

A47 North Tuddenham to Easton Dualling

Scheme Number TR010038

Volume 8

**8.5 Statement of Common Ground
Breckland Council**

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

Planning Act 2008

November 2021

Infrastructure Planning

Planning Act 2008

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

The A47 North Tuddenham to Easton
Development Consent Order 202[x]

**STATEMENT OF COMMON GROUND -
BRECKLAND COUNCIL**

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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Breckland Council.



Signe
Glen Owen
Senior Project Manager
on behalf of Highways England
Date: 12 November 2021



Simon Wood
Director of Planning & Building Control
on behalf of Breckland Council
Date: 12 November 2021

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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 North Tuddenham to Easton ("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) Breckland Council.
- 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 Breckland Council is responsible for housing, leisure and recreation, environmental health, waste collection, planning, economic growth and local taxation collections.

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 In this SoCG, the issues raised by the Council are presented alongside a response from Highways England. "Agreed" signifies that there is agreement between the parties that there are no further points to discuss as regards that particular issue, and the Council is satisfied by the Highways England response.
- 1.3.3 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 Breckland Council, 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 Breckland Council.

2 RECORD OF ENGAGEMENT

- 2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Breckland Council 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
March and April 2017	Public consultation material	Non-statutory public consultation on the route options.
February 2020 Statutory Consultation	S42 1B consultation material	Statutory consultation material sent.
February and March 2020	Email	Proposal for undertaking baseline noise survey in the area of the Proposed Scheme with monitoring locations and survey methodology outlined. No issues raised by Environmental Protection Officer at Breckland Council. The baseline noise survey was undertaken in September 2020.
February and March 2020	Email	Consultation emails issued to Breckland Council to agree the scope of the human health assessment and a follow up call was made. A response was received from Breckland Council to confirm that the proposed approach to the methodology was acceptable.
Received before end of consultation (April 2020)	Online comment	Consultation response from Breckland Council online stating their support to the scheme with a few considerations detailed in the issues section.
18/08/2020	Email	James Powis (Highways England) shared the design draft for stakeholder consideration following feedback from the statutory consultation. This was sent for information only

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		and not for comment. Sent to Simon Wood and the planning department inbox.
17/11/2020 (Meetings held quarterly throughout 2020)	Meeting through Microsoft Teams	<p>Meeting held between Highways England, Norfolk County Council, Broadland District Council, Breckland Council and South Norfolk Council: Discussed the Statement of Common Grounds preparation, Food Enterprise Park access, the Local Liaison Group meetings and the new joined up approach, the draft design changes following statutory consultation feedback, draft plan proposals for Walking, Cycling & Horse Riding, the updated lagoon strategies & drainage proposals and the A47 North Tuddenham to Easton update brochure planned for distribution December 2020.</p> <p>Attendees include: James Powis (HE), Edwin Bechtle (HE), Glen Owen (HE) Philippa Harris (HE), Phil Courtier, David Cumming and Stephen Scowen.</p>
8/12/2020	Email	James Powis (HE) sent email to Simon Wood and David Allfrey (Norfolk County Council) in regard to the impact of the A47 North Tuddenham to Easton Scheme on a Public Open Space in North Tuddenham.
8/12/2020	Email	Tuddenham project team sent email to Simon Wood regarding our Winter 2020 Brochure together with a plan updating on the A47 North Tuddenham to Easton improvements.
8/01/2021	Email	Response sent by Stephen Scowen regarding consultation on the latest version of the proposals relating to the dualling of the A47 between North Tuddenham and Easton.
2020 and 2021	Email	Consultation with Breckland Council to confirm the approach and identify any additional projects to be considered in the Cumulative Effects Assessment. Additional projects were added as a result.
July 2021	Relevant Representation to the Planning Inspectorate (PINS)	Submission of comments by the Council on DCO application documents to PINS.
13/09/2021	Meeting through Microsoft Teams	<p>Meeting held between Highways England and Breckland Council to discuss way forward to complete the Statement of Common Ground for submission to the Examining Authority.</p> <p>Attendees include: Glen Owen (HE), Michael Robinson (Sweco) and Simon Wood (Breckland Council).</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
13/09/2021	Email	Email with SoCG following meeting to the Council for review
01/11/2021	Email	Council comments on SoCG issued to Highways England
05/11/2021	Email	Updated SoCG from Highways England to Council for comment prior to Deadline 4 submission
11/11/2021	Email	Final comments on SoCG by the Council prior to Deadline 4 submission
12/11/2021	Emails	Signing of final version of SoCG between Highways England and the Council

- 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) Breckland Council in relation to the issues addressed in this SoCG.

