

A47 Blofield to North Burlingham Dualling

Scheme Number: TR010040

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The Infrastructure Planning (Examination Procedure) Rules 2010
Rule 8(1)(c)

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Deadline 9



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

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

APPLICANT'S RESPONSE TO DEADLINE 8 SUBMISSIONS

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CONTENTS

1	INTRODUCTION	1
2	ANDREW CAWDRON (REP8-016)	2
3	CATHY PYE (REP8-017)	6



1 INTRODUCTION

- 1.1.1 The Development Consent Order (DCO) application for the A47 Blofield to North Burlingham scheme was submitted on 30 December 2020 and accepted for examination on 27 January 2021.
- 1.1.2 The purpose of this document is to set out National Highways (the Applicant) response to the Deadline 8 submissions by other parties.



2 ANDREW CAWDRON (REP8-016)

Deference	Deadline 9 Submission	Applicant's Despense
Reference	Deadline 8 Submission	Applicant's Response
	First pollution; the increase in noise generated by a dual carriageway as vehicle speeds increase from engine noise, wind noise and wheel noise.	The Applicant has assessed the impacts from and mitigation for noise and vibration impacts by the Scheme in the following chapters of the ES:
	The factors of motor manufacturers supplying larger and faster vehicles with fatter and fatter tyres is another total illogicallity impacting upon this	Chapter 8 – Biodiversity (REP4-021)
	pollution, which spreads over the adjoining countryside with the removal of tranquility for all species. All forms of life using their acoustic sensors for	Chapter 11 - Noise and vibration (REP1-028)
	survival are immediately affected.	Chapter 12 - Population and human health (REP4-023)
		Chapter 15 – Cumulative Effects Assessment (APP-053).
		As part of the mitigation measures embedded within the Scheme design, the A47 dual carriageway shall be surfaced with a low-noise road surface. And noise barriers have also been included. These commitments are reflected in Table 3.1 'Record of Environmental Actions and Commitments' in the Environmental Management Plan (REP7-012). secured by Requirement 4 of the dDCO (REP8-003).
	Second, a dark skies policy illuminated. If we assume that dual carriageways will attract more traffic for longer periods, then the headlight effect or illuminated junctions means that these eco corridors will lose their privacy and darkness. Once again, the nocturnal residents surrounding these areas will be particularly impacted.	The impacts of lighting on the existing environment and proposed mitigation measures are assessed within ES Chapter 7 Landscape and Visual Effects (APP-045) and ES Appendix 7.8 Lighting Assessment (APP-085). As the response to Norfolk County Council's Relevant Representation (RR-002) as set out in the Applicant's Response to Relevant Representation (REP1-060), pg 10: Through ensuring lighting design complies with British Standards and Institution of Lighting Professional's GN01:2021 guidance, obtrusive light with the potential to affect Dark Skies and other sensitive features, such as ecologically sensitive receptors will be limited in accordance with Environmental Zone criteria. The purpose of Environmental Zone criteria is to ensure the potential for obtrusive light (light pollution) to occur is restricted, through placing maximum limits on light spill, upward light and glare. Additionally, DMRB places limits on the maximum permitted light source intensity at critical angles from the luminaire, the purpose of this is to further reduce the potential for adverse levels of upward light from the luminaires to contribute towards sky glow.



