



Department for Transport

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To:

The Applicant, The Secretary of State
for Levelling Up, Housing and
Communities and Natural England

10 January 2023

Dear Sir/ Madam

Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010

Application by National Highways Limited (“the Applicant”) Seeking Development Consent for the Proposed A47 Wansford to Sutton Dualling scheme

Crown Land

The Secretary of State notes that a response is yet to be received from the Secretary of State for Levelling Up, Housing and Communities (“the Secretary of State for LUHC”) following the question in his consultation letters of [28 October 2022](#) and [12 December 2022](#) in which he sought confirmation as to whether the Secretary of State for LUHC was content with the powers sought by the Applicant for the temporary possession and permanent acquisition of rights in plot 1/5a and the permanent acquisition of all rights and interests in plot 1/6a.

1. The Secretary of State requests **the Secretary of State for LUHC** confirm whether he is content with the powers sought by the Applicant.
2. In the event that the necessary authority for Crown Land is not obtained, **the Applicant** is required to advise what are the implications for the project if affected land were to be removed (as set out in the Book of Reference at Deadline 10).

Protected Species

Bats

The Secretary of State notes a response has not yet been received from Natural England following the question in his consultation letter dated 12 December 2022 in which he requested that Natural England, following their response to his question of 28 October, confirm the outcome of its assessment of the draft Bat European Protected Species Licence application.

3. The Secretary of State requests that **Natural England** confirm the outcome of its assessment of the draft Bat European Protected Species Licence application, or if this has not been finalised, provide an update as to the current position.

Great Crested Newts

4. The Secretary of State requests that **The Applicant** submit the 2022 great crested newt survey data to evidence the conclusion in the response [REP11-001](#) which states that great crested newts are absent from the site and surrounding area of the Scheme.

Ground Investigation Report

5. The Secretary of State notes the Applicant's response of 11 December 2022 in regard to the Ground Investigation report and its comment that, should shear surfaces within the Whitby Mudstone be encountered, that mitigation measures may include reducing the gradient of proposed earthworks in affected areas and the installation of "hard engineering solutions". The Secretary of State requests that **the Applicant** confirm that, in the event of such mitigation measures being required, this would not impact the cost of the scheme. If there is a change, can **the Applicant** provide evidence and details of what that change is and how this would be funded?
6. The Secretary of State understands the construction of the section of the main line and link road between the Wansford east roundabout and Wittering Brook is subject to geotechnical risk and further understands the Applicant has solutions to resolve the risks, some of which would result in greater quantities of concrete being used. The Secretary of State requests that **the Applicant** confirms whether the carbon emissions resulting from the manufacture and laying of concrete for the purposes of constructing potential mitigation measures has been assessed and captured in the assessment of carbon emissions set out in [Chapter 14](#) of the Environmental Statement. If not, can this assessment be updated accordingly and confirmation provided as to whether this changes the outcome of the Environmental Assessment?

Carbon emissions during construction

7. The Secretary of State notes that Chapter 14 of the Environmental Statement indicates that plant emissions during construction include those for site clearance, earthworks, and drainage and understands from [REP 02-035](#) the Applicant considers that construction emissions beyond those matters could not be estimated due to uncertainties about fuel use. The Secretary of State requests that **the Applicant** confirms whether the assessment of construction emissions reflects a "worst case" estimate of the remaining carbon emissions and if not, that the assessment is updated to provide this.

Deadline for Response

The deadline for response is **17 January 2023**.

Responses to the matters outlined in this letter should be submitted by email to A47WansfordtoSutton@planninginspectorate.gov.uk .

If you will have difficulty in submitting a response by the consultation deadline, or difficulty in submitting a response by email, please inform the Planning Inspectorate Case Team.

The responses will be published on the project page for the A47 Wansford to Sutton Project on the Planning Inspectorate website as soon as possible after the 17 January 2023 deadline at:

[A47 Wansford to Sutton | National Infrastructure Planning](#)

This letter is without prejudice to the Secretary of State's decision on the A47 Wansford to Sutton application and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully,

Rachel Dominey
Transport Infrastructure Planning Unit