

# A47 Blofield to North Burlingham Dualling

**Scheme Number: TR010040**

**Volume 4**

## **4.1 Statement of Reasons**

APFP Regulation 5(2)(h)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

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Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning  
(Applications: Prescribed Forms and  
Procedure) Regulations 2009**

A47 Blofield to North Burlingham  
Development Consent Order 202[x]

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**STATEMENT OF REASONS**

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## 1 INTRODUCTION

### 1.1 Summary of document

- 1.1.1 This Statement of Reasons relates to the A47 Blofield to North Burlingham Dualling (Scheme), and has been submitted by Highways England (the Applicant) to the Planning Inspectorate (PINS) acting on behalf of the Secretary of State for Transport (Secretary of State). It relates to an application for development consent to implement the Scheme made under s37 of the Planning Act 2008 (as amended) (PA 2008). A more detailed description of the Scheme can be found in the 'Introduction to the Application' (**TR010040/APP/1.2**).
- 1.1.2 In its DCO application for the Scheme, the Applicant seeks compulsory acquisition and temporary possession powers in respect of certain land interests. A detailed description of the extent and nature of the powers sought is set out by reference to the DCO application documents in Chapter 3 of this Statement.
- 1.1.3 The purpose of this document is to demonstrate that the powers of compulsory acquisition and temporary possession sought in the Development Consent Order (DCO) are necessary, proportionate, justified, and that legislative and policy tests are met. Detail is provided concerning the extent and nature of the powers sought and how this is set out in the application documents.
- 1.1.4 The Applicant is the strategic highway company responsible for operating, maintaining and improving the Strategic Road Network (SRN) in England. Highways England became a Government owned company in April 2015 succeeding to the functions of the Highways Agency.
- 1.1.5 The SRN is made up of the motorway and major A roads network. The A47 is part of the SRN.

### 1.2 The case for compulsory acquisition

- 1.2.1 This Statement sets out the reasons for the inclusion of compulsory acquisition powers within the DCO. It explains that it is necessary to include compulsory powers within the DCO so that the Applicant can acquire the land required for the construction of the Scheme that is not already in its possession. It also explains why powers of compulsory acquisition are necessary to enable the Applicant to use land temporarily, and acquire or extinguish rights over land in order to construct the Scheme in a way that is both proportionate and in the public interest by reducing environmental impacts, minimising the cost to the Applicant (and hence the public purse) and mitigating the impact on affected landowners. This compelling case is evidenced further in the wider documentation that accompanies the Application.
- 1.2.2 The powers of compulsory acquisition and temporary possession sought in the Application are necessary, proportionate and justified. The powers sought are in accordance with all relevant statutory and policy guidance.
- 1.2.3 There is a compelling case in the public interest for the compulsory acquisition and temporary possession powers sought as set out in Chapter 6 of this

Statement. The conclusion of this Statement is that the grant of the compulsory powers requested would be lawful under all applicable legal regimes.

### **1.3 Human rights**

1.3.1 In preparing the DCO, the Applicant has had regard to the European Convention for Human Rights and the Human Rights Act 1998. Chapter 6 of this Statement considers how the Scheme complies with this legislation notwithstanding any infringement of the private rights of those whose interests in the land may be affected by the exercise of powers of compulsory acquisition and temporary possession.

### **1.4 Compliance with statutory requirements and policy guidance**

1.4.1 This document has been prepared in accordance with the requirements of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations), and the 'Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land' (DCLG, September 2013) (the CA Guidance).

1.4.2 This document makes the request for compulsory acquisition and temporary powers over land to be included in the DCO that the Applicant asks be made by the Secretary of State.

### **1.5 The Scheme's qualification as a Nationally Significant Infrastructure Project**

1.5.1 The Scheme consists of the following elements:

- 2.6km of new dual carriageway on the A47
- de-trunking of the existing A47 section between Blofield and North Burlingham
- introduction of a compact grade separated junction at B1140 Junction, including the B1140 Overbridge
- improvements at Yarmouth Road junction, including closure of the central reserve, closure of direct access from High Noon Lane, creation of merge lane, realignment of Waterlow and local access improvements at the Sparrow Hall properties
- a new overbridge at Blofield traversing the proposed A47 dual carriageway, connecting Yarmouth Road with the existing A47
- provision of new drainage systems including an infiltration basin and retention of existing drainage systems where possible
- a retaining wall in the western extents
- introduction of lighting at the Yarmouth Road junction and a new lighting layout at the B1140 junction
- closure of an existing layby and provision of a new layby
- walking and cycling routes connecting Blofield and North Burlingham via the new Blofield Overbridge to the west and the B1140 Overbridge to the east
- provision of North Burlingham Access

- an agricultural access track
  - fencing, safety barriers and signage
  - environmental mitigation
  - diversions of an intermediate pressure gas main and other utilities.
- 1.5.2 The Scheme is a nationally significant infrastructure project (NSIP) within sections 14(1)(h) and 22(1) (b) of PA 2008 – being an alteration to an existing highway for which the Secretary of State will be the highway authority. Further detail concerning the Scheme’s qualification as an NSIP can be found within the ‘Application Form’ (**TR010040/APP/1.1**), the Explanatory Memorandum (**TR010040/APP/3.2**), the Case for the Scheme (**TR010040/APP/7.1**) and the National Networks National Policy Statement Accordance Table (**TR010040/APP/7.2**).
- 1.5.3 The Scheme satisfies section 22(3) of the PA 2008 because it is wholly located in England, Highways England (being a strategic highway authority) is the highway authority for the highway and the area of the land on which the part of the highway to be altered is situated and any adjoining land expected to be used in connection with its alteration is greater than the relevant limit set out in subsection (4), which in this case is 12.5 hectares, as speed limits on the Scheme will be in excess of 50mph.
- 1.5.4 As the Scheme is an NSIP, development consent must be secured from the Secretary of State, and an application for a DCO must be made to the Secretary of State, care of PINS, under section 37 of the PA 2008.
- 1.5.5 The Scheme is an EIA Development and is of a type listed within Regulation 3(1), Schedule 2, Paragraph 10(f) (construction of roads) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). The Scheme has the potential to generate significant environmental effects by virtue of its nature, scale and location.
- 1.5.6 In accordance with Regulation 8(1)(b) of the EIA Regulations, the Applicant has notified the Secretary of State in its EIA Scoping Report dated February 2018 submitted to PINS that an Environmental Statement presenting the findings of the EIA will be submitted with the DCO application. PINS reviewed and consulted on the EIA Scoping Report and published a Scoping Opinion on 19 March 2018.
- 1.5.7 The extent of the land interests affected by the compulsory acquisition and temporary possession powers sought by the Applicant in relation to the land (the Land) is described in Chapter 4 of this Statement.
- 1.6 Land Interests**
- 1.6.1 The extent of the land interests affected by the compulsory acquisition and temporary possession powers sought by the Applicant in relation to the land (the Land) is described in Chapter 4 of this Statement.
- 1.6.2 The Applicant has carried out diligent inquiry, as set out in the APFP Regulations and the CA Guidance, to identify all persons with an interest in the Land (the land shown on the Land Plans (**TR010040/APP/2.2**)) and persons with a potential claim for compensation as a result of the Scheme. These persons have

been consulted pursuant to section 42 of the 2008 Act. The categories of persons identified, and the methods used to identify them are described in Chapter 4 of this Statement by reference to the categories in the Book of Reference (**TR010040/APP/4.3**).

- 1.6.3 The Applicant has entered into negotiations to acquire other parties' interests voluntarily and is progressing those discussions. These negotiations are not yet complete. The current position on these negotiations is set out at Annex B of this Statement.
- 1.6.4 It is necessary to acquire the land interests by compulsory acquisition in order to enable the Scheme to be delivered. The acquisition of all of the land interests is necessary to enable the Scheme to proceed. Further details are set out in Chapter 4 of this Statement.
- 1.6.5 The Applicant owns a number of plots which are subject to the rights of others which are incompatible with the construction and operation of the Scheme. In order to ensure that any such rights can be removed (and the persons benefitting from them are compensated for such removal) the Applicant's own land has been included within the Land to which the compulsory powers sought will apply.

## **1.7 Purpose / Need for Statement of Reasons**

- 1.7.1 This Statement is required because the DCO, if made, would authorise the compulsory acquisition of land, or of interests or rights in land, the creation of rights and temporary possession powers in respect of certain land interests, as well as confer on the Applicant the additional powers which are further described in Chapter 3.
- 1.7.2 This Statement should be read alongside other documents that relate to the compulsory acquisition powers sought as part of this application, including:
- Draft DCO (**TR010040/APP/3.1**)
  - Explanatory Memorandum (**TR010040/APP/3.2**)
  - Book of Reference (**TR010040/APP/4.3**)
  - Land Plans (**TR010040/APP/2.2**)
  - Works Plans (**TR010040/APP/2.3**)
  - Crown Land Plans (**TR010040/APP/2.8**)
  - Funding Statement (**TR010040/APP/4.2**)
  - The Case for the Scheme and National Networks National Policy Statement Accordance Table (**TR010040/APP/7.1** and **TR010040/APP/7.2**); and
  - Introduction to the Application (**TR010040/APP/1.3**)
- 1.7.3 This Statement serves to justify the taking of compulsory acquisition powers over land and rights, and the taking of temporary possession over land. The extent of the land interests affected and a full justification against the relevant tests is set out in Chapter 4.

## 2 THE SCHEME

### 2.1 Description of the Scheme

2.1.1 As set out in Schedule 1 of the DCO the Scheme comprises the NSIP being the alteration of the A47(T) trunk road shown on sheet 1-8 of the works plans, of 2.6 km in length, from east of the junction of the existing A47(T) with Yarmouth Road over the existing A47(T) to east of the junction of existing A47(T) with the unclassified road known as the Windle.