3 ISSUES

3.1 Purpose of this document

- 3.1.1 Section 3.1 summarises the key issues explored between Breckland Council and Highways England, whilst the issues are explored in more detail in Section 3.2.
- 3.1.2 Appendix C to this SoCG contains a copy of Highways England's submit responses to the Breckland Council's relevant representations referenced in the below table and submitted at the DCO Examination Deadline 1.
- 3.1.3 Appendix D presents a copy of the Applicant's response to Breckland Council's response to the Examining Authority's questions submitted at the DCO Examination Deadline 2, which covered the following topics in relation to the Applicant's DCO application
- Environmental Statement:
 - Chapter 5 Air quality
 - Chapter 6 Historic Environment
 - Chapter 7 Landscape and Visual Effects
 - Chapter 8 Biodiversity (including Habitats Regulations Assessment)
 - Chapter 10 Material Assets and Waste
 - Chapter 11 Noise and Vibration
 - Chapter 12 Population and Human Health
 - Chapter 13 Road Drainage and the Water Environment
 - Chapter 14 Climate
 - Chapter 15 Cumulative Effects Assessment
 - Traffic and Transport
 - Case for the Scheme Transport Assessment

- Traffic Management Plan
 - Draft Development Consent Order (DCO)

3.2 Summary of Council Issues

Ref. No.	Issue	Status	Date Agreed
1	Supporting the area's economy	Agreed	17/11/20
2	Amenity of local residents and the character of the area	Agreed	25/02/21
3	Connectivity between Dereham and Norwich	Agreed	25/02/21
4	Norwich Western Link	Agreed	25/02/21
5	Public Open Space	Agreed	04/11/21
6	Listed buildings and veteran woodland area	Agreed	04/11/21
7	Flood potential	Agreed	25/02/21
8	Connectivity between existing villages	Agreed	11/11/21
9	Further Comments	Agreed	01/09/21
10	Air quality	Agreed	11/11/21
11	Ecology surveys	Agreed	04/11/21
12	Landscape planting design	Agreed	04/11/21
13	Noise mitigation during construction	Agreed	04/11/21
14	Walkers, Cyclists and Horse-riders (WCH) facilities	Agreed	11/11/21
15	Walkers, Cyclists and Horse-riders (WCH) survey scope	Agreed	11/11/21

3.3 Council Issues in Detail

Ref. No.	Issue	Document References (if relevant)	Breckland Council Position	Highways England Position	Status	Date Agreed
1	Supporting the area's economy	Appendix B of this SoCG	Breckland Council welcomes the scheme proposals which help to support the economy and economic growth in the area.	<p>By delivering these improvements, Highways England aims to:</p> <ul style="list-style-type: none"> • help enable regional development and growth in Norwich and its surrounding area • reduce congestion, make journey times more reliable and provide capacity for future traffic growth • improve resilience of the road to cope with incidents such as collisions, breakdowns and maintenance • improve safety for all road users and those living in the local area • protect the environment by minimising any adverse impacts and where possible, deliver benefits • ensure the new road layout considers local communities and safe access to the A47 • provide a safer route between communities for walkers, cyclists, horse riders and other non-motorist groups 	Agreed	17/11/20
2	Amenity of local residents and the character of the area	2020 Statutory consultation representation from BDC	The amenity of local residents and the character of the area should be protected and subjected to the detail of the proposal being acceptable and adequate protection being afforded.	The assessment of the visual impacts for local residents as well as an assessment of the landscape character has been undertaken. This assessment is presented in Chapter 7 – Landscape and Visual Effects of the	Agreed	25/02/21

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Ref. No.	Issue	Document References (if relevant)	Breckland Council Position	Highways England Position	Status	Date Agreed
				Environmental Statement (application document TR0100038/APP/6.1).		
3	Connectivity between Dereham and Norwich	2020 Statutory consultation representation from BDC	The newly dualled section of road will significantly improve road connectivity between Dereham and Norwich and thereby support economic and housing growth along the A47 corridor. The proposed dualling will provide increased traffic capacity, decrease journey times and congestion-related delay as well as improve safety and the reliability of journey time. All of which will make it easier to transport goods and people along this route reliably and safely, which historically has been problematic. Businesses and residents reliant upon road connections for travelling between Dereham and Norwich, as well as locations in between, will benefit significantly.	Highways England agrees that through the project aims the scheme will improve connectivity between Dereham and Norwich and the potential for other local developments that are deemed feasible by the local planning authority and affected district councils.	Agreed	25/02/21
4	Norwich Western Link	2020 Statutory consultation representation from BDC	The location of this proposed Wood Lane junction is positioned to connect to the much-needed Norwich Western Link.	Highways England agrees that through the project aims the scheme supports economic growth and the potential for other local developments that are deemed feasible by the local planning authority and affected district councils. Impacts will be considered in the Environmental Statement.	Agreed	25/02/21

