the Order limits pursuant to planning permission. This would appear to obviate the need, in such circumstances, to apply to change the DCO (through section 153 of the Planning Act 2008). Provide clarification/justification of this article.</p>
DCO.2.6	<p><i>Article 10</i> <b>The Applicant</b></p>	<p>This article (see art 10 (11)) is drafted so as to allow any transfer of benefit by the applicant (undertaker) to any other named person or category of person without the need for the Secretary of State's consent.</p> <p>Provide full justification as to why a transfer to such person is appropriate. Where the purpose of</p>

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		<p>the provision is to enable such person(s) to undertake specific works authorised by the DCO the transfer of benefit should be restricted to those works. If the provision seeks to permit transfer of compulsory acquisition powers the applicant should provide evidence to satisfy the Secretary of State that such person has sufficient funds to meet the compensation costs of the acquisition.</p> <p>See also references to arbitration in this article in relation to Written Question DCO.1.32.</p>
DCO.2.7	<p><i>Article's 13 and 19</i> <b>The Applicant</b></p>	<p>Variation of the application of provisions in these articles is possible under any enactment and arguably this has the effect of disapplying section 153 which provides a procedure for changing a DCO. There may be precedent in other made DCOs for the same drafting, but it should be clear under which section 120 power these articles are made and if necessary, justification provided as to why the provisions are necessary or expedient to give full effect to any other provision of the DCO.</p>
DCO.2.8	<p><i>Article 16</i> <b>The Applicant</b> <b>Interested Parties</b></p>	<p>i) This is a wide power that can be applied to <i>any</i> street within the Order limits (albeit only with the consent of the street authority).</p> <p>Notwithstanding other precedents, provide justification as to why the power is appropriate and proportionate having regard to the impacts on pedestrians and others of authorising temporary working sites in these streets. Consideration should be given as to whether or not this power should be limited to identified streets.</p> <p>ii) With respect to authorising alteration etc. of <u>any</u> street within the Order limits and any street having a junction with any street within the order limits. It should be clear why this power is necessary, and consideration given to whether or not it should be limited to identified streets. Provide clarification.</p>
DCO.2.9	<p><i>Article 17</i> <b>The Applicant</b></p>	<p>Notwithstanding other precedents justify why this power is appropriate and proportionate having regard to the impacts on pedestrians and others of authorising temporary working sites in these streets.</p>
DCO.2.10	<p><i>Article 21</i> <b>The Applicant</b></p>	<p>The applicant should be aware of and mindful of section 146 of the Planning Act 2008.</p>
DCO.2.11	<p><i>Article's 21, 22, 27 and 52</i></p>	<p>Compulsory acquisition of an interest in land held <u>by</u> or on behalf of the Crown cannot not be authorised through the DCO. Consent under section 135 (1) and (2) should also be obtained from</p>

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	<b>The Applicant</b>	the Crown authority.
DCO.2.12	<i>Article 35</i> <b>The Applicant</b>	<p>Temporary possession is not itself compulsory acquisition.</p> <p>Articles giving temporary possession powers should be considered carefully to check whether or not they allow temporary possession of <b>any</b> land within the Order limits, regardless of whether or not it is listed in any Schedule to the DCO which details specific plots over which temporary possession may be taken for specific purposes listed in that Schedule. If they do, then the applicant should justify why those wider powers (which also allow temporary possession of land not listed in that Schedule) are necessary and appropriate and explain what steps they have taken to alert <b>all</b> landowners, occupiers, etc. within the Order limits to this possibility.</p> <p>If not already present, consideration should also be given to adding in a provision obliging the applicant (undertaker) to remove from such land (on ceasing to occupy it temporarily) any equipment, vehicles or temporary works they carry out on it (save for rebuilding demolished buildings under powers given by the DCO), unless, before ceasing to occupy temporarily, they have implemented any separate power under the DCO to compulsorily acquire it.</p> <p>Given the parliamentary approval to the temporary possession regime under the Neighbourhood Planning Act 2017 ('NPA 2017'), which were subject to consultation and debate before being enacted, should any provisions relating to notices/counter notices which do not reflect the NPA 2017 proposed regime (not yet in force) be modified to more closely reflect the incoming statutory regime where possible? As examples:</p> <ul style="list-style-type: none"><li>• The notice period that will be required under the NPA 2017 Act is 3 months, substantially longer than the 28-day required under article 35. Other than prior precedent, what is the justification for only requiring 28 days' notice in this case?</li><li>• Under the NPA 2017, the notice would also have to state the period for which the acquiring authority is to take possession. Should such a requirement be included in this case?</li><li>• Powers of temporary possession are sometimes said to be justified because they are in the interests of landowners, whose land would not then need to be acquired permanently. The NPA 2017 Act provisions include the ability to serve a counter-notice objecting to the proposed temporary possession so that the landowner would have the option to choose whether temporary possession or permanent acquisition was desirable. Should this article make some such provision – whether or not in the form in the NPA 2017?</li></ul>

