



Application by Highways England for A47 North Tuddenham to Easton
The Examining Authority's written questions and requests for information (ExQ3)
Issued on 30 November 2021

The following table sets out the Examining Authority's (ExA's) third written questions and requests for information – ExQ3.

Questions are set out using an issues-based framework derived from the submissions made to the Examination, answers to previous ExA Questions and oral submissions made at the Hearings held during the week of 2 November 2021. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which includes a 3 in the middle (indicating that it is from Ex3) and then has an issue number and a question number. For example, the first question is identified as Q1.3.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact A47NorthTuddenhamtoEaston@planninginspectorate.gov.uk and include 'ExQ3 – A47 North Tuddenham to Easton' in the subject line of your email.

Responses are due by Deadline 6: Monday 13 December 2021.

Abbreviations used:

PA2008	The Planning Act 2008	LPA	Local Planning Authority
Art	Article	MP	Model Provision (in the MP Order)
ALA 1981	Acquisition of Land Act 1981	MP Order	The Infrastructure Planning (Model Provisions) Order 2009
BoR	Book of Reference	NCC	Norfolk County Council
BC	Breckland Council	NE	Natural England
BDC	Broadland District Council	NPS	National Policy Statement
CA	Compulsory Acquisition	NSIP	Nationally Significant Infrastructure Project
CPO	Compulsory purchase order	NWL	Norwich Western Link
dDCO	Draft Development Consent Order	R	Requirement
EA	Environment Agency	RR	Relevant Representation
EM	Explanatory Memorandum	SI	Statutory Instrument
ES	Environmental Statement	SNC	South Norfolk Council
ExA	Examining Authority	SoS	Secretary of State
HE	Historic England	TP	Temporary Possession
LIR	Local Impact Report		

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010038/TR010038-000251-Examination%20Library%20-%20PDF%20Version%20-%20A47NTE.pdf>



It will be updated as the Examination progresses.

Citation of Questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ1.3.1 – refers to question 1 in this table.



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ExQ3: 30 November 2021**Responses due by Deadline 6: Monday 13 December 2021**

ExQ3	Question to:	Question:
1. General and Cross-topic Questions		
Q1.3.1	The Applicant	In 'Road to Good Design', environmentally sustainable is defined as ' <i>making an important contribution to the conservation and enhancement of the natural, built and historic environment, good road design seeks to achieve net environmental gain.</i> ' Please explain how the proposal meets this and, in particular, how the proposal achieves environmental net gain.
2. Air Quality and Emissions		
Q2.3.1	The Applicant	In response to Q2.0.5 of ExQ1, which refers to the approach taken with regards to PM _{2.5} all parties, except the applicant, considered that predictions and modelling should be supported by localised monitoring of PM _{2.5} . Please can the applicant review and provide justification for their position.
3. Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))		
Q3.3.1	Natural England	Please can NE confirm that, at this stage, there is likely to be no impediment to the granting of the required European Protected Species Licences?
Q3.3.2	The Applicant	No response has been received to Further Written Question 1, issued on 7 October 2021. Please provide a response. For information, the question was: In Section 3.6.2 of the Report to Inform Habitats Regulations Assessment [APP-139], it is stated that ' <i>Upon further consultation on the submission of this Screening report, Natural England have confirmed that they are in agreement with the findings of this Screening report that there will be no likely significant effects on any NSN site or Ramsar site.</i> ' Please can the applicant provide the correspondence with Natural England which confirms this position.
Q3.3.3	Natural England	No response has been received to Further Written Question 2, issued on 7 October 2021. Please provide a response. For information, the question was: Please can Natural England confirm that the Report to Inform Habitats Regulations Assessment [APP-139] includes all of the sites that could be affected by the Proposed Development and shows the correct site features.

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ExQ3	Question to:	Question:
Q3.3.4	Wild Wings Ecology	<p>The submitted representation [RR-084] makes reference to the presence of a super colony of Barbastrelle bats, however no survey data or detailed evidence to support this assertion has been submitted to the Examination.</p> <p>Please provide the survey data and evidence to support this submission. If this is not possible, please explain in detail why this cannot be submitted and why the information has not been made available to NCC and the Applicant so far.</p> <p>Having regard to the current timetable, to ensure that this information can be fully considered by all parties, the ExA requires this data be provided by Deadline 6, Monday 13 December 2021. If provided after this date or not at all, the ExA may only be able to attribute limited weight to these submissions.</p>
Q3.3.5	Natural England	<p>The potential presence of a super colony of Barbastelle bats has been raised by a number of parties including Wild Wings Ecology [RR-084], Stop Wensum Link [PDB-009], Bryan Robinson [REP2-027] and Norfolk Wildlife Trust [REP4-045]. Please can NE provide their view on these submissions and what the implications are for the proposed development.</p> <p>Please also address whether there are likely to be any cumulative impacts which need to be considered.</p>
Q3.3.6	The Applicant Natural England	<p>Considering that substantial elements of the proposed ecological mitigation require the creation and/or restoration of habitats such as woodlands and species-rich grasslands, is a five-year monitoring period sufficient to ensure that these complex habitats achieve good condition? If so, please explain and justify. If not, please explain why and how long would be sufficient.</p>
4.	Climate	
Q4.3.1	The Applicant	<p>Table 15.1 of ES Chapter 15, Cumulative Effects [APP-054], under the heading Climate, states that the emissions assessment reported within the Climate Chapter is inherently cumulative. With reference to Table 14.10 of ES Chapter 14, Climate [REP3-014], how are other schemes represented within these figures? Do they include other A47 projects currently at examination and the NWL? If other schemes are included within this table, what allowance is made within the table for the Greenhouse Gas emissions generated during their construction and what other assumptions are made?</p>