Ref. No.	Issue	Document References (if relevant)	Breckland Council Position	Highways England Position	Status	Date Agreed
5	Public Open Space	2020 Project Winter Update representation from BDC	The consultation brochure does not identify Poppy's Wood which is located just to the west of Lyng Road. This is designated as an area of open space within the Breckland Local Plan and therefore Policy ENV01 applies. The impact of the proposals upon this area clearly needs to be considered and its ability to be used in this manner should not be impaired in any way, including during the construction phase. Subject to confirmation through the DCO that recreational access will be retained or a scheme of access to be agreed with the Local Planning Authority this matter is agreed.	Highways England have managed to negate any permanent works from within Poppy Wood designated area, leaving only a need for temporary access during construction of the scheme along the southern edge and then a need for post construction replanting. With that in mind, Highways England do not believe that there is a need to mitigate any impact on Public Open Space in the form of providing compensatory land for the POS as would be the case in circumstances where permanent land take would be required. The DCO does not permit the stopping up of any accesses in the vicinity of Poppy Wood under Article 17 and Schedule 4. Highways England will work with the contractors to ensure access is maintained throughout the construction works and will manage this through the construction and/or traffic management plans during the detailed design phase	Agreed	04/11/21
6	Listed buildings and veteran woodland area	2020 Project Winter Update representation from BDC	We note that the consultation brochure correctly identifies a Grade II listed building (Berry Hall) and an area of veteran woodland at Berry's Lane as being situated in close proximity to the location of the proposed junction. We also note the Grade II Listed building (Icehouse - listing 1077350) on Berry's Lane. The impacts of the proposal upon these will clearly need to be considered carefully and the Council would welcome further details of how the presence of these features have been taken into account within the design	No ancient woodland or ancient trees were identified within the DCO boundary. Only one tree within the DCO boundary was identified as having veteran features (T13), but this tree is located in Easton and will be retained; see Environmental Statement Appendix 7.6 - Arboricultural Impact Assessment. It is also noted in the Berry Hall Estate Heritage Management Plan that in 2000 "To north and north-east a newly planted belt of mixed species will shortly help screen the property from the A47". The Cultural Heritage assessment (Environmental Statement Chapter 6) has assessed the heritage	Agreed	04/11/21

Ref. No.	Issue	Document References (if relevant)	Breckland Council Position	Highways England Position	Status	Date Agreed
			<p>process. The development will need to address the Statutory Test set out at Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Subject to that the matter is agreed.</p>	<p>impact on the setting of these Grade II listed buildings.</p> <p>Sensitive planting is proposed, where appropriate, as outlined in the Environmental Masterplan to screen the road infrastructure from the Grade II listed buildings. The Landscape and visual effects chapter of the Environmental Statement (application document TR0100038/APP/6.1) also assesses the visual impact of the Proposed Scheme on the listed buildings. Mitigation measures to screen the Proposed Scheme from the listed buildings have been recommended in both the Cultural Heritage and Landscape and Visual Effects chapters which are illustrated in the Environmental Masterplan.</p> <p>The assessment on heritage assets has been undertaken in accordance with NPPF, the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, The Ancient Monuments and Archaeological Areas Act 1979, The Planning (Listed Buildings and Conservation Areas) Act 1990 and the Breckland Local Plan November 2019.</p> <p>Overall, there would be a slight adverse residual effect on Berry Hall, but no significant effects are predicted for the Icehouse.</p>		
7	Flood potential	2020 Project Winter Update representation from BDC	The Council would welcome confirmation of any potential flood risks associated with the scheme in this area. For example, what the impact of the proposal will be upon the area of surface	The Road Drainage and Water Environment (RDWE) assessment (ES Chapter 13) and accompanying Flood Risk Assessment has assessed the impact of the Proposed Scheme on flood risk, with proposed mitigation presented in	Agreed	25/02/21

Ref. No.	Issue	Document References (if relevant)	Breckland Council Position	Highways England Position	Status	Date Agreed
			water flood risk that exists to the south of Hockering, adjacent to the new route, and the impacts of surface water will be mitigated so that flood risk does not increase.	Table 3.1 Record of Environmental Actions and Commitments in the Environmental Management Plan. To mitigate any potential increase in surface water flood risk, earthwork drainage and dry culverts have been included as part of the design. These work with the existing topography to ensure that connectivity of existing surface water overland flow pathways is maintained and to prevent surface water accumulating adjacent to the Proposed Scheme. The 'dry culvert' cross drains have been designed to convey flows during a 100-year (plus 65% climate change) event.		
8	Connectivity between existing villages	2020 Project Winter Update representation from BDC	<p>The Council, and in particular the local ward members covering the scheme, also consider it important to preserve the connectivity between existing villages to the north and south of the proposal without creating a north-south rat run (that is likely to occur once the new A47 and Western relief roads are in place).</p> <p>There is particular concern at the latest proposal to stop up Berry's Lane in this regard. It is therefore suggested that Wood Lane and Berry's Lane be connected by way of an underpass under the A47 but separately from the proposed new A47/NWL junction. However, in the event that this is not feasible then Berry's Lane should be connected to the new junction, subject to a weight restriction, and any</p>	<p>Highways England have engaged extensively on this matter with the affected Parish Councils, Local Liaison Group (LLG), South of the A47 Taskforce (Led by George Freeman MP) and Norfolk County Council in their role as the Local Highway Authority.</p> <p>The LLG is a multi-parish stakeholder group chaired by Councillor Martin Wilby and provides a collaborative platform for stakeholder engagement on both the proposed A47 and Norwich Western Link project teams.</p> <p>Various options were assessed and modelled to assess the impact on the north – south traffic movements and presented to the stakeholder groups.</p> <p>Norfolk County Council also undertook this exercise independently and agreed with our findings, that the only way to negate this</p>	Agreed	11/11/21

