

A47/A11 Thickthorn Junction

Scheme Number: TR010037

Volume 9

9.10 Applicant's Comments on Responses to the Examining Authority's First Written Questions (ExQ1s)

The Infrastructure Planning (Examination Procedure) Rules 2010
Rule 8(1)(c)

Planning Act 2008

November 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Examination Procedure) Rules 2010**

A47/A11 Thickthorn Junction
Development Consent Order 202[x]

**9.10 APPLICANT'S COMMENTS ON RESPONSES TO THE EXAMINING
AUTHORITY'S FIRST WRITTEN QUESTIONS (ExAQ1s)**

Rule Number:	8(1)(c)
Planning Inspectorate Scheme Reference	TR010037
Application Document Reference	TR010037/EXAM/9.10
BIM Document Reference	HE551492-GTY-LSI-000-RP-ZL-40301
Author:	A47/A11 Thickthorn Junction Project Team, Highways England

Version	Date	Status of Version
Rev 0	November 2021	Deadline 3

CONTENTS

1	Introduction	1
2	Key Abbreviations.....	1
3	Bidwells LLP on behalf of CM Watt Residual Trust	2
4	Bidwells LLP on behalf of The Trustees of the Mackintosh Trust	3
5	Birketts LLP on behalf of Mr & Mrs Thompson	5
6	Historic England.....	5
7	Environment Agency	6
8	Norfolk County Council	7
9	South Norfolk Council	14

1 INTRODUCTION

1.1.1 The Development Consent Order (DCO) application for the A47/A11 Thickthorn Junction was submitted on 31 March 2021 and accepted for examination on 28 April 2021.

1.1.2 The purpose of this document is to set out Highways England's (the Applicant) comments on responses by the following local authorities and statutory environmental bodies to the Examining Authority's First Written Questions 1 (ExQ1) issued 23 September 2021:

- Bidwells LLP on behalf of CM Watt Residual Trust (**REP2-012**)
- Bidwells LLP on behalf of The Trustees of the Mackintosh Trust (**REP2-013**)
- Birketts LLP on behalf of Mr & Mrs Thompson (**REP2-014**)
- Environment Agency (**REP2-015**)
- Historic England (**REP2-016**)
- Norfolk County Council (**REP2-017 & REP2-020**)
- South Norfolk Council (**REP2-019**)

1.1.3 The following sections present the responses where concerns or requests are made warranting provision of additional information or clarity by the Applicant.

2 KEY ABBREVIATIONS

2.1.1 The following common abbreviations have been used in the Applicant's submissions to the Examination:

- dDCO = draft Development Consent Order
- DMRB = Design Manual for Roads and Bridges
- ES = Environmental Statement
- ExA = Examining Authority
- NPSNN = National Policy Statement for National Networks 2014
- NWL = Norwich Western Link
- the Scheme = the A47/A11 Thickthorn Junction

3 BIDWELLS LLP ON BEHALF OF CM WATT RESIDUAL TRUST

3.1.1 Bidwells LLP on behalf of CM Watt Residual Trust's responses to the Examining Authority's First Written Questions are available at:

- [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000463-D2_Bidwells%20on%20behalf%20of%20The%20Trustees%20of%20the%20CM%20Watt%20Residual%20Trust_Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20\(ExQ1\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000463-D2_Bidwells%20on%20behalf%20of%20The%20Trustees%20of%20the%20CM%20Watt%20Residual%20Trust_Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20(ExQ1).pdf)

Ref	Comment	Applicant's Response
GC1.9	The Trustees do not wish to make any additional comment at this stage but look forward to reviewing the responses from the Applicant and Relevant Highway Authority to these "questions" and to reading the Examining Authority's opinion on those responses. The Trustees are ready to engage with the Applicant to deliver the best form of junction possible.	These comments are acknowledged and no response is required from the Applicant.
GC.1.10; GC.1.11; GC.1.12; GC.3.1; AQ.1.5; BIO.1.1; BIO.2.4; BIO.3.2; BIO.3.3; BIO.3.6; CC.1.1	The Trustees do not wish to make any additional comment at this stage but look forward to reviewing the responses from the Applicant to these "questions" and to reading the Examining Authority's opinion on those responses. The Trustees are ready to engage with the Applicant.	
CI.1.3	Please note that the property on which the land for both the Park and Ride Site expansion and Park and Ride Slip Road are sited belongs to The Trustees of the Mackintosh Trust, not The Trustees of the CM Watt Residual Trust.	This comment is acknowledged, and the Book of Reference will be updated, if necessary, at Deadline 4.
CI.1.8; CI.1.9; DCO.2.8; DCO.2.15; DCO.2.19; NV.1.1	The Trustees do not wish to make any additional comment at this stage but look forward to reviewing the responses from the Applicant to these "questions" and to reading the Examining Authority's opinion on those responses. The Trustees are ready to engage with the Applicant.	This comment is acknowledged and no response is required from the Applicant.
NV.1.4	The Trustees are not satisfied that the noise and vibration sensitive receptors have been located to adequately cover all areas which they should and attach an amended version of the Applicant's Figure 11.1 showing two additional locations, marked by pink Xs, where the Trustees would expect receptors to be placed – Wychwood House and The Old Stables.	<p>The identified buildings were not considered specifically in the ES Chapter 11. The assessment of construction noise and vibration is based on representative receptors – it is not proportionate to assess the impacts at every dwelling. Therefore, the focus of the noise assessment is on the locations at which construction noise and vibration levels are expected to be the greatest.</p> <p>However, considering potential noise impacts at these locations in more detail:</p> <p>Old Stables</p> <p>The identified receptor The Old Stables is c.375 m from the nearest construction compound and outside of the construction vibration study area and the construction noise study area.</p> <p>Noise monitoring was carried out near The Old Stables at position ST2 shown in Appendix 11. 3 (APP-109) at which existing road traffic noise level was 50 dB $L_{A10,18\text{hour}}$ (estimated in general accordance with the Calculation of Road Traffic Noise measurement procedure). Based on the measured sound levels, the construction noise significance threshold (SOAEL) at this receptor would be 65 dB $L_{Aeq,12\text{hour}}$ for daytime works. This is lower than the SOAEL threshold at Thickthorn Hall (see Table 11.5.2 in Appendix 11.5 (APP-109)).</p> <p>Construction noise at The Old Stables will be similar to that predicted for Thickthorn Hall (R2) since this building is a similar distance to the DCO boundary. The highest predicted construction noise level at R2 (Table 11.5.7 in ES Chapter 11 (APP-048)) due to general construction without mitigation is 53 dB $L_{Aeq,12\text{hr}}$ due to construction phase 1. Construction noise of this level at The Old Stables would have a minor adverse impact without mitigation and would not result in any significant effect when assessed according to DMRB LA111.</p> <p>The highest predicted construction noise level at R2 due to work phases relating to the Cantley Link (9, 14, 19 and 21) is 46 dB $L_{Aeq,12\text{hr}}$. Accounting for the shorter distance to The Old Stables this would be a construction noise level of 48 dB $L_{Aeq,12\text{hour}}$ due to work at the Cantley Lane Link Road at this receptor. Construction noise from the Cantley Lane Link Road of this level at The Old Stables would have a negligible impact, and would not result in any significant effect when assessed according to DMRB LA111.</p> <p>In terms of operational noise, the change in road traffic noise on</p>

