

TRANSCRIPT_ISH2_SESSION1_A47A11THICKTHORN_01032022

00:05

Good morning and welcome. Can I just confirm with a member of the planning inspectorates case team that participants can see and hear me, please? Yes, they

00:15

can. Thanks.

00:17

And can I also confirm that the live streaming and the recording of the event have started?

00:23

Yes, the recording has started and just yet the live stream link is running fine. Thank you.

00:30

Excellent. Thank you for confirming that. Okay, it's now well, it's just gone past 10 o'clock. And I would like to welcome you all to this specific hearing covering environmental matters, and the draft DCO relating to the examination for the A 47 a 11 thick Thorn junction improvement scheme. My name is Matthew Shrigley, I am a chartered town planner. I'm an inspector employed by the planning Inspectorate. I'm also the appointed examining authority for the application. For those people watching the live stream. Can I also advise you that should I adjourn proceedings this morning, we will have to stop the live stream in order to give us clear recording files. As a result, you will need to refresh your browser page. And in order to restart the stream. If that happens. Before I can consider the items on the agenda to the hearing. I've got some housekeeping matters to run through. I am aware a lot of the parties have heard this many times. But I'm going to go through them as quickly as possible. As far as I'm aware, there are no requests which should be made for any special measures or arrangements to enable participation in this hearing. Does anybody have any comments or wish to raise anything to the contrary before I move on?

02:15

I'll take that as a no thank you. As I've already mentioned, this event is being both live streamed and recorded. The digital recordings we make are retained and published they form a public record that can contain personal information to which the general data protection regulations apply the planning Inspectorate practices to retain and publish recordings for a period of five years from the Secretary of State's decision on the development consent order. Consequently, if you participate in today's hearing, it is important that you understand that you will be recorded and that therefore, you consent to the retention and publication of the digital recording. The planning Inspectorate will only ever ask for information to be placed on the public record that is both important and relevant to the planning decision. It will only be in the rarest of circumstances that we might ask you to provide personal

information of the type that most of us would prefer to keep private or confidential. Therefore, to avoid the need to edit digital recordings, what I would ask is that you try your best not to add information to the public record that you wish to be kept private or that is confidential. Finally, can I repeat any request made in the arrangements conference that in order to minimise background noise? Could I request that all mobile phones are switched off, and that you stay muted unless you are otherwise speaking? If you do need to raise something during the hearing, please use the hand raise function on Ms teams. And I'll look to invite you in at an appropriate time. The chat function on teams isn't enabled today. And therefore any comments or questions in that won't be responded to. Okay. The purpose of today's issue specific hearing is for me to raise any questions or deem appropriate to help me better understand any relevant point being addressed prior to the close of the examination. I do intend to follow the running order on the agenda which has been published on the national infrastructure planning website prior to the hearing. It would aid all parties or even those viewing via the live stream to have a copy of that to hand if that is possible. In the unlikely event that agenda items and topics cannot be accounted for today I do reserve the option to take written submissions or to conduct a further day's hearing. By way of extension, if I deem it appropriate, I'm not expecting those circumstances to transpire. But those would be the options available. If the agenda is unable to be completed today, I do acknowledge that a further hearing has been scheduled for tomorrow if I need it, I am unlikely to need that. And an update will be given on the project page of the national infrastructure website. If it is cancelled, and I do anticipate it will be cancelled in the morning if it's not needed.

05:56

Those points that I will aim to allow hearing discussion today to enable a mid morning refreshment and screen break. parties want to get a cup of tea or stretch your legs, etc. as a guide, I expect breaks will be taken around one and a half hour intervals or when the agenda permits a break. We'll see how we go on with that. And if it proves practical, I am hoping items 123 on the agenda can be dealt with. Prior to taking it ashore to German perhaps before then dealing with the draft DCO matters in the remaining agenda items.

06:47

As we move forward through the agenda, I will invite relevant parties to come in at appropriate times and make the contributions that if you feel I'm moving on too quickly or you wish to raise a specific point let me know in the matter I've previously described and I will invite you and to make your contribution at an appropriate time. You will have seen from the agenda published online that the hearing will be a topic based format. The hearing itself as a structured based discussion, which I will lead based on the topics identified I am aware of all the information received to date which forms the examination. With that in mind, I would ask that all contributions are as to the point and as focused as possible, avoiding unnecessary repetition and reading directly from examination documents themselves. If you do wish to draw my attention to specific documents alongside making your points, it would aid parties if you specify the relevant examination reference number. And, as always, as the case in hearings if I do consider any points are being raised that are being repeated, or issues are being introduced that are not appropriate to hear during the examination. I do reserve the right to ask you to bring your contributions to a close

08:33

the digital recording of the hearing will be placed on the project page of the national infrastructure website as soon as practicable. After the hearing formally closes, it will be beneficial for the transcript record. Each time you speak you could state your name and if you are representing someone the name of the organisation or person you represent. It is the case that if participants wish to seek clarification or defer a written response, when asked a question in the hearing, that is fine for you to do so. In indicate to me at the time, should that situation arise. But But I don't anticipate an issue with that. Please also bear in mind that the only official record for today's proceedings will be the transcripts and the digital recording, tweets blogs and similar communications arising out of this meeting will not be accepted as evidence in the examination. Okay, before I move to relevant parties who wish to speak, are there any questions or comments on the general management or conduct of the hearing at this point?