Ref. No.	Issue	Document References (if relevant)	Breckland Council Position	Highways England Position	Status	Date Agreed
			<p>appropriate width restrictions, to prevent HGV traffic from using it.</p> <p>Furthermore, in order to safeguard the existing Bus route to Hockering village it is also important that the link from Wood Lane to the new junction is preserved.</p>	<p>movement was to close Berrys Lane to through traffic.</p> <p>This proposal has been supported by the various stakeholder groups and Norfolk County Council, as the Local Highway Authority.</p> <p>Highways England confirm that the link road from Hockering to Wood Lane is part of the proposed scheme.</p>		
9	Further Comments	N/A	Breckland Council is strongly supportive of the scheme in principle subject to further consideration of the issues identified above. The Council wishes to continue to work pro-actively with the applicants as the application is progressed through to Examination to try to resolve any issues in respect of the above.	Highways England will continue to engage with Breckland Council to submit this Statement of Common Ground to inform the Planning Inspector and will agree a final issue before the end of the Development Consent Order Examination process.	Agreed	01/09/21
10	Air quality	Appendix C of this SoCG	<p>The approach is based on the one advocated in the LA105 Air quality guidance document used by Highways England to assess air pollution.</p> <p>There is no local monitoring of PM10 or PM2.5 so the assessment is based on nationally produced data by Defra. PM10 and 2.5 are mainly linked with emissions from vehicle engines. It is difficult to know if localised emissions reflect those predicted and as such it is recommended that predictions and</p>	ES Chapter 5 Air Quality (APP-045) has provided full details of the assessment methodology and conclusions. The dispersion modelling of the baseline PM10 has shown that the predicted concentrations are significantly below the Air Quality Objective (AQO), and thus following DMRB methodology there is no need to further assess this pollutant. This model has been fully verified following LAQM TG(16). PM2.5 makes up around 60% of PM10 dependent on the source of the emissions. The ES has shown that there is no risk to the PM10 objective being exceeded even if all of the PM10 was PM2.5 the modelling confirms that there is also no risk to the current PM2.5	Agreed, noting that the Council suggested localised monitoring.	11/11/21

Ref. No.	Issue	Document References (if relevant)	Breckland Council Position	Highways England Position	Status	Date Agreed
			modelling are supported by localised monitoring.	AQO and therefore, there is no requirement to undertake further monitoring.		
11	Ecology surveys	Appendix C of this SoCG	Breckland Council considers that any survey should be less than 24 months old. Any survey that is more than 24 months old should be updated in line with professional guidance.	CIEEM (2019) Guidelines for Ecological Impact Assessment (EclA) require ecological data to have been collected within one or two years prior to an EclA being written. Table 8-3 in ES Chapter 8 Biodiversity (APP-047) demonstrates the most recent surveys were completed in 2019 or 2020, which is within 2 years of the EclA being written at the end of 2020. Additional desktop data is not required as field surveys have been completed since 2017, which provide a more accurate record of ecology baseline within the DCO boundary.	Agreed	04/11/21
12	Landscape planting design	Appendix C of this SoCG	<p>Breckland Council is broadly content with the general indicative proposals shown on the Environmental Masterplan subject to details which it is assumed will be agreed post decision.</p> <p>Breckland Council considers that the assumptions for year 15 tree heights within Table 7.6 are reasonable. There should be more information in relation to tree types and planting conditions to allow a proper assessment to be made.</p>	<p>The final detailed environmental mitigation design, including supporting landscape mitigation planting, will be developed post DCO Examination during the detailed design stage, in consultation with the relevant planning authority.</p> <p>More information in relation to tree types and planting conditions will be developed, in consultation with the relevant planning authority, as part of the final detailed design and supporting landscape mitigation planting development.</p> <p>The above will all be pursuant to Requirement 3 'Detailed Design' and Requirement 5 'Landscaping' of the dDCO (REP2-005).</p>	Agreed	04/11/21
13	Noise mitigation during construction	Appendix C of this SoCG	The applicant has stated 'Mitigation measures in the form of temporary noise barriers or site hoarding shall be	Noise from construction of the Scheme shall be managed by Action G1 within the Environmental Management Plan (APP-143), secured via	Agreed	04/11/21