Reference	Deadline 8 Submission	Applicant's Response
	Third pollution; the petro-chemical stink. Pollution and particles kill people, including those who drive vehicles. What it does to the rest of the environment ecology appears not to be a concern. Is this why the insect world is dying?	The effects of the Scheme from surface water runoff, sedimentation and air pollution have been assessed as part of the assessment of the impacts on the water environment, soils, ecological habitats and humans in the following application documents: • ES Chapter 5 Air Quality (APP-043) assesses effects on air quality to human and ecological receptors. • ES Chapter 8 Biodiversity (REP4-021) assesses effects on habitats and species. • ES Chapter 9 Geology and Soils (APP-047): assesses impacts and mitigation from the disturbance of soils and geology. • ES Chapter 10 Material Assets and Waste (REP1-026): assesses the consumption of materials and products including the use of excavated soils. • ES Chapter 12 Population and Human Health (REP4-023): assesses impacts and mitigation for effects on human health. • ES Chapter 13 Road Drainage and the Water Environment (REP1-032): assesses impacts and mitigation for effects on the water environment. Mitigation measures together with good construction practice in relation to pollution prevention, run-off management, soils management, emissions to air and protection of ecological receptors and protected species have been identified. For example, pollution control assessments and controls are covered within section 9.2.2. of ES Appendix 13.2 Drainage Strategy (REP4-031). These commitments are reflected in Table 3.1 'Record of Environmental Actions and Commitments' in the Environmental Management Plan (REP7-012). The Applicant has also consulted the Relevant Local Authorities, Lead Local Flood Authority, Environment Agency and Natural England throughout the Scheme development process to inform the final design and environmental assessment and mitigation measures.
	Fourth pollution; the danger from surface water flowing from our expanded hard surfaces. This product, polluted by tyre particles, oils and brake linings, has to be discharged somewhere, effectively into holding tanks and subsequently to the ground water providing and surrounding the	See above response



Reference	Deadline 8 Submission	Applicant's Response
	rivers. Potential contamination accidents are avoided in documentation, being treated as "major incidents" with their own protocols applying. This is an environmental issue that should be part of the potential hazard evaluation as to whether the roads should be widened/relocated at all. And proposed solutions to emergencies should be given.	
	Fifth pollution; the distance effect; Wider carriageways and higher traffic speeds provides a greater distance for all forms of life to cross if they wish to get to the other side. The killing zone has got bigger and the manner of construction from building "off road" to one side and then crossing coupled with construction compounds and the massive carbon vegetation and top soil strip generates a sterile zone of 30 metres plus stretching for miles across the countryside. This with the existing road and traffic remaining in place becomes a hostile, eco isolating zone for years.	Effects on biodiversity, including habitats and protected species, have been assessed in ES Chapter 8 Biodiversity (REP4-021). The assessment was informed by extensive habitat and species surveys, plus consultation with key stakeholders including Natural England, the Environment Agency, Norfolk Wildlife Trust and Norfolk County Council (see Section 8.5.6 of ES Chapter 8 for full list). Section 8.9 of ES Chapter 8 outlines the measures proposed to minimise effects on and provide opportunities for biodiversity, and to mitigate impacts on protected species. Section 8 of the Scheme Design Report (REP1-046) presents an overview of the environmental considerations that have influenced and form an embedded part of the Scheme design. The preliminary design of the proposed ecological mitigation is presented in the Masterplan (REP7-011). The mitigation detailed in Section 8.9 of ES Chapter 8 will be implemented as part of the Record of Environmental Actions and Commitments (REAC), which forms Table 3.1 in the Environmental Management Plan (EMP) (REP7-012), secured by Requirement 4 of the dDCO (REP8-003).
	Mitigation: the most quoted and biggest lie of all. The NPPF sustainable development objective to "contribute to protecting and enhancing our natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy" appears to have got lost in these road building proposals. These road widenings cannot mitigate for the environmental damage and losses they will cause. One cannot replace a mature oak supporting thousands of species with a young tree, even if substantial, (which tends not to happen in any event). How does one compensate for the strip clearance of A47 acres of vegetation and carbon sequestering soils, hedges and trees along the route? The frustration is that we are not solving the problem. This is not a	The Scheme is identified as required to manage traffic and road safety impacts as part of the Department of Transport (DfT) published Road Investment Strategy 2 (RIS2); and to be developed by the Applicant in the period 2020-2025. The need case for this Scheme is discussed in the Case for the Scheme (REP1-042), which includes an economic appraisal in Chapter 5 that demonstrates the Scheme provides a positive benefit-cost ratio. However, the need case for the Scheme is more than improving capacity and economic growth. This section of the A47 also has a poor safety record, with the A47 ranked 2nd nationally for fatalities on A roads and the accident severity ratio is above average. The Applicant recognises the importance of minimising the impact on the environmental and has completed an environmental impact assessment of