10:00

I'll take that as a no thank you very much. Okay, turning to the attendees list I have with me I've been provided a list of interested parties who have expressed a wish to speak. When I indicate to you could, could you please turn on your camera, your microphone and introduce yourself just confirming your name, who you represent. And if you want to speak, an indication of the topics or topic you wish to raise. I'm going to start with I've got Mr. Richard Hawker listed.

10:51

A Good morning, sir. My name is Richard Hawker. I represent the Wensum Valley Alliance. And I expect to be more in listening mode than talking today. Though, I might want to make a couple of points on the the traffic issues and possibly bad bets.

11:13

Okay. I mean, with respect to traffic issues, perhaps if you did want to raise anything that if we could deal with those under item two, there is an ecology section broadly later on. But I like to invite you in if you do want to make any comments. Thank you very much. Okay, thank you. For South Norfolk Council, I've got Claire Curtis, and Adrian Nicholas listed as speaking on items two and three. Can I just confirm with you that that's correct.

11:58

Morning, Sir, my name is Claire Curtis, for South Norfolk Council. And yes, it's correct. The you do post some questions in terms of Section Two for the great nice local plan, which I can answer when we get to that point. Thank you.

12:12

Excellent. Thank you.

12:15

Good morning, sir. My name is Adrian Nicholas and a home here again, representing South Norfolk District Council. I'll be speaking if required on environmental matters.

12:25

That's great. Thanks for confirming that. I also have the representatives listed from Norfolk County Council here today. And those are attending if there are actual questions on traffic and transport issues, heritage and flood risk. I have the names David Cumming, Sarah Luff and John Percival listed. If there are any questions, I will invite you in as we go on through the agenda. Mr. Cumming, I can see that you're on the screen. But yeah, unless you have any views contrary to that. That's how I wish to proceed.

13:15

I said that's absolutely fine. Thank you. Okay,

13:18

thank you. Turning to Mr. Fry, who is leading the applicants team. Mr. Friday, do you want me to direct questions to you directly in the first instance?

13:37

Second morning? Yes, Michael Fry for the applicant, if you would, that'd be great. And what I will do is I'll introduce members of my team to you as and when they're about to speak, sir.

13:47

Understood, I'll do that grateful. Okay, I've got no one else listed. Can I just make one final check for the avoidance of any doubt. Is there anybody who I've missed? Who would like the opportunity to speak? If there is could you let me know now please?

14:24

I'll take the absence of anyone signalling responses and no. Okay, moving forwards to the agenda topics and main areas for discussion as per the issued agenda. I'd like to firstly discuss some of the implications of the greater Norwich local plan that's emerging at the moment. I've put on the agenda. I'd like the applicant to provide a brief overview and comments on acknowledgement of the local plan which is emerging. Mr. Fry? Are you going to deal with that or introduce your colleague?

15:17

Michael for the Applicant. So what I'll do by May is I will say a few introductory words in respect to the brief overview. And then I'll ask Mr. Battershill, who you met before, sir, to talk to you specifically about the bullets. You've asked about the traffic model, and so on and so forth. Okay. Well, so in respective jnlp, it was considered in the case for the scheme, which application reference one to five at paragraphs, three 427, and six 813 to 16. And it was highlighted in the Norfolk County Council, and South North District Council, local impact reports. I suppose the overarching submission, sir, is that it is an emerging local plan submitted on the 30th of July 2021. And as I understand it, it's had its first round of, of hearings, but no modifications had been suggested, or findings made of soundness or otherwise, but I'm assuming we'll get an update on that very shortly from my colleagues at the council's and on a wider basis. So the the NNPS applies the same test as the NPPF regarding emerging local respect and plans in respect of land use, and that set out at paragraph 5173 of the NNPS. Whereas in respect of local transport, paragraph 5203 of the NNPS notes that applicants should have regard to policies set out in local plans, I adopted plans. And paragraph 5211 directs the x and the Secretary of State to give

due consideration to policies set out in the local plan. Again, my submission would be that means the adopted local plan. And the reasons I'd suggest are obvious in the sense that in respect of local transport, the application needs to consider what is there, what is it doing to approve or or change the situation whereas in respect of land use, there is an obvious problem where a concurrent DCO examination seeks to allocate land that is perhaps allocated as housing within a an emerging local plan, which is very close to adoption and creates problems with the concurrent examinations. I don't consider that's the case here. But again, I'm sure my colleagues at the counsellors will inform you there are any issues in that respect, but certainly having reviewed the local impact report, so it doesn't appear to me that there were any real conflicts between the scheme and the emerging local plan to the extent that you can place weight on it, but my submission is this stage, probably the the weight to be given to the emerging local plan is, is relatively low in terms of this DCO. I've got nothing really else to say. So what I will ask is, unless there's anything that you would like to ask me, Mr. Battershill, to introduce himself and discuss the transport model with you, sir.