		<p>Scheme opening is shown in Figure 11.7 (APP-071). This receptor is within the green contour area (a short-term change between -1 dB $L_{A10,18hr}$ and 0 dB $L_{A10,18hr}$), described using DMRB LA111 as negligible beneficial. This would not result in any significant effect when assessed according to DMRB LA111.</p> <p>Wychwood House</p> <p>The identified receptor Wychwood House is c.550 m from the nearest construction compound and outside of the construction vibration study area. The building is c.55 m from the B1172.</p> <p>Noise monitoring was not carried out at this location, however the receptor is a similar distance from the B1172 as Thickthorn Hall and the LOAEL and SOAEL values for construction noise at Thickthorn Hall are considered appropriate for representing Wychwood House.</p> <p>The construction noise significance threshold (SOAEL) at this receptor would be 70 dB $L_{Aeq,12hour}$ for daytime works.</p> <p>Sheet 4 of the Works Plans (APP-007) shows no works being undertaken near Wychwood House. Assuming that no other works on the B1172 are required in this locality, construction noise at Wychwood House will be no greater than that predicted for Thickthorn Hall (R2) since the Hall is closer to the main works. As noted above, the highest predicted construction noise level at R2 (Table 11.5.7 in ES Chapter 11 (APP-048)) due to general construction without mitigation is 53 dB $L_{Aeq,12hr}$ due to construction phase 1. Construction noise of this level at Wychwood House would have a negligible impact without mitigation and would not result in any significant effect when assessed according to DMRB LA111.</p> <p>In terms of operational noise, the change in road traffic noise on scheme opening is shown in Figure 11.7 (APP-071). This receptor is within the green contour area (a short-term change between -1 dB $L_{A10,18hr}$ and 0 dB $L_{A10,18hr}$), described using DMRB LA111 as negligible beneficial. This would not result in any significant effect when assessed according to DMRB LA111.</p> <p>On the basis of the above, there is no change to the conclusions of the noise assessment within ES Chapter 11 (APP-048)</p>
NV.1.5	The Trustees are deeply concerned about the impact which noise pollution may have on their property but do not wish to make any additional comment at this stage. The Trustees look forward to reviewing the responses from the Applicant to these "questions" and to reading the Examining Authority's opinion on those responses. The Trustees are ready to engage with the Applicant.	The noise impacts of the Scheme are assessed in full in Chapter 11 of the Environmental Statement (APP-048)
TT.1.1	The Trustees do not wish to make any additional comment at this stage but look forward to reviewing the responses from the Applicant to these "questions" and to reading the Examining Authority's opinion on those responses. The Trustees are ready to engage with the Applicant.	This comment is acknowledged and no response is required from the Applicant.

4 BIDWELLS LLP ON BEHALF OF THE TRUSTEES OF THE MACKINTOSH TRUST

4.1.1 Bidwells LLP on behalf of The Trustees of the Mackintosh Trust's responses to the Examining Authority's First Written Questions are available at:

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000462-D2_Bidwells%20on%20the%20behalf%20of%20the%20Trustees%20of%20the%20Mackintosh%20Trust_Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20\(ExQ1\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000462-D2_Bidwells%20on%20the%20behalf%20of%20the%20Trustees%20of%20the%20Mackintosh%20Trust_Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20(ExQ1).pdf)

Ref	Comment	Applicant's Response
GC.1.9	The Trustees do not wish to make any additional comment at this stage but look forward to reviewing the responses from the Applicant and Relevant Highway Authority to these "questions" and to reading the Examining Authority's opinion on those responses. The Trustees are ready to engage with the Applicant to deliver the best form of junction possible.	This comment is acknowledged and no response is required from the Applicant.
GC.1.10; GC.1.11; GC.1.12; GC.3.1; AQ.1.5; BIO.1.1; BIO.2.4; BIO.3.2; BIO.3.3; BIO.3.6; CC.1.1	The Trustees do not wish to make any additional comment at this stage but look forward to reviewing the responses from the Applicant to these "questions" and to reading the Examining Authority's opinion on those responses. The Trustees are ready to engage with the Applicant.	This comment is acknowledged and no response is required from the Applicant.