2.1.2 The Scheme consists of the following elements:

- 2.6km of new dual carriageway on the A47
- de-trunking of the existing A47 section between Blofield and North Burlingham
- introduction of a compact grade separated junction at B1140 Junction, including the B1140 Overbridge
- improvements at Yarmouth Road junction, including closure of the central reserve, closure of direct access from High Noon Lane, creation of merge lane, realignment of Waterlow and local access improvements at the Sparrow Hall properties
- a new overbridge at Blofield traversing the proposed A47 dual carriageway, connecting Yarmouth Road with the existing A47
- provision of new drainage systems including an infiltration basin and retention of existing drainage systems where possible
- a retaining wall in the western extents
- introduction of lighting at the Yarmouth Road junction and a new lighting layout at the B1140 junction
- closure of an existing layby and provision of a new layby
- walking and cycling routes connecting Blofield and North Burlingham via the new Blofield Overbridge to the west and the B1140 Overbridge to the east
- provision of North Burlingham Access
- an agricultural access track
- fencing, safety barriers and signage
- environmental mitigation
- diversions of an intermediate pressure gas main and other utilities.

2.1.3 The A47 is an important highway link for both local commuter traffic to and from the east of Norwich and for longer distance trips across the country travelling east and west.

2.1.4 In the wider context, the A47 forms part of the SRN and provides for a variety of local, medium and long-distance trips between the A1 and the eastern coastline. The corridor connects the cities of Norwich (population over 210,000) and Peterborough (population over 180,000), the towns of Wisbech, Kings Lynn,

Dereham, Great Yarmouth and Lowestoft and a succession of villages in what is largely a rural area.

## **2.2 Description of the land required and subject to compulsory acquisition powers**

2.2.1 In summary the Scheme lies to the west of the village of Blofield and south of the village of North Burlingham, terminating east of Acle.

2.2.2 The Order lands comprise principally agricultural land to the south of the existing route of the A47, as well as including parts of the existing highway network managed both by Highways England and part of the local highway network managed by Norfolk County Council.

2.2.3 The existing highways of Yarmouth Road, Hemblington Lane, Lingwood Road, Lingwood Lane and Acle Road are included within the Order lands. A public footpath (Burlingham FP3) runs from Lingwood north to the A47 at North Burlingham and bisects the Order lands.

2.2.4 The Blofield to North Burlingham section of the A47 is a single carriageway road from Yarmouth Road in the west to the east of the junction with Acle Road. The village of Acle is 2.5km east of North Burlingham.

2.2.5 The existing single carriageway layout is in general between 7.3 and 7.9m wide with central markings to delineate east and west bound traffic. From the west the horizontal alignment of the carriageway is a series of straight sections linked by short and tight radius curves. There are no notable structures across the A47 east of Blofield until the village of Acle, two miles east of North Burlingham.

2.2.6 The speed limit on the dual carriageway at either end of the Scheme is the national speed limit; with the single carriageway section being at a 50mph limit. Travelling from west to east towards Acle the A47 narrows from dual carriageway to single carriageway at the eastern outskirts of the town of Blofield, returning to dual carriageway to the south east of the village of North Burlingham. The villages in the surrounding area contain a number of domestic properties, businesses and places of interest.

2.2.7 There are nine at grade priority junctions along the existing A47. From west to east these are:

- Yarmouth Road and High Noon Lane – Priority Junctions
- High Noon Lane - Priority Junction
- Lingwood Road – Priority Junction
- Dell Corner Lane – Priority Junction
- Main Road – Priority Junctions with eastbound exit link
- Lingwood Lane – Priority Junction
- Main Road – Priority Junction left out only
- B1140 South Walsham Road – Priority Junction
- B1140 Road (South of A47 Road) – Priority Junction

- 2.2.8 There are also direct accesses from the A47 into surrounding fields, one farm access track and one direct property access.
- 2.2.9 There are lay-bys on both sides of the highway at the start of the single carriageway section travelling eastbound, a lay-by on the north side mid-way and on the south side before the recommencement of the dual carriageway.
- 2.2.10 The single carriageway section of A47 acts as a bottleneck, resulting in congestion and leading to longer and unreliable journey times.
- 2.2.11 The A47 Blofield to North Burlingham (eastbound) currently has an average speed significantly lower than the daily average during the AM peak. This is an indicator of congestion and affects journey times and journey time reliability on the road.
- 2.2.12 The Order lands are predominantly flat and agricultural in topography and nature. There are no significant watercourses or geographical features within the Order lands.
- 2.2.13 The Order lands lie within the administrative areas of Norfolk County Council and Broadland District Council.
- 2.2.14 The location of the Scheme is shown on the Location Plan (**TR010040/APP/2.1**) and the detail of the proposals is shown on the General Arrangement Drawings (**TR010040/APP/2.6**).
- 2.2.15 The Land subject to powers of compulsory acquisition is set out in detail in Annex A, together with justification for the seeking of those powers on a plot-by-plot basis.
- 2.2.16 The total area of land to be acquired (including permanent acquisition and permanent rights) by the Scheme is 47.4 hectares, as well as 15.68 hectares that is already owned by Highways England.
- 2.2.17 The total area of land required for temporary use by the Scheme is 40.16 hectares, including 12 hectares for new rights land over which temporary powers are also sought.

### **3 COMPULSORY ACQUISITION**

#### **3.1 Scope of compulsory acquisition powers sought**

3.1.1 This document makes the request for compulsory acquisition and temporary powers over land to be included in the DCO that the Applicant asks be made by the Secretary of State. The purpose of the compulsory acquisition powers in the DCO is to enable the Applicant to construct, operate and maintain the Scheme. The specific compulsory acquisition powers sought by the Applicant are set out in full in Part 5 of the draft DCO (**TR010040/APP/3.1**).

3.1.2 Section 122 of the 2008 Act provides that an order granting development consent may include provisions authorising compulsory acquisition of land. To the extent that this is sought, the decision maker (i.e. the Secretary of State) in respect of the Application must be satisfied that the land is:

- required for the development;
- required to facilitate or is incidental to the development; or
- the land is replacement land which is to be given in exchange for the order land under section 131 or section 132 of the 2008 Act.

3.1.3 In addition, section 122(3) of the 2008 Act requires the decision maker to be satisfied that there is a compelling case in the public interest for the inclusion of powers of compulsory acquisition in a DCO. The way in which the Scheme meets these conditions is considered in Chapter 4 of this Statement.

3.1.4 In addition to powers of compulsory acquisition, section 120 of the 2008 Act provides that a DCO may make provision relating to, or to matters ancillary to, the development in respect of which a DCO is sought. The matters in respect of which provision may be made includes (but is not expressly limited to) matters listed in Schedule 5 of the 2008 Act, including:

- The acquisition of land, compulsorily or by agreement (paragraph 1);
- The creation, suspension or extinguishment of, or interference with, interests in or rights over land, compulsorily or by agreement (paragraph 2);
- The abrogation or modification of agreements relating to land (paragraph 3); and
- The payment of compensation (paragraph 36).

#### **3.2 Scope of compulsory acquisition powers with reference to the draft DCO**

3.2.1 The main powers authorising the compulsory acquisition of land, or interests in, or rights over land, are contained in Articles 23 (compulsory acquisition of land) and 26 (compulsory acquisition of rights and imposition of restrictive covenants) of the DCO. Other compulsory acquisition powers are sought in the DCO (identified below) and these similarly relate to land and will, or may, interfere with property, rights and interests. In addition, powers are sought in the DCO to

enable the temporary possession and use of land. In each case the owner of the land, or the interest or right in the land, may be entitled to compensation.

3.2.2 The other powers referred to in the paragraph above include the following:

#### **Article 28: Private rights over land**

3.2.3 Article 28 allows for the extinguishment of existing private rights over land, subject to the compulsory acquisition of rights, or subject to the imposition of restrictive covenants, to the extent that continuing the existing rights would be inconsistent with the right acquired or restrictive covenant imposed.

3.2.4 With regard to land that the Applicant may take temporary possession of under the DCO, Article 28 provides that all private rights over that land will be suspended and unenforceable for as long as the Applicant is in possession of it.

#### **Article 31: Acquisition of subsoil or airspace only**

3.2.5 Article 31 allows the Applicant to acquire only the subsoil underneath, or airspace over, any land over which it has powers of compulsory acquisition under Article 23, for the same purposes for which it may acquire the whole of the land under that article.

#### **Article 32: Rights under or over streets**

3.2.6 Article 32 allows the Applicant, where required for the construction of the Scheme, to enter on and appropriate the subsoil underneath or airspace over any street within the Order limits and to use that subsoil or airspace for the purposes of the authorised development. The undertaker may exercise this power without being required to acquire any part of the street, or easement or right in it, but this does not apply in relation to subways or underground buildings, or to cellars or similar structures forming part of a building fronting the street.

#### **Article 33: Temporary use of land for carrying out the authorised development**

3.2.7 Article 33 would enable the Applicant to take temporary possession of the land specified in Schedule 7 of the DCO (land of which temporary possession may be taken)

3.2.8 Article 33 would also enable the Applicant to take temporary possession of the land specified Schedule 5 of the DCO (land in which only new rights etc. may be acquired) or any other land, so long as the Applicant has not executed a general vesting declaration to vest the land in question in itself or entered the land in question following a notice of entry.

3.2.9 In addition to taking possession of the land, the Article would enable the Applicant to:

- a) remove buildings and vegetation from the land;
- b) construct temporary works (including accesses) and buildings on the land; and
- c) construct any permanent works specified in column 3 of Schedule 7 to the DCO, and any other mitigation works.

- 3.2.10 The period for temporary possession would be subject to time limits under Article 25.
- 3.2.11 Unless the owner of the land agreed, the Applicant could not remain in possession:
- a) as regards to any land specified in columns 1 and 2 of Schedule 5 to the DCO, for more than a year after completing that part of the Scheme specified in relation to that land in column 4 of Schedule 5; and
  - b) as regards to any other Order land, for more than a year after completing the work for which temporary possession was taken (unless before the end of that period the Applicant has made a vesting declaration or served notice of entry in relation to that land).
- 3.2.12 Article 33 provides that before giving up possession of any land the Applicant would be obliged to remove all temporary works and restore the land to the owner's reasonable satisfaction.