18:12

Ah, yes, Mr. Battershill. I've put a few bullet points on the agenda. I mean, it is linked to the the emergence of the plan. So if you could just take me through the transport model developed in the case for the scheme. I'd like to then try to unravel a little bit more detail where the emerging plan side of things come comes into it if you'd like to just explain. Broadly, those bullet points.

18:52

Hello, yep. David Battershill on behalf of the applicant, yes. So the methodology for the trans modelling is outlined in chapter four the case scheme, a PP. 125. So as we discussed before, we've got this Norwich area transport strategy model NATs and this model has two forecasting years 25 and 2040. And we have what's called the core scenario. So under tag guidance, we identify all the developments of transport and housing and land use developments as listed as needed certain are more than likely. So the development of the uncertainty lock was done sort of in correspondence with Norfolk County Council. So we take the inputs, as we discussed with them, including Yeah, when the developments can happen locations, and the size of the developments. This information is used to develop our forecast years on the app addition to the land use developments are we also have NTN, the National the national tripping model from DFT, which is in TN r 7.2. So we use this to take the wider area growth factors from the scheme. On top of that we also have DFT RTF growth factors as well, sorry, it's it's the combination of these data sources which we use to create our forecasts. As part of creating the forecasts, we constrain the total level of growth to the NTm constraints. So we include the development assumptions arm from NCC, I reused we also include the DFT constraints to limit the total level of growth. So this work was done the PCF stage three, in accordance with correspondence with Norfolk County Council for ongoing work in Pcs stage four, there is revenue reviewed correspondence with NCC to get updated information about their projected growths and it's a part of this ongoing model work that will take up in any new assumptions from them. In terms of, you know, high and low growth scenarios, we take the same set of assumptions on the uncertainty log, as we do for the cost scenario, but what we do is in line with Tag guidance, we take a we apply a factor to sort of growth up the MTM constraints for the high growth scenario, or, you know, decrease it for the low growth scenario. And that sort of provides the constraints for the total level of development are projected for your forecast scenarios.

21:58

So I have a question in relation to the core scenarios near certain or more than likely. Those are the way of identifying development which is included by the applicant, but could you clarify the local plan a mere local plan doesn't necessarily mean it would be near certain or more than likely in terms of a allocation for housing. So

22:39

So yeah, we, as part of the uncertainty log, we got all the individual developments across the area listed at each one of those individual developments will have a categorization of, you know, hypothetical, it's not going to happen, or more than likely on is uncertain, and is this categorization which we take directly from NCC.

23:05

So what I'm seeking clarity on is the inclusion of a site in a local plan, even an adopted local plan would not necessarily make it fall within a near certain or more than likely category.

23:26

We discussed this. Yeah, I mean, our assumptions come from NCC, so we get their view of what the local plan is what we adopt in the model.

23:37

Okay, yes. Understood.

23:39

I can say further than that, I'm afraid. Yeah.

23:43

I'd like to just move to Norfolk District Council, South Norfolk District Council on this, and then just I've asked them to provide some information on the emerging local plan. There are a number of bullet points on the agenda. Rather than reading those out individually, I was just wondering whether or not the representative from South Norfolk District Council could just take me through those bullet points and just advise me the common

24:22

pleasure to serve Norfolk Council. Yes, of course. In first bullet point, you you're asking with a geographical area, which is the local planning authorities for the areas is broadland, Norwich and South Norfolk councils. You questioned when there was a likely adoption date. Now. The adoption currently is forecast for September to November 2022. However, that is subject to further hearings on matters in the Gypsy and traveller that could potentially delay that adoption date. So I think was important to highlight that that couldn't that could move further along. So there are I think it would probably go to the bottom of the question. What Wait, can we give to the emerging local plan at the moment in decision making, and the council considers limited wait can be given at this stage, as alluded to by the previous speakers? The first set of hearings were were done in February, towards the end of February and

beginning of March this dust dust this these two weeks? I think. So the first ones was a strategic discussions, and now it's moving on to site specifics. So it's, as I say, we feel that can be good limited weight, particularly in in consideration of this DCO. In terms of, there's an awful lot of figures here. So which I could potentially would be easier if we could send on to you in terms and links to some of the questions. For example, you're asking what policies in the existing local plan that will be superseded or replace for their risk? There is quite a few of those, and we have appendix link that we can send if that helps the procedure move forward quicker today.

26:26

Yes, the advisable it is more basically a broader understanding I'm just seeking to obtain, yes. Just in relation to potential changes in housing distribution and what the locations of those

26:42

so ram the site in question, the we have, there will be growth in both housing and employment growth ascribed to cringle, furred, Windham, and Heather set. And in terms of the housing requirements for the whole areas for the joy that is covered by the plan, seeks to achieve 36,820 homes between originally was sought to achieve between 2008 and 2026. So the extent of the develop greater knowledge local plan looks to achieve 40,541 homes between 2018 and 2036. And to ensure from our point of view to ensure that that this level of growth can be accommodated, this, the the delivery of the improvements to fix on our call are considered to be an important factor in that. And certainly one of the policies that is emerging policy for talks about the waste of strategic infrastructure, which is relevant to the scheme and the aim of this policy is to deliver the infrastructure to ident, enable timely delivery of Planned development, and a wider growth needs of the area and improvements fix or specifically identified as an item that would help achieve that overall policy.

