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The Applicant, Interested Parties and
Statutory Parties

Our Ref: TR010038

Date: 2 February 2022

Dear Sir/ Madam

Planning Act 2008 (as amended) – Section 89, The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 9 and 17

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

Procedural Decision and requests for further information

As the Examining Authority (ExA), I am writing to inform you of my procedural decision relating to the Applicant's request to make changes to the above-mentioned Development Consent Order application. I am also writing to seek further information and comments under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010.

Procedural Decision on Changes to the Application

Following a review of the submission and comments made by Interested Parties, I have decided to accept the Applicant's proposed changes to the application.

The Applicant made a request shortly after Deadline 6, received on 16 December 2021, to make changes to the application.

In summary the changes sought are:

- New Ghost Island at the proposed junction of Mattishall Lane Link Road and the detrunked A47;
- New Ghost Island at the proposed junction of the detrunked A47 and Dereham Road and alteration to the shape of the adjacent drainage basin;
- Extension of the proposed Highway Limits to include the existing drain on the eastern side of Berrys Lane;
- Adjustment to the proposed access to the proposed Lyng Road drainage basin; and
- Conversion of proposed Taverham Road drainage basin to a wetland area.

In submitting the request, the applicant also undertook consultation with parties, seeking the submission of views on the proposed changes by 24 January 2022.

A copy of a report providing details of the consultation responses was provided to the ExA on 31 January 2022. This report is published alongside this letter. The report

identifies consultation responses were received from Norfolk County Council as Highway Authority and as Local Lead Flood Authority(LLFA); the Environment Agency; and English Heritage.

None of the responses raised any objections, although the LLFA requested further details to confirm the drainage impacts of the ghost island proposals and the proposals to the east side of Berrys Lane. In response the Applicant has agreed with the LLFA that the additional information will be progressed as part of the detailed design and application for consent from the LLFA for works affecting ordinary watercourse. The Highway Authority requested, that with the exception of a small section of B Road linking Honingham interchange and the existing B1535 Wood Lane junction, the remainder of the de-trunked network should be a C Class Road. The applicant has confirmed that details showing this were submitted at DL8.

The implications of the proposed changes on compulsory and temporary acquisition were discussed at Compulsory Acquisition Hearing 3 on 5 January 2022. The environmental implications of the changes were discussed at Issue Specific Hearing 3 (ISH3) on 6 January 2022. No substantive issues were raised by any parties at these hearings

I am satisfied from the information before me that the Applicant has demonstrated that s123 of the PA2008 has been complied with and, as such, the prescribed procedures of the Compulsory Acquisition Regulations do not apply. Furthermore, I am also satisfied by the evidence, including the responses from interested parties, that there will be no new or different likely significant environmental effects as a result.

In reaching my decision to accept the proposed changes to the application, which I consider to be non-material, I have had regard to paragraphs 109 to 115 of the Department for Communities and Local Government Guidance 'Planning Act 2008: Examination of applications for development consent' and the Planning Inspectorate's Advice Note 16: How to request a change which may be material.

In the interests of clarity, the most up to date documents which relate to or incorporate revisions to reflect the accepted change request (in addition to revisions for other reasons), can be found in the Examination Library and include:

- 2.2 General Arrangement Plans, Rev.2 (AS-027)
- 2.4 Works Plans, Rev.2 (AS-028)
- 2.5 Rights of Way and Access Plans, Rev.2 (AS-029)
- 2.6 Traffic Regulations Plans, Rev.3 (AS-030)
- 2.8 Drainage and Surface Water Plans, Rev.2 (AS-031)
- 2.11 Classification of Roads Plans, Rev.2 (AS-034)
- 2.12 Hedgerow Plans, Rev.2 (AS-032)
- 2.13 De-trunking Plans, Rev.2 (AS-033)
- 6.8 Environmental Masterplan, Rev.3 (AS-037)
- 3.1 Draft Development Consent Order, Rev.5 (AS-036)

Rule 17 – request for further information and comments

The ExA has reflected on matters raised both at ISH3 and in subsequent written submissions and has decided to seek further information, clarification and comments under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 on

matters of climate change. I recognise that the Applicant has already made a number of submissions to the examination on this matter. Where the applicant considers that the information has already been provided, then a reference to the submission in their response would be sufficient.

Whilst the request is addressed to the Applicant, other Interested Parties wishing to respond may do so. Please can the applicant answer the following:

Please can the Applicant provide (or, to the extent that any of the below has already been provided to the Examination, identify) its assessment of the cumulative effects of Greenhouse Gas emissions from the scheme with other existing and/or approved projects on a local, regional and national level on a consistent geographical scale (for example an assessment of the cumulative effects of the Roads Investment Strategy RIS 1 and RIS 2 at a national level).

Please can this take account of both construction and operational effects; identify the baseline used at each local, regional and national level; and identify any relevant local, regional or national targets/budgets where they exist and how the assessment complies with these (including the carbon budgets, the 2050 zero target under the Climate Change Act 2008, and the UK's Nationally Determined Contribution under the Paris Agreement).

It should be accompanied by reasoning to explain the methodology adopted, any likely significant effects identified, any difficulties encountered in compiling the information, and how the assessment complies with the Environmental Impact Assessment Regulations.

The Applicant is asked to provide this information by D10, 12 February 2022.

Please contact the Case Team if you have any questions about this letter.

In the meantime, I look forward to the continuing Examination of this application.

Yours faithfully

Adrian Hunter

Examining Authority (ExA)

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