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DCO.2.13	<i>Supplemental Powers</i> <i>Article 23</i> <b>The Applicant</b>	As currently drafted this article in addition to giving the Applicant the power to enter, survey and investigate land within the Order limits it extends to land " <i>which may be affected by the authorised development</i> ". Can you:  i) Clarify which land outside the Order limits would likely to be affected. ii) Further justify the need and extent of this power.
DCO.2.14	<i>Article 39</i> <b>The Relevant Planning Authorities</b>	Noting the recent request for more information on A63 Castle Street where the Secretary of State expressed that he was concerned that the loss of trees is limited to those included within the Environmental Statement, and the final drafting of art 35 of the <i>A63 (Castle Street Improvement, Hull) Development Consent Order 2020</i> , the ExA may wish to ask the applicant to justify the powers provided by the current drafting, or to consider alternative drafting that would restrict the loss of trees only to those included in the environmental statement.
DCO.2.15	<i>Article 43</i> <b>The Applicant</b> <b>Interested Parties</b>	Are the controls on issues related to the forms of potential nuisances under s 79 (1) of the Environmental Protection Act 1990 elsewhere in the DCO sufficient to justify the defence being provided by this article to statutory nuisance claims?  This article also sometimes refers to legislation that has been repealed – e.g. s65 Control of Pollution Act 1974. It should refer to extant legislation only.
DCO.2.16	<i>Article 43</i> <b>The Relevant Planning Authorities</b>	Are the Relevant Planning Authorities satisfied with the defence to proceedings in respect of statutory noise nuisance and, if not, what alternative wording would they suggest?
DCO.2.17	<i>Article 47</i> <b>The Applicant</b>	Dealing with appeals under s61 of the Control of Pollution Act 1974. This element should be reviewed by the applicant and comments are invited on amending the provision. The ExA is seeking further justification and clarification as to why the appeal mechanism should be included within the DCO when standalone legislation already can facilitate appeals if required?