Ref. No.	Issue	Document References (if relevant)	Breckland Council Position	Highways England Position	Status	Date Agreed
			considered to mitigate construction noise effects at the residential receptors presented in Table 11-12. These shall be provided where construction activity in the vicinity of the receptor is expected to exceed 10 days or nights in any 15 consecutive days or nights; or for a total number of days exceeding 40 in any six consecutive months.' BDC is concerned that mitigation will only be provided if noisy night work is carried out for more than 10 days or nights and as such believe that noise levels shall be assessed at the time and temporary barriers provided at the time to protect residents particularly if sleep disturbance is expected. Mitigation shall be based on noise levels not on how long it continues.	Requirement 4 of the dDCO (REP2-005). Action G1 requires that works outside of normal working hours, irrespective of duration, are discussed with the local planning authority and appropriate methods of mitigation (including for noise and vibration) are agreed with the local planning authority. Therefore, Breckland Council will have the opportunity to review noise mitigation measures for night-time works should these be unavoidable during the construction period for the Scheme.		
14	Walkers, Cyclists and Horse-riders (WCH) facilities	Appendix C of this SoCG	Breckland Council considers that there appears to be an inconsistency between the receptors within Table 12.5 and those within Table 12.6.	ES Chapter 12 (APP-051) Table 12.5 summarises the existing Walkers, Cyclists and Horse-riders (WCH) facilities in the study area. They comprise PRoW, (namely footpaths and restricted byways), permissive routes and footways provided as part of the highway network. They are also shown on ES Figure 12.1 for reference (APP-077). Those receptors and their sensitivity to changes in journey length are then summarised in Table 12.6. The receptors listed are the same for both tables although the receptor description in Column 1 of Table 12.6 are described with more detail than those PRoW references in Column 2 of Table	Agreed	11/11/21

Ref. No.	Issue	Document References (if relevant)	Breckland Council Position	Highways England Position	Status	Date Agreed
				12.5. This is true for location references 24 to 29 of Table 12.5.		
15	Walkers, Cyclists and Horse-riders (WCH) survey scope	Appendix C of this SoCG	Breckland Council notes that there have been no usage studies carried out for the Combined footway/ cycleway linking Main Road and The Street at Hockering set out in Table 12.6. Given its quality and importance an understanding of its level of usage would enable a proper understanding of its importance given it is not able to be substituted.	There was no requirement for the Applicant to undertake usage surveys for the existing combined footway/cycleway linking Main Road and The Street, to inform the judgement regarding the level of sensitivity selected this facility. This is because the Proposed Scheme provides a direct replacement for the infrastructure to be lost. As can be seen on Sheets 2 and 4 of the Rights of Way and Access Plans (APP-008) new lengths of cycle track, which can also be used by pedestrians, will be provided alongside the new access roads between points CF27 to CF28, CF29 to CF30 and CF31 to CF32. In combination, these new facilities will maintain connectivity between Main Road and The Street for pedestrians and cyclists.	Agreed	11/11/21

APPENDIX A – INDIVIDUALS INVOLVED IN CORRESPONDENCE

Name	Role or Discipline	Organisation
Simon Wood	Director of Planning & Building Control	Breckland Council
Stephen Scowen	Major Projects Delivery Manager	Breckland Council
Glen Owen	Senior Project Manager	Highways England
James Powis	Project Manager	Highways England
Edwin Bechtle	Assistant Project Manager	Highways England
Philippa Harris	Project Support Officer	Highways England
Michael Robinson	DCO Lead	Sweco UK Ltd

APPENDIX B – APPLICANT’S RESPONSES TO COUNCIL’S RELEVANT REPRESENTATIONS AT DEADLINE 1

Reference	Relevant Representation	Highways England Response
RR-062.1	<p>Breckland Council, as the host authority for the proposals, has been in discussions with Highways England for some time in relation to the proposed scheme. It welcomes the chance to be an active part of the Examination Process and considers that the following matters are relevant to the scheme and would ask that they are addressed by the Examining Inspector(s).</p> <ul style="list-style-type: none"> • The impact of the development on the economy of the area including the improvements in connectivity between Dereham and Norwich 	<p>The Scheme meets its objective to increase capacity and reduce journey times along this section of the A47 to support economic and housing growth in region. The economic benefits arising from the Scheme are reported in Chapter 5 of the Case for the Scheme (APP-140).</p>
RR-062.2	<ul style="list-style-type: none"> • The impact of the development on the amenity of local residents 	<p>Impacts on the local residents and mitigation requirements have been considered in the following chapters of the ES:</p> <ul style="list-style-type: none"> • Chapter 5 Air quality (APP-044) • Chapter 7 Landscape and Visual Effects (APP-046) • Chapter 11 Noise and vibration (APP-050) • Chapter 12 Population and human health (APP-051) • Chapter 15 Cumulative Effects Assessment (APP-054).
RR-062.3	<ul style="list-style-type: none"> • The impact of the development on the character and appearance of the landscape and the area in which it located 	<p>ES Chapter 7 Landscape and Visual Effects (APP-046) identifies, assesses and proposes mitigation for the likely effects (both adverse and beneficial) of the Scheme on landscape character, landscape features and visual receptors. The assessment concludes that the Scheme would not result in an overall significant residual effect on landscape and visual amenity.</p>
RR-062.4	<ul style="list-style-type: none"> • The impact of the development on local areas of designated open space with particular reference to Poppys Wood. This is designated as an area of open space within the Breckland Local Plan and therefore Policy ENV01 applies. The impact of the proposals upon this area clearly needs to be considered. The need for any mitigation, and the form of any mitigation, will need to be considered if there is found to 	<p>Poppy Wood, west of Hockering, is a designated Public Open Space in Breckland Council’s Local Plan. The Scheme will not permanently affect or need to acquire land from Poppy Wood, but the southern edge lies within the DCO boundary to allow the rights to provide a temporary construction work area and access point to realign the local road plus remove a redundant overhead utility line. The land would be restored to open space after construction, causing no permanent loss of Public Open Space. This is reported in the National Policy Statement for National Networks Accordance</p>

