

A47 DUALLING – NORTH TUDDENHAM TO EASTON

Scheme no. TR010038

ACM COMMENTS on REP5-016 - Applicant's Responses to Deadline 4 Comments

On behalf of A.C. MEYNELL of the [REDACTED]

IP reference 2002/8353



ACM 15

13 December 2021

Infrastructure Planning – Planning Act 2008

The Infrastructure Planning
(Examination Procedure) Rules 2010
Regulation 10

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

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Deadline 4 Comments

On behalf of A.C. MEYNELL of the [REDACTED]

Application reference: TR 010038

Interested Party reference: 2002/8353

Document reference: ACM 15

Date: 13 December 2021

Comments by A C Meynell (“ACM”) of the Berry hall Estate (“BHE”) on the Applicant’s Responses at REP5-016 to IPs’ comments on its Responses to their WRs

The Applicant at REP5-016 responded at Deadline 5 to certain of the IPs’ Comments supplied at Deadline 4 upon the Applicant’s earlier Responses at Deadline 3 (REP3-025) to their respective WRs.

ACM comments below on the Applicant’s most recent Deadline 5 responses where it is considered relevant and useful to do so.

Page and para in REP5-016	IP Name	IP’s Comment at Deadline 4 - ref and summary	Applicant’s Response at Deadline 5 - summary from REP5-016	A C Meynell’s Comment on Applicant’s Response
Page 4 3.[01]	A C Meynell	<p>1.01, first item “Mr Meynell infers the Dec 2020 was not proper consultation....”</p> <p>ACM had written in his Comment at REP3-025 (second para) “The temporary works areas and compounds were not brought to ACM’s notice by the Applicant until 9 December 2020 (see REP1-053 page 52). At that point it appeared a fixed intention of the Applicant and not for consultation (see REP1-045 p73 para 215).</p>	<p>The Applicant refers to its “Targeted Consultation Report” APP-039 and states “Among the responses [to the Dec 2020 consultation] was a commitment to change the proposed use of the Berry Hall Estate field north of Merrywood House from use as an A47 Scheme construction compound to a work area only for National Grid Gas pipeline diversion works and construction of the utility diversion and cycle track” (Emphasis added)</p> <p>The applicant then provides an extract from APP-039 responding to a concern raised by Childhood First (APP-039 pp 33-35)</p>	<p>A The proposed use of the area was not changed, after the “Targeted consultation”, from what had been proposed for it at the consultation.</p> <p>B The request quoted in any event was not from the Applicant.</p> <p>1. ACM had suggested on 14 Dec 2020 (REP1-045, para 215) that the works areas and compounds be moved to the less sensitive land north of the existing A47 and had written via Savills to the Applicant on 13 Jan 2021 (REP1-051 p58) to that effect among his concerns raised. The Applicant did not answer Savills’ letter or acknowledge its receipt.</p> <p>2. The Applicant at APP-039 (published with the DCO application) on pages 27-29 reviews ACM’s letter and states that it had rejected all his suggestions (by the “N” alongside).</p>

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				<p>3. The "commitment" referred to by the Applicant contained in APP-039 (pages 33-35, was given to Childhood First, the tenant of Merrywood House, not to ACM, and did not involve moving any compounds.</p> <p>4. The field north of Merrywood House was not shown in the plan circulated with the Winter Update before the "Targeted Consultation" began in Dec 2020, as a construction compound, but as a "works compound" with different colouring to that for a construction compound - see the key to the plan, as referred to in the next para below..</p> <p>5. The so-called "change" committed to by the Applicant was not therefore in fact a change from what the Applicant had published as its intention for that land (see "highwaysengland" project website under Documents / Newsletters / Winter 2020/ Project Update, map on pp6-8).</p>

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Page 4 3.[02]		<p>1.01, second item <i>"Mr Meynell claims the area proposed for compounds and work area were proposed for permanent roadways..."</i></p> <p>ACM had written in his Comment 1.01 at REP3-025 (third para) <i>"At the time of the statutory consultation in Feb 2020 the areas now containing the compounds and works areas were to be used for proposed permanent roadways (see Consultation brochure at Applicant's website, 2020 consultation)"</i></p>	<p>The Applicant refers to the "Scheme Plan" prepared for the Feb-April 2020 Statutory consultation, pointing out the location of the side road shown from the proposed Wood Lane Junction towards Church Lane which was removed later that year.</p> <p>The Applicant states "The side road only encroached within a small section of the red line south-west of Wood Lane junction. Therefore, though the Applicant subsequently confirmed the use of these areas for a compound, material storage and temporary work area in December 2020 targeted consultation, it was presented as a temporary work area in the statutory consultation. The Applicant acknowledges the area was altered ... in response to a</p>	A	<p>The Applicant's assertion "Therefore ... it was presented as a temporary work area in the statutory consultation" is factually incorrect for the following reasons:</p> <ol style="list-style-type: none"> 1. ACM accepts that the side road occupied only a small part of the land shown within the red line west of the "old back drive"; and a greater part to the east of it. 2. The plan referred to as Feb 2020 Scheme Boundary Plan (Highwaysengland project site/documents/consultation 2020 documents/scheme boundary plan) is titled on the plan "Junction and sideroads concept with Norwich Western Link" and the red line around the scheme in its key is described at this point as "<u>Environmental scoping boundary</u>" (ESB). 3. The plan referred to at 2. above shows large areas either side of the proposed mainline and sideroads for most of its length as being within the ESB, only a small proportion of which has since been taken for site compounds, material storage or working areas. No indication was given in any published statutory consultation document in Feb 2020 as to the intended location of compounds. 4.