### **Article 34: Temporary use of land for maintaining the authorised development**

- 3.2.13 Article 34 would enable the Applicant to take temporary possession of any land within the Order limits, if reasonably required for the purpose of maintaining the Scheme, at any time during the maintenance period (i.e. five years from the date on which that part of the authorised development (is first open for use).
- 3.2.14 Article 34 would allow the Applicant to construct temporary works and buildings on the land, so far as reasonably necessary for the purpose of maintenance. The Applicant would not be able to take temporary possession of a house, or a garden belonging to a house, or any other occupied building under this article. The Applicant may only remain in possession of land under this article for so long as may be reasonably necessary to carry out the maintenance of the part of the Scheme for which possession was taken. Before giving up possession of land temporarily possessed under this article, the Applicant would be required to remove all temporary works and restore the land to the owner's reasonable satisfaction.

### **Other rights and powers**

- 3.2.15 The DCO also confers other rights and powers on the Applicant that may interfere with property rights and private interests. These additional powers are:
- a) Article 16: Temporary alteration, diversion and restriction of use of streets;
  - b) Article 17: Permanent stopping up and restriction of use of streets and private means of access; and
  - c) Article 22: Authority to survey and investigate the land.
- 3.2.16 In each case (for both the principal powers and other powers) the owner of the land, or the interest or right in the land, may be entitled to compensation. Any dispute in respect of the compensation payable is to be determined by the Lands Chamber of the Upper Tribunal.

## 4 WHY COMPULSORY ACQUISITION IS JUSTIFIED FOR THE SCHEME AGAINST THE RELEVANT LEGAL AND POLICY TESTS

- 4.1.1 This chapter explains why the Applicant considers that the conditions in s122 PA 2008 and the tests set out in the CA Guidance are satisfied.
- 4.1.2 S122 of PA 2008 states that: "An order granting development consent may include provision authorising the compulsory acquisition of land only if the Secretary of State is satisfied that the conditions in subsections (2) and (3) are met."
- 4.1.3 The conditions are:
- in subsection (2) that the land is:
    - a) required for the development to which the development consent relates;
    - b) required to facilitate or is incidental to that development; or
    - c) replacement land which is to be given in exchange for the order land under s131 or s132 (not relevant to this Scheme); and
  - In subsection (3), that there is a compelling case in the public interest for the land to be acquired compulsorily.
- 4.1.4 With regard s122(2)(a) and (b), it is the case that the land subject to compulsory powers is either required for the development, or to facilitate it, or is incidental to the development. Paragraph 8 of the CA Guidance states that the applicant will also need to demonstrate that the proposed interference with the rights of those with an interest in the land is for a legitimate purpose, and that it is necessary and proportionate. Annex A sets out why compulsory powers are necessary in relation to each individual plot, with reference to the relevant DCO Works numbers, and the nature of the Works is set out in Schedule 1 of the DCO.
- 4.1.5 The land included in the DCO is the minimum necessary land-take required to construct, operate, maintain and mitigate the Scheme and is therefore proportionate to the Scheme objectives.
- 4.1.6 The land in which only new rights (and restrictive covenants) may be required and the land in which only temporary possession is required, together with the purpose these powers are being sought for and the relevant DCO Works numbers, is detailed in Schedule 5 of the DCO (land in which only new rights etc. may be acquired).
- 4.1.7 With regards to the requirement for a compelling case in the public interest, as set out in s122(3) and in the CA Guidance, there must be compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the private loss that would be suffered by those whose land is to be acquired. This Statement and the other application documents, including the Case for the Scheme and National Networks National Policy Statement Accordance Table (**TR010040/APP/7.1**), demonstrate that there is a very strong and compelling case in the public interest for the Scheme to be delivered.
- 4.1.8 Paragraph 2.2 of the National Networks National Policy Statement (NNNPS) states that there is a "critical need" to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and

resilient networks that better support social and economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth. It goes on to state that improvements may also be required to address the impact of the national networks on quality of life and environmental factors.

- 4.1.9 The way in which the strategic objectives of the Scheme are aligned with the NNNPS is set out in detail at Chapter 3 of the Case for the Scheme and NNNPS Accordance Table and general compliance with the NNNPS is set out in the NNNPS Accordance Table (**TR010040/APP/7.2**). This clearly demonstrates that there would be substantial public benefits arising from the implementation of the Scheme.
- 4.1.10 The Scheme is included in the Applicant's Second Road Investment Strategy (RIS2) as a commitment for the second Road Period (RP2) covering the financial years 2020/21 to 2024/25. Further details of the funding commitment can be seen in the Applicant's Funding Statement (**TR010040/APP/4.2**) and the Case for the Scheme and NNNPS Accordance Table (**TR010040/APP/7.2**).
- 4.1.11 It follows that there is a similarly compelling case in the public interest to include the compulsory acquisition powers sought by the Applicant in the DCO. The exercise of the compulsory acquisition powers that are sought is shown throughout this Statement to be necessary and proportionate to the extent that interference with private land and rights is required.
- 4.1.12 The Scheme objectives directly support the Government's wider strategic policy objectives whilst specifically addressing a significant problem of traffic congestion on the strategic road network, providing additional capacity and facilitating long-term development. It is the Applicant's view that the Scheme is consistent with the core policies of the NNNPS and the statutory requirements of the PA 2008 have been addressed. As such, the Applicant considers that the presumption in favour of the development set out in paragraph 4.2 of the NNNPS should be afforded great weight as the public benefits of the Scheme outweigh any residual adverse effects, including any private loss, suffered by individual land owners and occupiers. On this basis the Applicant considers that there is a clear and justified case in the public interest for the Scheme.
- 4.1.13 The Scheme is also in general accordance with policies and objectives contained in the local development plan through supporting economic development.
- 4.1.14 The Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, as amended by the Broadland Part of the Norwich Policy Area: Local Plan 2014, acknowledges the congestion issues on the A47 to the west of Norwich caused by the single carriageway Sections of the road through the area, "*The A47 to the west provides strategic road access to the Midlands and North. It is mostly single carriageway in Norfolk and suffers from congestion and safety issues. Significant growth is proposed at East Dereham and King's Lynn,*" (Para 3.19).
- 4.1.15 Policy 6 of the Local Plan seeks to improve the transportation system in order to develop the role of Norwich as a Regional Transport Node, particularly through the implementation of the Norwich Area Transportation Strategy. One of the ways this will be achieved is "*by promoting improvements to the A11 and A47*". The policy recognises that supported strategic improvements to aid delivery and

economic success include A47 improvements to reduce the significant stretches that remain single carriageway.

- 4.1.16 In the absence of compulsory powers it would not be possible to proceed with the Scheme, therefore the public benefits would not be realised.
- 4.1.17 Paragraphs 8 to 10 of the CA Guidance set out a number of considerations that the Applicant must demonstrate to the satisfaction of the Secretary of State in justifying an order authorising compulsory acquisition. This includes that all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored. Paragraph 25 also requires that applicants seek to acquire land by negotiation wherever practicable.
- 4.1.18 With regard to modifications to the Scheme, alternatives to the Scheme have been considered, options were consulted on and the preferred route has been chosen based on a thorough consideration of the relevant issues. This process is described in detail in the Consultation Report (**TR010040/APP/5.1**).
- 4.1.19 Following public consultation the Applicant selected the most appropriate option. This selection took into account various factors, including amongst others views of consultees including land interests. Other factors included environmental impacts, meeting Scheme objectives, affordability, value-for-money, safety and construction and operational considerations. None of the alternative options would obviate the need for the compulsory acquisition and temporary possession of land.
- 4.1.20 The Land is no more than is reasonably required for the construction, operation, and maintenance of the Scheme and the limits of the Land have been drawn so as to avoid unnecessary acquisition or use of land. In the event that less land proves to be required in a particular area at a later stage, the Applicant would only seek to acquire that part of the Land that is required and in all events will seek to minimise effects on landowners.
- 4.1.21 The Applicant recognises that the authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail. However, the Applicant notes that the CA Guidance also recognises that, in some cases, it may not always be practicable to acquire each plot of land by agreement. Where this is the case, the CA Guidance confirms that it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset. It also recognises that in some cases it may be preferable, or necessary, to acquire land compulsorily rather than by agreement.
- 4.1.22 The Applicant is in discussions with landowners and occupiers to acquire the Land by agreement; please refer to Annex B for the current status of these discussions. However powers of compulsory acquisition and temporary possession over the Land are required to ensure that the Scheme can be delivered in the event that it does not prove possible to acquire the Land by agreement.
- 4.1.23 The Applicant notes that it is under a duty to acquire land at best value, as the Scheme is funded by public money, and that it is required to deliver the Scheme

within a specified time frame, to meet timescales set out by the Department for Transport.

- 4.1.24 Therefore, the Applicant has concluded that acquisition by agreement may not be achievable in all cases or in any event within the timescales necessary to ensure that the programme for the construction of the Scheme would be met.
- 4.1.25 There are also cases where the ownership of land, or of interests in or rights in land, is unknown and where it would therefore not be possible to acquire the interest or right except by way of compulsory acquisition. These 'unknown interests' are identified within in the Book of Reference (**TR010040/APP/4.3**).