Reference	Relevant Representation	Highways England Response
	be an unacceptable impact on this area off Public Open Space.	Tables (APP-141) against paragraph 5.174 of the National Policy Statement.
RR-062.5	<p>• The impact of the development on designated heritage assets, including a veteran woodland area. This is with specific reference to a Grade II listed building (Berry Hall) and an area of veteran woodland at Berry's Lane as being situated in close proximity to the location of the proposed junction. It also relates to the Grade II Listed building (Icehouse - listing 1077350) on Berry's Lane. The impacts of the proposal upon these will clearly need to be considered carefully.</p>	<p>No ancient woodland or ancient trees were identified within the DCO boundary. Only one tree within the DCO boundary was identified as having veteran features (T13), but this tree is located in Easton and will be retained; see ES Appendix 7.6 - Arboricultural Impact Assessment (APP-094). It is also noted in the Berry Hall Estate Heritage Management Plan that in 2000 "To north and north-east a newly planted belt of mixed species will shortly help screen the property from the A47".</p> <p>This representation uses the term 'veteran woodland' which is considered incorrect, and an assumption has been made that in fact they are referring to 'ancient woodland'. A check of the 'ancient woodland' designation was undertaken using the online resource, MAGIC. MAGIC is a website providing authoritative geographic information about the natural environment from across government, which is managed by Natural England. This check revealed that there is no woodland along Berry's Lane which is designated as 'Ancient Woodland'</p> <p>The heritage significance of Berry Hall (NHLE1306730) and the Icehouse (NHLE1077350) is set out in sections 6.7.24 through 6.7.28 of the ES Chapter 6 – Cultural Heritage (APP-045). The estate, including woodland, is assessed as part of the setting of the listed buildings. The assessment of potential effects is given in sections 6.8.8, 6.8.15, 6.8.31 and 6.8.32, the design mitigation is given in section 6.9.11 and assessment of effects in Table 6.3 on page 33 and table 6.4 on pages 38-9 (ibid). There would be a slight adverse residual effect on Berry Hall, but no significant effects are predicted for the Icehouse.</p>
RR-062.6	<p>• Drainage and flooding – in particular the impact of the proposal upon the area of surface water flood risk that exists to the south of Hockering.</p>	<p>These impacts and mitigation requirements have been considered in the following ES documents:</p> <ul style="list-style-type: none"> • Chapter 13 Road drainage and the water environment (APP-052). • Appendix 13.1 Flood Risk Assessment (APP-124 and APP-125). • Appendix 13.2 Drainage Strategy Report (APP-126 and APP-127). • Chapter 14 Climate (APP-053). <p>The Scheme crosses the Hockering tributary to the south of Hockering in an area of surface water flood risk as shown on the Environment Agency's indicative long-term flood risk map.</p> <p>Flood risk is considered in ES Appendix 13.1 Flood Risk Assessment (APP-124 and</p>

Reference	Relevant Representation	Highways England Response
		<p>APP-125). For the Hockering watercourse, floodwaters are predicted to remain within the channel in the area of interest. Hydraulic modelling was undertaken to inform the design of the culvert carrying the Hockering tributary. The culvert has been designed to convey a fluvial design event with a return period of 1 in 100 year with an additional climate change allowance of 65% with an additional freeboard of 600mm without any additional increase in flood risk. The design is sensitive to blockage hence maintenance of the culvert must be prioritised, and a trash screen installed.</p> <p>ES Appendix 13.2 Drainage Strategy Report (APP-126 and APP-127) documents the drainage strategy and selection process, demonstrating compliance with technical standards. Drainage network designs have been checked for exceedance events of 1 in 100 year with 40% rainfall climate change allowance. Any additional discharge is shown to be volumetrically minimal and should be retained within the highway boundaries, and eventually routed back into the drainage networks once the extreme event has receded. Therefore, the residual flood risk to others is considered to be low and is reduced compared to the existing drainage systems</p> <p>Consultation has been ongoing with Norfolk County Council, as the Lead Local Flood Authority (LLFA), and the Environment Agency with regard to the flood risk associated with the Hockering tributary culvert. The final flood risk assessment would need to be prepared in consultation with the LLFA and the Environment Agency and agreed as part of applications for land drainage consent from the LLFA and a Flood Risk Activity Permit from the Environment Agency.</p> <p>As a principle, where surface water flood flow pathways cross the Scheme the Applicant intends to install 'dry culverts' design for a 1 in 100 year event (including an additional climate change allowance) to maintain the overland flow pathways and to avoid increasing flood risk upstream or downstream of the Scheme.</p>
RR-062.7	<ul style="list-style-type: none"> The improvement of connectivity of existing villages through improvements to walking and cycling routes in the vicinity of the proposed schemes. 	<p>The Scheme would provide new walking, cycling and horse-riding facilities, improve accessibility for users in the local area and provide the opportunity to choose active travel modes (e.g. walking and cycling); further detail is available in Section 4.14 'Walking, Cycling and Horse-riding (WCH) Assessment' of the Case for the Scheme (APP-140).</p> <p>The additional east - west WCH facilities will provide an opportunity for walking and cycling commuting and travel into Norwich and will complement the walking and cycling improvements to be provided along Dereham Road in Easton and at the A47 junction to the east of Easton, (the Showground junction), as part of consented residential</p>

