

ExQ1: 27 April 2021**Responses due by Deadline 1: 6 July 2021**

ExQ1	Question to:	Question:
2.	Air Quality and Emissions	
1.2.7	NCC	The Transport Assessment [APP-072] uses a 2015 base year model for verification. The Applicant states in paragraph 5.5.1 that using 2015 baseline data adds extra uncertainty as traffic flows and background concentrations will not be representative of the current climate; this approach has only been agreed with Highways England (the Applicant). Please comment on the appropriateness of this approach.
1.2.7	NCC Response:	NCC's Highways team would assume that the modelling used for the scheme and economic appraisal and business case is suitable for the air quality and emissions assessment.
3.	Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))	
1.3.1	NE NCC BDC	Can Natural England (NE), NCC and BDC please comment on the approach taken by the Applicant in its HRA Report [AS-007] and confirm whether it is satisfactory?
1.3.1	NCC Response:	The approach taken by the applicant in its HRA Report appears to have followed accepted guidance and is satisfactory.
1.3.3	The Applicant NE NCC BDC	Changes were made to the Conservation of Habitats and Species Regulations 2017 from 1 Jan 2021 due to the United Kingdom's exit from the European Union. Does this have any implications for the HRA Report [AS-007]?
1.3.3	NCC Response:	The changes made to the Conservation of Habitats and Species Regulations 2017 from 1 Jan 2021 include three New Schedules; These new Schedules are unlikely to have implications for the HRA report. <ul style="list-style-type: none"> - SCHEDULE 1: New Schedule 4A to the Conservation of Habitats and Species Regulations 2017 (Prohibited methods of Capturing and Killing Wild Animals). - SCHEDULE 2: New Schedule 2A to the Conservation of Offshore Marine Habitats and Species Regulations 2017 - SCHEDULE 3: New Schedule 3A to the Conservation of Offshore Marine Habitats and Species Regulations 2017. Several amendments have been made throughout the Regulations, and Highways England must ensure that the HRA meets the new amendments where relevant.
1.3.8	NE NCC BDC	ES Chapter 8: Biodiversity [APP-046], paragraph 8.8.2, lists biodiversity resources which have not been carried forward in / scoped out of the assessment. Are NE, NCC and BDC content with this and the justification for it?

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1.3.8	NCC Response:	<p>Based on the methodology followed in assessing the biodiversity resources, NCC's Natural Environment Team (NET) are content that the sites listed in this section are unlikely to be directly affected by the duelling.</p> <p>With regard to badgers as a biodiversity resource, NCC's NET would comment that the Badger survey in Appendix 8.6 of 6.2 Environmental Statement Appendices surveyed for badgers adequately, but the surveys will require updating as recommended in that report. Badgers are a highly mobile species and "it is recommended that an update survey across the entire survey area is carried out 18 months prior to the first known development start date to update the information collected in this survey. This would allow time for the consideration of further amendments to the development phase or other matters related to planning as required".</p>
1.3.9	NE NCC BDC	Are the parties content with the Applicant's approach that some protected species surveys, including for great crested newts, would be undertaken prior to construction (and any protected species licences sought subsequently if necessary), given that the COVID-19 pandemic precluded these from being undertaken prior to the submission of the application?
1.3.9	NCC Response:	It is NCC's NET's opinion that any outstanding or deferred protected species surveys should take place as soon as possible now that the eased covid-19 restrictions permit it. We are currently within an acceptable period for most survey types. Updated surveys where under survey has been highlighted, will help to give a full and current assessment of the wildlife present and any additions or amendments to mitigation that might be required to achieve the best scheme possible.
6.	Cultural Heritage	
1.6.1	The Applicant BDC NCC HE	ES Chapter 6: Cultural Heritage (APP-044), paragraph 6.5.6, notes that a final archaeological trenching report is to be made available at a later date. Will this be made available during the course of the examination, and if not, what are the implications for this?
1.6.1	NCC Response:	NCC's Historic Environment Team asked the archaeological contractor to make some relatively minor amendments to the report on 05/11/2020. None of the required amendments will have any implications for the scope, nature and extent of the post-consent mitigation that will be required in relation to below-ground archaeology, which has already been discussed with the applicant's archaeological consultant.
1.6.4	BDC NCC HE	ES Chapter 6: Cultural Heritage [APP-044], section 6.7, identifies key designated and non-designated heritage assets which may experience significant effects. Is BDC, NCC and Historic England (HE) in agreement with this list and the overall assessment of effects on these?
1.6.4	NCC Response:	BDC, NCC and Historic England are in agreement that baseline information on designated and non-designated heritage assets is sufficient. BDC and NCC agree on the assessment of effects on non-designated heritage assets in relation to below-ground archaeology (NCC Environment Service, NCCES, is the sole advisor to BDC in relation to