28:17

So the scheme, subject to the dcl is firmly recognised in the plan. And there's no changes to that, as far as you're aware,

28:28

as far as I'm aware, but as as you I'm sure you fully appreciate it's really early stages in terms of that examination process.

28:37

Yes. So I understand that. Okay, up if the policies could actually be submitted to the examination, as an action point, I have made an information request separately. But if that if that could be done as an action point, post this meeting, or hearing rather, that that would assist me just having the policies themselves referenced

29:15

in data and I think there's a lot of questions that you were asking though, it would be easier to to send those posts this discussion so that you've got them set out clearly.

29:26

Yeah, so I accept that. Thank you. And I've got no further questions. Thank you. Thank you. There is a couple of more questions I'd like to pose to the applicant in relation to some of the overarching transport issues. It was suggested in the open floor hearing by Mr. Hawker that the table 4.16 And the case for the scheme. It it was suggested that some of the accident analysis might be excessive. That that was my interpretation of it. But what I would like to ask the applicant is could they give verifications of whether or not that accident analysis in that table can be relied upon for 60 year period.

30:50

So, microphone for the applicant, I will hand you back to Mr. Battle shortly. But obviously, we're also going to respond to those those submissions in writing the next not the next deadline, because that's evening, but that deadline ninth deadline night, okay.

31:10

I know David Battershill. On path the applicants. So we've got table 4.16, in the case of the scheme is the predicted accurate reductions over the 16 year timespan for the whole of the cobalt modelled study area. So these are the output numbers from the cobalt assessment on. I don't know if there's anything further to add to that other than potentially, we're looking at knowledge numbers, because over a long period of time, and it's over the whole study area.

31:48

In Presumably, the numbers would also factor in traffic increases. There's a further reason why there might be such a difference between what the table shows us in the initial accident record over I think it's four or five years. And then then over a 60 year period. Is that a reason why there's such a difference?

32:13

Yes, traffic growth would be included in this. So it's the outputs of the NATs forecasting year assessment, which are used as the inputs for the cobalt assessment

32:25

and the cobalt assessment itself. That's a verified model. Yes. used nationally.

32:35

Standard DFT software.

32:40

Okay, thank you. That clarifies. There is also there's also a point being made about the traffic counter turning count. survey information. Could the applicant just clarify the reasons for not providing further data? Other than what it's already produced?

33:09

I don't have to discuss that my colleagues and my time writing I'm afraid unless I'm Michael fry, cook. Yesterday.

33:22

Mr. Fry did indicate that earlier No, I'm afraid not. So it will be in writing.

33:26

Okay, thank you. Okay, I've got no further questions on traffic and transport matters or matters relating to the emerging plan. I will open it up to Mr. Hawker if he wants to add anything.

33:57

Thank you. So I am a bit confused. Regarding the accident statistics. Perhaps you could correct me on this. But the figures I quoted on Tuesday. I felt it was from table 4.16. And it's I'm confused because from what Mr. Bedford was said the 11 in four years refers to the junction itself. And yet the the reduction in accidents seems to refer to this cobalt area which is what the whole of Norfolk I'm confused about is could Mr. Battershill show explain this piece?

34:46

By Yes, Mr. Battershill applicants. So we've got table 4.15 which is the locally observed accidents which is in the core study area, which is highlighted in Figure four Point two, seven. And the cobalt study area is highlighted in 4.26. And the case for scheme IPP 1250.

35:13

So I wonder if I can ask Mr. Battershill to indicate the page number on that, because it's a very big document and finding tables and figures and so forth is extremely difficult.

35:30

If I don't know, I can't, I don't think I can provide them. Because if you do, if you do a PDF version is different isn't out. I've been told it's page 82.

35:43

Right. So I mean, I do understand you are referring to the actual table reference numbers. So I'm happy for you to just refer to those I do, though, the document you're referring to. Although I have asked Mr. Hawker whether or not he has any questions that I would like to just remind everybody or present that I will pose the questions to the applicant. terms of whether or not there's anything else necessary? What I would ask Mr. Hawker is, if he does have any further questions, if you could direct them to me, and then I will then look to bring somebody in if I need to. But yeah, going back to the actual issue on the table references if you if you just like to continue as the butter show. You were you were describing what the differences were.

36:46

I don't think I've got fashion path out because Applicant so the Okay, anything further to add other than 4.26 figure 4.26 shows the cobalt road network, which is over a wider area than the local road area, which is shown in 4.27, which is relates to table 4.15.

37:14

And your understanding is that these figures are accurate. Yes. As best you know. Yes, sir. Okay, understood. I've got no further questions. And I do acknowledge that the applicants team as indicated

that they would make a written submission on anything further. Mr. Hawker. Do you have any anything else you wish to raise?

