

A47/A11 Thickthorn Junction

Scheme Number TR010037

Volume 8

8.11 Statement of Common Ground with Big Sky Developments Ltd

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]**

**STATEMENT OF COMMON GROUND -
BIG SKY DEVELOPMENTS LTD**

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| Application Document Reference | TR010037/EXAM/8.11 |
| Author: | A47/A11 Thickthorn Junction Project Team, Highways England |

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| Rev.0 | November 2021 | Deadline 3 |

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Big Sky Developments Ltd.

Signed.....
Victoria Pardoe
Project Manager
on behalf of Highways England
Date: [DATE]

Signed.....
[NAME]
[POSITION]
on behalf of Big Sky Developments Ltd
Date: [DATE]

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A47/A11 Thickthorn Junction ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All Application documents are available on the Planning Inspectorate website.
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England (HE) as the Applicant and (2) Big Sky Developments Ltd.
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 **Big Sky Developments Ltd** is responsible for the planning, development and construction of the Cringleford residential development, also known as 'St Giles Gate'.

1.3 Terminology

- 1.3.1 In the table in the Issues section of this SoCG:
- "Agreed" indicates area(s) of agreement
 - "Under discussion" indicates area(s) of current disagreement where resolution remains possible, and where parties continue discussing the issue to determine whether they can reach agreement by the end of the examination
 - "Not agreed" indicates a final position for area(s) of disagreement where the resolution of divergent positions will not be possible, and parties agree on this point
- 1.3.2 It can be assumed that any matters not specifically referred to in the Issues section of this SoCG are not of material interest or relevance to Big Sky Developments Ltd, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the

extent that they are either not of material interest or relevance to Big Sky Developments.

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2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Big Sky Developments in relation to the Application is outlined in table 2.1. Names of personnel involved below are provided in Appendix A.

Table 2-1 - Record of Engagement

| Date | Form of correspondence | Key topics discussed and key outcomes (the topics should align with the Issues table) |
|------------|---------------------------|---|
| 29/04/2019 | Meeting | Meeting ahead of statutory consultation to provide Scheme update and explain latest land plans. |
| 16/12/2019 | Meeting (inc. site visit) | Multi-party meeting (HE, Sweco & Galliford Try & South Norfolk District Council) Scheme update and initial discussions following review of statutory consultation response. |
| 11/03/2020 | Meeting (conference call) | Multi-party meeting (HE, Sweco & Galliford Try) to discuss haulage routes, drainage basin & S106 leisure provision commitments. |
| 20/07/2020 | Email | July 2020 Scheme update leaflet and cover letter issued by HE. |
| 25/08/2020 | Meeting (Conference call) | Multi-party presentation (HE, Sweco & Galliford Try) to Parish Council to provide Scheme update |
| 01/12/2020 | Meeting (conference call) | Multi-party meeting (HE, Sweco & Galliford Try) to discuss |
| 17/12/2020 | Meeting (conference call) | Multi-party meeting (HE, Sweco & Galliford Try) to discuss open space requirements, construction phasing and further design refinements. |
| 18/02/2021 | Meeting (conference call) | Multi-party meeting (HE, Sweco & Galliford Try) to progress discussions regarding open space requirements. |
| 15/04/2021 | Meeting (conference call) | Multi-party meeting (HE, Sweco & Galliford Try) to progress discussions regarding open space requirements, landscaping proposals and utility diversions |

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| 07/09/2021 | Meeting (conference call) | Multi-party meeting (HE, Sweco & Galliford Try) to progress discussions regarding open space requirements, |
| 18/10/2021 | Meeting (conference call) | Multi-party meeting (HE, Sweco & Galliford Try) to progress discussions regarding open space requirements, |
| 2019 to date | Emails | High level of email communication to share information, update on design changes, discuss potential impacts and mitigations. |

2.1.2 It is agreed that this is an accurate record of the key meetings and other forms of consultation and engagement undertaken between (1) Highways England and (2) Big Sky Developments in relation to the issues addressed in this SoCG

3 Summary of Big Sky Developments Ltd issues

| Ref No. | Issue | Status | Date |
|---------|-----------------------------------|------------------|------|
| 1 | Impact of the Scheme (mitigation) | Agreed | |
| 2 | Protection of boundaries | Agreed | |
| 3 | Noise mitigation measures | Agreed | |
| 4 | Visual Screening | Agreed | |
| 5 | Site Compound | Under discussion | |