<p>CI.1.3</p>	<p>Please note that the property on which the land for both the Park and Ride Site expansion and Park and Ride Slip Road are sited belongs to The Trustees of the Mackintosh Trust, not The Trustees of the CM Watt Residual Trust.</p> <p>The attached Section 106 Agreement for the Hethersett Development (South Norfolk Council Planning Permission Ref: 2011/1804/O) provides that the Developer should do various things including completion of the Lease for the Park and Ride Site and either the dedication or securing of the dedication of the Slip Road to enable full access to the Park and Ride Site. The Lease for the Park and Ride Site has been completed and on 13 February 2015 the land for the Slip Road (shown edged red on the attached drawing A.45,372) was transferred to Norfolk County Council (NCC) but we do not believe it has been dedicated. NCC, as the owners of the Slip Road land, are the only party that can affect dedication but we do not believe they will be able to comply with this obligation due to the Proposed Development. The Applicant should ensure that the Trust is indemnified for any liability under the current Section 106 Agreement arising from the inability to comply with the Section 106 Agreement or Planning Permission as a result of the Proposed Development.</p> <p>The Slip Road land was transferred to NCC, specifically to enable them to deliver the Park and Ride extension. In the event that NCC changed their minds about wanting an extension, the parties also entered into an Option Agreement giving the Trust the right to call for the Slip Road land back. The Option is only capable of exercise for a period of one year from 13 February 2025 in the event that NCC have not commenced the works necessary to deliver the extension. Since this area of land is no longer capable of being used for the Slip Road:</p> <ul style="list-style-type: none"> • Either, the Slip Road land should be left in the ownership of NCC and it somehow ensured through the Applicant (and in agreement with NCC) that any compensation for land taken from the Slip Road land to deliver the Proposed Development should come to the Trust and not to NCC; • Or, the Applicant should arrange and pay for a deed of variation (plus any additional legal documentation) of the Option Agreement so that the Option is capable of exercise now and not after 2025. The Option can then be exercised, and the Trust allowed to call for a transfer back of the Slip Road land. The compensation would then be due to the Trust although the Trust would need to be protected against a situation whereby, on becoming the owner of the Slip Road land once again, they would be in breach of the undeliverable obligation to dedicate said Slip Road. <p>The Trust has highlighted this matter to the Applicant and understands they are engaged in finding a solution but is yet to be provided with any details.</p>	<p>The Applicant is considering the inclusion of wording in the dDCO that would disapply Part 9, Paragraph 2 in the Schedule to the Section 106 Agreement, on the basis the slip road is no longer necessary to make the Park and Ride development acceptable in planning terms and it will not be possible to comply following implementation of the Thickthorn Scheme. This will ensure the landowner and developer are not liable for any breach of that specific planning obligation. Similar drafting was included in Article 6 of the Riverside Energy Park Development Consent Order 2020.</p> <p>The other matters raised can be dealt with through the compensation code and discussions are ongoing between the District Valuer and the landowner.</p>
<p>CI.1.8; CI.1.9; DCO.2.8; DCO.2.15; DCO.2.19; NV.1.1</p>	<p>The Trustees do not wish to make any additional comment at this stage but look forward to reviewing the responses from the Applicant to these "questions" and to reading the Examining Authority's opinion on those responses. The Trustees are ready to engage with the Applicant.</p>	<p>This comment is acknowledged and no response is required from the Applicant.</p>
<p>NV.1.4; NV.1.5</p>	<p>The Trustees are deeply concerned about the impact which noise pollution and vibration may have on their property but do not wish to make any additional comment at this stage. The Trustees look forward to reviewing the responses from the Applicant to these "questions" and to reading the Examining Authority's opinion on those responses. The Trustees are ready to engage with the Applicant.</p>	<p>The Applicant refers to the responses provided in Section 3 above (Bidwells LLP on behalf of CM Watt Residual Trust) in relation to NV 1.4 and NV 1.5.</p>
<p>TT.1.1</p>	<p>The Trustees do not wish to make any additional comment at this stage but look forward to reviewing the responses from the Applicant to these "questions" and to reading the Examining Authority's opinion on those responses. The Trustees are ready to engage with the Applicant.</p>	<p>This comment is acknowledged and no response is required from the Applicant.</p>

5 BIRKETTS LLP ON BEHALF OF MR & MRS THOMPSON

5.1.1 Birketts LLP on behalf of Mr & Mrs Thompson's responses to the Examining Authority's First Written Questions are available at:

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000372-D2_Birketts%20LLP%20on%20behalf%20of%20Mr%20&%20Mrs%20Thompson%20-%20Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20\(ExQ1\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000372-D2_Birketts%20LLP%20on%20behalf%20of%20Mr%20&%20Mrs%20Thompson%20-%20Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20(ExQ1).pdf)

Ref	Comment	Applicant's Response WBD
GC.1.11	the Written Representation contains representations regarding the extent of the highway to be retained/returned to adjoining landowners.	This comment is acknowledged and no response is required from the Applicant.
CI.1.7	the Written Representation contains representations regarding appropriate provisions controlling construction traffic.	This comment is acknowledged and no response is required from the Applicant.
NV.1.6	the Written Representation contains a request to restrict lighting in the vicinity of residential properties.	This comment is acknowledged and no response is required from the Applicant.
TT.1.2	the Written Representation contains a request to extend the length of the speed restriction approaching the new link road.	This comment is acknowledged and no response is required from the Applicant.

6 HISTORIC ENGLAND

6.1.1 Historic England's responses to the Examining Authority's First Written Questions are available at:

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000440-D2_Environment%20Agency_Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20\(ExQ1\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000440-D2_Environment%20Agency_Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20(ExQ1).pdf)

Ref	Question	Comment	Applicant's Response WBD
HE.1.1	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>As set out in our Written Representation, Historic England requires further clarification about the position and type of mitigation planting proposed along the Cantley Lane Link Road in the vicinity of the 'Two tumuli in Big Wood' scheduled monument. This should include revised versions of the plans included in the submitted Environmental Masterplan (Section 6.8 of the ES) and be clear about the extent to which traffic on the Link Road would be visible from the westernmost barrow and, in terms of the proposed information panel, whether the barrow would be visible from the Link Road. This information is necessary to ensure that the level of mitigation planting along the Cantley Lane Link Road will be sufficient to effectively reduce the harm to the setting of the scheduled monument.</p> <p>We note from the Applicant's Comments on the Relevant Representations that the remaining archaeological trial trenching and test pitting work is planned for Q4 of 2021.</p> <p>Advice regarding the impact of the proposed scheme on non-designated archaeological heritage assets is provided by Norfolk County Council Environment Service. In view of this we consider it is for Norfolk County Council to advise whether the results of the further archaeological trial trenching/test-pitting and geoarchaeological monitoring are required prior to the examination hearing or whether this information can be provided post-consent to inform the archaeological mitigation works.</p>	<p>For Landscaping, the Applicant refers to their response to the Examining Authority's First Written Questions BIO 3.2 contained in (REP2-006) and the Environmental Masterplan (APP-123) which shows the proposed planting and also vegetation to be retained.</p> <p>ES Chapter 6 (APP-043) Sections 6.9.9 and 6.9.10 notes the proposed detail to be included on the information board.</p> <p>In addition, the Applicant refers to Items CH1, CH7 in Table 3-1 (REAC) of the EMP (APP-128).</p> <p>Further submissions on the mitigation planting proposed along Cantley Lane and the information board were made at Issue Specific Hearing 1 which are included in the Applicant's summary of submissions made at ISH1 submitted at Deadline 3.</p>