Reference	Deadline 8 Submission	Applicant's Response
	problem we can build our way out of. One can tinker and upgrade, enlarge and change, but the core issues of people numbers, vehicle numbers, journey numbers only change and enlarge to fill the space. One may shift some minor pieces on the chess board of vehicle transport, but the impacts of the consequential pollution will last forever. This is no plan. The argument is that we are all paying too high a price for our "Freedom of Movement" and it is also the other residents of the countryside who are paying it. They don't have a voice here, but we are increasingly aware of how important they are, from the pollinators to the older, mature trees. We are adding to an already polluted environment and increasing carbon emissions at a time when the scientific community world wide has provided us with the starkest warnings yet that 'carrying on as we are' is unsustainable. The other price that is unsustainable is the quoted 300 million pounds to carry out these upgrades from Burlingham to Tuddenham. One has not seen any recent specific figures, but the probability is that figure will be swallowed up on the Easton To Tuddenham road sections with those huge grade separated junctions and the high degree of geotechnical difficulty in the floodplain. And the compulsory or voluntary purchase costs do not seem to get taken into account with some "deals" taking years to resolve.	the Scheme; see ES Chapters 1 to 15 (REP1-016 to APP-053). Evidence that committed funding is secured to deliver the Scheme under RIS2 is demonstrated in the Funding Statement (APP-020).
	Summary; Some activities may be worth the price to be paid, but it is evident that we cannot continue with old solutions that do not achieve a resolution, while literally costing us the earth to carry them out. These roads will pollute and the resulting environmental damage and Degradation of special environments is too high a price to be paid for a few minutes shift in a journey time. One would therefore ask for reason to prevail and for these road schemes to be cancelled and instead for real traffic/travel plans to be made to reduce travel and vehicle over consumption and hence reduce our pollutions. This is not a plan for the future, this is a repeat of failures from the past. I'm sorry if these comments are repetitious too, it doesn't stop them from being true.	See responses above.



3 CATHY PYE (REP8-017)

Reference	Deadline 8 Submission	Applicant's Response
	On behalf of the residents of the Parish of Lingwood and Burlingham, and on behalf of all ramblers, cyclists and horse riders. Further to previous submissions.	As previously set-out in the Applicant's response to Relevant Representations (REP1-060) and supported by Appendix A to that document:
	We are disappointed to note Highways England has not yet included an underpass, and a cycle path between Burlingham and Acle, in its plans.	The Applicant considers that the overall package of Walking, Cycling and Horse-Riding improvements is appropriate and the two overbridges crossing the realigned A47 provide appropriate crossings to meet the needs of such users.
		The Applicant has further considered cycle path connectivity from Burlingham to The Windle junction, and as previously set-out in the Applicant's Written Summary of Oral Submissions at Hearings (REP4-051 , page 85):
		The Applicant has investigated the potential for a footway connection between North Burlingham and Acle in the vicinity of The Windle.
		At the pinch point adjacent to the Hall Cottages, there is insufficient width to provide a footway / cycle track of the required standard. This takes into consideration the alignment of the existing A47, the proposed noise barrier, vehicle restraint system and provision of adequate visibility from The Windle junction.
	1. A year to two ago, we were led to believe funding for an underpass or bridge over the A47 for pedestrians, cyclists and horse riders, and a cycle path to Acle, might be available from 'designated funds'. In October 2021, our Clerk and I were invited to an on-line meeting with representatives of Highways England (Sweco) to discuss our entitlement to designated funds. This offer extended only to support of biodiversity, but we were assured someone would contact us to explain other funding opportunities from designated funds. No-one has contact us since. (We are still passionate about the preservation of the natural world in our parish but no-one from Highways England has been in touch since the meeting to further discuss the designated funding for biodiversity!)	The Applicant notes this point and will contact Lingwood and Burlingham Parish Council to set-up a further meeting to discuss biodiversity Designated Fund opportunities.