Reference	Relevant Representation	Highways England Response
		development in Easton.
RR-062.8	<ul style="list-style-type: none"> • The impact of the development upon through traffic, in particular the proposal to stop up Berry's Lane. The Council would seek to have Berry's Lane and Wood Lane connected by way of an underpass under the A47 but separate from the proposed A47/Norwich Western Link Road junction. • Ensuring that there is connectivity to the Norwich Western Link Road. 	<p>During statutory consultation and engagement with the parish councils and stakeholder groups concerns were raised about existing traffic volumes using Berrys Lane and potential increased traffic.</p> <p>Following engagement with Norfolk County Council, Local Liaison Group (Norfolk County Council and Parish Councils), South of the A47 Taskforce, it was decided that access to Berrys Lane should be closed to through traffic directly to/from the A47 and will be only for local access from the south. This proposal was supported by all parties.</p> <p>The existing public right of way linking Berrys Lane with Dereham Road will be upgraded to maintain walking and improve cycling connectivity. This change is reported in Table 4.12 (item no. 11) of the Consultation Report (APP-024).</p> <p>Creation of an underpass would be contrary to feedback from statutory consultation and engagement with the parties outlined above.</p>
RR-062.9	<ul style="list-style-type: none"> • Assessment of the proposal against the policies of the Breckland Local Plan (November 2019). 	<p>Section 6.3 of the Case for the Scheme (APP-140) contains a review of the Scheme against the policies of the Breckland Local Plan (November 2019).</p>

APPENDIX C – APPLICANT’S COMMENTS ON COUNCIL’S RESPONSES TO THE EXAMINING AUTHORITY’S FIRST WRITTEN QUESTIONS

Breckland Council’s responses to the Examining Authority’s First Written Questions are available at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010038/TR010038-000606-DL2%20-%20Breckland%20Council%20Response%20to%20Deadline%201%20questions%20September%202021.pdf>

No	ExA Question	Council’s Response	Applicant’s Comment
Q2.0.5	ES Chapter 5: Air Quality [APP-044] paragraph 5.4.10, are the parties happy with the approach taken with regards to PM2.5? If not, please explain.	<p>The approach is based on the one advocated in the LA105 Air quality guidance document used by Highways England to assess air pollution. This document states that ‘There should be no need to model PM2.5 as the UK currently meets its legal requirements for the achievement of the PM2.5 air quality thresholds and the modelling of PM10 can be used to demonstrate that the project does not impact on the PM2.5 air quality threshold.’</p> <p>There is no local monitoring of PM10 or PM2.5 so the assessment is based on nationally produced data by Defra. PM10 and 2.5 are mainly linked with emissions from vehicle engines. It is difficult to know if localised emissions reflect those predicted and as such it is recommended that predictions and modelling are supported by localised monitoring.</p>	<p>ES Chapter 5 Air Quality (APP-045) has provided full details of the assessment methodology and conclusions. The dispersion modelling of the baseline PM10 has shown that the predicted concentrations are significantly below the Air Quality Objective (AQO), and thus following DMRB methodology there is no need to further assess this pollutant. This model has been fully verified following LAQM TG(16). PM2.5 makes up around 60% of PM10 dependent on the source of the emissions. The ES has shown that there is no risk to the PM10 objective being exceeded even if all of the PM10 was PM2.5 the modelling confirms that there is also no risk to the current PM2.5 AQO and therefore, there is no requirement to undertake further monitoring.</p>
Q2.0.11	ES Chapter 5: Air Quality [APP-044], section 5.7, Baseline conditions, are the parties satisfied that this provides an accurate assessment of the current conditions? If not, please explain why.	<p>The approach is that by modelling PM10 emissions this will demonstrate that the project does not impact on the PM2.5 air quality threshold smaller PM2.5 LA105 suggests that there are very few areas in the UK outside of London that exceed the air quality thresholds for particulate matter (PM10 or PM2.5). It is difficult to be able to support this statement without more data and to know if</p>	