HE.1.1	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>Requirement 9(1) 'Archaeological Remains': Although advice on non-designated heritage assets is being provided primarily by Norfolk County Council, Historic England retain an interest in the non-designated archaeological heritage assets within the scheme area in our capacity as a provider of specialist archaeological science advice.</p> <p>In view of this, Historic England request that we are included as a consultee on the approval of the Archaeological Written Scheme of Investigation. We suggest that the final sentence of Requirement 9(1) in the dDCO should be amended to conclude '...following consultation by the undertaker with the relevant planning authority and Historic England'.</p> <p>Requirement 9(2) 'Archaeological Remains': Historic England do not wish to make any comments/suggestions.</p>	The dDCO (REP2-002) was updated at Deadline 2 to include Historic England as a consultee in Requirement 9.
--------	--	--	---

7 ENVIRONMENT AGENCY

7.1.1 The Environment Agency's responses to the Examining Authority's First Written Questions are available at:

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000444-D2_Historic%20England_Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20\(ExQ1\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000444-D2_Historic%20England_Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20(ExQ1).pdf)

Ref	Question	Comment	Applicant's Response
BIO.2.1	<i>The Environment Agency [RR-004] have identified that some additional detailed survey and modelling work is being undertaken by the Applicant for their approval. Can the Applicant and Environment Agency provide an update of when this information is to be agreed and submitted to the examination?</i>	<p>-We completed a detailed review of the revised flood model and provided the Applicant with further comments on 19 August 2021. Those comments highlighted some further points for the Applicant to address before the flood model could be deemed suitable for use.</p> <p>The Applicant provided us with a response to those points on 22 September, and our flood modelling team is currently in the process of reviewing that information. We would expect to be consulted on a Revised Flood Risk Assessment following a positive conclusion to that review.</p>	<p>The Applicant received confirmation from the Environment Agency on 1 November 2021 that the revised flood model submitted on 19 August 2021, along with additional responses to points on 22 September 2021 is considered suitable for use and their audit [of the flood modelling] is considered closed.</p> <p>The Applicant will continue to liaise with the Environment Agency during detailed design stage (secured via Requirement 3 of the dDCO) in relation to the Flood Risk Assessment.</p>
CA.1.9	<p><i>It is stated in the respective RRs [RR-RR-008], [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.</i></p> <p><i>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).</i></p>	This question would not appear to be relevant to the Environment Agency. We have not required the inclusion of Protective Provisions as the Applicant has not requested the disapplication of any consents or permits that we would determine.	This comment is acknowledged and no response is required from the Applicant.
DCO.1.9	<p><i>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.</i></p> <p><i>Can an update of the revised wording to be used be given?</i></p>	In respect of Requirement 4 Environmental Management Plan, we note from the Applicant's Response to Relevant Representations [REP1-004], that the Environment Agency is to be added as a named consultee for this Requirement. Comment RR-004.2 includes proposed amended wording for inclusion in an updated dDCO to be submitted at Deadline 2. We will provide comment on the revised dDCO at Deadline 3, but we can confirm that the wording proposed would be acceptable to us.	This comment is acknowledged and no response is required from the Applicant.

DCO.3.3	<p><i>Requirement 6 covering contaminated land and groundwater matters.</i></p> <p><i>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 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.</i></p> <p><i>Can the applicant comment on this approach, detailing any agreement to altering the dDCO with revised worded to that currently advanced?</i></p>	<p>We note from the Applicant's Response to Relevant Representations [REP1-004], that the Applicant intends to amend the wording of Requirement 6 part (2) in a revised dDCO to be submitted at Deadline 2. We will provide comment on the revised dDCO at Deadline 3, but we can confirm that the wording proposed at RR-004.4 would be acceptable to us.</p>	<p>This comment is acknowledged and no response is required from the Applicant.</p>
DCO.3.4	<p><i>Requirement 8 concerning surface and foul water drainage. 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.</i></p> <p><i>Confirm and provide necessary amendment.</i></p>	<p>The Applicant has proposed in REP1-004 that Requirement 8 be amended as part of a revised dDCO for Deadline 2. The proposed wording is included in comment RR-004.6. While we welcome the proposed inclusion of the Environment Agency as a named consultee for part (1), we would request that we are also included as a named consultee in respect of part (2).</p>	<p>The Applicant has updated the dDCO submitted at Deadline 3 to include the Environment Agency in Requirement 8(2) as well as 8(1).</p>

8 NORFOLK COUNTY COUNCIL

8.1.1 Norfolk County Council's responses to the Examining Authority's First Written Questions is available at:

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000461-D2_Norfolk%20County%20Council_Response%20to%20ExQ1.pdf

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/tr010037/tr010037-000464-d2_norfolk%20county%20council_other%20responses%20to%20exq1%20accepted%20late.pdf

Ref	Question	Comment	Applicant's Response
GC.1.2	<p>Provide an update of any planning applications that have been submitted, or any 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].</p>	<p>As the minerals and waste planning authority the County Council is not aware of the grant of any planning permissions or the submissions of any planning applications, since the submission of the DCO that would either effect the route or the cumulative impact of the proposal in combination with other development proposals.</p> <p>Other matters will be for South Norfolk Council to provide a response.</p>	<p>This comment is acknowledged and no response is required from the Applicant.</p>
GC.1.9	<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</p>	<p>Norfolk County Council require National Highways to confirm the latest modelling assessment and answer point (i) above, before we can provide comment on points (ii) and (iii) of the same. NCC are unable to comment on appropriateness of junction form as we have not seen traffic modelling. Potential housing expansion to the southeast and fears of rat running may lead to provision of a ghost island right turn lane, but this would be dependent on modelled flows at the junction exceeding the 300 veh/day figure from CD123 (figure 2.3.1)</p>	<p>The Applicant can confirm that the base year traffic model has been shared with NCC</p> <p>i)</p> <p>The NATS traffic model has been developed based on a range of traffic surveys undertaken along the A47 and A11 around Thickthorn Junction as well as across the surrounding network in 2015 and 2016. The 2015 and 2016 surveys were used to calibrate the base year model based on the methodology outlined</p>