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	2. In the Inspector's 'Second Written Questions' published 28.09.2021, the Examining Authority asked 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?" Perhaps I have missed it, but I cannot find a direct response to this question from Highways England. Please could someone advise.	The Applicant responded to the ExA's question (2.13.10, in 9.22 Applicant's Response to the Examiner's Second Written Questions (ExQ2) (REP5-016), as below: The Application does not include a footbridge or underpass ("Crossing") at the location of Footpath 3 and the Applicant's firm view is that a Crossing is unnecessary and unjustified. The Applicant's view is that the inclusion of a new Crossing within the dDCO would constitute an additional "Work" in Schedule 1, it would require amendments to a number of application documents and would require the submission of additional structure drawings. Moreover is it not assessed in the Environmental Statement in relation to issues such as landscape, visual amenity, cultural heritage and flood risk. There is insufficient land to construct a Crossing with the necessary ramps within the land which the Applicant could acquire permanently, and this would require further land to turn pink on the land plans. A Crossing would also displace mitigation planting which would require further alterations to the application. Any amendment to the application to include a Crossing would therefore be likely to constitute a material change and may also invoke the Infrastructure Planning (Compulsory Acquisition) Regulations 2010.
	3. Please would the representatives of Highways England who are responsible for deciding the ultimate fate of our local community, and the needs of rambles, cyclists and horse riders who pass through our parish and enjoy our woodland paths, explain:- a) Why was Lingwood and Burlingham Parish Council not consulted about the community's needs before the publication of the original WCAHR document? We were never consulted; we were simply told what had been decided by Highways England after publication of the report.	The WCH Assessment sections 2.10.2 and 2.10.3 (Appendix A of Walking, Cycling and Horse-Riding Assessment and Review (REP2-012)) make reference to the feedback provided by Lingwood and Burlingham Parish Council which was received during the production of the WCH assessment. The WCH Assessment was initially carried out in February 2018 and as the scheme was delayed, in accordance with DMRB GG 142 (section 5.4), the Assessment was revisited and completed in 2020. The WCH Review was then completed during Preliminary Design and issued in August 2020.



