

# **Great Yarmouth Third River Crossing**

## **Application for Development Consent Order**

---

---

### **Document 6.2: Environmental Statement Volume II: Technical Appendix 14A: Legislation, Policy and Guidance**

---

#### **Planning Act 2008**

#### **The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (“APFP”)**

APFP regulation Number: 5(2)(a)

Planning Inspectorate Reference Number: TR010043

Author: Norfolk County Council

Document Reference: 6.2 – Technical Appendix 14A

Version Number: 0 – Revision for Submission

Date: 30 April 2019



CONTENTS	PAGE No.
<b>Tables.....</b>	<b>ii</b>
<b>1 Legislation, Policy and Guidance.....</b>	<b>1</b>

---

---

## Tables

Table 1.1: Summary of Legislation .....	1
Table 1.2: Summary of Policy .....	2
Table 1.3: Summary of Guidance .....	9

# 1 Legislation, Policy and Guidance

1.1.1 Table 1.1 to 1.3 summarises the applicable legislation, policy and guidance to Chapter 14: People and Communities.

*Table 1.1: Summary of Legislation*

Legislation	Summary	Chapter Reference
<b>The Countryside and Rights of Way Act 2000 (Ref. 14.1)</b>	The Countryside and Rights of Way Act 2000 regulates Public Rights of Way and access to them. It requires local highway authorities to publish a 'rights of way improvement plan', which should be reviewed every 10 years. The Act also obliges the highway authority to recognise the needs of the mobility impaired when undertaking improvements.	We have considered the rights of way improvement plan. The assessment has also considered vulnerable users.  See Sections 14.4, 14.5 and 14.8.
<b>Highways Act 1980 (Ref. 14.2)</b>	The Act covers the following of relevance to the assessment of the effects of people and communities: <ul style="list-style-type: none"> <li>• The creation of highways.</li> <li>• Maintenance of publicly maintainable highways and maintenance of privately maintainable footpaths and bridleways.</li> <li>• Stopping up and diversion of footpaths and bridleways.</li> </ul> Protection of public rights and damage, obstruction to highways. For example, maintenance and erection of stiles and cutting or felling of foliage overhanging footpaths / bridleways.	The assessment considers the creation of highways as well as the stopping up and diversion of footpaths and bridleways as a consequence of the Scheme.  See Sections 14.4 and 14.8.

*Table 1.2: Summary of Policy*

Policy	Summary	Chapter Reference
<b>National Networks National Policy Statement (Ref. 14.4)</b>	<p>The Government's vision and strategic objectives for national networks includes "<i>supporting a prosperous and competitive economy and improving overall quality of life</i>" and specifically:</p> <ul style="list-style-type: none"> <li>• Networks with the capacity and connectivity to support national, regional and local economic activity and facilitate growth whilst creating jobs; and</li> <li>• Networks which sustain cohesion and decreases severance of communities and effectively providing linkages to each other.</li> </ul>	<p>The assessment considers the generation of employment opportunities during construction and the potential effects of the Scheme on businesses during construction and operation.</p> <p>The assessment has considered community severance.</p> <p>See Sections 14.4 and 14.8.</p>
	<p>Paragraph 2.27 of the NPS NN states that "<i>in some cases....it will not be sufficient to simply expand capacity on the existing network. In those circumstances new road alignments and corresponding links, including alignments which cross a river or estuary, may be needed to support increased capacity and connectivity</i>".</p>	<p>The assessment considers increased connectivity for vehicular and non-motorised users afforded by the Scheme.</p> <p>See Sections 14.4 and 14.8.</p>
	<p>Paragraph 3.3 requires that in delivering new schemes, "<i>reasonable opportunities to deliver environmental and social benefits as part of the schemes</i>" should be considered and that environmental and social impacts should be mitigated in line with the principles set out in the NPPF and the Government's planning guidance.</p>	<p>The assessment has considered social benefits and social impacts including:</p> <ul style="list-style-type: none"> <li>• Changes to community</li> </ul>

Policy	Summary	Chapter Reference
		<p>severance and business severance;</p> <ul style="list-style-type: none"> <li>• Changes to Non-Motorised User (NMU) facilities;</li> <li>• Land acquired including community assets;</li> <li>• Changes to access to recreational activities.</li> </ul> <p>Where required, mitigation has been considered as appropriate.</p> <p>See Sections 14.4 and 14.8.</p>
	<p>It also states that <i>“The Applicants should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan”</i>.</p>	<p>Effects on development land from the Scheme have been assessed as insignificant.</p> <p>See Section 14.4.</p> <p>The potential effects of the Scheme on recreational and community resources have also been assessed as part of the Scheme.</p> <p>See Sections 14.4 and 14.8.</p>
<b>National Policy Statement for Ports (Ref. 14.5)</b>	The NPS for Ports provides a framework for decisions on proposals for new port development to provide port	The assessment considers the potential effects on port businesses during