	<p>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, 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>in Section 4.3 of the case for scheme (APP-125).</p> <p>Overall, it is considered that the updated NATS base year model demonstrates a good representation of traffic behaviour in the Scheme study area as well as Norwich and the surrounding wider area. Therefore, the model forms a robust basis for the future year forecast assessment of the Scheme. Furthermore it should be noted that 2019 traffic surveys were undertaken along the B1172 as outlined in Section 4.2 of the case for scheme (APP-125)</p> <p>Further information on the traffic forecasting methodology can be found in Traffic Growth Forecasts in Section 4.3 of the case for scheme (APP-125). As detailed in section 4 of the case for scheme (table 4.2 – APP-125) in total eleven identified development sites are situated in the local area, with six in Cringleford, two in Hethersett and three in Wymondham. As discussed above in the Traffic Growth Forecasts section, the DfT National Trip End Model (NTEM 7.2) is used to accommodate for development growth in the wider area not defined in the uncertainty log.</p> <p>In summary the NATS model future year 2025 and 2040 year assessments provide forecasts of the traffic flows along the B1172 as well as the wider area network in accordance with TAG guidance. These forecasts take into account the planned development growth, provided by NCC, occurring in Wymondham as well as across the wider area.</p> <p>ii)</p> <p>As part of the operational assessment of the scheme, a local area VISSIM micro-simulation model has been developed. The principal purpose of the micro-simulation model is to undertake a detailed operational assessment of the Scheme designs. This assessment is then used to inform and refine the Scheme layout.</p> <p>The traffic demand used in the VISSIM model has been derived from the wider area NATS model via an interface which considers the local observed 2019 traffic count data.</p> <p>Thus, the VISSIM model provides a suitable basis for the operational assessment of the Cantley Lane/B1172 junction in the 2040 design year. As discussed above these demand forecasts, derived from the NATS model, take into account the planned developments included along the B1172.</p> <p>It should be noted that based on the NATS DS 2040 core scenario forecast flows in total less than 100 Annual Average Daily Traffic (AADT) vehicles make the right turn from the B1172 west to Cantley Lane at the proposed junction. Traveling from the east approximately 100 AADT turn left from the B1172 east to Cantley Lane at the proposed junction. As shown in Figure</p>
--	---	--	---

			<p>4.13 in Section 4.5 of the Case for Scheme (APP-125), there is a relatively low total two-way of approximately 1,100 AADT.</p> <p>As discussed in Section 4.9 of the Case for the scheme (APP-125), maximum queue results and vehicle delays were extracted from the VISSIM model at the Cantley Lane approach to the junction. Queue results predict that maximum queues do not exceed 25m through the AM peak hour, indicating queues do not exceed six vehicles. Predicted average delay per vehicle for right-turners on the Cantley Lane approach is 12 seconds. These results indicate that the proposed junction is operating satisfactorily without significant queues or delay in the 2040 design scenario.</p> <p>iii)</p> <p>As discussed above, Section 4.4 and 4.9 of the case for the scheme (APP-125), provides details of the operational modelling assessment. Section 4.3 of the case for the scheme (APP-125) discusses the development of the NATS 2040 future year traffic forecasts.</p> <p>In summary the traffic modelling assessment provides traffic forecasts which consider both the existing level of traffic along the B1172 as well as the future year traffic growth. These traffic forecasts have been used as the basis of the VISSIM operational modelling assessment. The future year VISSIM assessment shows that the proposed Cantley Lane/B1172 junction is operating satisfactorily without significant queues or delay in the 2040 design scenario.</p> <p>Based on this analysis the T-junction design proposed for the link between B1172 and Cantley Lane South will operate satisfactorily with the forecast traffic in the 2040 design scenario.</p>
GC.1.10	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.	A Traffic Management Plan is usually prepared which sets out the temporary highway arrangements during construction for agreement with the Highway Authority. The expectation is that this would take account of traffic associated with development sites.	When compiling the Traffic Management Plan, we will take into account the traffic associated with development sites. The highway authority will be consulted on the traffic management plan in accordance with requirement 10 of the dDCO (REP2-002)
GC.1.11	Relevant Representations received [RR-011] questions the extent of land take in so far as sections of public highway should not be acquired permanently. Provide justification (or provide further clarification) for your views on this issue giving reasons for the favoured approach.	Norfolk County Council would expect that any new highway constructed by HE, which would be a part of the local road network (ie not part of the trunk road network) would be passed over to NCC as the local highways authority including that the land ownership be passed over too.	This comment is acknowledged and no response is required from the Applicant.
GC.5.1	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 identify any relevant changes, and if so, what are the implications in your view?	The County has not adopted any new planning policy since the application for a DCO was lodged. The National Planning Policy framework was amended on the 20 July 2021 but did not contain any specific changes for minerals and waste. NCC can therefore confirm there have been no relevant changes to minerals and waste planning policy since the application was lodged.	This comment is acknowledged and no response is required from the Applicant.