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DCO.2.18	<p><i>Article 10 (6)</i> <i>Article 51</i> <b>The Applicant</b></p>	<p>It is unlikely that a consenting Secretary of State will allow arbitration provision wording to apply arbitration to decisions he/she,) may have to make on future consents or approvals within their remit.</p> <p>By way of example:</p> <p>The Secretary of State for BEIS included the following drafting in the arbitration article in the Norfolk Vanguard Offshore Windfarm DCO and the draft Hornsea Three Offshore Windfarm DCO (published with a minded to approve decision) to remove any doubt about the application of arbitration to decisions of the Secretary of State and the MMO under the DCO:</p> <p><i>Any matter for which the consent or approval of the Secretary of State or the Marine Management Organisation is required under any provision of this Order shall not be subject to arbitration.</i></p> <p>The Secretary of State for BEIS also agreed with the ExA recommendation to remove reference to arbitration in the transfer of the benefit article and the deemed marine licences (DMLs) in the Hornsea and Norfolk Vanguard DCOs. The Hornsea ExA recommendation report at 20.5.9 details the reasons for removal from the transfer of benefit article, and at 20.5.17 – 20.5.24 regarding removal from the DMLs.</p> <p>It should also be noted that the Secretary of State removed the following from the arbitration clause in both DCOs:</p> <p><i>Should the Secretary of State fail to make an appointment under paragraph within 14 days of a referral, the referring party may refer to the Centre for Effective Dispute Resolution for appointment of an arbitrator.</i></p>
DCO.2.19	<p><i>Removal of Human remains</i> <b>The Applicant</b> <b>Interested Parties</b></p>	<p>Should the dDCO include an article to deal with the removal of human remains (see article 17 of the model provisions)? If not, why not and if it should amend the next draft to include an appropriately worded article.</p>
DCO.2.20	<p><i>Schedule 2 and Article 13</i> <b>The Applicant</b></p>	<p><a href="#">Advice Note 15</a> provides standard drafting for articles dealing with discharge of requirements. If this guidance hasn't been followed justification should be provided as to why this is the case. See 13 (2 –(3)) relating to deemed discharge.</p>

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DCO.2.21	<i>Schedules 3 and 4</i> <b>The Relevant Highway Authorities</b> <b>The Relevant Planning Authorities</b>	<p>Confirm that the streets, bridleways, cycle tracks and footpaths listed in these schedules accurately reflect your understanding of the streets, bridleways, cycle tracks and footpaths that would be affected as a result of the proposed development and if not, why not?</p>
DCO.2.22	<i>Schedule 2A</i> counter-notice requiring purchase of land not in notice to treat <b>The Applicant</b>	<p>Paragraph 10. The title should read Upper Tribunal.</p>
<b>Requirements</b>		
DCO.3.1	<i>Requirement 4</i> <b>The Applicant</b> <b>The Environment Agency</b>	<p>Draft Development Consent Order (DCO) [APP-017] Requirement 4 specifies the preparation of an Environmental Management Plan (EMP) and associated documents. The EMP being a mechanism to ensure the delivery of mitigation measures during the construction phase, as outlined in the Environmental Statement, including those in Chapter 13 Road drainage and the water environment.</p> <p>Justify why a streamlined outline EMP and final EMP approach cannot and should not be undertaken to secure the EMP. If it cannot be justified reconsider the approach.</p> <p>Named consultee requirements for the Environment Agency should also be referred to.</p>
DCO.3.2	<i>Requirement 5</i> <b>The Applicant</b>	<p>As drafted, this appears to give the option of using an 'other recognised code of good practice' (which is not defined) as an alternative to British Standards which may not be desirable.</p> <p>Further justify/clarify the approach to be taken.</p>
DCO.3.3	<i>Requirement 6</i> <b>The Applicant</b> <b>The Environment Agency</b>	<p>Requirement 6 covering contaminated land and groundwater matters.</p> <p>The Environment Agency advise that the proposed wording should be amended in so far as: the determination of the need for remediation in Part (2) should be based on a consideration of the risk assessment by all parties, rather than determined solely by the undertaker. Additionally, and also in</p>