37:44

No, thank you, sir. Oh, wait to receive that written? Reply. I don't have easy access to the tables. Mr. Battershill is mentioned at the moment. So that would be the best course of action, I think, and I do apologise for trying, not intentionally usurping your, your situation, sir.

38:06

Yes, yes. I appreciate the documentation can be sporadic in a hearing. So yeah, so I think written representation would probably be the best way to go. Thank you for that.

38:29

Okay, I like to now move to item number three, which is environmental matters, if I may. There are a number of issues here being raised some of them the clarification points. Again, rather than labouring each individual points, I am happy for the applicant to give the responses in accordance with the agenda. If they want to give them collectively, but Mr. Frey who will be responding to to the points on the agenda.

39:06

So thank you very indication Michael fry for the applicant. Mr. Stacey, who you heard from yesterday is going to respond on your first bullet point. And then I will ask him just to hand straight on to Mr. Flynn, who will introduce himself at that stage who will probably answer the rest of your bullet, sir. So Stacy,

39:24

Mr. Stacy just wait for you to come on the screen.

39:33

Good morning, sir. Mr. Stacey on behalf of the applicant.

39:35

Good morning. So I gather you can see the agenda.

39:39

So unfortunately, I haven't got in front of me. So it's I've got the screen of yourself up.

39:44

Okay. Okay. So I'm just seeking clarification on the dose management and the construction management side of things. There is in reference to in the environmental statements, I've just got to look at another screen to read this chapter five, and that's document a pp 042. Requirement four requires the preparation of the second iteration of the EMP in consultation with relevant planning and highway authorities, along with the lead flow authority, and the Environment Agency. I'd like to just get an indicative response from you, that the likely site auditor anticipated for by the principal contractor based on experience of similar schemes. So that's what I'm asking you is an outline of the site audit

team envisaged for the management once the scheme commences, or if assuming the DCO is granted.

41:07

Yes, sir. So I'm currently in consultation with the new GT environmental specialist in terms of any requirements specifically, but in terms of experience, we'd look to monitor that, we'll have something set up daily, so there'll be constant monitoring throughout the day. But obviously, we will take the results of that on a weekly basis. And that'll all be recorded through to the environmental team within the construction phase.

41:35

So So day, daily dose monitoring could be an option for you. And that's not unusual for you.

41:43

It's not so we can get we could get the equipment to do the monitoring forester, especially when we're working in around certain areas, it has to be it has to be regular monitoring.

41:55

Understood. And in terms of the construction management, best practice, side of things anticipated. Is there any scheme or any particular schemes you'd be working to outside of general health and safety legislation?

42:15

Yes, sir. We'll be looking to we've already started to engage with the consider construct the scheme so we'll be looking to have that fully embedded in time for the construction phase starting once decision has been given hopefully in September, we'll also be using the national highways raise the bar standards which go above and beyond the guidance of the Health and Safety Executive.

42:39

Okay, understood. And I don't have any further questions for you, Mr. Stacey. But I was going to ask whether or not the the two councils Norfolk County Council or South Norfolk District Council have got any comments on any locally designated best practice they want to refer to.

43:17

Adrian Nicholas, representing South North District Council. So we have do not have any specific local guidance we apply. We normally look at each site on a specific basis depending on factors such as how close residents are and the likely impact the development is like to have. I'm pleased to hear what I'm hearing from the applicants representative. And obviously, we'd be quite happy to work with them to make sure residents are protected.

43:52

That's great. Thank you for confirming the council, the county council. I don't know if you have comments on it or do you? Will you be referring to South Norfolk District Council?

44:05

So it's David Cumming for Norfolk County Council? Yes, I think that this is largely an environment so I say South Norfolk District Council matters. So we don't have any comments at this time.

44:16

I appreciate that. Thank you for confirming. Okay, I'd now like to move on to flood risk drainage and water matters. I am just seeking clarification on the information. And he is chapter 13. And this is application reference number or Library Reference Number eight, pp. Dash 50. I'm just seeking the applicant to specify or clarify the locations that are predicted to experience my Just effects or if any amendment is needed to to the document.

45:07

Hello, my name is Jason Ball, I'm the flood risk lead for the applicants. Yes. A, as you mentioned in the agenda, revise plus risk assessment was issued at deadline three. Rep. 3009. And what we also intend to submit a revised version of the IES chapter 13. At deadline eight, this will reflect some of the changes that were made in, in the flood risk assessment. He went to chat won't change any of the conclusions. In the chapter, it's just more about clarification. So, so if I refer to the flood risk assessment itself, so that we included some additional maps in there, which are figures C 16, and C 17. If Appendix C, that's page 239 as a PDF, which showed the changes in flood depths, in represented in terms of the magnitude change criteria, which should which are defined in the table 3.71 of dmr, la 113. Classic, so that basically categorises it in terms of moderates, which is change of five centimetres, or more, or major changes 10 centimetres or more in either direction, adverse or beneficial. So it basically gives you shows what's not a map of the significance of effects, it shows you the magnitude, and that, and those many to change, really, the key areas of those are the changes are upstream of the 11 COVID. Where there's some changes due to my water cost diversion works. And also due to the presence of a new drainage channel. There's also some changes. Most of the changes are actually between a the a 11, and the county and county Lane south. And this is principally due to the changes in the the proposed culvert which doesn't doesn't throttle flows like the existing coal that does. So you get quite a beneficial effect upstream. But there's also some minor, some some minor signs around where to use modulus adverse changes as well, due to the the stream changes in the stream realignment, as well.