<p>BIO.1.1</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. The range of ecological surveys will have been agreed in advance by Natural England.</p> <p>ii. Surveys should be undertaken in accordance with best practice guidelines (for example LD 118 and standing advice) and the results submitted prior to determination of the application (ODPM) Circular 06/2005).</p> <p>iii. Chapter 8 of the ES should be updated with the results of any outstanding surveys undertaken since its submission (for example the eDNA survey results for great crested newts were to be undertaken in 2021 (Chapter 8 para 8.5.3)), so that the baseline reflects the current condition.</p>	<p>For points i), ii) and iii) the Applicant refers to their response to the Examining Authority's First Written Questions GC 4.1 and GC 4.3 contained in (REP2-006).</p> <p>The Applicant is not proposing any updates to Chapter 8 of the Environmental Statement.</p>
<p>BIO.2.4</p>	<p>Norfolk County Council/Interested Parties: Provide any comments you wish to make on the above.</p>	<p>Works affecting water voles will be undertaken under licence granted by Natural England. A [REDACTED] can only be used in relation to development where actions will result in a conservation benefit for water voles. [REDACTED] states that applicants should use Natural England's Pre-submission Screening Service (PSS) to review the draft wildlife licence application (which will include enhancement measures) before the DCO is granted so that either a Letter of No Impediment (LONI), or letter identifying any outstanding issues, can be issued for examination. This enables the inspector to consider the likelihood of any protected species licence (including for water voles) being obtained and to be in a position by the end of the examination to report to the Secretary of State on the likelihood of any necessary protected species licence being obtained.</p>	<p>The Applicant can confirm that a Letter of No Impediment (LONI) has been received from Natural England dated July 2021 this LONI was issued in relation to the draft water vole license submitted by the Applicant to Natural England.</p>
<p>BIO.3.2</p>	<p>Relevant Planning Authorities/Interested Parties: Do you have any further comments on tree planting or landscaping provision?</p>	<p>Norfolk County Council's comments relating to tree planting were included in our written representation and cover any additional points:</p> <p>The Environmental Masterplan details replanting proposals in a clear visual format but without species detail or quantification. It is not clear at this stage, how planting design has been calculated to ensure adequate replacements for losses incurred will be achieved? This requires clarification.</p> <p>Trees and woodlands are part of the wider landscape mitigation that will be required, and it should be the quality and resilience of the resulting landscape, taking all habitats into account, rather than the number of replacement trees that will dictate whether the mitigation is acceptable. We would expect a minimum 30-year compensation strategy to be submitted, based on a calculation of habitat loss and demonstrating net gain. This strategy would usually include the area surrounding the application boundaries and should consider the following examples:-</p> <ul style="list-style-type: none"> • Planting of new woodlands, hedgerows with trees, individual and tree groups • Management plans and schedules to maintain newly planted trees and woodlands • Connecting woodland and ancient and veteran trees separated by development with green bridges • Planting individual trees that could become veteran and ancient trees in the future • Management agreements with adjacent landowners to provide or assist with woodland management to improve tree resilience and biodiversity • Providing management schedules for existing veteran and ancient trees/ woodlands nearby • Extending existing woodland and ancient woodland through natural regeneration/rewilding • Selective veteranisation of specific trees 	<p>The Applicant refers to their response to the Examining Authority's First Written Questions BIO 3.2 contained in (REP2-006).</p> <p>The Applicant made further submissions in relation to biodiversity net gain at Issue Specific Hearing 1 and these are set out in the Applicant's summary of submissions made at ISH1.</p>

<p>CI.1.3</p>	<p>Applicant, Highway Authority and Planning Authority, CM Watt Residual Trust:</p> <p>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>A strip of land was secured by the county council under a legal agreement to enable a slip road to be built at some time in the future to secure access to an expanded park and ride site. The county council has been in discussion with the applicant and has received reassurances that – in relation to the proposed expansion of the park and ride site – the scheme provides sufficient capacity such that a dedicated slip road from the A11 is not required. Consequently, the land secured under legal agreement is not required for that purpose if the junction improvement goes ahead. This has been set out in a statement of common ground with the applicant. The other matters raised in RR011 are a matter between that party and the applicant.</p>	<p>This comment is acknowledged and no response is required from the Applicant.</p>
<p>CI.1.8</p>	<p>Construction traffic would have the potential to damage the existing road network including drainage provision.</p> <p>i. Will an assessment of the effects on existing road and bridge condition (surface, drainage etc) be undertaken and secured?</p> <p>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?</p> <p>iii. Who would be liable for any damage to the road network and who would be responsible for any repairs?</p> <p>Relevant Planning/Highway Authority and Interested Parties: any comments on these issues you wish to make.</p>	<p>There is potential for signed diversion routes as well as other local roads to receive greater wear and tear due to the disruption on the highway network by the proposed works.</p> <p>Norfolk County Council as local Highway authority would want to enter an agreement with National Highways to monitor and mitigate this. If significantly greater wear and tear occurs, NCC would expect National Highways to fund this. Arrangements for this will need to be discussed with National Highways.</p>	<p>Discussions between the Applicant and NCC are ongoing.</p>
<p>CI.1.9</p>	<p>Relevant Planning/Highway Authority and Interested Parties: Provide any comments on these issues you wish to make.</p>	<p>The LLFA would like to confirm that appropriate drainage arrangements are needed during the construction phase of the works and that on construction completion the permanent drainage structures are all checked to ensure that the drainage is operating as designed and without any damage due to the construction worked themselves.</p>	<p>This has been answered as part of the Applicant's response to the Examining Authorities First Written Questions (REP2-006), BIO 2.5.</p>
<p>DE.1.6</p>	<p>Have there been any changes to the built environment in the vicinity of the land subject to the scheme improvement currently submitted? If so, please identify where, and consider if the plans and statements would need to be updated/amended.</p>	<p>As the minerals and waste planning authority, the County Council is not aware of the grant of any planning permissions or the submissions of any planning applications, since the submission of the DCO that would either effect the route or the cumulative impact of the proposal in combination with other development proposals.</p>	<p>This comment is acknowledged and no response is required from the Applicant.</p>
<p>DCO.2.2</p>	<p>The effect of the definition proposed may permit some works before the discharge of 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, ore are, controlled by a requirement.</p>	<p>NCC as the county planning authority is content with the exclusions from the definition of consent contained in the draft development consent order.</p>	<p>This comment is acknowledged and no response is required from the Applicant.</p>
<p>DCO.2.4</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>	<p>Norfolk County Council was conferred new status as a Lead Local Flood Authority (LLFA) under the Flood and Water Management Act 2010 (FWMA). This Act was part of the legislative response to Sir Michael Pitt's review into the flooding of 2007 and tasks the County Council with leading the coordination of Local Flood Risk Management across Norfolk. Local Flood Risk is defined as flooding from; surface</p>	<p>This comment is acknowledged and no response is required from the Applicant.</p>