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			review of the functional workspace and material storage requirements in this locality.”	<p>After the 2020 Statutory consultation had been completed, at a S51 Advice meeting held on 29 June 2020 (see the minutes on the Inspectorate's project page / s51 Advice / 29 June 2020) the Inspectorate on asking where the compounds were to be located was told that this was still being finalised (see minutes, p2 first para).</p> <p>B. The Applicant does not explain whether or not it considered any alternatives including why (for example) it chose not to extend the Environmental Scoping boundary to include more of the field north of the proposed Wood Lane / Sandy Lane link road immediately west of Wood Lane, as a potential location, which would have given a direct view of and access to the greater part of the working site and allowed entry / exit from both directions off Wood Lane.</p>
Page 5 4.[01]	Andrew Cawdron	Second, <i>“a dark skies policy...the headlight effect or illuminated graded junctions means these eco corridors will lose their privacy and darkness ... the nocturnal residents</i>	The Applicant refers to its assessment at ES Ch 7 (APP-046] and ES APP 7.7 Lighting Assessment [APP-095[and states <i>“The Applicant has also designed the junction below the proposed A47 mainline in a cutting to minimise the impact of</i>	<p>1. APP-095 describes the lighting columns of the Wood Lane junction as being <i>“set among significant banking”</i> (para 10.1.4 at page 19). This statement and the Applicant's statement highlighted opposite are both incorrect as far as the south side of the Wood Lane junction is concerned. See para 2 below.</p> <p>2.</p>

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		<i>surrounding these areas will be particularly affected) “</i>	<i>light spill” and refers to pp 47-48 of its Written Summary at ISH2 (REP4-015)</i>	<p>As well as the mainline above the junction, the south side of the Wood Lane Junction south dumbbell with the approach road to it from the east and the westbound off slip road are not in a cutting but embanked. (see</p> <p>3. Environmental Masterplan sheets 8 and 9 at REP3-016) Mr Cawdron's comment will therefore apply both to the junction lighting on the south side of the mainline at the junction and to headlights of traffic on those roads and travelling around the south dumbbell roundabout of the</p> <p>4. Wood Lane Junction. The adverse effect will be felt most noticeably by wildlife in the BHE and by residential receptors both in the BHE (which will receive the swing of the headlights on the junction) and south east towards Honingham village. [Note: Berry Hall is residential receptor 1A in APP-095, the junction location itself is ecological receptor 2A but the BHE as an entity is not scoped, nor is light spill towards Honingham Village (APP-095 App 2)]</p>
Page 9 7.[01]	Bryan Robinson	First comment. Junction Design. <i>“Fox Lane Junction should be upgraded....”</i>	Second para of response <i>“The ...Scheme ties in to the existing dual carriageway east of the Fox Lane Junction. Therefore, the Fox Lane Junction does not form part of the Scheme.”</i>	<p>1. The Applicant originally treated the Fox Lane junction as being part of the scheme at the time of the Preferred Route Announcement and at least until the time of publication of the Junction and Sideroad Strategy report in Feb 2020.</p>

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				<p>The Preferred Route announcement plan [highwaysengland website, /documents/ 2017 consultation/ preferred route announcement] shows the scheme's western extremity at the line of the Fox lane junction overbridge with its westbound off slip road within it and a new junction (one of the three then proposed) stated to be included at that location.</p> <p>2. The Junction & Sideroad Strategy Report (highwaysengland website /documents/ 2020 consultation) ("JSSR") acknowledges the proposed junction at Fox Lane at PRA as being one of the three then proposed but explains that the PCF Stage 2 design assumed it would remain in its current form and the mainline geometry designed for at grade roundabouts (JSSR page 8, para 2.1)</p>
Page 10 7.[02]	Bryan Robinson	Second comment. Norwich Western Link (NWL)	Third and fourth paras of response <i>"It is important to note that the Applicant identified the need for a junction at Wood Lane in Dec 2015 to Nov 2017 during the route options assessment that informed the preferred route Announcement decision making."</i> (See Scheme Assessment Report (SAR) and sect 2	<p>A</p> <p>The Applicant's first statement highlighted "<i>established a need .. at Wood Lane... during the assessment that informed the [PRA]...</i>" is incorrect.</p> <p>1. The Preferred Route Announcement (PRA) had three junctions but no junction at Wood Lane (see PRA announcement and JSSR page 8 para 2.1 referred to at 7.[01 above]) (At Fox Lane, Sandy Lane and Easton)</p> <p>2. The roundabout at Wood Lane shown for three of the four options in Appendix N of the SAR replaced the former</p>