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	b) Why were no ramblers', cyclists' or horse-riders' groups consulted before publication of the original WCAHR document? Why were local stables never contacted? None of these groups has ever been canvassed for their opinions.	As set out in the Consultation Report (APP-022) non- statutory consultation was carried out between March to April 2017 prior to the announcement of the Preferred Route. The Applicant consulted on and produced a Statement of Community Consultation (SoCC) which set out how the statutory consultation would be undertaken (APP-026 to APP-029). The Statutory consultation was undertaken between in September to October 2018. In addition to the non-statutory and statutory consultation the Applicant consulted with NCC Active Travel and PRoW officers who provided feedback on local equestrian activity and local interest groups including the Ramblers and the British Horse Society.
	c) Why did the Parish Council have to twice request a copy of the WCAHR document? We knew nothing of this report before the so called 'consultation' meetings between Highways England and local parish councils. When the document finally arrived after weeks of requests, it included a secrecy clause preventing disclosure to third parties!	Application document ES Chapter 12: Population and Human Health (REP4-023) formed part of the Application and summarises the results of the WCHAR. The Applicant submitted Walking, Cycling and Horse-Riding Assessment and Review at Deadline 2 (REP2-012).
	d) Why has Highways England consistently ignored the evidence in our several submissions but rather persisted in stating - time and time and time again - blatant untruths about amenities in our local villages? The false assertions made in various documents are obviously generated by desk-top exercises based upon misguided conjecture, incorrect sourcing and out of date information. Despite our evidence, the errors have never been amended or retracted by Highways England in its updated documents, thus it is assumed they are designed to deliberately mislead.	As set-out in the response to Lingwood and Burlingham Parish Council's representation (REP3-026) in the Applicant's Response to Deadline 4 submissions (REP5-015), the Applicant has acknowledged the presence of amenities in Lingwood and Acle and confirmed that these are outside of the study area for the assessment of the effects on land use and accessibility as defined in DMRB standard LA112.
	e) Why has Highways England ignored the Petition started by Chris Gates, and the excessive number of comments in the Inspector's Library made by members of the public who want a dedicated WCAHR underpass or bridge?	The Applicant has responded to Create Consulting Engineers Ltd, who are instructed by Chris Gates, in respect of the petition in the Applicant's Response to Written Representations (REP3-025), pg 21, as below: The Applicant has been cognisant of the strength of feeling expressed by the local community and visitors to the area, by way of a petition, regarding a requirement for an overbridge of the A47 to carry Burlingham FP3. This information has been considered alongside the results of the WCH surveys conducted for Burlingham FP1 and FP3 and the Applicant's investigations into the reasons for the very low usage of Burlingham FP3.



Reference	Deadline 8 Submission	Applicant's Response
		The Applicant also responded directly to Mr Gates question at Issue Specific Hearing 3, see the Applicant's Written Summary of Oral Submissions at Hearings (REP4-051), pg 96:
		The design of the Scheme is evidence-led in terms of the use of the existing crossing. There is no answer to the question of how many signatures would it take to provide a crossing. It's a matter of judgement, evidence and design, and these considerations have already been addressed.
		Future demand for a central crossing is a factor but it requires evidence. The Applicant is aware of the petition however other crossings of the A47 have been provided. A petition is a material consideration, but there is not an amount of weight to be attached to it prescribed by policy or statute. There were other more weighty factors in this case such as evidence of use, cost, landscape, heritage and drainage.
		The Applicant has responded to each of the representations made. As previously set-out in the Applicant's Response to Relevant Representations (REP1-060) and in the Applicant's Response to the Written Representations (REP3-025, page 25),
		the Applicant considers that the overall package of Walking, Cycling and Horse-Riding improvements is appropriate and the two overbridges crossing the realigned A47 provide appropriate crossings to meet the needs of such users.
		An underpass is therefore not required and technical considerations are not the reason for such a facility not being included in the Scheme.
		Also as previously set out in the Applicant's Response to the Written Representations (REP3-025, page 26),
		an underpass and associated infrastructure (embankments, drainage, paved footways/cycle paths connecting to the structure)