		<p>runoff, ordinary watercourses and groundwater.</p> <p>There are several stakeholders identified by the FWMA who have a role in the management of surface runoff flooding, these are; Lead Local Flood Authorities, Local Planning Authorities, Water Utilities Companies, Highways Authorities and Riparian Owners.</p> <p>The LLFA's "flood risk management function" is defined by Section 4 of the Flood and Water Management Act 2010. The "flood risk management function" is given in accordance with Part 1 of the Flood and Water Management Act 2010, Section 159 or 160 (and a flood defence function within the meaning of section 221) of the Water Resources Act 1991, The Land Drainage Act 1991, Sections 100, 101, 110 or 339 of the Highways Act 1980, The Flood Risk Management Functions Order 2010. A function which may be exercised by the LLFA for a purpose connected with managing flood risk would include the issuing of ordinary watercourse consents or enforcement notices by Internal Drainage Boards or the Lead Local Flood Authorities and the investigation of significant flooding by the Lead Local Flood Authority.</p>	
DCO.2.21	<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>	<p>The county council can confirm that the streets, bridleways, cycle tracks and footpaths listed in the schedules reflect our understanding of assets affected by the proposed development.</p> <p>Norfolk County Council is holding fortnightly de-trunking meetings with the applicant National Highways to discuss the potential processes for hand-over of assets and recording, as well-as agreeing such issues as highway boundaries. The county council is awaiting information from the applicant in terms of the detail of the assets to be handed over.</p> <p>The matter of a suitable commuted sum for future maintenance has not yet been agreed in principle or quantum but discussions are ongoing.</p>	<p>This comment is acknowledged and no response is required from the Applicant.</p>
HE.1.1	<p>Norfolk County Council:</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 reason 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>	<p>i. The Historic Environment team are in the process of approving a revised version of the report on the archaeological trenching carried in July and August 2020. The Historic Environment's understanding is that the applicant is planning to commission a limited amount of additional archaeological trenching partly to cover the area of the proposed construction compound and some other areas. This additional trenching could be carried out as part of a post-consent programme of mitigation secured through appropriately worded requirement.</p> <p>ii. Wording of requirement relating to archaeological mitigations is as in existing draft DCO is as follows;</p> <p><i>9.- (1) No part of the authorized development is to commence until for that part a written scheme of investigation of areas of archaeological interest, reflecting the relevant mitigation measures set out in the REAC, has been submitted to and approved in writing by the Secretary of State, following consultation by the undertaker with the relevant planning authority.</i></p> <p><i>(2) – The authorized development must be carried out in accordance with the approved scheme referred to in sub-paragraph (1).</i></p> <p>We suggest that the following sub-paragraph is added to the requirement wording; (3) The authorized development shall not be put into first use until the site investigation and post investigation assessment has been completed in</p>	<p>i) This comment is acknowledged and no response is required from the Applicant.</p> <p>ii) The relevant mitigation measures to be incorporated into the written scheme of investigation are set out in Table 3-1 (REAC) contained in the Environmental Management Plan (APP-128). The Applicant will ensure that the Environmental Management Plan (APP-128) is updated at Deadline 4 to include a provision addressing analysis, publication and dissemination of results and archive deposition. This will negate the need to include the wording proposed by NCC as these elements will then be secured as part of Requirement 9(1).</p>

		accordance with the programme set out in the scheme referred to in sub-paragraph (1) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.	
TT.1.1	<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>Relevant Highway Authorities/Interested Parties:</p> <p>i. Relevant Highway Authorities what are your views in relation to the scope and content of the Outline Traffic Management Plan.</p> <p>ii. Explain your reasoning in relation to preferred options and any suggested inclusions or amendments.</p>	<p>The Outline Traffic Management Plan looks comprehensive in its mitigation principles but specific dates for closures will need to be agreed with the NCC Streetworks coordinator to avoid clashes. The proposed closure times of between 21.00 – 06.00 are acceptable. Diversions should follow National Highways Area 6 approved routes, but avoiding the low bridge on the A1066 at Diss. If required, any localised diversions will need to be discussed and agreed with the NCC Streetworks coordinator following the agreed advance consultation/notifications protocols. This may involve the use advance signage outside of Norfolk to mitigate through traffic impacts.</p> <p>A Stakeholder list will need to be agreed and should include County Councillors, Parish Councils in addition to those normally consulted for Temporary Traffic Regulation Orders. The routes of vehicles supplying materials to the site and plant movements on highway network will need to be discussed, assessed and agreed with NCC. Times of these vehicle movements may need scheduling to avoid peak commuting periods. Wheel wash facilities etc will be essential to prevent mud and spoil being deposited onto the adjacent road network. Option 2, A11/A47 full weekend closures, will need further coordination and agreement with NCC once programme details are known.</p>	The Applicant is currently engaging with Norfolk County Council (NCC) on a monthly basis to review all diversion routes and contingencies which include signage within the vicinity of the works but also further afield. NCC will be consulted on the traffic management plan in accordance with requirement 10 of the dDCO (REP2-002).
TT.1.2	<p>Cantley Lane South is referred 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 dDCO having regard to cyclists.</p>	The proposals show speed restrictions of 40mph and 20mph on Cantley Lane South. The Cycle Infrastructure Guidance (LTN120 2020) notes that roads with a 20mph speed limit offer conditions were most people would feel confident in riding in the primary position (in centre of the traffic lane). This makes cyclists more visible to motorists and also car drivers are more likely to accept a short delay due to the lower speed limit.	This comment is acknowledged and no response is required from the Applicant.
TT.2.1	<p>i. Can Norfolk County Council provide further details of those concern 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>	<p>Norfolk County Council seek to have sufficient funding provided for maintenance of new assets, otherwise the County Council will face future financial pressure. NCC members confirmed they wanted this to be funded from National Highways or Department for Transport.</p> <p>NCC are holding fortnightly de-trunking meetings with National Highways to discuss the potential processes for hand -over of assets and recording, as well-as agreeing such issues as highway boundaries. The county council is awaiting information from the applicant in terms of the detail of the assets to be handed over.</p> <p>The matter of a suitable commuted sum for future maintenance has not yet been agreed in principle or quantum but discussions are ongoing.</p>	This comment is acknowledged and no response is required from the Applicant.