## 5 HUMAN RIGHTS ACT AND EVIDENCE OF COMPLIANCE

- 5.1.1 The Human Rights Act 1998 incorporated into domestic law the provision of the European Convention on Human Rights. The relevant articles can be summarised as follows:
- Article 1 of The First Protocol – protects the rights to peaceful enjoyment of possessions. No one can be deprived of their possessions except in the public interest.
  - Article 6 – entitles those affected by compulsory powers to a fair and public hearing.
  - Article 8 – protects the right of the individual to respect for his private and family life, his home and his correspondence. Interference with this right can be justified if it is in accordance with law and is necessary in the interests of, among other things, national security, public safety or the economic wellbeing of the country.
- 5.1.2 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with rights protected by the ECHR.
- 5.1.3 Paragraph 10 of the CA Guidance sets out how applicants should take into account Human Rights.
- 5.1.4 “The Secretary of State must ultimately be persuaded that the purposes for which an order authorises the compulsory acquisition of land are legitimate and are sufficient to justify interfering with the human rights of those with an interest in the land affected. In particular, regard must be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of acquisition of a dwelling, Article 8 of the Convention.”
- 5.1.5 The DCO, if made, may infringe the human rights of persons with an interest in land. This infringement is authorised by law provided that:
- There is a compelling case in the public interest for the compulsory acquisition powers included within the DCO, and that proper procedures are followed.
  - Any interference with a human right is proportionate and otherwise justified.
- 5.1.6 A detailed schedule of meetings and progress with each affected landowner is provided in Annex B to this document.
- ### 5.2 Compliance with the convention
- 5.2.1 It is recognised that the Scheme may have an impact on individuals; however this is outweighed by the significant public benefits that will arise from the Scheme. The draft DCO strikes a reasonable balance between the public interest in seeing the Scheme proceed (which is unlikely to happen in the absence of the DCO) and the private rights which will be affected by the compulsory acquisition.
- 5.2.2 In relation to Article 6 it is the case that proper procedures have been followed for both the consultation on the Scheme and for the determination of the compulsory acquisition powers included within the Scheme. Throughout the development of the Scheme persons with an interest in the land have had full

opportunity to comment on the proposals, both in a statutory and non-statutory capacity, and the Applicant has endeavoured to engage with landowners. We have been responsive to landowner feedback in both the initial design of the Scheme and in iterative design changes throughout the life of the Scheme. Examples of design changes are provided within the Consultation Report (**TR010040/APP/5.1**).

- 5.2.3 In relation to both Article 1 and 8, the compelling public interest case for the compulsory acquisition powers included within the DCO has been demonstrated in Chapter 4 and in The Case for the Scheme and NNNPS Accordance Table (**TR010040/APP/7.2**). The land included over which compulsory acquisition powers are sought is the minimum necessary to ensure the delivery of the Scheme. The Scheme has been designed to minimise harm whilst achieving its publicly stated objectives. In this respect the interference with human rights is both proportionate and justified.
- 5.2.4 Any person affected by the DCO may submit representations to the Application in response to a notice given under section 56 of the PA 2008; and may attend any compulsory acquisition hearing held under section 92 of the PA 2008, at which each affected person is entitled to make oral representations about the compulsory acquisition request.
- 5.2.5 If the DCO is made, a person aggrieved may challenge the DCO by judicial review in the High Court if they consider that the grounds for doing so are made out pursuant to section 118 of PA 2008.

### **5.3 Fair compensation**

- 5.3.1 Any person affected by the exercise of compulsory acquisition powers or by the exercise of temporary possession, may be entitled to compensation. This entitlement to compensation is provided for by the existing compensation code.
- 5.3.2 Paragraph 9 of the CA Guidance states that there must be a reasonable prospect of the requisite funds for the Scheme becoming available. Certainty of funding for the Scheme to the extent of a guarantee that all compensation claims will be funded is detailed in the separate Funding Statement (**TR010040/APP/4.2**). The Applicant has the resources to pay such compensation and demonstrate in the Funding Statement that these resources are available.
- 5.3.3 Any dispute in respect of the compensation payable can be determined by the Upper Tribunal (Lands Chamber).

### **5.4 Equalities Impact Assessment**

- 5.4.1 The Applicant has carried out an Equality Impact Assessment (**TR010040/APP/7.9**) which has been submitted as part of this DCO application to ensure that the Scheme does not discriminate against any disadvantaged or vulnerable people.

## **6 LAND INTERESTS**

### **6.1 How diligent inquiry has been used to identify and consult land interests**

- 6.1.1 The full extent of the Land subject to powers of compulsory acquisition and required in order to enable the Applicant to construct the Scheme as described in Chapter 4 of this statement is shown on the Land Plans (**TR010040/APP/2.2**). It is further described in the Book of Reference (**TR010040/APP/4.3**) and in other documentation forming part of the DCO application.
- 6.1.2 Diligent inquiry, under s44 PA 2008, was undertaken by the Applicant's land referencing supplier in identifying and listing affected landowners, those with interests in land, and those with a potential claim. Land referencing will continue to be undertaken to ensure that any changes in ownership or rights are identified, and these changes will be reflected in ongoing engagement.
- 6.1.3 Identification of Category 3 Parties, under s44(5) PA 2008, was undertaken at the early stages of Scheme development, in preparation for the DCO application, and will remain under review. The methodology for identification of those parties is set out below:

### **6.2 Assessment of Category 3 Parties who may fall under s10 of the Compulsory Purchase Act 1965**

- 6.2.1 In assessing Category 3 parties falling under s10 of the Compulsory Purchase Act a desk-based assessment was carried out to identify properties that may have a claim.
- 6.2.2 In addition site visits were used in order to assess properties that the team may not have been aware of from their desk based assessment.
- 6.2.3 Furthermore proposed new residential developments, identifiable from the Local Plan or from Local Authority information about developments with the benefit of Planning Permission were taken into account.

### **6.3 Assessment of Category 3 Parties which fall under Part I of the Land Compensation Act 1973**

- 6.3.1 In assessing potential Part I claimants, physical factors and impacts were considered:
- Properties closest to the proposed works; and
  - Category 1 persons identified as a receptor as a consequence of their dwelling house being located outside the Order limits but close to the construction works;
- 6.3.2 The Applicant's land referencing team were provided with guidance from environmental specialists. This guidance was based on the topography of the land and the likely significant effects arising from the Scheme. For example the noise assessments had regard to information available at that time regarding:
- Background noise levels; and
  - Distances to receptors

6.3.3 Based on the above information professional judgement was used to ascertain whether a person may have a relevant claim for compensation under s57(4) PA 2008, based on a worst case assessment.

#### **6.4 How diligent inquiry has been used to identify and consult land interests – Category 1 and 2 persons**

6.4.1 A Shapefile of the search area, being the proposed land requirements, was submitted to the Land Registry so that a search could be completed of the index map. Ongoing Land Registry searches have been used to ensure that any changes in Title were identified. The official copies of the Registered Titles and Plans were examined to identify all land interests. At completion of this initial desk based exercise it was then possible to identify the extent of unregistered land interests.

6.4.2 In order to establish ownership of unregistered land that falls within the proposed land requirements, public sources of information were used, such as site visits, the posting of site notices, the Planning Portal, Rural Payments Agency website, DEFRA, Natural England, Companies House website, the relevant Highways Authority, records held by Statutory Undertakers, Electoral Registers and online resources. A land charges search was also carried out.

#### **6.5 Contact Referencing**

6.5.1 Following the initial non-contact methods above, identified parties were issued with a letter and questionnaire requesting return of information about land in which they may have an interest. This was then followed up by telephone and letter contact.

#### **6.6 The extent and nature of the land subject to compulsory acquisition powers**

6.6.1 The full extent of the Land subject to powers of compulsory acquisition and required in order to enable the Applicant to construct the Scheme as described in Chapter 2 of this Statement is shown on the Land Plans (**TR010040/APP/2.2**) and the Works Plans (**TR010040/APP/2.3**) It is further described in the Book of Reference (**TR010040/APP4.3**).

6.6.2 The total area of land to be acquired (including permanent acquisition and permanent rights) by the Scheme is 47.4 hectares, together with 15.68 hectares already owned by Highways England. The total area of land required for temporary use by the Scheme is 40.16 hectares, including 12 hectares for new rights land over which temporary powers are also sought.

6.6.3 The Applicant has sought powers of compulsory acquisition (or rights of use) in respect of all plots of land required for the Scheme even where it already holds an interest or presumes it holds an interest in the land. This approach has been taken to ensure that it has the right to acquire the interests it needs in all of the Land, even where an unknown or unregistered owner later asserts an interest in

land which the Applicant believes it owns and clearing the title would be necessary.

6.6.4 The purpose for which each plot of land is required is described in Annex A of this Statement.

## **6.7 Location Of the Order Lands**

6.7.1 The Scheme is located in the County of Norfolk, between Blofield and Acle. The Scheme location is provided on the Location Plan (**TR010040/APP/2.1**). The Land is located within the administrative area of Norfolk County Council.

## **6.8 Existing Land Use and Character of the Order lands**

6.8.1 The Order lands comprise principally agricultural land to the south of the existing route of the A47, as well as including parts of the existing highway network managed both by Highways England and part of the local highway network managed by Norfolk County Council.

6.8.2 The existing highways of Yarmouth Road, Waterlow, Lingwood Road, Lingwood Lane and Acle Road are included within the Order lands. A public footpath (Burlingham FP3) runs from Lingwood north to the A47 at North Burlingham and bisects the Order lands. There are also direct accesses from the A47 into surrounding fields, one farm access track and one direct property access.

6.8.3 There are lay-bys on both sides of the highway at the start of the single carriageway section travelling eastbound, a lay-by on the north side mid-way and on the south side before the recommencement of the dual carriageway.

6.8.4 The Order lands are predominantly flat and agricultural in topography and nature. There are no significant watercourses or geographical features within the Order lands. The area is not subject to a river basin management scheme.

## **6.9 Construction Compounds**

6.9.1 It is proposed that several construction compounds would be required to facilitate construction of the Scheme. The land required is for the most part schedule to be secured by temporary possession powers if agreement cannot be reached with the landowner.

6.9.2 The principal construction compounds are as follows:

- Plots 2/19a– this is a principal construction compound located to the south of the NSIP. It will be accessed from Waterlow and also from the existing A47. It will be located on what is currently agricultural land.
- Plots 5/1a – used for the principal construction of the NSIP. It will be accessed from the existing A47 and via the additional construction compound that will be located on the eastern side of Lingwood Road. It will be located on what is currently agricultural land.
- Plots 5/5A and 6/1a – this compound will be accessed from Acle Road and used for the construction of the B1140 Overbridge as well as the principal works for the NSIP. It will be located on what is currently agricultural land.

6.9.3 On addition compounds will also be provided as follows:

- Plots 6/1c and 6/1l – this construction compound will be located to the north of the NSIP. It will be accessed from South Walsham Road. It will be located on what is currently agricultural land.
- Plots 6/1 - a construction compound located to the south of the NSIP south east of the of the B1140 Overbridge. It will be accessed from White House Lane and also from the existing A47. It will be located on what is currently agricultural land.

