



# The Planning Inspectorate

## The Planning Act 2008 – section 91

### Application by Highways England for an Order granting Development Consent for the A47 North Tuddenham to Easton project.

### Agenda for Issue Specific Hearing 2 dealing with environmental matters.

<b>Issue Specific Hearing 2:</b>	Environmental Matters: Design; Transport and Traffic; Biodiversity; Climate Change; Heritage; Population and Human Health; and Landscape and Visual effects.
<b>Date:</b>	4 November 2021
<b>Joining available from:</b>	9.30am <sup>1</sup>
<b>Meeting start time:</b>	10.00am <sup>2</sup>
<b>Location:</b>	Virtual event

### Participation, conduct and management of the Hearing

This is the second Issue Specific Hearing (ISH2) to be held in this Examination. It is being held because the Examining Authority (ExA) wishes to question the Applicant and hear from Interested Parties (IPs) about environmental matters arising from the documentation submitted with the application, together with any updates and responses at the preceding submission Deadlines.

All Interested Parties are invited to attend issue specific hearings but as this is a virtual event to assist the running of the hearing, please let the Inspectorate's Case Team ([A47NorthTuddenhamtoEaston@planninginspectorate.gov.uk](mailto:A47NorthTuddenhamtoEaston@planninginspectorate.gov.uk)) know by **25 October 2021** of a wish to participate in the hearing so that the relevant instructions can be sent for you to join the event.

The event will also be livestreamed and a link for watching the livestream will be posted on the project page of the National Infrastructure Planning website closer to the event date.

Each Interested Party (IP) is entitled to make oral representations at hearings. However, this is subject to the ExA's power to control hearings.

The ExA would find it helpful for the following attendees to participate in ISH2 into environmental matters:

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<sup>1</sup> Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate

<sup>2</sup> If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

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- Highways England (the Applicant) - including representatives of the Applicant who are in a position to discuss the matters on the agenda;
  - Norfolk County Council;
  - Broadland District Council;
  - South Norfolk Council;
  - Breckland Council;
  - Environment Agency;
  - Natural England;
  - Historic England; and
  - Any other IPs with an interest in the environmental matters.

Participants may be legally represented if they wish, but the hearing will be conducted to ensure that legal representation is not required.

Guidance under the Planning Act 2008 (PA 2008) and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. Questioning at the hearing will therefore be led by the ExA.

The virtual event will be open 30 minutes prior to the start of the hearing. 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 day that they are scheduled for. Should the consideration of these 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. However, if required, a further day, Friday 5 November 2021, has been reserved for a continuation of the hearing, should additional time be necessary.

**Consequently, can participants therefore please make sure that they are available for both days.**

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, 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 evidence presented orally at the hearing should be included in post-hearing submissions and submitted by Friday 12 November 2021 (Deadline 4).

## **Purpose of ISH2**

The main purpose of the ISH2 is to undertake an examination of various environmental matters, including matters arising from the application documentation and representations relating to:

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- Design;
  - Transport and Traffic;
  - Biodiversity;
  - Climate Change;
  - Heritage;
  - Population and Human Health; and
  - Landscape and Visual effects.

### **Contingencies**

The ExA will endeavour to hear all participants. If the ISH2, or parts of it, is unable to proceed, for example for technical reasons, then the ExA may adjourn incomplete business to reserved hearings later in the Examination Timetable. Notice of any adjournments will be provided on the project page of the National Infrastructure Planning website.

### **Microsoft Teams**

The ISH2 will take place virtually using Microsoft Teams. Further information about virtual events in relation to Nationally Significant Infrastructure Projects can be found in the Planning Inspectorate's Advice Note 8.6: Virtual examination events:

[Advice Note 8.6: Virtual examination events | National Infrastructure Planning \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/advice-note-8.6-virtual-examination-events)

Further information, including a short video regarding taking part in a Planning Inspectorate virtual event, can be found on the Planning Inspectorate's website:

[Planning Inspectorate virtual events: guide to participating - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/planning-inspectorate-virtual-events-guide-to-participating)

Please contact the Case Team if you have any questions about using Microsoft Teams.



## Agenda

<b>Title of meeting</b>	A47 North Tuddenham to Easton project Issue Specific Hearing 2 on Environmental Matters
<b>Date</b>	4 November 2021
<b>Time</b>	10.00am
<b>Venue</b>	Online via Microsoft Teams
<b>Attendees</b>	Invitees

- 1. Welcome, introductions and arrangements for the hearing**
- 2. Design**
  - Applicant to explain their approach to design and demonstrate how the Proposed Development represents good design.
- 3. Transport and Traffic**
  - The ExA will ask the Applicant to present the case for the Proposed Development and to outline its overall benefits;
  - To consider the relationship of the Proposed Development with the proposed Norwich Western Link (NWL), including measures should the NWL not be delivered and the implications upon the surrounding road network;
  - To consider the impact of the Proposed Development upon the surrounding road network;
  - To consider the suitability of the proposed junctions, including their safety, capacity, design and location; and
  - The Applicant to update the ExA on the proposed transfer of assets.
- 4. Biodiversity**
  - The ExA will ask the Applicant to outline their approach in respect of biodiversity, including providing an update on any additional survey work undertaken since the submission of the application;
  - To consider the suitability and adequacy of protected species surveys;
  - To consider the in-combination effects of the Proposed Development with other developments;
  - To consider the submissions of various IPs with regards to a recently identified nearby bat colony;
  - To consider the issue of Biodiversity Net Gain and Biodiversity No Net Loss; and
  - For the applicant to outline proposed mitigation measures and how these measures will be secured.
- 5. Climate Change**
  - The ExA will ask the Applicant to outline their assessment approach and proposed mitigation measures;
  - To consider the cumulative effects with other projects; and

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- To consider the implications of the High Court Judgment in the case of R (on the application of Transport Action Network) v Secretary of State for Transport [2021] EWHC 2095 (Admin).

**6. Heritage**

- The ExA will ask the Applicant to outline their approach in relation to heritage matters, including archaeology;
- To consider the impact of the Proposed Development upon identified designated heritage assets and in particular to consider the submissions of the owners of Berry Hall Estate; and
- To consider the Proposed Development against the guidance contained within The Historic Environment section of Chapter 5 of the National Policy Statement for National Networks.

**7. Population and human health**

- The ExA will ask the Applicant to explain and justify their approach with regards to walking/cycling/horse riding (WCH) provision; and
- To consider whether the Proposed Development would provide an enhancement to existing provision.

**8. Landscape and visual effect**

- The ExA will ask the applicant to outline their approach in relation to landscape matters and to clarify the mitigation proposed and how it is to be delivered;
- To consider the effect of the Proposed Development upon existing trees and hedgerows;
- To consider the impact of the scheme upon identified receptors, including the Tud Valley; and
- To explore the adequacy of proposed mitigation measures, including monitoring and evaluation.

**9. Other issues**

- To seek clarification with regards to proposed lighting arrangements and, in particular how the proposal will minimise light spill, protect biodiversity and still deliver necessary lighting to meet highway requirements;
- To clarify the position with regards to temporary noise mitigation during construction; and
- To seek clarification of working hours for the proposed development.

**10. Review of issues and actions arising**

**11. Any other matters**

**12. Closure of the hearing**