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ExQ3	Question to:	Question:
5.	Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations	
Q5.3.1	The Applicant	Please provide an updated: a) Compulsory Acquisition Schedule; and b) Statutory Undertakers Progress Schedule.
6.	Cumulative Effects	
Q6.3.1	Natural England	In relation to the ExQ1 3.0.15, can NE comment on the response from the Applicant [REP2-014] and confirm whether they agree that the in-combination effects arising from the Sheringham and Dudgeon Extension Offshore Wind Farm and other developments identified by the Applicant in their assessment would have no significant cumulative environmental effects on European sites and would not affect the conclusions of the HRA report.
Q6.3.2	The Applicant	Can the Applicant revise the HRA report so that the justification for scoping Sheringham and Dudgeon Extension Offshore Wind Farm out of the HRA is included in the HRA report rather than just in the ES.
7.	Draft Development Consent Order (DCO)	
Q7.3.1	Environment Agency	Requirement 6 of the dDCO [REP5-005] addresses Contaminated land and groundwater. Is the EA satisfied that the wording of this Requirement provides adequate protection and would ensure the delivery of necessary mitigation, if required? If not, please explain why and what changes should be made to the Requirement.
Q7.3.2	Natural England	Requirement 7 of the dDCO [REP5-005] deals with protected species. Is NE satisfied with the approach outlined in Part 3? If not, please explain why and what changes should be made to the Requirement.
Q7.3.3	Natural England	Requirement 12 of the dDCO [REP5-005] refers to specific Ecological works. Should NE be included as a consultee within this Requirement?
Q7.3.4	Environment Agency	Please can the EA confirm that they are satisfied that the wording of Article 21 of the dDCO [REP5-005], Discharge of water, provides the necessary level of protection. If not, please explain why and what changes should be made to this Article.
8.	Geology and soils	
		No further questions on this topic at this stage.

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ExQ3	Question to:	Question:
9.	Historic Environment	
Q9.3.1	Historic England	<p>The Owners of Berry Hall Estate have submitted details of the designation of the Estate as a National Heritage Asset under the Inheritance Tax Act 1984, on the basis of its outstanding scenic and historic interest [REP1-044, 045 and 047]. Oral submissions at Compulsory Acquisition Hearing 2 and Issue Specific Hearing 2 were also made on the matter [REP4-022, 023, 024 and 025].</p> <p>Please can HE provide their view on this designation, these submissions, any implications for the scheme and the impact of the proposed scheme upon it.</p>
10.	Landscape and Visual	
Q10.3.1	The Applicant	Paragraph 3.4.14 of ES Chapter 3, Assessment of alternatives [APP-042], when discussing alternatives, identifies that the final junction design also took into consideration various constraints, such as the landscape setting of the Grade II listed Berry Hall. Please explain this statement and provide evidence to demonstrate how this was taken into account.
11.	Material Assets and Waste	
Q11.3.1	The Applicant	Does the proposal apply the principles of the waste hierarchy and seek to recycle the maximum levels of material as possible? If so, how will these matters be secured? If not, please explain and justify why.
12.	Noise and Vibration	
Q12.3.1	The Applicant	The use of low noise surface material is proposed to mitigate road noise. How will this surface be maintained, will it be retained for the life-time of the proposed development and, if so, how will this be secured? If not, why not?
Q12.3.2	The Applicant	In response to ExQ1 12.0.13, the locations for early provision of noise barriers were not explicitly outlined in the response received from the Applicant. Please can the Applicant clarify where these locations would be.
13.	Population and human health	
N/a	N/a	No further questions on this topic at this stage
14.	Transportation and Traffic	

ExQ3: 30 November 2021**Responses due by Deadline 6: Monday 13 December 2021**

ExQ3	Question to:	Question:
Q14.3.1	The Applicant	With regards to the proposed Wood Lane junction, if the NWL is not delivered, what are the implications for the proposed junction? Would the non-delivery of the NWL result in the provision of an over-designed and over-sized junction arrangement? What options has the applicant looked at to account for the potential non-delivery of the NWL, to identify whether a reduced junction size and land take could be provided?
Q14.3.2	The Applicant	What assumptions have been made with regards to the amount, type and any seasonal timings of agricultural vehicles which currently operate in the area. How will the proposed scheme impact on these?
Q14.3.3	The Applicant	Paragraph 2.5.3 of ES Chapter 2, The Proposed Scheme [APP-041], states ' <i>The section of the A47 between North Tuddenham and Easton currently has a significantly lower morning peak average speed compared to the daily average speed along this section of the A47. This is an indicator of congestion and affects journey times and journey time reliability on the road.</i> ' Paragraph 2.5.4 then goes on to identify that these indicators show that the section of the A47 North Tuddenham and Easton is already over capacity. Please provide justification for this statement and conclusion. What is the position in the PM peak?
Q14.3.4	The Applicant	The proposed development would result in altered access arrangements for local residents attending St Andrew's Church. For those accessing by private vehicle, this would likely result in longer travel distances for residents of Honingham. Has the applicant considered any alternative means of vehicular access to the church? If so, what were they and why were they discounted? Please provide a justification for the additional journey times.
Q14.3.5	The Applicant	Given the future modelled increase in traffic along the A47, why are no works proposed at the existing Fox Lane junction?
Q14.3.6	The Applicant	The traffic modelling shows a large number of vehicles using Taverham Road, both with and without the NWL. Given the current nature of this road, please provide an explanation and a justification for this.
15. Water Environment		
N/a	N/a	No further questions on this topic at this stage.

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