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		below-ground archaeology). In terms of built heritage Historic England and BDCs conservation officers are responsible assessment of effects for designated and non-designated buildings.
1.6.7	The Applicant HE NCC	ES Chapter 6: Cultural Heritage (APP-044), paragraph 6.9.20, states that a written scheme of investigation would be agreed with HE, NCCES and BDC. Should HE and NCCES be specified as consultees, in addition to the relevant planning authority, within Requirement 9 (Archaeological remains) of the dDCO [APP-016]?
1.6.7	NCC Response:	As mentioned in NCC's response to 1.6.4, NCC Environment Service, NCCES, is the sole advisor to BDC in relation to below-ground archaeology, from NCC's perspective it makes little practical difference whether consultations come direct or via BDC. For matters related to the DCO, DBC have agreed for us to comment directly rather than via them. Historic England do not need to be a consultee in relation to non-designated heritage assets in the form of below-ground archaeology
1.6.8	The Applicant BDC NCC HE	Should Requirement 9 (Archaeological remains) of the dDCO [APP-016] make provision for the publication and archiving of any findings following archaeological investigations carried out in accordance with the Written Scheme of Investigation?
1.6.8	NCC Response:	NCC's Historic Environment Team agree with this statement. The wording of the final part of the requirement relating to analysis, publication and archiving is similar to that used on many other comparable scheme, and other developments of all types and sizes. The obligation for publication, other forms of dissemination and archiving is a core principle of development-led archaeology.
7.	Cumulative Effects	
1.7.1	BDC NCC EA HE NE	Are the parties satisfied with the Applicant's cumulative effects assessment and the shortlist of projects considered?
1.7.1	NCC Response:	Norfolk County Council has got no views to offer on this and would accept the advice of Natural England.
1.8.46	The Applicant NCC HE	R9: Should this requirement make provision for the reporting and publishing of data?
1.8.46	NCC Response:	The wording of the final part of the requirement relating to analysis, publication and archiving is similar to that used on many other comparable schemes, and other developments of all types and sizes. The obligation for publication, other forms of dissemination and archiving is a core principle of development-led archaeology.
1.8.47	The Applicant NCC	R9: Should NCC and HE also be consulted on the written scheme of investigation?

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	HE	
1.8.47	NCC Response:	As mentioned in NCC's response to 1.6.4 and 1.6.7, NCC Environment Service, NCCES, is the sole advisor to BDC in relation to below-ground archaeology, from NCC's perspective it makes little practical difference whether consultations come direct or via BDC. For matters related to the DCO, DBC have agreed for us to comment directly rather than via them. Historic England do not need to be a consultee in relation to non-designated heritage assets in the form of below-ground archaeology
1.8.57	BDC NCC EA HE NE	R18: Do the parties consider 10 business days sufficient time to respond to consultation on the discharge of requirements?
1.8.57	NCC Response:	Given the level of details still to be agreed 10 days is a very short period of time. The Local Lead Flood Authority (LLFA) is currently working at a 21 days response time due to resource availability at present. The LLFA request the response time to be increased to 21 days.
10.	Landscape and Visual	
1.10.2	BDC NCC	Is BDC and NCC satisfied with the Masterplan [APP-118] and the proposed species mix as shown on the final page of the Masterplan?
1.10.2	NCC Response:	NCC suggests this response should come from Broadland DC as LPA and with specific landscape policies in their Local Plan.
11.	Material Assets and Waste	
1.11.3	NCC	It is understood that the Proposed Development intersects a Mineral Safeguarding Area for sand and gravel. Does NCC consider that this designation has any implications for the Proposed Development and if so, what are they?
1.11.3	NCC Response:	NCC's Minerals and Waste team confirm that the Proposed Development is on a Mineral Safeguarding Area for sand and gravel. The Minerals and Waste team consider that this does have implications for the proposed development because the National Planning Policy Framework (paragraph 206) states that "Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working". The implications for the proposed development are that the scheme must be required to follow the mitigation strategy outlined in the Mineral Impact Assessment (appendix 10.4 of the Environmental Statement) to effectively address the mineral safeguarding impacts.
13.	Population and Human Health	
1.13.1	NCC	Can NCC and BDC comment on the assessment of Population and Human Health and its conclusions?