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		to has a potentially significant footprint and depth that has the potential to result in significant adverse effects, including; landscape and visual, land take, water environment, geology and soils, and biodiversity.
	f) Why has Highways England never commented upon the feasibility study presented by Create Consulting Engineers, Ltd.? This report embodies everything we have requested from Highways England and suggests that a viable low-maintenance underpass can be built for around £660,000. This budget would increase four-fold if an underpass is not included at the A47 construction stage. Likewise, the report considers a durable cycle path between Lingwood/Burlingham and Acle would cost around £389,000. (So, what is this budget as a percentage of the total estimated cost of dualling the A47 between Blofield and Burlingham???)	 The Applicant responded to each of Create Consulting Engineers Ltd representations. Relevant Representation (RR-011) was responded to in the Applicant's Response to Relevant Representations (REP1-060) Written Representation (REP2-027) was responded to in the Applicant's Response to the Written Representations (REP3-025) Post-Hearing Submission (REP4-055) was responded to in the Applicant's response to Deadline 4 submissions (REP5-015). See also extract from the Applicant's response to Deadline 4 submissions (REP5-015) above.
	g) Why does Highways England believe it is acceptable for a community to be physically divided from its friends, designated amenities and local parish facilities?	The Applicant has provided a detailed response to Cathy Pye's Relevant Representation (RR-061), in the Applicant's Response to Relevant Representations (REP1-060), pg 160. This response sets out the Applicant's justification for the overall package of Walking, Cycling and Horse-Riding.
	h) Why does Highways England believe it is acceptable for walkers to be forced into a two-mile detour off country paths to walk alongside heavy traffic?	See above response.
	i) Why did Highways England not consult with the local community when carrying out its survey of footpath users? Local people could have explained WHY people don't cross the A47, and why footpaths north of the A47 are used more than those to the south. (Highways England spent nine days (?) on a camera survey which will affect a parish forevermore?)	The requirements of the Walking, Cycling, Horse-Riding Assessment and Review are set out in DMRB GG142. Surveys to collect typical usage information are required as part of the Assessment process and were undertaken in accordance with the guidance to give an accurate record of typical usage. Regarding consultation, the relevant references are paras 4.14.1 and 4.14.2 of DMRB standard GG142. A thorough understanding of the needs and concerns of the local community regarding the issue of connectivity for walkers, cyclists and equestrians was obtained via the various consultation activities with the local authorities. Additional insight from other key stakeholders including local land owners, interest groups and the local communities was obtained from the feedback provided to the



Reference	Deadline 8 Submission	Applicant's Response
		statutory consultation as set out in Annex O to the Consultation Report (APP-037).
		In addition to the nonstatutory and statutory consultation the Applicant consulted with NCC Active Travel and PRoW officers who provided feedback on local equestrian activity and local interest groups including the Ramblers and the British Horse Society. A specific consultation on this issue was not deemed necessary.
		See also response to point 3a).
	j) Why does Highways England believe senior school children should be denied the right to cycle to school by a direct route?	 There are no existing facilities for cyclists in the vicinity of the Scheme. The Scheme is providing the following facilitates which will greatly improve the provision and safety for cyclists. 1. A shared use East – West footway / cycleway from the realigned Yarmouth Road, over the Blofield Overbridge along the detrunked A47 to Main Road, North Burlingham.
		 A shared use North – South footway / cycleway from Main Road, North Burlingham, over the B1140 Overbridge, onto Acle Road
		 A shared use East – West footway / cycleway from the B1140 to Blofield Overbridge, to the south of the scheme. This off-line facility will provide connections to local highways to the south of the scheme.
		Where shared use facilities are provided adjacent to new and improved existing highways, appropriate separation will be provided between the facility and the running carriageway in accordance with DMRB standard CD143.
	k) Why is Highways England intent on forcing people to drive around their parish rather than walk or cycle?	As previously set-out in the Applicant's Response to Relevant Representations (REP1-060) and in the Applicant's Response to the Written Representations (REP3-025 , page 25),
		the Applicant considers that the overall package of Walking, Cycling and Horse-Riding improvements is appropriate and the two overbridges crossing the realigned A47 provide appropriate crossings to meet the needs of such users.
		See response above regarding cycling.



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	I) Why has Highways England ignored the advice of Jerome Mayhew, MP., Norfolk County Council and Broadland District Council?	As previously set-out in the Applicant's Response to Relevant Representations (REP1-060) and in the Applicant's Response to the Written Representations (REP3-025, page 25), the Applicant considers that the overall package of Walking, Cycling and Horse-Riding improvements is appropriate and the two overbridges crossing the realigned A47 provide appropriate crossings to meet the needs of such users.
	Our parish NEEDS an underpass for walkers, cyclists and horse riders, and a cycle path to Acle, but Highways England obviously thinks it knows better! Previous submissions on behalf of the local community and other footpath users have been ignored by Highways England and, it seems to us, we have been treated with disdain and indifference from the start.	See responses above.