## 6.10 Utility Diversions

6.10.1 A number of existing utility services are located in the surrounding area that would be affected by the Scheme. The relevant major utility diversions are summarised below and have been defined as specific works within the development listed within Schedule 1 of the draft DCO (**TR010040/APP/3.1**). These works are also shown on the Works Plans (**TR010040/APP/2.3**):

6.10.2 Table 6-1 below sets out which plots are required for utility diversions and summarises the nature of the rights sought.

Table 6-1 : The relevant works and plot numbers for New Rights:

**Note:** for all plots listed, a surface right to pass and repass with or without plant and vehicles and including access to highways is sought.

Plot No(s).	Work No	Nature of proposed new rights and restrictive covenants
1/2d, 1/7, 2/2b, 2/3, 2/4, 2/5, 2/17, 2/17a, 2/18c	2	New rights are sought in these plots for a utilities corridor required to carry various utilities underground apparatus. Restrictive covenants will be sought to protect the apparatus that is installed from being dug up or exposed or access to the apparatus becoming materially more difficult
1/10b, 1/11a, 1/12b, 2/1b, 2/1c, 2/13a, 2/14a, 2/19b, 3/2b, 3/7, 4/2a, 4/4, 4/7d, 5/1b, <a href="#">5/1d</a> , <a href="#">5/1g</a> , <a href="#">5/1f</a> , 5/5d, 5/5f 6/1i and 7/1b	5	New pipeline for Cadent Gas Limited. New rights will be sought for Cadent to install, use, and maintain its gas main, together with a right to pass and re-pass e level. Restrictive covenants will be sought to protect the apparatus that is installed from being dug up or exposed or access to the pipe becoming materially more difficult.
2/17	8	New rights are sought in these plots for a utilities corridor required to carry various utilities underground apparatus. Restrictive covenants will be sought to protect the apparatus that is installed from being dug up or exposed or access to the apparatus becoming materially more difficult

Plot No(s).	Work No	Nature of proposed new rights and restrictive covenants
3/2c and 3/4c	19	New rights are sought over these plots for the diversion underground of electricity cables. Restrictive covenants will be sought to protect the apparatus that is installed from being dug up or exposed or access to the apparatus becoming materially more difficult.
3/2d	20	New rights are sought over these plots for the diversion underground of electricity cables. Restrictive covenants will be sought to protect the apparatus that is installed from being dug up or exposed or access to the apparatus becoming materially more difficult.
4/7e	24	New rights are sought for the installation, maintenance and use of electricity distribution network cables. It will include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.
5/6a	28A	New rights are sought for the installation, maintenance and use of electricity distribution network cables. It will include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.
5/6a ,6/11, 6/2d, 6/10a, 6/10b, 6/10c	28A, 31	New rights are sought over these plots for a new utilities corridor for apparatus diverted from the existing A47 to allow for the construction of the new B1140 overbridge. New rights will be sought for a number of utilities to install their apparatus in the relevant plots. Restrictive covenants will be sought to protect the apparatus that is installed from being dug up or exposed or access to the apparatus becoming materially more difficult.
6/1h, 6/11, 6/14, 6/14b, 6/15b and 6/17	42	New rights are sought for the installation, maintenance and use of electricity distribution network cables. It will include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.
6/14, 6/15a, 8/6	44	New rights are sought for the installation, maintenance and use of potable water pipes. It will include restrictive covenants for protecting the installed apparatus from excavation and to prevent access to the installed apparatus being made materially more difficult.
8/1 and 8/5a	43	New rights are sought for the diversion of various utilities. The new rights will be sought for the installation, use and maintenance of the relevant apparatus, together with restrictive covenants to protect the apparatus that is installed from being dug up or exposed or access to the apparatus becoming materially more difficult.

## 6.11 Restrictive Covenants

6.11.1 Table 6-1 above also provides a summary of the restrictive covenants that will be sought over the new rights plots to protect the installed apparatus. The

power to seek restrictive covenants is contained in article 26 (compulsory acquisition of rights and imposition of restrictive covenants) of the draft DCO.

- 6.11.2 The restrictive covenants are necessary to protect the apparatus of the statutory undertakers that will be installed in the relevant lands. It is normal practice for such restrictive covenants to be sought by agreement by statutory undertakers for their protection. A number of previously made development consent orders contain precedent for such restrictive covenants being sought when the purpose and need for such powers is justified and explained.
- 6.11.3 The Applicant believes that for the proper protection of the statutory undertakers whose apparatus is being relocated for the Scheme, it is appropriate for the Order as made to contain powers to allow for such restrictive covenants to be sought by compulsion if not agreed.

## 7 THE CASE FOR COMPULSORY ACQUISITION

### 7.1 The statutory conditions and CA Guidance

7.1.1 In seeking compulsory acquisition and temporary possession powers in the DCO, the Applicant has had regard to the conditions in section 122 of the 2008 Act and to the tests set out in the CA Guidance.

7.1.2 Section 122 of 2008 Act states that:

"An order granting development consent may include provision authorising the compulsory acquisition of land only if the Secretary of State is satisfied that the conditions in subsections (2) and (3) are met"

7.1.3 The conditions are:

- In subsection (2), that the land is:
  - a) required for the development to which the development consent relates;
  - b) required to facilitate or is incidental to that development;
- In subsection (3), that there is a compelling case in the public interest for the land to be acquired compulsorily.

7.1.4 The CA Guidance (paragraph 11) sets out the considerations which the Secretary of State will take into account in deciding whether the condition in subsection (2) has been met. It states:

- In respect of whether the land is required for the development, the applicant should be able to demonstrate to the satisfaction of the Secretary of State that the land in question is needed for the development. The Secretary of State will need to be satisfied that the land to be acquired is no more than is reasonably required for the purposes of the development.
- In respect of whether the land is required to facilitate or is incidental to the proposed development, the Secretary of State will need to be satisfied that the development could only be carried out to a satisfactory standard if the land in question were to be compulsorily acquired and that the land to be taken is no more than is reasonably necessary for that purpose. In respect of the condition in subsection (3), the CA Guidance states at paragraphs 12 and 13 that the Secretary of State will need to be persuaded that there is compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the private loss that would be suffered by those whose land is to be acquired.

7.1.5 Paragraphs 8 to 10 of the CA Guidance are also relevant, setting out a number of general considerations to be taken into account by the applicant in seeking compulsory acquisition powers:

- That all reasonable alternatives to compulsory acquisition (including modifications to the Scheme) have been explored.
- That the proposed interference with the rights of those with an interest in the land is for a legitimate purpose, and that it is necessary and proportionate.

- That the applicant has a clear idea of how they intend to use the land which is to be acquired.
- That there is a reasonable prospect of the necessary funds for acquisition becoming available.
- That the purposes for which the compulsory acquisition powers are included in the application are legitimate and sufficiently justify interfering with the human rights of those with an interest in the affected land.

7.1.6 Finally, paragraph 25 of the CA Guidance states that applicants should seek to acquire land by negotiation wherever practicable.

## **7.2 Need for the Land and the purposes for which the compulsory acquisition powers are sought**

7.2.1 The Applicant is satisfied that the condition in section 122(2) of the 2008 Act is met. As explained in Chapter 3 of this Statement the Land subject to compulsory acquisition powers is either needed for the development (ie: the Scheme), or is needed to facilitate the development, or is incidental to the development.

7.2.2 At Annex A of this Statement, the Applicant sets out why compulsory powers are necessary in relation to each individual parcel of the Land, with reference to the relevant DCO works numbers, and the nature of the works as set out in Schedule 1 of the DCO.

7.2.3 The Applicant considers that the land included in the draft DCO (**TR010040/APP/3.1**) is the minimum land-take required to construct, operate, maintain and mitigate the Scheme and is necessary to achieve the objectives of the Scheme. The Applicant has sought to achieve a balance between minimising land take and securing sufficient land to ensure delivery of the Scheme, noting that the detailed design of the Scheme has yet to be developed. In that context the limits of deviation have been drawn as tightly as possible so as to avoid unnecessary land take. In the event that less land proves to be required in a particular area following the detailed design stage, the Applicant would only seek to acquire that part of the land that is required and, in all events, will seek to minimise effects on landowners.

7.2.4 The compulsory acquisition powers are also required to override any existing rights and interests in land as well as grant the right to take temporary possession of land for construction and maintenance purposes. Again, without these rights over the Land, the Scheme cannot be delivered. The Applicant is accordingly satisfied that the land to be taken is reasonable and proportionate.

## **7.3 Compelling case in the public interest**

7.3.1 This Statement sets out the reasons for the inclusion of compulsory acquisition powers within the DCO. It explains that it is necessary to include compulsory powers within the DCO so that the Applicant can acquire the land required for the construction of the Scheme that is not already in its possession. It also explains why powers of compulsory acquisition are necessary to enable the Applicant to use land temporarily, and acquire or extinguish rights over land in order to construct the Scheme in a way that is both proportionate and in the public interest by reducing environmental impacts, minimising the cost to the Applicant (and hence the public purse) and mitigating the impact on affected

landowners. This compelling case is evidenced further in the wider documentation that accompanies the Application.

- 7.3.2 The case for the Scheme is set out in Section 2.2 of this Statement and in the other application documents, including Chapters 3 and 4 of the Case for the Scheme (**TR010040/APP/7.1**). Together, they demonstrate that there is a compelling case in the public interest for the Scheme to be delivered.
- 7.3.3 In particular, as set out at Chapter 3 of the Case for the Scheme, paragraph 2.2 of the NNNPS identifies a "critical need" to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and resilient networks that better support social and economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth. It goes on to state that improvements may also be required to address the impact of the national networks on quality of life and environmental factors.
- 7.3.4 The way in which the strategic objectives of the Scheme are aligned with the NNNPS is set out in detail at Chapter 3 of the Case for the Scheme (**TR010040/APP/7.1**). General compliance with the NNNPS is set out in the NNNPS Accordance Table (**TR010040/APP/7.2**). This also demonstrates that there would be public benefits arising from the implementation of the Scheme. These benefits outweigh any negative impacts of the Scheme.