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		<p>respect of Part (2), remedial measures should be taken to render the land fit for its intended purpose and to prevent any impacts on controlled waters.</p> <p>Can the applicant comment on this approach, detailing any agreement to altering the dDCO with revised worded to that currently advanced?</p>
DCO.3.4	<p><i>Requirement 8</i> <b>The Applicant</b> <b>The Environment Agency</b></p>	<p>Requirement 8 concerning surface and foul water drainage.</p> <p>Work on the detailed drainage design is specified as ongoing. The Environment Agency should therefore be a named consultee in respect of Requirement 8 for the approval of any surface and foul water drainage system.</p> <p>Confirm and provide necessary amendment.</p>
DCO.3.5	<p><i>Requirement 10</i> <b>The Applicant</b></p>	<p>Requirement 10 (Traffic management) provides that no part of the authorised development comprising the construction of the A11/A47 Link Road (Work No. 24) is to commence until a Traffic Management Plan has been prepared and approved by the Secretary of State following consultation with the relevant highway authority.</p> <p>Given the traffic management concerns expressed by a number of parties through Relevant Representations the ExA requests confirmation of when updated Traffic Management Plan information will be submitted to the examination for consideration?</p>
DCO.3.6	<p><i>Requirement 17</i> <b>The Applicant</b></p>	<p>Requirement 17 referring to details of consultation, states that parties will be given not less than 10 business days to respond to any consultation.</p> <p>i) Provide comments on consideration of allowing greater flexibility on the period for consultation responses. For example, the Environment Agency have referred to 21 business days, to allow consultees enough time to provide a comprehensive response.</p> <p>ii) Provide any suggested amendment to the dDCO wording.</p>
<b>FR Flood Risk and Drainage</b>		
FRD.1.1	<p><i>Updated Flood</i></p>	<p>In respect of fluvial flood risk, paragraph 13.9.40 of Chapter 13 of the ES [APP-50] states that</p>

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	<i>Information</i> <b>The Applicant</b>	<p>current assessments have shown that there is an increase in flood risk to a residential property of up to 15mm, and that property level protection is proposed as mitigation. It is highlighted that further survey work and flood modelling is being carried out to confirm the flood risk impacts and inform the required mitigation.</p> <p>i) Provide an update on the timing of the survey work to be provided to the examination. ii) Detail how will the EMP secure the implementation of potential property level protection/flood risk mitigation measures.</p>
FRD.1.2	<i>Assessment of Effects</i> <b>The Applicant</b>	<p>ES Chapter 13 [APP-050] Table 13.8, together with residual impacts after mitigation. The mitigation measures described in Table 13.8 are discussed in detail in Section 13.9.</p> <p>The effects of the Proposed Development on the conveyance of flow in the Cantley Stream Floodplain are described as ranging from moderate beneficial to moderate adverse depending on the location.</p> <p>The Applicant is asked to specify the locations that are predicted to experience moderate effects.</p>
FRD.1.3	<i>Assessment of Effects</i> <b>The Applicant</b>	<p>The ExA notes that ES Chapter 13, Section 13.5 [APP-050] describes assessment assumptions and limitations. Paragraph 13.5.2 explains that the design has evolved since the ground investigation was conducted, and that supplementary ground investigations and surveys are required to confirm construction and operation risks, particularly in relation to the Wards Wood underpass, works adjacent to the Cantley Stream (including the diversion) and the use of unlined road drainage.</p> <p>Section 13.5 describes outstanding survey work including but not limited to discharge locations, groundwater levels within the Chalk aquifer and on existing soakaways.</p> <p>The Applicant is asked to identify and provide an update as to the progress of all outstanding survey and assessment work and, as appropriate, either provide updated assessments or justification as to why it is considered that there would be no change to the current assessments.</p>
FRD.1.4	<i>Cumulative Impacts</i> <b>The Applicant</b>	<p>Can the Applicant explain if and how Highways England's drainage renewal project for the Thickthorn junction referenced in FRA Appendix 13.1 paragraph 5.2.4 [APP-111] has been considered in the assessment of cumulative effects.</p>
FRD.1.5	<i>Mitigation and</i>	<p>The Applicant is asked to identify all outstanding survey work in relation to flooding at Crossing</p>



