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N. Rowley-Todd
Project Manager
Highways England

2 February 2021

Dear Ms Rowley-Todd,

Application by Highways England for an Order Granting Development Consent for the A47 Blofield to North Burlingham project (TR010040)

Planning Act 2008 – Section 89(3)

Procedural Decision following issue of Acceptance decision

Following my recent appointment as the Examining Authority, I have reviewed the submitted application documents received on 30 December 2020 and I have concluded that there are matters which require resolution at the outset of this pre-examination period. I have therefore made a Procedural Decision to request additional and updated evidence.

Firstly, the following evidence should be submitted to the Planning Inspectorate for publication on the National Infrastructure Planning website **before the start of the Relevant Representations (RR) period.**

1. Appendix 4.1

An 'Appendix 4.1' is referenced in the table within Paragraph 10.1.4 of the Introduction to the Application (Doc 1.1) and within Paragraph 4.1.6 of Environmental Statement (ES) Chapter 4: Environmental Assessment Methodology (Doc 6.1). However, this appendix does not appear to have been submitted. The Applicant is requested to provide this document.

2. Confidential information

The Applicant is requested to confirm where any application documents or content are to be treated as confidential and on what grounds.

Secondly, the following evidence should be submitted to the Planning Inspectorate for publication on the National Infrastructure Planning website **before the start of the Examination. Where it is feasible to provide any or all of this information during the RR period, this would be welcomed.** The Applicant should submit a likely timetable for the provision of this information.

1. Report to Inform Habitats Regulations Assessment (HRA Report) (Doc 6.9)

The Applicant is requested to address any inaccuracies or inconsistencies arising in the HRA Report, for example:

- Paragraphs 3.2.3 to 3.2.7 set out the reasons for including some sites in the assessment but do not appear to include the reasons for including Breydon Water Special Protection Area and Ramsar
- Paragraphs 3.5.3 and 3.5.4 appear to be repeated paragraphs
- The date mentioned in paragraph 3.6.3 should be reviewed
- The fen orchid (*Liparis loeselii*) and Molinia meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*) are included in the assessment in section 4 but are omitted as a feature for designation in the relevant matrices for the Broads SAC
- Incorrect referencing between text in section 4 and Tables 4.1 to 4.6, and in the Appendices
- Tables 4.1 and 4.2 state that the respective sites are 2.08km away but these sites appear to be within the 2km buffer zone as shown on Figure 1
- Paragraph 4.1.10 appears to be in the wrong location and references other sections incorrectly
- Figure 1 does not contain all sites from the assessment
- Figure 1 - 'Broads' is spelled 'Boards'

2. Environmental Management Plan (EMP) (Doc 7.7)

The Applicant refers to a Construction Noise and Dust Management Plan (CNDMP) within the EMP and its associated Record of Environmental Actions and Commitments (REAC). However, whilst there is some detail in the REAC in respect of noise management measures which would go into the CNDMP, the level of detail in respect of measures to manage potential effects of dust is limited. The Applicant is therefore requested to provide further detail on dust management measures within the REAC, which would form the basis of the CNDMP in this respect.

The Applicant is also requested to confirm:

- Whether REAC W7 has inadvertently been omitted, and if so, to amend the REAC accordingly
- Whether there are meant to be two REAC G9 references, and if not, to amend the REAC accordingly
- Whether Annex A: Environmental Management Plan identifies all designated sites, and if not, to amend it accordingly.

3. ES Chapter 7: Landscape and Visual Effects (Doc 6.1)

ES Chapter 7 identifies relevant published national and local landscape character areas. However, it does not appear to go on to specifically assess any potential effects on these. The Applicant is requested to signpost where potential effects on recognised landscape character areas have been addressed or to fully justify the reasons for omitting this assessment.

4. Landscape and Ecological Management

The Proposed Development involves a comprehensive package of landscape and ecological works, as identified within the Masterplan (Doc 6.6). This includes, amongst other things, new areas of woodland and grassland, the planting of large specimen trees, a new pond and the translocation of important hedgerows. Given the importance of the landscape and ecological works to mitigate adverse effects, and to provide a greater degree of confidence that landscape and ecological features would function effectively in the long term, the Applicant is requested to provide an outline Landscape and Ecology Management Plan.

5. ES Chapter 14: Climate Change (Doc 6.1)

ES Chapter 14 states that the construction period would be 18 months. However, elsewhere in the application, this is envisaged to be 22 months. The Applicant should clarify the duration or envelope of the construction period within all ES chapters.

6. Outline Traffic Management Plan (oTMP) (Doc 7.8)

G5 of the REAC requires the preparation of a Traffic Management Plan to manage the routing of construction traffic based on the oTMP. It also requires routing of deliveries where possible and practical to be along the existing A47. However, the oTMP provides little information in respect of construction traffic management specifically. On this basis, it would be helpful for the Applicant to provide a plan to accompany the oTMP which identifies the envisaged routes for construction traffic and deliveries.

7. Crown Land Plans (Doc 2.8)

The Applicant is requested to address any inaccuracies or inconsistencies within the Crown Land Plans, including:

- Plan 3 – there are two '3/3c' whereas one should be '3/3d' as per the Land Plans (Doc 2.2)
- Inconsistency on the location of '3/4d' with that shown on the Land Plans
- Plan 4 - there are two '4/9' whereas one should be '4/9a' as per the Land Plans

8. Rights of Way and Access Plans (Doc 2.4) and General Arrangement Plans (Doc 2.6)

There appear to be some discrepancies between information shown on the Rights of Way and Access Plans and the General Arrangement Plans and information shown on ES Figure 12.2: Population and Human Health Design, Mitigation and Enhancement Measures (Doc 6.3). For example, the plans appear to show a cycle track over the proposed bridges and beyond, whereas ES Figure 12.2 suggests there would be a shared cycle track and footway. The Applicant is requested to ensure that there is consistency between all plans and figures and what is described in the associated documents.

9. ES Figure 12.3: Agricultural Land Holdings (Doc 6.3)

ES Figure 12.3 identifies areas of permanent (pink) and temporary (green) land take in respect of agricultural land holdings. However, whilst these areas are also identified on the Land Plans (Doc 2.2), the Land Plans additionally identify a further category in blue; land to be used temporarily and rights to be acquired permanently. The Applicant should consider whether this category should also be identified on ES Figure 12.3, and if so, amend it accordingly.

Consultees identified on a precautionary basis

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or likely to have an interest in the application are given the opportunity to participate fully in the Examination of the application. On this basis, the Applicant may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

Next steps

Timely receipt of this updated evidence is essential to ensure all persons with an interest in the application will have the opportunity to make RRs based on evidence that comprehensively describes the Proposed Development.

Where the requested updates are not submitted by the deadline provided there may be implications for the date upon which the Preliminary Meeting can be held.

If you have any queries on these matters, please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely,

Alex Hutson

Alex Hutson
Examining Authority

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