

Application by Highways England for the A47 Blofield to North Burlingham project
The Examining Authority's written questions and requests for information (ExQ2)
Issued on 28 September 2021.

The following table sets out the Examining Authority's (ExA's) second written questions and requests for information – ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex C to the Rule 6 letter of 27 April 2021. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 2 (indicating that it is from ExQ2) and then has an issue number and a question number. For example, the first question on general and cross-topic issues is identified as 2.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version in Microsoft Word is available: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010040/TR010040-000666-ExQ2%20-%20B2NB%20draft.docx>

Responses are due by Deadline 5: Tuesday 19 October 2021.

Abbreviations used:

PA2008	The Planning Act 2008	HRA	Habitats Regulations Assessment
Art	Article	LIR	Local Impact Report
BDC	Broadland District Council	LPA	Local Planning Authority
BoR	Book of Reference	NCC	Norfolk County Council
CA	Compulsory Acquisition	NE	Natural England
dDCO	Draft Development Consent Order	NPS	National Policy Statement
DMRB	Design Manual for Roads and Bridges	NSIP	Nationally Significant Infrastructure Project
EA	Environment Agency	R	Requirement
EM	Explanatory Memorandum	RR	Relevant Representation
EMP	Environmental Management Plan	REAC	Register of Environmental Actions and Commitments
ES	Environmental Statement	SOAEL	Significant Observed Adverse Effect Level
ExA	Examining Authority	SoR	Statement of Reasons
HE	Historic England	SoS	Secretary of State
HGV	Heavy Goods Vehicle	TP	Temporary Possession

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the [Examination Library](#). The Examination Library is updated throughout the examination progresses.

Citation of questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg 2.1.1 – refers to question 1 in this table.



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ExQ2	Question to:	Question:
1. General and cross-topic		
2.1.1	The Applicant	Please provide an updated summary table of the likely significant residual effects, noting the errors in the current version (at Appendix E of [REP1-061]) relating to ES Chapters 7, 13 and 15.
2.1.2	The Applicant	The Applicant submitted a Change Request at Deadline 4 and provided a number of updated documents in respect of it. Some of these documents were updated for other reasons also (including the dDCO [REP4-007 / REP4-008]). Should the Change Request not be accepted, can the Applicant please advise how best to deal with these documents?
2.1.3	The Applicant	Please identify any matters of disagreement between the Applicant and relevant parties to the Statements of Common Ground.
2. Air Quality and Emissions		
		There are no further questions regarding air quality and emissions at this stage.
3. Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))		
2.3.1	NE	In its response to ExQ1.3.8 [REP1-071], NE stated that it would be helpful for the Applicant to provide a table with a reason for why each resource was scoped out / not carried forward in the assessment. The Applicant provided this at Deadline 4 [REP4-053]. Can NE please comment on this?
2.3.2	NE	During Issue Specific Hearing 2, the ExA asked the Applicant about completing the surveys of Great Crested Newts, which had been curtailed due to COVID-19. The response [REP4-051] was that the survey window had now passed and that there were no further opportunities to survey this species within the remaining examination period. However, Requirement 7 of the dDCO requires pre-construction protected species surveys and the Applicant confirmed the surveys would be completed at this time and any necessary licences subsequently applied for. Is NE content with this approach given the circumstances?
4. Climate Change		
		There are no further questions regarding climate change at this stage.
5. Compulsory Acquisition, Temporary Possession (and other land or rights considerations)		
2.5.1	The Applicant	Please provide an updated: a) Compulsory Acquisition Schedule; and b) Statutory Undertakers Progress Schedule.
2.5.2	The Applicant	Please provide an update in respect of Crown Land negotiations, indicate when agreement is likely to be reached and set out any potential obstacles to reaching an agreement before the close of the Examination.