48:14

And the changes that you're referring to, those are all upstream of the COVID.

48:21

They're all upstream of the call the Yes, between the 11 and the county line staff. Yes.

48:28

Okay, sorry. Yes, if you'd like to continue, I was just seeking clarification of that.

48:34

And so just immediately downstream of cannula in south there are areas of moderate beneficial change. And also areas of moderate adverse change. Again, the same reasons as before due to the change in the culvert dimensions, and also because of the stream realignments as well.

48:57

But understood. Okay, I've got no further questions on that particular document. There is a few more bullet points on here, it might be yourself who's dealing with those or it might be one of your colleagues on behalf of the applicant, but I'm seeking the applicant to confirm whether or not the supplementary ground investigation which is indicated is due to commencing in March 2021 has now been completed and can be provided. And I'm also seeking confirmation whether or not the factual report referred to in the responses to essays, written questions. First written questions that is rather has now been analysed and whether or not it can be confirmed whether the status or the results of that data Besides determine the outcome in ies, chapter nine for geology and soils, which is application records, document reference a PP. 046 remains valid.

50:15

Yeah, good morning, Dominic Flynn on behalf of the applicant, I've been coordinating environmental assessments while cover the rest of these environmental matters. I can confirm that the supplementary J Gi is not complete yet. We're partway through a 12 month monitoring programme, which covers ground gas and groundwater monitoring. The factual report that was submitted previously in examination has been analysed, and we can confirm that it validates the conclusions that were reported in ies chapter nine. So there are no updates required there.

50:51

So it validates it and there's nothing further expected.

50:55

Nothing further expected that there'd be no changes to that chapter required.

50:59

Okay. And yeah, if you'd like to continue, I've mentioned about horizontal directional drilling, if you could confirm that.

51:09

Yeah, sure. So, so that that the horizontal directional drilling will be used will be used during the construction methodology. A commitment has been added to the EMP, which will be submitted as part of deadline eight today, and updated emp, which adds that commitment in there to undertake that additional assessment required by the Environment Agency.

51:31

Okay, yeah. Understood. And the outline, water management and monitoring plan, rest six. I'd like you to just clarify whether or not there's broad agreement on that.

51:58

So I think this this query was directed to NCC?

52:04

It is yes, it doesn't include them. But I, perhaps you might have any information on whether or not agreement is expected in the statement of common ground?

52:20

I will have to double check on that one. Unless Jason can come in there.

52:25

No, I was gonna say I would suggest on behalf of the Applicant on the need to check back to the state and to go on ground to see if it's covered in in the

52:36

okay. I mean, I do. I will allow Norfolk County Council to come in and just comment if they want to, or if they want to. Otherwise, leave it for an update it. Deadline nine to them. Yeah, Norfolk County Council you you want to read something?

52:59

Hello, Sarah. Luff Norfolk County Council lead local flood authority. With regard to the outline water management monitoring plan? I don't believe I've seen it as yet. Right. The applicant has been very good about contacting us and asking us to review information in the past. And I believe that they will do this as well in the future.

53:21

Okay, understood. It is a point that's requested in the statement of common ground of belief. So I'll leave it with relevant parties to progress that and update examination as as they see fit on that. I've got no further questions on flood risk, or drainage or water type issues. But there is some clarification on ecology and trees. I'd like to be addressed. Is that you, Mr. Flinn? Yes. I'll cover that. Yep. So you'll see from the agenda, there's, there's a few bullet points on do you want to take me through your responses to those?

54:07

Sure. Yes. So the first point on the agenda was about the updated stand in device that was issued by Natural England and the Forestry Commission. So we have we acknowledge that the revisions to that to that, to that guidance, that covers biodiversity and also ancient woodland, ancient trees and veteran trees. Just to cover the first point on on biodiversity. The update to the guidance, um, it's, it's more streamlined in the guidance to provide links to previous previous guidance documents, so that those are all covered within the environmental assessment that was undertaken at stage 300 here too, so there'll be no changes required as a resort that update updated guidance or any changes to the previous information was provided earlier in The examination.

55:02

And that would with reference to those things include. I understand that the applicant previously referred to magic map information. And I'm just seeking clarification whether or not there's been any updates to the magic map information informing decisions on ancient trees and ancient woodland.

55:24

As far as we're aware, there's been no updates to that data.

55:28

Okay. Yes, if you'd like to carry on with the remaining bullet points. And now

55:38

just to cover the second point in that guidance around veteran trees and ancient woodland. So we've reviewed against the mitigation proposals that were put forward as part of the, the EIS stage three, and we don't consider that the updates in that guidance will result in a changes to the to the mitigation that we proposed or to the to the information, we previously provided the examination with regard to tree tree loss as well.