No	ExA Question	Council's Response	Applicant's Comment
		localised emissions reflect those predicted. As such it is recommended that predictions and modelling are supported by localised monitoring.	
Q3.0.5	ES Chapter 8: Biodiversity [APP-047], Table 8.3, please confirm that all the surveys are still valid and in-date and can therefore be relied upon by the ExA during the course of the Examination and Recommendation stage. If not, please explain what is required to address them.	Breckland Council considers that any survey should be less than 24 months old. Any survey that is more than 24 months old should be updated in line with professional guidance.	CIEEM (2019) Guidelines for Ecological Impact Assessment (EclA) require ecological data to have been collected within one or two years prior to an EclA being written. Table 8-3 in ES Chapter 8 Biodiversity (APP-047) demonstrates the most recent surveys were completed in 2019 or 2020, which is within 2 years of the EclA being written at the end of 2020. Additional desktop data is not required as field surveys have been completed since 2017, which provide a more accurate record of ecology baseline within the DCO boundary.
Q7.0.33	Art41: What are the respective parties views of the imposition of a date of 24 July 2020?	The date relates to Tree Preservation orders made after that time. There is a need to understand the context of the date and why it is considered necessary.	This is the date the arboricultural survey was carried out, therefore any Tree Preservation Orders made after this date will not be known to the Applicant and have not been considered as part of the DCO application.
Q10.0.2	Are the parties satisfied with the Environmental Masterplan [APP-138] and the indicative proposals shown for the Proposed Development?	Breckland Council is broadly content with the general indicative proposals shown on the Environmental Masterplan subject to details which it is assumed will be agreed post decision.	The final detailed environmental mitigation design, including supporting landscape mitigation planting, will be developed post DCO Examination during the detailed design stage, in consultation with the relevant planning authority, pursuant to Requirement 3 'Detailed Design' and Requirement 5 'Landscaping' of the dDCO (REP2-005).
Q10.0.13	ES Chapter 7: Landscape and Visual Effects [APP-046], Table 7.6 - are the assumptions around tree heights for Yr15 reasonable? If not, please explain.	Breckland Council considers that the assumptions for year 15 tree heights within Table 7.6 are reasonable. There should be more information in relation to tree types and planting conditions to allow a proper assessment to be made.	More information in relation to tree types and planting conditions will be developed, in consultation with the relevant planning authority, as part of the final detailed design and supporting landscape mitigation planting development pursuant to Requirement 3 'Detailed Design' and Requirement 5 'Landscaping' of the dDCO (REP2-005).

No	ExA Question	Council's Response	Applicant's Comment
Q12.0.10	ES Chapter 11: Noise and Vibration [APP-050] paragraph 11.9.6 are the parties content with the triggers for the implementation of temporary mitigation? If not, please explain why.	The applicant has stated 'Mitigation measures in the form of temporary noise barriers or site hoarding shall be considered to mitigate construction noise effects at the residential receptors presented in Table 11-12. These shall be provided where construction activity in the vicinity of the receptor is expected to exceed 10 days or nights in any 15 consecutive days or nights; or for a total number of days exceeding 40 in any six consecutive months.' BDC is concerned that mitigation will only be provided if noisy night work is carried out for more than 10 days or nights and as such believe that noise levels shall be assessed at the time and temporary barriers provided at the time to protect residents particularly if sleep disturbance is expected. Mitigation shall be based on noise levels not on how long it continues.	Noise from construction of the Scheme shall be managed by Action G1 within the Environmental Management Plan (APP-143), secured via Requirement 4 of the dDCO (REP2-005). Action G1 requires that works outside of normal working hours, irrespective of duration, are discussed with the local planning authority and appropriate methods of mitigation (including for noise and vibration) are agreed with the local planning authority. Therefore, Breckland Council will have the opportunity to review noise mitigation measures for night-time works should these be unavoidable during the construction period for the Scheme.
Q13.0.11	ES Chapter 12: Population and human health [APP-051] Table 12.5 are the parties satisfied that this represents an accurate list of all receptors? If not, please explain why.	Breckland Council considers that there appears to be an inconsistency between the receptors within Table 12.5 and those within Table 12.6.	ES Chapter 12 (APP-051) Table 12.5 summarises the existing Walkers, Cyclists and Horse-riders (WCH) facilities in the study area. They comprise PRow, (namely footpaths and restricted byways), permissive routes and footways provided as part of the highway network. They are also shown on ES Figure 12.1 for reference (APP-077). Those receptors and their sensitivity to changes in journey length are then summarised in Table 12.6. The receptors listed are the same for both tables although the receptor description in Column 1 of Table 12.6 are described with more detail than those PRow references in Column 2 of Table 12.5. This is true for location references 24 to 29 of Table 12.5.

No	ExA Question	Council's Response	Applicant's Comment
Q13.0.12	ES Chapter 12: Population and human health [APP-051] Table 12.6 are the parties satisfied with the sensitivity levels attributed to each of the receptors? If not, please explain why.	Breckland Council notes that there have been no usage studies carried out for the Combined footway/cycleway linking Main Road and The Street at Hockering set out in Table 12.6. Given its quality and importance an understanding of its level of usage would enable a proper understanding of its importance given it is not able to be substituted.	There was no requirement for the Applicant to undertake usage surveys for the existing combined footway/cycleway linking Main Road and The Street, to inform the judgement regarding the level of sensitivity selected this facility. This is because the Proposed Scheme provides a direct replacement for the infrastructure to be lost. As can be seen on Sheets 2 and 4 of the Rights of Way and Access Plans (APP-008) new lengths of cycle track, which can also be used by pedestrians, will be provided alongside the new access roads between points CF27 to CF28, CF29 to CF30 and CF31 to CF32. In combination, these new facilities will maintain connectivity between Main Road and The Street for pedestrians and cyclists.