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			<p><i>of the Case for the Scheme (APP-140))</i> <i>"Appendix N of the SAR outlines the four options assessed, which demonstrates that two junctions were considered as required by the A47 Scheme..."</i></p>	<p>overbridge shown for the same three at Appendix L of the SAR as a result of the Deep Dive Value Engineering carried out in January 2017 to reduce the estimated scheme costs from £192m to the budget figure of £130m in order to permit the consultation to proceed. Accordingly, No need for a junction at Wood Lane was established prior to PRA, in fact the opposite – it was taken that there would not be one (as per the announcement), but a roundabout was inserted in unpublished plans to reduce costs. (See for all the above and relevant SAR paragraph references, ACM's comments on ExQ1 responses, REP3-044, at comment 21 on page 24 esp at paras 12) and 13))</p> <p>B The Applicant's second statement "<i>Appendix N outlines ...two junctions were considered as required....</i>" inferring that one of them was at Wood Lane is misleading. The two junction locations presented to the public as part of the 4 options consulted prior to PRA were at Fox Lane and Easton (see highwaysengland website /documents / 2017 consultation / consultation report). The roundabout at Wood Lane in SAR Appendix N as mentioned at A2 above replaced the previous overbridge at Appendix L for costing purposes only as part of the Deep Dive Value Engineering (see previous para of this comment). The Ex A is referred</p>

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				regarding the move of the junction from Sandy Lane to Wood Lane after the PRA, to ACM's comment on ExQ1 responses, REP3-044 at comments 18a) to 18c) on pages 18-20.
Page 7.[03]	Bryan Robinson	Second Comment (Norwich Western Link)	The Applicant refers to Appendix A of its Response to the EXA's action list following ISH2 (REP4-016), " <i>to provide evidence to demonstrate the size of the Wood Lane Junction should NWL not be provided.</i> "	REP4-016 Appendix A does not " <i>provide evidence</i> " to justify the same size of junction in a no NWL situation. The Applicant merely makes a <u>statement</u> (see REP4-016 App A at page 8) " <i>[it] has reviewed the anticipated traffic levels and types of vehicles ... and has concluded that ... the minimum Inscribed circle diameter required would be similar to that required in the NWL scenario. Therefore the footprint of the two scenarios would be similar...</i> " There is no evidence provided to demonstrate how the factors considered produced the conclusion which was reached.
Page 11-12. 8. [01]	Chris Cockcroft	Re Junctions – " <i>[NCC] have just said to [HE]: We would like a junction at Wood Lane, and also one for our proposed Food Site....</i> "	The Applicant refers to the SAR and states " <i>Appendix N of the SAR outlines the four shortlisted Scheme Options ... which demonstrates that two junctions were considered as required ... prior to the NWL Scheme being considered [bullet] Junction 1 – on the axis of Berrys Lane and Wood Lane...</i> "	The Applicant here repeats the previous statements regarding the junctions which it supplied in reply to Mr Bryan Robinson's comments referred to at 7.[01] and 7.[02] above. See ACM's comments above on those paragraphs and the references there to his comments at REP3-044.

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Page 14 9.[01]	DGM Kenney	Re Scheme Design "We never received a clear statement from HE as to what is 'good design' – a lot about standards and relaxations from their 'design guide'..."	Refers to Ex A to the Applicant's response to Q1.0.1 of ExQ1 (REP2-020)	ACM commented on the failures in supplying 'good design' in relation to the Wood Lane junction at his comments on the Applicant's response to Q1.0.1 at REP3-044 comments 1 to 15 (pages 5-12).
Page 27 12.[01]	Honingham Parish Council	The Council supports the Berry Hall proposed alternative plans...	Directs the ExA to the Applicant's Appraisal of Alternatives (AS-022) plus the updated version submitted at Deadline 5, to demonstrate why the Applicant's Scheme would still be preferred, and to REP4-016 for evidence justifying the size of the Wood Lane junction	<p>ACM is grateful for Honingham PC's support and hopes that in the time still available, the advantages of the alternatives, particularly in reducing the impact of the junction on the Tud valley, the local ecology and Honingham village and in creating a better environment and better connections for drivers and other users of the detrunked A47 and sideroads, will be appreciated by others as benefitting the whole community.</p> <p>By way of comment on the Applicant's responses:</p> <ol style="list-style-type: none"> 1. The original Appraisal was responded to on behalf of ACM at REP4-023 Appendix A (Technical Note by Mr Joe Ellis). The updated version of the Appraisal was not submitted by the Applicant at Deadline 5 and will be responded to by ACM when received.

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				<p>2. REP4-016 did not provide evidence, only an unsupported statement (see ACM Comment at 7.[03] above).</p> <p>3. ACM has asked the Applicant to provide cross sections of the Wood Lane junction in order to be able to understand more clearly the effect its south side as proposed on the BHE and Honingham village and these should be provided also to Honingham PC.</p>

GHJ 13 Dec 2021