3 APPLICANTS RESPONSE TO BIG SKY'S RELEVANT REPRESENTATIONS AT DEADLINE 1

| Ref No | Issues | Document References (if relevant) | Big Sky Developments Position | Highways England Position | Status | Date |
|--------|------------------|------------------------------------|--|---|--------|------|
| 1 | General | Relevant Representations RR-0012.1 | The owners need reassurance that as the works will remove the land required for playing fields and public open space. The owners need to be sure the loss of the recreation area and playing field is replaced either with an alternative site suitable to South Norfolk Council and Cringleford Parish Council, or more likely that a commuted sum is agreed with the relevant authorities and paid by the acquiring authority. | Highways England is aware of this point and is continuing to work with Big Sky in relation to providing a suitable alternative for the on-site public open space allocation, which will be lost as a result of the scheme. Discussions are ongoing between Big Sky's appointed land agent and the Highways England's appointed valuer as part of the land negotiations and the agreement to purchase process. | Agreed | |
| 2 | Boundaries | RR-0012.2 | The boundaries are protected to prevent residents and the public being at risk from access to the highway cutting and works. | Highways England confirms that continuous highway boundary post and rail fencing will be provided at the boundary between the publicly accessible areas east of the A47 and the areas maintained by the Highways maintenance authority. During the construction phase, the extents of the site works will be secured using temporary fencing and other security measures to prevent public access. | Agreed | |
| 3 | Noise Mitigation | RR-0012.3 | That noise mitigation measures are installed to ensure the new properties are not detrimentally affected by the increased noise from the works. | Highways England can confirm that as a committed development the Cringleford residential development (St Giles Place) has been included in the Noise and | Agreed | |

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| | | | | <p>Vibration assessment undertaken as part of the A47/11 Thickthorn Junction Environmental Impact Assessment. (APP-048) The location of Noise Sensitive Receptors for the residential development are based on information received from Big Sky Developments. A comparison between modelled operational noise levels for Do Minimum (without proposed scheme) and Do Something (with proposed scheme) has been undertaken for short term and long term scenarios, and concludes that the noise difference at the Cringleford residential development is between -0.9Db to 0.9Db in the short term scenario and -2.9DB and +2.9Db in the long term scenario. This magnitude of change is deemed to be negligible.</p> <p>Noise mitigation during the construction phase of the project is detailed in the Environmental Management Plan 1st edition (APP-128), included in the DCO submission, specifically References N1 and N3</p> | | |
| 4 | Visual Screening | RR-0012.4 | That the Cantley Lane pedestrian over-bridge is screened on the north side of the works to prevent over-looking of the nearest houses. | Highways England confirms that hedgerows will be planted on top of the 2m high bunding east of the A47 in the vicinity of the proposed WCH bridge crossing to provide screening for the Cringleford Residential Development. This is detailed in the Environmental Management Plan (APP 137 – 6-8). | Agreed | |

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| 5 | Site Compound | | <p>The triangular compound reference 7/7c will occupy land designed for three houses and will affect the ones immediately north, as services and accesses cannot be completed, and the phase of the development cannot be completed. Our understanding is that timescales will coincide badly:</p> <ul style="list-style-type: none"> i. A47 Thickthorn Scheme timing Works from Early 2023 to December 2024, if there are no delays. ii. St Giles Park development timing. Phases 14 and 16 works from early 2023 - to be completed by Autumn 2024, with the development completed and contractors off site by the end of 2024. There was mention that the site would be used for welfare facilities rather than for the construction compound and material storage area referred to in the general arrangement plan. The contractor or the Applicant may indicate they require storage facilities on this site, but there is a significant area on land which is expected to be under the Applicant's control on the southern side of A47, shown on Plan 6 the PCF Environmental Masterplan <p>If the site (plot 7/7/c) is to be used for welfare facilities with portaloos and an office or welfare base, the site does not need to be 1.7 acres or so. This use could be accommodated along the hard surfacing of Cantley Lane, a closed off road used only for public access. Alternatively, the site could be restricted to the south of the overhead UKPN overhead pylon line which is reserved for public open space after completion. it would not prevent</p> | <p>Plot 7/7c is required for a site compound, welfare facility, parking and some storage. The Applicant will be able to confirm the exact area required once the detailed design has been prepared and will try to minimise the temporary land take in this area. However, the extent of land shown on the land plans is the land that is required to ensure the Scheme can be delivered at this stage of the design process. The Applicant is under a legal obligation to provide welfare facilities and this is the only area where these can be provided, whilst complying with the Construction (Design and Management) Regulations 2015.</p> | Under discussion | |
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| | | | <p>construction, and interference will be time limited. If the Applicant can persuade their contractors, or they can be pressurised to omit this area of conflict or time limit their occupation, we request that a deadline is set for removal of the compound from the land so the landowners can provide guarantees to buyers.</p> <p>If the site is to be used for a construction compound the impact is greater. We remain concerned about the proximity of works and the impact of the compound on new adjacent residential properties, but this is much more severe if houses cannot be built at all. We are concerned about the planned exit from site by Autumn 2024 as the Thickthorn works are also designed to complete then. The owners will be prevented from selling in advance and from building through the period proposed through 2023 and 2024. This produces problems of breach of contract, penalties, and preliminaries.</p> | | |
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