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	<i>Monitoring</i> <b>The Applicant</b>	Cottage and to provide a timeline for when this work will be completed and how it will be made available to the Examination. Can the Applicant explain how, in the absence of this data, the worst-case scenario in the ES has taken into account the final mitigation requirements? The Applicant should also explain how the implementation of property level protection would be secured.
FRD.1.6	<i>Mitigation and Monitoring</i> <b>The Applicant</b>	<p>i) Can the Applicant confirm whether the supplementary ground investigation which was due to commence in March 2021 has now been completed and if so, provide it to the Examination? The Applicant is also asked to confirm whether this information affects the ES conclusions in respect of likely significant effects.</p> <p>ii) The Applicant is asked to provide an outline version of the water monitoring and management plan.</p>
FRD.1.7	<i>Consultation</i> <b>The Applicant</b>	<p>i) In respect of Section 13.8 of APP-50 and potential impacts during construction, in the event that HHD will be used the Environment Agency has indicated that a prior assessment of the strata will be required.</p> <p>Confirm that it is your intention to undertake this assessment work as necessary and provide an indication of when this would be completed.</p> <p>ii) The Applicant is asked to confirm that there would be no discharges in areas where there is less than 1.2m between the feature and the groundwater table, and to comment on whether or not a thickness of 2-5m as recommended by the EA would be achievable. If not please provide justification.</p>
FRD.1.8	<i>Consultation</i> <b>The Applicant</b>	<p>Section 4.4.2 of the FRA [APP-111] states "Agreement that the proposed new larger culvert beneath Cantley Lane removes the throttling effect on flows / levels and, due to the negligible changes in downstream flood risk, removes the requirement to provide any compensatory flood storage". The EA agree that no compensatory storage will be required, providing that further assessments continue to show that the project has no significant adverse impacts on flood risk. In their RR the EA have stated that they only agree that no compensatory storage would be required providing that further assessments continue to show that the project has no significant adverse impacts on flood risk.</p> <p>i) Can the Applicant confirm that they are in agreement with the EA in that compensatory flood storage may remain a requirement where further assessment work indicates that the Proposed</p>

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		<p>Development may have significant adverse impacts on flood risk.</p> <p>ii) The EA have highlighted in their RR that the dewatering exemptions noted in ES Table 4-1, and elsewhere in the ES, are only applicable if the works will take less than 6 months. For works over a longer time period, an abstraction licence would be required for any dewatering at rates over 20 m<sup>3</sup>/d. The Applicant is asked to confirm whether or not an application for an abstraction licence would be required to be made.</p>
<b>HE Historic Environment</b>		
HE.1.1	<p><i>Heritage Assets/ Additional Information</i></p> <p><b>The Applicant Historic England South Norfolk District Council Norfolk County Council</b></p>	<p><b>The Applicant:</b></p> <p>Section 6.7.16 of the Chapter 6.1 of the ES [APP-043] indicates that the trial trenching proposed adjacent to scheduled monument 'Two tumuli in Big Wood' was not carried out.</p> <p>i) Does the Applicant intend to hold further discussions about the proposed trial trenching adjacent to the scheduled monument with Historic England and/or Norfolk County Council? If so, provide an update on timings alongside the outcomes.</p> <p>ii) Clarify the level of harm that would be evident to the monuments setting/integrity during construction phases and post following completion inclusive of artificial lighting considerations and signpost the specific public benefits of the proposed scheme against any harm.</p> <p>iii) Chapter 6 of the ES identifies a wide range of non-designated heritage assets within the DCO application boundary and wider study area. Detail what further field survey is to be undertaken to fully establish the archaeological potential of the proposed development area. Alongside the mechanism for securing that provision.</p> <p>iv) A 'Compound/Material Storage Area' is proposed to the southeast of the existing A11 that does not appear to be included in the archaeological surveys. Can the applicant clarify the potential impact in this area, and whether further archaeological surveys are to be advanced?</p>