56:08

Okay, understood.

56:11

So just to go on to the next point on the agenda, which was around the, the updated winter in bird survey, and a query about the data from 2019. So, wintering bird surveys were undertaken in 2017, and updated in 2019. This species recorded there were all were all of local importance only. And the mitigation outlined in the EAS tailored for those local assemblages. So it was considered sufficient to to, to deal with any potential impacts on that species. Given the date, the actual small change between the 2017 2019 data, the ecological specialist ecological advice that we got was that there would be no requirement to update that that survey data in 2021. So it's proposed that the latest data that is used in 2019 is sufficient for that, on that basis. You happy to move on? Um, yes. So the next point on the agenda was around the figure in the HRA report that that is that showed label to designated sites with the same same label. So we can confirm that that is correct. It's it's split over those designated sites or split over geographical area over discreet designated areas. So the labelling is correct, but you did pick up that the shading on one of the drawings was was not visible. So that has been updated now and it will be submitted as part of the deadline today. So

58:13

it can be confirmed then, later today, perhaps or following that submission that figure one will correctly depict the locations of European sites? Yes, that's correct. Okay. Yeah.

58:30

Your final point in the agenda there was around the letter of no impediment for bats. Yeah. We have now received that from Natural England and that is also going to be submitted as part of the deadline today.

58:42

Okay. And with respect to the bats issue, though, there was a the winter buttress survey. It was suggested that one was going to be submitted at deadline nine as suggest the rap 2006. So that's still going to be the case. Is that is the information referring to going to be part of that deadline? Eight?

59:20

So that's question I'm gonna have to take away I wasn't aware that there was another part. So very important, going to be submitted at deadline nine. does know all about several reports we've we've got are already have already been submitted.

59:35

Right. Okay. I thought there was reference in rep 2006. If that is a mistake on my part, then then that's okay. But yeah, if you could just clarify that. Perhaps it's too late to date

59:52

yet. We'll take that one away and come back to in writing on that. Okay.

59:57

And there's a There's a few more points here. Does the applicant intend to update the Riak during the examination in relation to the mitigation effects on waterfalls?

1:00:16

We weren't proposing to update to react with regard to what falls as part the examination No.

1:00:24

No. And that follows presumably on from console to advice,

1:00:36

yes. So, so that the React will be updated as part of the as on an ongoing basis as part of the detailed design at stage five. But the React that is within the EMP, currently, well, the updated versions can be submitted today with a deadline a book that just covers the the point we raised earlier about the HDD horizontal directional drilling, no other updates are proposed at this stage. Okay.

1:01:10

And I this this might not be such a difficult one to address but the draft statement of common grounds submitted at deadline five, it does indicate that Natural England have agreed or matters they're in the statement of commonality submitted deadlines seven indicates that all matters are still under discussion. And nothing is yet agreed.

1:01:47

I realised there's going to be discussion on statements common grounds on Item five, but I am seeking that the applicant indicates if agreement is forthcoming with Natural England.

1:02:00

The the the updated statement of common ground is currently with Natural England for final sign off. We're hoping that that will be signed off by deadline nine. The it's currently sat with them. So discussions are still ongoing.

1:02:33

Okay, there's there's a few more clarification matters. Does the applicant intend to submit the final factual report for the supplementary ground investigation to the examination as referenced in rep 4001?

1:03:00

I will have to check that with my colleague. If it's if it's required by an inspector, that that could probably be submitted.

1:03:11

Yeah, so I do think it needs to be addressed. The, again, this is a clarification issue. Does the applicant intend to provide an updated consents position statement as stated in rep two? Again, this goes right to the earlier part of the examination, or has it been replaced by table 4.1 And section four of the EMP and I was referring to rep 2006. It does give reference to an updated concerns position statement. So I am seeking clarification of that.

1:04:00

Okay. I don't believe there's a intention to submit an updated list of consensus other than that outlined in the MP. However, if one is required, it could be it could be drafted and submitted separately.

1:04:19

Okay, uh, yeah, I think I think that needs to be looked at as well. Yes. Okay. And there's just another clarification issue on the end that this relates to the engineering drawings and sections listed as a P P. Dash 10. I'm just seeking clarification from the applicant that that is the most up to date drawing to refer to considering the material amendments agreed upon and submitted in December. That's the only remaining matter of clarification I'm seeking.

1:05:14

Could I pass you on to my colleague on on that one? How is dealing with engineering drawings?

1:05:22

Yes, please do. Morning, Sir, my name is the applicant. We can confirm that the engineering drawings, some minor changes to the long sections will be updated and submitted it deadline nine. Deadline nine Okey dokey. Okay, there is one final issue. climate change impacts have been referred to in the examination and an information request has been made pointing to the Secretary of State's information requests on all the highway related schemes. I do acknowledge that the applicant is going to respond to that. But is there anything else the applicant wishes to address on that point? Or is it happy to deal with that as it is a written submission?

