



## The Planning Inspectorate

### Planning Act 2008 – Section 91

### Application by Highways England for an Order granting Development Consent for the A47-A11 Thickthorn Junction Scheme

### Agenda for Issue Specific Hearing 2 (ISH2) on Environmental Matters and draft DCO

Hearing	Date and Time	Location
Issue Specific Hearing 2 (ISH2) on Environmental Matters and draft DCO	Thursday 3 March 2022 Arrangements Conference 9.30am, Hearing starting at 10am.	Virtual Meeting via Microsoft Teams
Issue Specific Hearing 2 (ISH2) on Environmental Matters and draft DCO	Friday 4 March 2022 (continuing from Thursday 3 March only if required by the Examining Authority) Arrangements Conference 9.30am, Hearing starting at 10am.	Virtual Meeting via Microsoft Teams

### Issue Specific Hearing 2

All Interested Parties/Affected Persons are invited to attend the ISH2. It would assist the running of the hearings if notice could be given to the Inspectorate's Case Team [A47A11thickthorn@planninginspectorate.gov.uk](mailto:A47A11thickthorn@planninginspectorate.gov.uk) of a wish to participate prior to the hearing by no later than **Friday 25<sup>th</sup> February 2022**.

If you do not have access to email, you can contact the Case Team on 0303 444 5000 or write to the Case Team to confirm your participation at the postal address above. Please address any letter to the 'A47-A11 Thickthorn Junction Case Team', including the case reference TR010037 and a contact telephone number. Postal communications must also be received by the Planning Inspectorate by Friday 25 February 2022.

Registered Interested Parties are able to make oral representations at hearings. However, this is subject to the Examining Authority's (ExA) power to control hearings and the procedural decisions already which have taken place.

The Arrangements Conference will commence 30 minutes prior to the start of each hearing to enable a prompt start. Hearings will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered. The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Every effort will be made to ensure that the issues will be discussed on the days that they are scheduled for. Should the consideration of the issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to. If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any Hearing, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.



## The Planning Inspectorate

### Agenda

**Title of Meeting** Issue Specific Hearing 2

**Date** 3 March 2022 (and 4 March 2022 if required by the ExA)

**Time** 10:00

**Venue** Virtually via Microsoft Teams

**Attendees** Invitees

The main purpose of the Issue Specific Hearing 2 (ISH2) is:

- To enable the ExA to inquire into the Applicant's case for the scheme;
- To enable the ExA to consider relevant legal and policy tests applicable to the proposal; and
- To address any Environmental or dDCO related matters the ExA considers appropriate.

#### 1. Welcome, introductions, arrangements for the hearing

#### 2. Implications of the Emerging Greater Norwich Local Plan

- **The Applicant** will be asked to provide a brief overview and comments on acknowledgement of the emerging Local Plan with respect to the case made for the Proposed Development and any associated implications arising having regard to:

- the Local Transport Model developed and referred to in the case for the scheme;
  - the assessment of the benefits and costs of scheme under high and low growth scenarios, in addition to the core case;
  - sensitivity analysis of uncertainty on project impacts;
- **South Norfolk District Council (SNDC)/Norfolk County Council (NCC)** will be asked to provide further information on the emerging Local Plan. Discussion is likely to extend to:-
    - Confirmation of the geographical land areas the plan would cover;
    - Any known changes to its current planned/anticipated adoption date;
    - Which policies of the emerging plan would be applicable to the scheme should it be adopted? And confirmation of their aims.
    - The policies in the existing local plan that would be superseded or replaced.
    - The specific changes to local housing growth aims for the conurbation. The present housing growth commitments of the existing plan and those aspired to by the emerging plan;
    - The broad locations identified for any new housing within the emerging local plan relative to the Thickthorn Junction improvement applied for and the differences to the existing development plan allocation;
    - The nature of any changes to strategic transportation options/ infrastructure within the conurbation having regard to non-car modes of transport;
    - The level of compliance of the Proposed Development with the new emerging Local Plan should it be adopted following the close of the examination;
    - The weight the emerging Local Plan is presently being given in local decision making by SNDC.
  - Clarification of the need for any relevant emerging policies/ supporting evidence base to be referenced to as examination material (if applicable).
  - Any other related discussion points deemed appropriate by the ExA.

### **3. Environmental Matters**

#### *Clarification of Dust Management/Construction Management*

- Reference to Environmental Statement (ES) Chapter 5 [APP-042]. The ExA notes that the Applicant [REP2-007] has confirmed that the First Iteration of the Environmental Management Plan (EMP) will be updated prior to construction, to include a Construction Noise and Dust Management Plan which will set out how dust will be managed during construction. Requirement 4 requires the preparation of the Second Iteration of the EMP in consultation with the relevant planning and highway authorities, lead local flood authority and the Environment

Agency and for its approval by the Secretary of State. The following is highlighted for clarification: -

- The Applicant will be asked to outline on an indicative basis the extent of likely site auditing anticipated (for example daily or weekly, etc.) by the Principal Contractor based on experience of similar schemes at this stage.
- Confirmation of the anticipated codes of construction management best practice anticipated to be worked to (for example Considerate Constructors Scheme, etc) outside of standard Health and Safety legislation.
- Clarification whether there is any other locally designated best practice for construction activity to have regard to. NCC/SNDC to provide any comments.