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		<p><b>Historic England/ South Norfolk District Council/Norfolk County Council:</b></p> <p>i) Can you detail what additional heritage/archaeological impact surveys (if any) should be required of the applicant, in your view, together with their specific scope and content. Please also detail any other information you deem to be required giving specific reasons for that inclusion.</p> <p>ii) Set out any suggested amended requirement wording to the dDCO to ensure appropriate mitigation/consultation is secured, or by what other means you consider appropriate.</p>
<b>NV Noise, Vibration and Light</b>		
<b>Noise and Vibration</b>		
NV.1.1	<p><i>Baseline Survey</i>  <b>The Applicant</b>  <b>Interested Parties</b></p>	<p>ES Chapter 11 concerning Noise and Vibration [APP-048] at paragraph 11.4.5 states that the use of baseline noise survey data obtained in May 2018 was reviewed and agreed to be valid for this assessment by South Norfolk Council. ES Chapter 4 paragraph 4.4.3 [APP-041] states that existing traffic data from 2015 was used to inform the environmental baseline for the purposes of the Air Quality (model verification), Noise and Vibration, Population and Human Health, Road Drainage and Water Environment and Climate assessments.</p> <p>i) Can the Applicant provide robust justification as to why 2015 baseline traffic data remains valid for the purposes of an application made in 2021?</p> <p>ii) Do any Interested Parties have comments in this regard? If so, make comment.</p>
NV.1.2	<p><i>Assessment of effects</i>  <b>The Applicant</b></p>	<p>ES Chapter 11 [APP-048] paragraph 11.6.3 states that for the construction vibration assessment DMRB LA 111 notes that a study area encompassing a 100m area from vibration-generating activity is normally sufficient. Can the Applicant provide further justification for the 30m study area used in the assessment.</p>
NV.1.3	<p><i>Assessment of effects</i>  <b>The Applicant</b></p>	<p>ES Chapter 11 [APP-048] paragraph 11.9.11 states that further detailed assessments of construction vibration shall be undertaken by the Principal Contractor demonstrating how significant effects due to vibration are avoided.</p> <p>i) Can the Applicant explain how this information and potential resulting mitigation to reduce significant residual effects can be assured in the absence of detailing mitigation in the ES and securing them in the dDCO.</p>

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		<p>Tables 11-10 and Table 11-11 in ES Chapter 11 [APP-048] present predictions for operational short term and long-term changes in traffic noise levels arising from the Proposed Development, however it is unclear if this includes predictions for weekend noise levels.</p> <p>ii) Can the Applicant explain whether weekend noise levels have been factored into the assessment of effects?</p>
NV.1.4	<p><i>Noise and vibration from traffic</i></p> <p><b>The Applicant</b> <b>Relevant Planning Authorities</b> <b>Interested Parties</b></p>	<p>Paragraph 11.7.5 of Chapter 11 [APP-048] states that within the 300m construction noise study area, a total of 481 noise and vibration sensitive receptors have been identified.</p> <p><b>The Applicant:</b> Further clarify how the contribution of noise and vibration from construction traffic or arising from the potential diversion of other forms of traffic has been assessed with respect to the relevant receptors considered most susceptible to noise and vibration.</p> <p><b>Planning Authority/Interested Parties</b> ii) Are you satisfied relevant receptors applicable have been considered? If not give your reasons.</p>
NV.1.5	<p><i>Monitoring</i></p> <p><b>The Applicant</b> <b>The Relevant Planning Authorities</b> <b>Interested Parties</b></p>	<p><b>The Applicant:</b></p> <p>i) Outline how would monitoring thresholds be identified and implemented, and indicate whether the EMP should include a commitment to remedial measures should monitoring identify higher than predicted noise and vibration levels?</p> <p>ii) Can the Applicant explain if monitoring (and appropriate trigger levels) would be required to determine whether measures need to be implemented to further reduce noise? If so, how would these and any requisite remedial measures be secured?</p> <p>Provided an update where necessary.</p> <p><b>Relevant Planning Authorities/Interested Parties:</b> iii) Comment on the need for monitoring of operational phase noise and mitigation.</p>
<b>Light</b>		
NV.1.6	<p><i>Lighting</i></p>	<p>APP-086, Appendix 7.7 Lighting Assessment. The ExA notes that changes to light levels in the</p>