9 SOUTH NORFOLK COUNCIL

9.1.1 South Norfolk Council's responses to the Examining Authority's First Written Questions is available at:

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000447-D2_South%20Norfolk%20Council_Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20\(ExQ1\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010037/TR010037-000447-D2_South%20Norfolk%20Council_Responses%20to%20the%20ExA%E2%80%99s%20Written%20Questions%20(ExQ1).pdf)

Ref	Question	Comment	Applicant's Response
GC.1.2	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].	South Norfolk Council can confirm that no further applications have been submitted or determined since the submission of the DCO application. The list of undetermined planning applications has been submitted as part of the Local Planning Authorities Local Impact Report.	This comment is acknowledged and no response is required from the Applicant.
GC.1.3	Relevant Planning Authority: 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.	The provision of the formal recreational space was secured via a S106 agreement under Outline planning permission 2017/2120. 2018/2791 - Area BS9 South Of Newmarket Road, Reserved Matters details of appearance, layout, scale and landscaping following outline permission 2017/2120, for RM-APP-9 comprising of the formal and informal landscaping areas, including areas for formal sport pitches and a sports pavilion, and associated infrastructure has been approved and implemented. The above therefore provides provisions to secure the required open space.	The Applicant's understanding is that the developer will be submitting a variation to its planning permission pursuant to section 73 of the Town and Country Planning Act 1990 and has no intention to deliver the open space in accordance with the current consent.
Gc.5.1	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 identify any relevant changes, and if so, what are the implications in your view?	South Norfolk Council would defer to the Applicant to identify the changes that may have affected their DCO application. In terms of the Council's own policies these are broadly consistent with the NPPF therefore would not wish to raise any further comments.	This comment is acknowledged and no response is required from the Applicant.
BIO.3.2	Relevant Planning Authorities/Interested Parties: Do you have any further comments on tree planting or landscaping provision?	The plans show bunding either side of the realigned footbridge and this generally has a new hedgerow along the top with grassed banks, and a post and rail fence demarking the highway boundary at the foot of the slope. The Council suggests that it would be better to try to disguise the bunding from the residential side by the use of more tree and shrub planting. With regards to Requirement 5 (landscaping) of the dDCO, the Council would wish to see a TEN year replacement clause for failed planting (as used for the Hornsea Project Three DCO nearby). This should have no real consequence provided that the initial plants are specified and implemented well, and looked-after, but will give some certainty that – should there be latent defects (such as poor ground preparation) - that there is a mechanism for these to be addressed.	For the first point made, the Applicant refers to the response provided to the Examining Authority's first written questions (REP2-006) BIO 3.2. The environmental impact assessment proposes a five year maintenance period. This maintenance period for landscape planting will be addressed in the Landscape and Ecology Management Plan, an outline of which is set out in Appendix B.5 of the Environment Management Plan (APP-128). The production of this document is secured by Requirement 4 of the dDCO, so additional wording in Requirement 5 is not considered necessary.
CI.1.3	Applicant, Highway Authority and Planning Authority, CM Watt Residual Trust: (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.	South Norfolk Council would defer to Norfolk County Council and has no comments to make.	These comments are acknowledged and no response is required from the Applicant.

CI.1.9	Relevant Planning/Highway Authority and Interested Parties: Provide any comments on these issues you wish to make.	South Norfolk Council has no comments to make.	
DE.1.6	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.	South Norfolk Council does not wish to make comments.	
DCO.2.2	The effect of the definition proposed may permit some works before the discharge of the requirements. 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.	South Norfolk Council has no particular concerns	These comments are acknowledged and no response is required from the Applicant
DCO.2.2	Ensures drainage provision falls to the appropriate undertaker. Do you have any comments to make on the scope and extent of that power.	South Norfolk Council has no comments to make	
DCO.2.14	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 A63 (Castle Street Improvement, Hull) Development Consent Order 2020, 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.	South Norfolk Council would support the suggestion to consider redrafting the DCO in order to limit tree removals to those identified in the environmental statement.	The Applicant refers to their response to the Examiner's First Written Questions (RE2-006) BIO 3.1.
DCO.2.16	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?	Article 43 would effectively give the applicant a number of defences to legal action taken by persons under section 82(1) of the Environmental Protection Act 1990 similar to those already available to the applicant where the local authority takes such proceedings. Arguably if such a defence was not included the applicant could be subject to legal action if it caused a statutory nuisance even though they were taking all reasonable measures to minimise the nuisance and thus potentially stop the scheme. A similar article was included in the Hornsea DCO. In the light of this I do not feel we could sustainably object to this article.	This comment is acknowledged and no response is required from the Applicant.
DCO.2.21	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?	South Norfolk Council would defer to Norfolk County Council Highway.	This comment is acknowledged and no response is required from the Applicant.
HE.1.1	Historic England/ South Norfolk District Council/Norfolk County Council: 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. iii) Set out any suggested amended requirement wording to the dDCO to	South Norfolk Council would defer to Historic England and Norfolk County Council and therefore does not wish to make any comments	This comment is acknowledged and no response is required from the Applicant.

	ensure appropriate mitigation/consultation is secured, or by what other means you consider appropriate.		
NV.1.4	<p>Planning Authority/Interested Parties</p> <p>ii) Are you satisfied relevant receptors applicable have been considered? If not give your reasons.</p>	<p>Figure 11.1 shows the area covered by the 300m construction noise study area and the monitoring locations chosen. The justification given for this is that the Design Manual for Roads and Bridges (nationally recognised guidance) states that "A study area of 300m from the closest construction activity is normally sufficient to encompass noise sensitive receptors". Committed residential developments (i.e. proposed dwellings with valid planning approvals) have been included. Whilst increasing the area covered by the construction noise study area would give further reassurance, in protecting the premises within 300m, premises further away should be protected.</p> <p>Thus South Norfolk Council does not feel it could sustainably object to the use of a 300m construction noise study area.</p>	<p>This comment is acknowledged and no response is required from the Applicant.</p>
NV.1.5	<p>Relevant Planning Authorities/Interested Parties:</p> <p>iv) Comment on the need for monitoring of operational phase noise and mitigation.</p>	<p>South Norfolk Council would expect construction phase monitoring thresholds in the environmental management plan (EMP) to be identified and implemented having regard to British Standard 5228 - Code of practice for noise and vibration control on construction and open sites. This British Standard gives recommendations for basic methods of noise control relating to construction sites where work activities/operations generate significant noise levels, including industry-specific guidance.</p> <p>SNC would expect monitoring of operational phase noise and vibration to take place and should this monitoring identify higher than predicted noise and vibration levels the EMP should include a commitment to remedial measures which should ideally be focused on reducing the impact of the operation in question (e.g. using a quieter methodology) rather than on the receptor.</p>	<p>For the first paragraph, the Applicant refers to the response provided to the Examining Authority's first written questions (REP2-006) NV 1.3 and NV 1.4.</p> <p>For the second paragraph, the Applicant refers to the response provided to the Examining Authority's first written questions (REP2-006) NV 1.5</p>