*Flood risk, drainage, water*

- The ExA notes the updated flood risk assessment information received at Deadline 3. However, the ES Chapter 13 [APP-050] Table 13.8, Section 13.9 describes 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. The Applicant will be asked to clarify/specify the locations that are predicted to experience moderate effects (if any exist) or provide amendment.
- The Applicant to confirm whether the supplementary ground investigation indicated as due to commence in March 2021 has now been completed and can be provided. The Applicant also to confirm whether the factual report referred to in responses to ExA's WQ1 has now been analysed, and confirm whether the results determine that the outcome in ES Chapter 9 Geology and Soils [APP-046] remains valid? Is an update to Chapter 9 expected?
- Horizontal Directional Drilling (HDD). If HDD is to be used during construction the Environment Agency has indicated that a prior assessment of the strata will be. Considering the Applicant's response to that point [REP2-006], the updated First Iteration of the Environmental Management Plan received at Deadline 4 [REP4-021] does not seem to address the address the issue as a commitment as indicated in REP2-006. The Applicant will be asked to clarify the position and provide update where necessary.
- The Outline Water Management & Monitoring Plan provided [REP6-026]. NCC/SNDC to be asked if they are in agreement with the broad content of the provided plan and/or if agreement is forthcoming in the Statement of Common Ground (SoCG).

*Clarification of information Ecology/Trees*

- The Applicant will be asked to confirm whether they acknowledge the revisions to the Standing Advice issued by Natural England and the Forestry Commission 4<sup>th</sup> January 2022 concerning 1) Protected Species 2) Ancient Woodland, Ancient Trees, and Veteran Trees. Confirmation if any implications arising to tree and ecological considerations informing earlier parts of the examination are apparent.
- The Updated Wintering Bird Survey Report [REP4-012]. The submitted Schedule appears comprehensive, but currency of wintering bird survey shown as Dec 2019, which was the date of the last survey. The Applicant to clarify/amend the date.
- Figure 1 in the No Significant Effects Report Appendix D [AS-005] updated at Deadline 4 [REP4-018]. Fig 1 has been revised. Norfolk Valley Fens Special Area of Conservation (SAC) has been correctly removed (as it was not scoped in). The sites previously unidentified are now identified as the SAC, Special Protection Area (SPA) & Ramsar considered in the Habitats Regulations Assessment (HRA), which are also already identified to the south. The Applicant to clarify if that is an oversight? Additionally, although the label identifies the SAC it is not shaded according to the legend only the SPA and Ramsar are identified by the shading. The Applicant to respond and update if necessary.
- Whether a letter of No Impediment for Bats (not yet received) is forthcoming.

#### **4. Draft Development Consent Order (dDCO) Matters**

*Focused discussion on Articles/Requirements pertaining to the updated content of the dDCO itself/ and any recommended dDCO changes of the ExA subject to publication: -*

- The Applicant to give an overview of the main substantial changes to the Articles/Requirements applied to the dDCO by them at Deadline 6 (or thereafter) since the last DCO hearing.
  - The Applicant to present the specific reasons to incorporate Art 3(4) relating to the modification of planning obligations. The Applicant to also acknowledge the extent of any alternatives available and their feasibility outside the scope of the dDCO.
  - Article 41 - Removal of human remains. The model provision Article now applied.
- ExA to question the appropriateness of Article 3(4). In particular having regard to the limitations on modifications found in s106A of Town and Country Planning Act 1990.
- Confirmation whether NCC and SNDC satisfied with the scope and terms of Article 41 having regard to cultural heritage and archaeological considerations local to the area and the inclusion of Requirement 9.

- Comments on the scope for the provision for formal independent Design Review within the DCO on new bridges/structures/underpasses and the Landscaping associated to the scheme. Timing and delivery implications.
- Any Interested Parties/Affected Persons or Applicant's comments pertinent to the wording of the dDCO.

## **5. Miscellaneous items & Any Other Business (AOB)**

- Progress on Statements of Common Ground. Including confirmation of whether there is expected to be one agreed with Vattenfall Ltd.
- Applicant to address any updates to Licenses and other Consents that are applicable.
- AOB.

## **6. Action Points and Close of Hearing**

### **Attendees**

The following parties are invited to attend because the ExA considers that the material they have submitted raises issues that the ExA may wish to explore at the hearing, and following expressions of interest to attend the hearing:

- The Applicant
- Representatives of Norfolk County Council
- Representatives of South Norfolk District Council
- John Coates on behalf of: The Trustees of The Mackintosh Trust; and The Trustees of The CM Watt Residual Trust
- Charles Birch/Representatives of Big Sky Developments
- Richard Hawker
- Any other Interested Parties / Affected Persons who wish to discuss environmental or dDCO matters related to the agenda.