## **7.4 Consideration of alternatives**

- 7.4.1 As explained in detail in Chapter 2 of the Consultation Report (**TR010040/APP/5.1**); Chapter 3: Assessment of Alternatives, Volume 1 of the ES (**TR010040/APP/6.1**) and Chapter 2 of the Case for the Scheme (**TR010040/APP/7.1**) the Applicant has explored alternative options for the Scheme.
- 7.4.2 In designing the Scheme and determining the land to be subject to compulsory acquisition and temporary possession powers, the Applicant has considered alternatives and modifications to the Scheme to minimise the potential land take. These alternatives and modifications were consulted on and the preferred route has been chosen based on a thorough consideration of all of the relevant issues. This process is described in detail in Chapter 3; Assessment of Alternatives, Volume 1 of the ES (**TR010040APP/6.1**) and Chapter 3 of the Case for the Scheme (**TR010040/APP/7.1**).

## **7.5 Reasonable prospect of funding**

- 7.5.1 The Applicant is content that there is a reasonable prospect of the necessary funds for acquisition being available for the reasons set out in the Funding Statement (**TR010040/APP/4.2**).

## **7.6 Negotiations to acquire by agreement**

- 7.6.1 As well as consulting all persons with an interest in the Land about the Scheme proposals in accordance with section 42 of the 2008 Act, the Applicant is aware of the requirement (paragraph 25 of the CA Guidance) to seek to acquire land by negotiation wherever practicable.
- 7.6.2 The CA Guidance also recognises that where proposals would entail the compulsory acquisition of many separate plots of land, it may not always be

practicable to acquire each plot of land by negotiated agreement. As the CA Guidance states, *"Where this is the case, it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset."*

- 7.6.3 The Applicant has engaged with all landowners and occupiers with a view to acquiring their land interest by agreement by writing to them to inform them of the Applicant's willingness to negotiate to acquire the Land by agreement, and to invite dialogue on this point. As a result, the Applicant is in the process of continuing to engage with a significant proportion of landowners with regard to the acquisition of land by agreement; and negotiations with this objective will be ongoing throughout the DCO process. The status of such negotiations is set out in Annex B to this Statement.
- 7.6.4 Whilst negotiations are ongoing, the Applicant is mindful that it is under a duty to acquire land at best value and that it is required to deliver the Scheme within a specified timescale. It has concluded that it may not be possible to acquire all land interests necessary to deliver the Scheme within this timescale. There are further parcels of land in unknown ownership or with unknown interests affecting them which cannot be acquired by agreement.

## **7.7 Conclusions on the case for Compulsory Acquisition Powers**

- 7.7.1 The Applicant is satisfied that the conditions in section 122 of the 2008 Act are met and that the tests in the CA Guidance are satisfied.
- 7.7.2 All of the Land subject to compulsory acquisition and temporary possession powers is necessary to construct, operate, maintain and mitigate the Scheme necessary to achieve the objectives of the Scheme. The extent of the Land sought is reasonable and proportionate.
- 7.7.3 Further there is a compelling case in the public interest to include the compulsory acquisition powers sought by the Applicant in the DCO. The exercise of the compulsory acquisition powers that are sought is shown throughout this Statement to be necessary and proportionate to the extent that interference with private land and rights is required. In the absence of compulsory powers, the Applicant considers that it would not be possible to proceed with the Scheme, therefore the public benefits of the Scheme would not be realised.

## 8 SPECIAL CONSIDERATIONS

### 8.1 Crown Land

- 8.1.1 As shown in Part 4 of the Book of Reference (**TR010040/APP/4.3**) and Crown Land Plans (**TR010040/APP/2.8**), the DCO, at Article 51 includes provision for the acquisition of Crown Land/Land for the time being held otherwise by or on behalf of the Crown.
- 8.1.2 S135 of PA 2008 states that an Order granting development consent may include provision applying to Crown Land only if the appropriate Crown authority consents to the inclusion of the provision. The Applicant provided the draft Crown Land Plan to the Department for Transport on 31 October 2020 requesting its approval to the proposed compulsory acquisition of land in which the Department holds an interest.

### 8.2 Special category land – land forming part of a common, open space, or fuel or field garden allotment – including any exchange land arrangements

- 8.2.1 No open space or other qualifying special category land is within the Order lands.
- 8.2.2 The Blofield Allotments, located east of Blofield on Yarmouth Road, are not fuel or field garden allotments.
- 8.2.3 Part of the Blofield Allotment car park area is scheduled for permanent acquisition for the new alignment of Yarmouth Road (Plot 1/11) and temporary possessions and permanent new rights are sought over an area of the Allotment car park and a row of allotments (Plots 1/10b and 1/11a). The Applicant is liaising with the leasehold owner, Blofield Parish Council and allotment occupiers regarding the impacts of the Scheme on the Blofield Allotments.

### 8.3 National Trust “inalienable” land

- 8.3.1 No land held by National Trust is within the Order Land.

### 8.4 Statutory Undertaker land

- 8.4.1 The draft DCO will, if made, authorise the compulsory acquisition of land in which statutory undertakers have apparatus.
- 8.4.2 As described in the Book of Reference (**TR010040/APP/4.3**) Plot 5/2 is land owned by a statutory undertaker for the purposes of their undertaking, namely Cadent Gas Limited.
- 8.4.3 In addition, a number of utilities have apparatus installed in plots throughout the Order Lands.
- 8.4.4 S127(3) PA 2008 sets out that a DCO may authorise the compulsory acquisition of statutory undertaker land only if: the nature and situation of the land are such that:
- a) It can be purchased and not replaced without serious detriment to the carrying on of the undertaking; or
  - b) If purchased, it can be replaced by other land belonging to, or available for acquisition by, the undertaker without serious detriment to the carrying on of the undertaking.

8.4.5 Negotiations with undertakers with apparatus in the Order Land are ongoing and it is hoped that a private agreement can be achieved with all relevant statutory undertakers. The Applicant will update the examination at the earliest opportunity to aid the Examining Authority's consideration of this issue.

## **8.5 Heritage and Landscape Designations**

8.5.1 There are no Scheduled Monuments, Registered Parks and Gardens, Registered Battlefields or Conservation Areas in the vicinity of the Scheme.

8.5.2 There are no designated landscapes or registered parks and gardens in the vicinity of the Scheme.

## **8.6 Other consents**

8.6.1 The Applicant is not aware of any impediments to the delivery of the Scheme. Whilst there are a number of other consents being sought, there are no obvious impediments to securing those consents. The Consents and Licences Position Statement (**TR010040/APP/3.3**) sets out the requirements for other consents and the current position. Where appropriate the Consents and Licences Position Statement will be updated throughout the Examination.

## 9 SUMMARY AND CONCLUSIONS

### 9.1 Overview

- 9.1.1 This Statement sets out why compulsory acquisition powers have been sought and explains why they are necessary, proportionate, and justified. Without the grant of compulsory acquisition powers it will not be possible to construct the Scheme, or realise the public benefits arising from it.
- 9.1.2 With regards to the legislative tests set out in the PA 2008, it has been demonstrated that the land subject to compulsory acquisition is required for the Scheme and is the minimum necessary that would allow the Applicant to construct, operate and maintain the Scheme. It has been shown that there are significant public benefits arising from the Scheme which will outweigh any effects on individuals, therefore there is a compelling public interest case for the Scheme.
- 9.1.3 The Scheme also complies with the policy requirements set out in the DCLG CA Guidance in respect of such matters as the consideration of alternatives and human rights. In all cases affected persons have been engaged with consulted and where possible accommodated so that impacts are reduced or removed.
- 9.1.4 Funding and compensation matters are not considered in this Statement as they are detailed in the separate Funding Statement (**TR010040/APP/4.2**).
- 9.1.5 Progress in negotiations with affected landowners for the purposes of compulsory acquisition powers is set out below in Annex B.

## ANNEXES

### Annex A Details of the purpose for which compulsory acquisition and temporary possession powers are sought

The specific purposes for which each plot of Land subject to compulsory acquisition powers is required are set out in the tables in this Annex. The first column of each table identifies the plot number (as shown on the Land Plans) and used in the Book of Reference. Plots can be grouped in each row to the extent that they relate to the same Work. The second column of each table sets out the corresponding Works numbers as shown on the Works Plans and the broad uses for which the plot in question is required.

The tables in this Annex A should be read in conjunction with and by reference to the:

- Land Plans (TR010040/APP/2.2)
- Works Plans (TR010040/APP/2.3)
- Draft DCO (TR010040/APP/3.1)

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
1/1	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
1/2	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
1/2a	1, 3	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion underground of overhead cables
1/2b	1, 3, 4, 7, 12	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion underground of overhead cables Improvements to the Yarmouth Road junction with the A47 New highway between the junction of the A47 with Yarmouth Road Installation of utilities apparatus
1/2c	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
1/2e	4, 7, 12	Improvements to the Yarmouth Road junction with the A47 New highway between the junction of the A47 with Yarmouth Road Installation of utilities apparatus
1/2f	4	Improvements to the Yarmouth Road junction with the A47
1/2g	4, 6, 7, 12	Improvements to the Yarmouth Road junction with the A47 New car park and access for Blofield Allotments New highway between the junction of the A47 with Yarmouth Road Installation of utilities apparatus
1/2h	12	Installation of utilities apparatus
1/2i	12	Installation of utilities apparatus