1:06:32

So Michael, if the app can Yes, it'll be a written submission. So there's a climate change position statement that the applicants going to submit for the deadline this evening for you, sir.

1:06:42

Okay, thank you. Okay, that's everything I've got with me to raise on environmental matters. I've gone I've jumped about quite a lot there and lots of different things. But that does. Bring me to Item four on the agenda. I'm just conscious at the time it is just nearly 10 past 11 What I'd like to do is just have a 15 minute refreshment break. And then deal with the remaining items for going moving to the close of the agenda. Unless you have any wish to continue. Mr. Frey?

1:07:33

No time very content for for a short break. Okay. Yeah. So there is that there is a hand up so.

1:07:41

Oh, right. Okay. Ah. Yes, there's 100 raised Mr. Hawker.

1:07:52

Thank you very much. It's a quick one regarding bats, which you did mention, and I noted that under rep seven dash O nine, the latest report is dated December 2017. I did raise this on Tuesday. And I understand that there is A later report or that irrelevant? Is it possible for the applicant to point me in the right direction of Later reports on bats, please?

1:08:26

I will ask the applicant that. But the issue, I believe or in terms of the response was that the December 2017 report was relating to methodology issues. And that's the reason it was 2017. But yeah, if we could just ask Miss Mr. Frey. Is there an update? Is there another document that can be pointed to for but that survey information?

1:08:57

Sir. Mike Frank napkin? You're right. The reference was purely there for the for the methodology statement. I will respond to right in writing respect of any further surveys and I've noted your your reference earlier to the updated preliminary boost inspection report for tree for bats that were that was carried out in the winter, it does say that the results may be available. So the team is now checking to see if they are in fact available. So if they are available, we will of course submit an examination in due course.

1:09:28

Okay, that would assist. Thank you. I've got no further questions in relation to but Mr. hawkers, do you want to raise anything else?

1:09:41

My only query was that something different regarding buses actually. I'm happy to raise that now or leave it to whenever you suggest.

1:09:54

If it's a point that could be raised now and it's not too extensive then I don't see any problems and raising it now.

1:10:03

Thank you. It's just that I know that I've mentioned public transport effects before in this application. And the applicant stated the effect on public transport is neutral. But I noticed that the government's best back better scheme. policy states that the Department of Transport schemes such as this must be shown a significant increase in price priority, which seems counter to the statement that the effect on public transport is neutral. I just wondered whether there would be a comment regarding that.

1:10:57

Okay, I hear your comments. Mr. fryer. Do you have any comments on public transport implications?

1:11:08

The microphone for the applicant, I'm afraid my team has been hit by an EMP and has lost all internet connection. So it will be me responding to this. But I should say very briefly, which is the relevant policy, obviously for the assessment of the scheme is set out in the MPs and the Applicant has complied with that, obviously other government policy which comes forward is relevant and the and the applicant has considered it. But ultimately, it all goes back to the national networks MPs. As to the the tests we need to apply in the tests that you saw in the Secretary State will apply in in deciding whether or not to grant development consent in the scheme and in accordance with MPs. The applicant has taken due regard and public transport impacts and the assessment has been neutral. But of course, bus back better and policy considerations like that will be considered by the applicant. To the extent that it's relevant to the design of the scheme, sir.

1:11:59

Understood in the applicants assessment? It does. My understanding is that it does refer to the potential removal of a bus lane that's going to be reviewed, reviewed later. Should the scheme be operational? And my understanding is that bus transportation issues have related to that have been assessed in some regard.

1:12:26

Yes, sir. I don't want to go too far as I'm not obviously the the technical expert on it. But, of course, public transport, including bus issues have been assessed and have been agreed with the relevant councils as well. I'm not sure if they are referenced in the statements common ground. We do have counsel officers on the examination today, so that they may have further responses. But the short answer is yes. It has all been assessed and agreed, sir.

1:12:55

Okay, thank you, Mr. Hawker. I'm not not seeking to extend any any further commentary on public transportation matters. There is information in the examination documents itself on some of this, and I have heard the point you're raising, is there a particular elements, you do want to raise it in addition to what we've already covered?

1:13:26

And no, sir, my point simply was that it seemed at odds with the fact that there was public transport assessment neutral. And yet a government policy, which was brought out some years ago, at least two to three years ago insists on provision being made effectively fought to improve bus priority, which I okay perhaps I need to look further in the in the application, but I can't see anything that makes anything better for buses

1:14:07

that way. But Well, I appreciate and understand the general point you're making. But I've taken on board both your views and also the response of the applicant and I don't wish to extend further discussion on on public transportation matters. On that basis, it's just quarter past 11 I'm going to seek a shorter German I can see that Mr. Haweker hand is still raised is something else you want to raise before an adjournment

1:14:44

I'm sorry, so I've now put it down.

1:14:47

Okay, thank you. So it's quarter past 11 are going to adjourn for 15 minutes and then deal with the DC items on the agenda, anything else related to any other business? So, if we just reconvene at half past, and I'll see you then. Okay, hearing is adjourned. Thank you