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	<b>The Applicant</b>	<p>immediate area through artificial lighting has the potential to alter amenity conditions for existing nearby properties and/or have potential impacts to local wildlife and the environment.</p> <p>Considering the scheme as a whole:-</p> <ul style="list-style-type: none"><li>i) Clarify how many additional lighting columns are either likely or proposed as a result of the improvement scheme and what are the anticipated locations? Indicative best case and worse case ranges can be given. Explain the height column range and why lower end range height columns may be suitable.</li><li>ii) Clarify how proposed lighting will address heritage asset impacts. Explain how would lighting be omitted/designed/managed so as to minimise any light spillage to surrounding properties as well as the local environment and how would this be secured?</li><li>iii) Would the footbridge, overbridges or underpasses proposed need to be lit at night and what are the reasons for the approach selected?</li><li>iv) Can the Applicant respond to i) to iii) both in terms of operational lighting and fixed artificial lighting to form part of the completed scheme.</li><li>v) What are the potential carbon emission impacts from any potential artificial lighting installations? Provide an indication of those or any potential design features reliant on solar energy.</li></ul> <p><i>You may wish to combine the answer to this question with the answers to questions DE.1.1, DE.1.2, DE.1.3, DE.1.5.</i></p>
<b>TT Traffic and Transport</b>		
TT.1.1	<b>Traffic Management Relevant Highway Authorities Interested Parties</b>	<p>Application document APP-129, the Outline Traffic Management Plan. The measures are indicative and there are several traffic management concerns being raised by interested parties through relevant representations. Considering those concerns as well as the characteristics of the local road network the ExA requests that Traffic Management Plan issues are resolved during the examination as far as possible.</p> <p><b>Relevant Highway Authorities/Interested Parties:</b></p> <ul style="list-style-type: none"><li>i) Relevant Highway Authorities what are your views in relation to the scope and content of the</li></ul>

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		<p>Outline Traffic Management Plan.</p> <p>ii) Explain your reasoning in relation to preferred options and any suggested inclusions or amendments.</p> <p>Interested parties are invited to comment on the content of the document also.</p>
TT.1.2	<p><i>Road Speeds</i>  <b>The Applicant</b>  <b>Relevant Highway Authority</b></p>	<p>Cantley Lane South is referred to in relevant representation [RR-039] as a popular cyclist route. Can you:</p> <p>i) Explain the basis for the speed restrictions Cantley Lane South set out in the dDCO having regard to cyclists.</p> <p>ii) Clarify to what extent speed restrictions specified in the dDCO considered the potential presence of cyclists and the potential for a lower limit.</p> <p>iii) If the potential for increased presence of cyclists using the lane has not been considered, explain how those circumstances would/could be proactively factored into any resultant road speed designation.</p>
TT.1.3	<p><i>Operatives Parking</i>  <b>The Applicant</b></p>	<p>Construction operatives are assumed to be parking at each of the main compounds during construction.</p> <p>i) Provide details of the location and design parameters of the parking provision for operative's vehicles to demonstrate that parking areas would include sufficient capacity to avoid "fly parking" on nearby local roads or other parking facilities in the vicinity.</p> <p>ii) Clarify how would "fly parking" be prevented.</p>
<b>Public Rights of Way, including cycle routes</b>		
TT.2.1	<p><i>Public Rights of Way</i>  <b>The Applicant</b>  <b>Norfolk County Council</b></p>	<p>RR-001 highlights that some of the concerns of Norfolk County Council relate to the potential taking on of responsibilities for assets including significant new infrastructure comprising a link from the B1172, across the A11 trunk road and Norwich-Cambridge railway line, to Cantley Lane south and the proposed classification of this new link as a B class road.</p>

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		<p>i) Can <b>Norfolk County Council</b> provide further details of those concerns if they have not already done so, and, provide justification of their current position on these particular matters?</p> <p>ii) The new overbridge Work No.35 that is to become a public right of way. Provide an update of discussions to facilitate that alongside potential consideration of a ceiling enclosure or other such barrier which could be included in the final design of the overbridge with respect to safety provision as well as potential future user's perception of safety.</p>
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