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
1/2j	12	Installation of utilities apparatus
1/3	1, 2, 3	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Diversion underground of overhead cables
1/4	2, 3	Installation of utilities apparatus Diversion underground of overhead cables
1/4a	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
1/5	2	Installation of utilities apparatus
1/6	2	Installation of utilities apparatus
1/8	4, 7, 12	Improvements to the Yarmouth Road junction with the A47 New highway between the junction of the A47 with Yarmouth Road Installation of utilities apparatus
1/9	12	Installation of utilities apparatus
1/10	12	Installation of utilities apparatus
1/10a	7, 12	New highway between the junction of the A47 with Yarmouth Road Installation of utilities apparatus
1/11	6, 7, 12	New car park and access for Blofield Allotments New highway between the junction of the A47 with Yarmouth Road Installation of utilities apparatus
1/12	7, 12	New highway between the junction of the A47 with Yarmouth Road Installation of utilities apparatus
2/1	1, 5, 7, 12	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of a gas main together with accesses to highways and associated infrastructure New highway between the junction of the A47 with Yarmouth Road Installation of utilities apparatus
2/2	1, 12	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus
2/2a	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
2/2c	1, 2, 9	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road
2/2d	1, 7, 10, 12	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New highway between the junction of the A47 with Yarmouth Road Improvements to Waterlow Installation of utilities apparatus
2/2e	1, 8, 9	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of water pipes Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road
2/2f	1, 8, 9	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of water pipes Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road
2/2g	2, 9	Installation of utilities apparatus Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road
2/2h	2, 8, 9, 17, 17A	Installation of utilities apparatus Installation of water pipes Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road New highway forming northern approach to Blofield Overbridge Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
2/2i	9	Improvements to Yarmouth Road and creation of junction between High Noon Lane and Yarmouth Road, east of Blofield
2/2j	2, 9, 17	Installation of utilities apparatus Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road New highway forming northern approach to Blofield Overbridge
2/2k	17A	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
2/6	2, 9	Installation of utilities apparatus Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road
2/7	2, 9	Installation of utilities apparatus Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
2/9	2, 9	Installation of utilities apparatus Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road
2/10	1, 2, 8, 9, 12, 17, 17A	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Installation of water pipes Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road Installation of utilities apparatus New highway forming northern approach to Blofield Overbridge Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
2/11	1, 5, 7, 10, 12	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of a gas main together with accesses to highways and associated infrastructure New highway between the junction of the A47 with Yarmouth Road Improvements to Waterlow Installation of utilities apparatus
2/12	1, 7, 8, 11, 13, 14, 15	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New highway between the junction of the A47 with Yarmouth Road Installation of water pipes New highway forming southern approach to Blofield Overbridge Infiltration pond, soakaways and associated drainage, drivable swale and maintenance access track New highway, west of Lingwood Road New Bridge (Blofield Overbridge) and approaches
2/13	8, 13	Installation of water pipes Infiltration pond, soakaways and associated drainage, drivable swale and maintenance access track
2/14	8, 13	Installation of water pipes Infiltration pond, soakaways and associated drainage, drivable swale and maintenance access track
2/15	8, 12, 13	Installation of water pipes Installation of utilities apparatus Infiltration pond, soakaways and associated drainage, drivable swale and maintenance access track

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
2/16	1, 2, 5, 9, 11, 13, 14, 15, 17	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Diversion of a gas main together with accesses to highways and associated infrastructure Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road New highway forming southern approach to Blofield Overbridge Infiltration pond, soakaways and associated drainage, drivable swale and maintenance access track New highway, west of Lingwood Road New Bridge (Blofield Overbridge) and approaches New highway forming northern approach to Blofield Overbridge
2/17b	2, 9	Installation of utilities apparatus Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road
2/17c	2, 8, 9	Installation of utilities apparatus Installation of water pipes Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road
2/18a	2	Installation of utilities apparatus
2/18b	17	New highway forming northern approach to Blofield Overbridge
2/19	1, 13, 14, 14A, 17, 17A, 18	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Infiltration pond, soakaways and associated drainage, drivable swale and maintenance access track New highway, west of Lingwood Road New access track and <a href="#">footpath/cycle track</a> New highway forming northern approach to Blofield Overbridge Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1 Drainage and soakaway
3/1	17A, 19, 20, 22,	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1 Diversion underground of overhead cables Diversion underground of cables Installation of utilities apparatus and water pipes

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
3/2	1, 14A 18, 19, 20, 22	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New access track and <a href="#">footpath/cycle track</a> Drainage and soakaway Diversion underground of overhead cables Diversion underground of cables Installation of utilities apparatus and water pipes
3/3	17A, 19	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1 Diversion underground of overhead cables
3/3a	18, 19	Drainage and soakaway Diversion underground of overhead cables
3/3b	17A, 20	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1 Diversion underground of cables
3/3c	17A	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
3/3d	17A	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
3/5	1, 17A, 22	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1 Installation of utilities apparatus and water pipes
3/6	1, 17A, 22	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1 Installation of utilities apparatus and water pipes
4/1	17A, 22	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1 Installation of utilities apparatus and water pipes
4/2	1, 14A, 21, 22	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New access track and <a href="#">footpath/cycle track</a> Turning head on Lingwood Road Installation of utilities apparatus and water pipes
4/3	1, 14A, 21, 22	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New access track and <a href="#">footpath/cycle track</a> Turning head on Lingwood Road Installation of utilities apparatus and water pipes

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
4/5	17A	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
4/5a	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
4/5b	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
4/5c	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
4/5d	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
4/6	22	Installation of utilities apparatus and water pipes
4/7	1, 22	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus and water pipes
4/7a	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
4/7b	1, 14A, 14B, 21, 22, 23, 24	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New access track and <a href="#">cycle track/footpath</a> New access track and <a href="#">cycle track/footpath</a> Turning head on Lingwood Road Installation of utilities apparatus and water pipes <a href="#">Cycle track/footpath</a> , access track, soakaway, drivable swale and diversion of permissive equestrian/walking route Diversion underground of cables
4/8	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
4/9a	17A	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
4/10	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
5/1	1, 23, 24	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers <a href="#">Cycle track/footpath</a> , access track, soakaway, drivable swale and diversion of permissive equestrian/walking route Diversion underground of cables
<a href="#">5/1e</a>	<a href="#">5</a>	<a href="#">Diversion of a gas main together with accesses to highways and associated infrastructure.</a>
5/2	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
5/3	1, 28, 31	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New highway Installation of utilities apparatus

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
5/3a	28, 30	New highway Soakaway and access track
5/4	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
5/5	1, 27	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New <del>footpath</del> <a href="#">cycle track</a>
5/5b	1, 26A, 27, 30	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Temporary compound New <del>footpath</del> <a href="#">cycle track</a> Soakaway and access track
5/5c	25, 26, 26A, 27	Turning head on Lingwood Lane Temporary compound Temporary compound New <a href="#">cycle track</a> <del>footpath</del>
5/6	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
5/6b	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
6/1	1, 26A, 26C, 27, 28, 30, 32, 33, 34, 35, 36, 38, 40, 41	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Temporary compound Temporary haul road New <a href="#">cycle track</a> <del>footpath</del> New highway Soakaway and access track Westbound compact connector road Soakaway and access track New Bridge (B1140 Overbridge) and approaches New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road New and improved highway: Northern approach to B1140 Overbridge and tying in works to South Walsham Road Soakaways and access for drainage Realignment of highway: White House Lane, including turning head Soakaway and access

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
6/1b	1, 31, 42, 44	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Diversion underground of overhead cables Diversion of water pipes
6/1d	29, 31, 37	Realignment of Highway B1140 South Walsham Road Installation of utilities apparatus Temporary compound
6/1e	29, 31	Realignment of Highway B1140 South Walsham Road Installation of utilities apparatus
6/1m	31, 42, 43	Installation of utilities apparatus Diversion underground of overhead cables Diversion of utility apparatus
6/1n	42, 43	Diversion underground of overhead cables Diversion of utility apparatus
6/2	28, 29, 31, 33, 36, 38	New highway Realignment of Highway B1140 South Walsham Road Installation of utilities apparatus Soakaway and access track New and improved highway: Northern approach to B1140 Overbridge and tying in works to South Walsham Road Soakaways and access for drainage
6/2b	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
6/3	1, 28, 28A, 29, 31, 33, 36, 38	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New highway New highway Realignment of Highway B1140 South Walsham Road Installation of utilities apparatus Soakaway and access track New and improved highway: Northern approach to B1140 Overbridge and tying in works to South Walsham Road Soakaways and access for drainage

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
6/3a	1, 28, 30, 31, 33, 34, 36, 38,	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New highway Soakaway and access track Installation of utilities apparatus Soakaway and access track New Bridge (B1140 Overbridge) and approaches New and improved highway: Northern approach to B1140 Overbridge and tying in works to South Walsham Road Soakaways and access for drainage
6/3b	28, 31, 33	New highway Installation of utilities apparatus Soakaway and access track
6/3c	29, 33, 36, 38	Realignment of Highway B1140 South Walsham Road Soakaway and access track New and improved highway: Northern approach to B1140 Overbridge and tying in works to South Walsham Road Soakaways and access for drainage
6/3d	29, 31, 37	Realignment of Highway B1140 South Walsham Road Installation of utilities apparatus Temporary compound
6/3e	1, 29, 31, 42, 43	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Diversion underground of overhead cables Diversion of utility apparatus
6/3f	1, 31, 42	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Diversion underground of overhead cables
6/3g	1, 42, 43	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Diversion of utility apparatus
6/3h	1, 42, 44	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Diversion of water pipes

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
6/3i	1, 44	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of water pipes
6/3j	29, 31	Realignment of Highway B1140 South Walsham Road Installation of utilities apparatus
6/3k	1, 29, 31, 36, 38	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Realignment of Highway B1140 South Walsham Road Installation of utilities apparatus New and improved highway: Northern approach to B1140 Overbridge and tying in works to South Walsham Road Soakaways and access for drainage
6/4	5, 26B, 26C, 35, 39, 40	Diversion of a gas main together with accesses to highways and associated infrastructure Temporary diversion of permissive equestrian/walking route Temporary haul road New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road Compound, soakaways and access Realignment of highway: White House Lane, including turning head
6/5	26B, 26C, 35, 40	Temporary diversion of permissive equestrian/walking route Temporary haul road New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road Realignment of highway: White House Lane, including turning head
6/6a	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
6/6b	40	Realignment of highway: White House Lane, including turning head
6/7	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
6/8	1, 31, 35, 39, 40	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road Compound, soakaways and access Realignment of highway: White House Lane, including turning head