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	BDC	
1.13.1	NCC Response:	<p>As well as ongoing monitoring of possible adverse impact on air quality for the existing local population, we would expect the construction phases to be co-ordinated with the appropriate district councils and local highways teams to minimise, for example, dust, construction vehicle emissions (e.g. from engine idling) and any short term impacts of increased stationary traffic close to any local populations. Attention will also need to be paid to, for example, distribution of particulate matter on the wind and consider any known future planned developments which may be affected longer term.</p> <p>These matters are covered in more detail elsewhere. However, we would want to minimise long term impacts on accessibility to and use of walking, cycling and other active travel routes for the whole local population covering a range of health conditions. We would also want to avoid reduced ability to access, for example, open or wooded space for recreational activity. Additional active travel routes to join up communities are supported and if the overall proposal has the effect of making active travel appear more attractive in terms of, for example, segregated pathways and / or traffic speed and visibility, we would support this. Use of green or wooded space to mitigate traffic noise and maintain or enhance the cooling effects of such environments would be supported.</p>
14.	Transportation and Traffic	
1.14.1	NCC BDC	Are the parties satisfied with the Applicant's Transport Assessment [APP-122]? Please provide reasons for any disagreement with any aspect of it.
1.14.1	NCC Response:	NCC are satisfied with the contents of the Applicant's Transport Assessment. The information presented has indicated that a further dialogue is required with Highways England in respect of Cucumber Lane and we have included this point in our Relevant Representations and Statement of Common Ground.
1.14.2	NCC BDC	Are the parties satisfied with the Applicant's revised outline Traffic Management Plan [AS-011] (which includes details of construction traffic routing)? Please provide reasons for any concerns with any aspect of it.
1.14.2	NCC Response:	<p>As per NCC's response in the relevant representation (paragraph 1.6), there is a need for liaison during the construction period, for disruption mitigation on local network. Most of the major network variables have been identified:</p> <ul style="list-style-type: none"> - Cantley and the Sugar Beet campaign - Walking and cycling links - Seasonal traffic fluctuations - Peak hours commuter times - Bus services, particularly when a rail replacement service is in operation - Emergency 'blue light' access provision.

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		<ul style="list-style-type: none"> - Use of county network for diversion routes, and vice versa for local closures requiring diversion via the trunk network. <p>Whilst most construction traffic to site will utilise the trunk road network, it needs to be considered the effects of haul route traffic on the local network during construction:</p> <ul style="list-style-type: none"> • Restrict HGV movements at peak commute times, and holiday periods. This is important, particularly for the Norfolk Broads area north of A47. • Clearly defined 'No construction traffic' signage to avoid unnecessary disturbance/nuisance in residential areas. • Temporary alteration to existing county roads to facilitate abnormal construction loads-passing bays/widening/ – Possible S278 agreements • Accesses to site from county network – access construction detail and advance signage proposals. • NRSWA S59 pre and post project condition surveys of local haul routes, and provision for remedial works if necessary. • Local winter maintenance routes may have to be altered to take into consideration closures of some of the county roads during construction.
1.14.5	The Applicant NCC	The RR from NCC [RR-002] raises some queries around the management and maintenance of new assets and responsibilities for verges and trees. Has there been any progress in respect of these matters?
1.14.5	NCC Response:	No progress has been made in agreeing the management and maintenance of what highway assets, trees and verges will be the responsibility of NCC, or on the request from the county council that a commuted sum – to allow for future management and maintenance of the assets – be provided on handover.
15.	Water Environment	
1.15.1	EA NCC	Are the parties satisfied with the Applicant's Flood Risk Assessment and drainage proposals, and if not, please provide reasons for this?
1.15.1	NCC Response:	The LLFA has been in discussion with the scheme's design team and, on balance, the LLFA has seen much improvement in the FRA through the consultation process. The FRA and drainage proposals comments relate to the LLFA comments included in the NCC response to PINS remain.