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ExQ2	Question to:	Question:
2.5.3	The Applicant	At section 2.10 (page 31) of the Applicant's Deadline 4 submission [REP4-051], the Applicant states that it is the physical factors that result from the new or altered road that form the basis of any potential claim under the Land Compensation Act 1973. On that basis, can the Applicant confirm that no valid claims could arise as a result of an increase in noise for those receptors along Yarmouth Road and the B1140 High Road from additional traffic using these roads (i.e. those receptors referred to in ES Chapter 11 [REP1-028] paragraph 11.12.10)?
6. Cultural Heritage		
2.6.1	BDC	Please comment on / confirm the Applicant's written response (in the last column of the table in [REP4-051] relating to Ref 5.5 on page 65) in respect of effects on the Church of St Andrew Grade I listed building?
7. Cumulative Effects		
		There are no further questions regarding cumulative effects at this stage.
8. Draft Development Consent Order (dDCO)		
Questions / comments relating to Articles (Art):		
2.8.1	The Applicant	There are no further questions regarding Articles at this stage.
Questions / comments relating to Requirements (R):		
2.8.2	BDC	R3: In its Deadline 4 submission [REP4-054], BDC states that the General Arrangement Plans do not include details of structures and would thus be insufficient for the purposes of R3 relating to design. However, and notwithstanding that R3 does not specify the General Arrangement Plans (as discussed in the Issue Specific Hearings), the General Arrangement Plans did at the time, on the last two pages, show details of structures. These last two pages were subsequently moved to the last two pages of the Engineering Drawings and Sections plans at Deadline 4 [REP4-005]. Can BDC please review these plans and comment on them in terms of their adequacy for the purposes of R3?
2.8.3	The Applicant	R4(1), R4(4), R8(1) and R8(2) – please insert commas and remove unnecessary 'and' where appropriate.
Questions / comments relating to Schedules (Sch)		
2.8.4	The Applicant	Sch 1: add a fullstop between 'Work No' and '26A' to show 'Work No. 26A' instead of 'Work No 26A' as previously requested.

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ExQ2	Question to:	Question:
2.8.5	The Applicant	Sch 9 Part 2: Please provide an update in respect of Protective Provisions, indicating a) when these are likely to be agreed; and b) where there are outstanding matters of disagreement between parties.
2.8.6	The Applicant	Sch 10: This provides a detailed list of documents to be certified. However, there are a number of errors and inconsistencies within it (for example, two entries for the Habitats Regulations Assessment with difference revision numbers and incorrect revision numbers of other documents, including the Rights of Way and Access Plans). Can the Applicant please ensure that all version numbers are correct and that documents are not repeated in this list.
Explanatory Memorandum (EM)		
		There are no further questions regarding the EM at this stage.
9. Geology and Soils		
		There are no further questions regarding geology and soils at this stage.
10. Landscape and Visual		
2.10.1	The Applicant	Please address NCC's comments in respect of the Arboricultural Impact Assessment as set out in its Deadline 4 submission [REP4-061].
11. Material Assets and Waste		
		There are no further questions regarding material assets and waste at this stage.
12. Noise and Vibration		
2.12.1	The Applicant	At section 4.2 (page 78) of the Applicant's Deadline 4 submission [REP4-051], it states that low road noise resurfacing at Noise Important Area 5206 is scheduled to take place between 13 September 2021 and 5 October 2021. Please confirm whether these works have been completed?
13. Population and Human Health		
2.13.1	The Applicant	The ExA will need to consider, amongst other things, as to whether the Proposed Development would be acceptable or not without the provision of either a footbridge or underpass around its central point. Should the ExA consider the Proposed Development unacceptable in this regard, or should the ExA consider it acceptable, but the SoS takes a different view, how would the Applicant advise that such a situation might be addressed / overcome - for example, might there be a suitably worded requirement which could be inserted into the dDCO to secure a central crossing point in one form or another?
14. Transportation and Traffic		
2.14.1	The Applicant	Please provide an update on agreements relating to the transfer of assets.

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ExQ2	Question to:	Question:
	NCC	
2.14.2	NCC The Applicant	The ExA notes differing advice within DMRB CD 143 'Designing for walking, cycling and horse-riding' and Local Transport Note (LTN) 1/20 'Cycle infrastructure design', relating to recommended widths of shared cycle tracks (2 metres and 3 metres respectively). Can the parties please: a) explain the status of LTN 1/20 and DMRB CD 143; and b) provide a view as to whether the standards of LTN 1/20 can be applied flexibly, given the rural context and likely low usage levels of shared cycle tracks associated with the Proposed Development?
2.14.3	The Applicant	Please: a) explain how shared cycle tracks would be separated from carriageways; and b) clarify whether the separation on overbridges would be provided by the 1000mm width area identified as 'Hard Strip' between the carriageway and the cycleway on the section drawings within the Engineering Drawings and Sections [REP4-005]?
15.	Water Environment	
2.15.1	The Applicant	In its Deadline 4 submission [REP4-061], NCC suggests including provisions within the dDCO relating to works in watercourses. Please comment on this.
2.15.2	The Applicant EA	Please further address the EA's concerns set out in its Deadline 4 submission [REP4-058] relating to: a) extraction licences; and b) R6 of the dDCO relating to contaminated land and groundwater – alternatively, provide a completed Statement of Common Ground with the EA to highlight where any disagreement cannot be resolved and the reasons for this.