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
6/10	28, 28A, 31	New highway New highway Installation of utilities apparatus
6/10d	28A, 31	New highway Installation of utilities apparatus
6/10e	28A	New highway
6/10f	28, 28A, 31	New highway New highway Installation of utilities apparatus
6/11	1, 28, 29, 31, 33, 36, 38, 42, 43, 44	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New highway Realignment of Highway B1140 South Walsham Road Installation of utilities apparatus Soakaway and access track New and improved highway: Northern approach to B1140 Overbridge and tying in works to South Walsham Road Soakaways and access for drainage Diversion underground of overhead cables Diversion of utility apparatus Diversion of water pipes
6/11a	1, 28, 29, 33, 36, 38	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers New highway Realignment of Highway B1140 South Walsham Road Soakaway and access track New and improved highway: Northern approach to B1140 Overbridge and tying in works to South Walsham Road Soakaways and access for drainage
6/12	29, 31, 36, 37, 38	Realignment of Highway B1140 South Walsham Road Installation of utilities apparatus New and improved highway: Northern approach to B1140 Overbridge and tying in works to South Walsham Road Temporary compound Soakaways and access for drainage
6/13	29	Realignment of Highway B1140 South Walsham Road

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
6/14a	1, 42, 44	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion underground of overhead cables Diversion of water pipes
6/15	1, 44	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of water pipes
6/16	1, 44	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of water pipes
7/1a	35, 41	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road Soakaway and access
7/2	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
7/3b	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
7/4	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
7/4a	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
7/4b	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
7/5	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
7/6	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
7/7	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
8/1a	43	Diversion of utility apparatus
8/2	1, 43	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of utility apparatus
8/3	1, 43, 44	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of utility apparatus Diversion of water pipes
8/3a	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
8/3b	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
8/3c	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers
8/3d	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers

Acquisition of Land – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
8/3e	1, 43	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of utility apparatus
8/3f	43	Diversion of utility apparatus
8/3g	1, 43	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of utility apparatus
8/4	43	Diversion of utility apparatus
8/6b	44	Diversion of water pipes
8/7	1, 44	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of water pipes
8/9	1	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers

Acquisition of Rights – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
1/2d	2	Installation of utilities apparatus
1/7	2	Installation of utilities apparatus
1/10b	5, 6, 12	Diversion of a gas main together with accesses to highways and associated infrastructure New car park and access for Blofield Allotments Installation of utilities apparatus
1/11a	5, 6, 12	Diversion of a gas main together with accesses to highways and associated infrastructure New car park and access for Blofield Allotments Installation of utilities apparatus
1/12b	5	Diversion of a gas main together with accesses to highways and associated infrastructure
2/1b	5	Diversion of a gas main together with accesses to highways and associated infrastructure
2/1c	5	Diversion of a gas main together with accesses to highways and associated infrastructure
2/2b	2	Installation of utilities apparatus
2/3	2	Installation of utilities apparatus
2/4	2, 12	Installation of utilities apparatus

Acquisition of Rights – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
		Installation of utilities apparatus
2/5	2, 12	Installation of utilities apparatus Installation of utilities apparatus
2/13a	5	Diversion of a gas main together with accesses to highways and associated infrastructure
2/14a	5	Diversion of a gas main together with accesses to highways and associated infrastructure
2/17	2, 8, 9	Installation of utilities apparatus Installation of water pipes Improvements to Yarmouth Road and creation of a junction between High Noon Lane and Yarmouth Road
2/17a	2	Installation of utilities apparatus
2/18c	2	Installation of utilities apparatus
2/19b	5	Diversion of a gas main together with accesses to highways and associated infrastructure
3/2b	5	Diversion of a gas main together with accesses to highways and associated infrastructure
3/2c	19	Diversion underground of overhead cables
3/2d	20	Diversion underground of cables
3/4c	17A, 19	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1 Diversion underground of overhead cables
3/7	5	Diversion of a gas main together with accesses to highways and associated infrastructure
4/2a	5	Diversion of a gas main together with accesses to highways and associated infrastructure
4/4	5	Diversion of a gas main together with accesses to highways and associated infrastructure
4/7d	5	Diversion of a gas main together with accesses to highways and associated infrastructure
4/7e	24	Diversion underground of cables
5/1b	5, <del>26B</del>	Diversion of a gas main together with accesses to highways and associated infrastructure <a href="#">Temporary diversion of permissive equestrian/walking route</a>
<a href="#">5/1d</a>	<a href="#">5</a>	<a href="#">Diversion of a gas main together with accesses to highways and associated infrastructure</a>
<a href="#">5/1f</a>	<a href="#">5, 26B</a>	<a href="#">Diversion of a gas main together with accesses to highways and associated infrastructure</a> <a href="#">Temporary diversion of permissive equestrian/walking route</a>

Acquisition of Rights – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
<a href="#">5/1g</a>	<a href="#">5, 26B</a>	<a href="#">Diversion of a gas main together with accesses to highways and associated infrastructure</a> <a href="#">Temporary diversion of permissive equestrian/walking route</a>
5/5d	5	Diversion of a gas main together with accesses to highways and associated infrastructure
5/5f	5	Diversion of a gas main together with accesses to highways and associated infrastructure
5/6a	28A	New highway
6/1h	42	Diversion underground of overhead cables
6/1i	5, 26C	Diversion of a gas main together with accesses to highways and associated infrastructure Temporary haul road
6/1l	31, 37, 42, 43	Installation of utilities apparatus Temporary compound Diversion underground of overhead cables Diversion of utility apparatus
6/2d	31	Installation of utilities apparatus
6/10a	28A	New highway
6/10b	31	Installation of utilities apparatus
6/10c	28A, 31	New highway Installation of utilities apparatus
6/14	42, 44	Diversion underground of overhead cables Diversion of water pipes
6/14b	42	Diversion underground of overhead cables
6/15a	42, 44	Diversion underground of overhead cables Diversion of water pipes
6/15b	42	Diversion underground of overhead cables
6/17	42	Diversion underground of overhead cables
7/1b	5	Diversion of a gas main together with accesses to highways and associated infrastructure
8/1	43	Diversion of utility apparatus
8/5a	43	Diversion of utility apparatus

Acquisition of Rights – by Plot Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
8/6	44	Diversion of water pipes

Temporary Possession of Land – by Work Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
1/3a	1, 2	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus
1/3b	1, 2, 3	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Diversion underground of overhead cables
1/4b	1, 2, 3	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Diversion underground of overhead cables
1/4c	1, 2	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus
1/7a	1, 2, 3	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus
1/9a	4, 5, 12	Improvements to the Yarmouth Road junction with the A47 Diversion of a gas main together with accesses to highways and associated infrastructure Installation of utilities apparatus
1/9b	4	Improvements to the Yarmouth Road junction with the A47
1/12a	5, 6, 7, 12	Diversion of a gas main together with accesses to highways and associated infrastructure New highway between the junction of the A47 with Yarmouth Road New car park and access for Blofield Allotments Installation of utilities apparatus
1/13	1, 3, 4	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion underground of overhead cables Improvements to the Yarmouth Road junction with the A47
1/14	1, 3	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion underground of overhead cables

Temporary Possession of Land – by Work Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
1/15	1, 3	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion underground of overhead cables
1/16	1, 3	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion underground of overhead cables
2/1a	5, 6, 7, 10, 12	Diversion of a gas main together with accesses to highways and associated infrastructure New highway between the junction of the A47 with Yarmouth Road New car park and access for Blofield Allotments Improvements to Waterlow Installation of utilities apparatus
2/1d	5	Diversion of a gas main together with accesses to highways and associated infrastructure
2/1e	5	Diversion of a gas main together with accesses to highways and associated infrastructure
2/3a	1, 2, 12	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Installation of utilities apparatus
2/3b	1, 2, 12	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Installation of utilities apparatus
2/3c	1, 2, 12	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Installation of utilities apparatus
2/5a	1, 2, 12	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Installation of utilities apparatus Installation of utilities apparatus
2/13b	8, 13	Installation of water pipes Infiltration pond, soakaways and associated drainage, drivable swale and maintenance access track
2/14b	5	Diversion of a gas main together with accesses to highways and associated infrastructure
2/18	2, 17	Installation of utilities apparatus New highway forming northern approach to Blofield Overbridge

Temporary Possession of Land – by Work Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
2/19a	1-44	Construction compound
3/2a	1-44	Material storage and laydown area
3/4	17A	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
3/4a	17A	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
3/4b	17A	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
3/4d	17A	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
4/7c	1, 5, 14A, 14B, 21, 22, 23, 24	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of a gas main together with accesses to highways and associated infrastructure New access track and <a href="#">cycle track</a> <del>footpath</del> <a href="#">New access track and cycle track</a> Turning head on Lingwood Road Installation of utilities apparatus and water pipes <a href="#">Cycle track</a> <del>Footpath</del> , access track, soakaway, drivable swale and diversion of permissive equestrian/walking route Diversion underground of cables Material storage and laydown area
4/9	17A	Highway works to support reclassification of existing A47 and provision of shared use cycletrack, north of Work No. 1
5/1a	1-44	Temporary compound
<a href="#">5/1c</a>	<a href="#">1-44</a>	<a href="#">Temporary compound</a>
5/5a	1-44	Temporary compound
6/1a	1-44	Temporary compound
6/1c	1-44	Temporary compound
6/1f	29	Realignment of Highway B1140 South Walsham Road
6/1g	1-44	Temporary compound
6/1j	5, 35, 41	Diversion of a gas main together with accesses to highways and associated infrastructure New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road Soakaway and access
6/2a	31	Installation of utilities apparatus

Temporary Possession of Land – by Work Number		
Plot Number/Land Plan sheet:	DCO Work No.	Purpose for which the land is required:
6/2c	29, 31	Realignment of Highway B1140 South Walsham Road Installation of utilities apparatus
6/6	40	Realignment of highway: White House Lane, including turning head
6/9	31, 40	Installation of utilities apparatus Realignment of highway: White House Lane, including turning head
7/1	41	Soakaway and access
7/3	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
7/3a	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
7/5a	35	New and improved highway: Southern approach to B1140 Overbridge, improvements to Coxhill Road and provision of junction with Acle Road
8/5	1, 43	Alteration of the A47 including retaining wall west of Yarmouth Road, a lay by, bunds and noise barriers Diversion of utility apparatus

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**Annex B** Schedule of all objections to the granting of compulsory acquisition powers and progress of negotiations with land interests subject to compulsory acquisition powers

**This Annex is now located in the Compulsory Acquisition Schedule (TR010040/APP/9.4 Rev 0) submitted at Deadline 1 and subsequent deadlines as appropriate.**