Policy	Summary	Chapter Reference
	<p>capacity, as well as associated road and rail links for which consent is sought alongside the principal development.</p> <p>Paragraph 3.3.5 of the NPS for Ports states that the Government sees port development as an engine for economic growth that supports sustainable transport and supports sustainable development.</p>	<p>construction and operation.</p> <p>See Sections 14.4 and 14.8.</p>
<b>National Planning Policy Framework (Ref. 14.6)</b>	<p>Within the revised NPPF, there is an overarching presumption in favour of sustainable development, so that <i>“sustainable development is pursued in a positive way”</i>. The NPPF notes in paragraph 8 that there are three dimensions to sustainable development; economic, social and environmental. Planning's role is to contribute to building a strong, responsive and competitive economy and by identifying and coordinating development requirements, including the provision of infrastructure.</p> <p>Section 9 of the NPPF sets out how transport should be considered within the context of planning decisions and sustainable development.</p>	<p>The assessment considers both social and economic impacts of the Scheme.</p> <p>See Sections 14.4 and 14.8.</p>
	<p>The NPPF also encourages development that exploits opportunities for sustainable transport. Particularly by giving priority <i>“first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other</i></p>	<p>The assessment considers the changes to non-motorised user facilities, including the designated footway / cycleway across the proposed bridge.</p> <p>See Sections 14.4 and 14.8.</p>

Policy	Summary	Chapter Reference
	<i>public transport services, and appropriate facilities that encourage public transport use” (paragraph 110).</i>	
	Paragraph 80 states “ <i>Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development</i> ”.	The assessment considers the generation of employment opportunities during construction and the potential effects of the Scheme on businesses during construction and operation. The assessment has taken into consideration the Economic Assessment Report (document reference: 7.6) which considers the potential effects of the Scheme on the economy.  See Sections 14.4 and 14.8.
	Paragraph 81 states that planning policies should “ <i>set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration</i> ”.	
<b>Great Yarmouth Local Plan: Core Strategy (2013-2030) (Ref. 14.7)</b>	Policy CS3 Addressing the Borough’s Housing Need: To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to make provision for at least 7,140 new homes over the plan period (2013 – 2030). The Council also encourages the effective use of the existing housing stock.	We have made reference to this policy in considering the assessment of housing needs.  See Sections 14.4 and 14.8.
	Policy CS6 Supporting the Local Economy: To ensure that the conditions are right for new and existing businesses to thrive and grow, there is a need to continue to	The assessment considers the potential effects on businesses during construction and operation.



Policy	Summary	Chapter Reference
	strengthen the local economy and make it less seasonally dependent.	See Sections 14.4 and 14.8.
	<p>Policy CS15 Providing and Protecting Community Assets and Green Infrastructure: The Council will resist the loss of important community facilities and/or green assets unless appropriate alternative provision of equivalent or better-quality facilities is made in a location accessible to current and potential users or a detailed assessment clearly demonstrates there is no longer a need for the provision of the facility in the area. Ensure that all new developments contribute to the provision of recreational green space and incorporate improvements to the quality of, and access to, existing green infrastructure in accordance with local circumstances. The Council will also safeguard the natural beauty, openness and recreational value of the borough's beaches and coastal hinterland.</p>	<p>The assessment has considered:</p> <ul style="list-style-type: none"> <li>• Changes to community severance, including access to community assets; and</li> <li>• Land acquired including community assets, caused by the Scheme.</li> </ul> <p>See Sections 14.4 and 14.8.</p>
	<p>Policy CS16 Improving Accessibility and Transport: The Council and its partners will work together to make the best use of, and improve, existing transport infrastructure within and connecting to the Borough.</p>	<p>The Scheme inherently improves vehicular and non-motorised user infrastructure. This improvement in infrastructure is reflected within the following assessments in this chapter:</p>

Policy	Summary	Chapter Reference
		<ul style="list-style-type: none"> <li>• Changes to vehicular journeys;</li> <li>• Changes to non-motorised user facilities;</li> <li>• Changes to community severance; and</li> <li>• Changes to access to recreational activities.</li> </ul> <p>See Sections 14.4 and 14.8.</p>
<b>East Marine Plan (Ref. 14.8)</b>	<p>Policy TR1:</p> <p>Proposals for development should demonstrate that during construction and operation, in order of preference:</p> <ol style="list-style-type: none"> <li>a) they will not adversely impact tourism and recreation activities</li> <li>b) how, if there are adverse impacts on tourism and recreation activities, they will minimise them</li> <li>c) how, if the adverse impacts cannot be minimised, they will be mitigated</li> <li>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ol>	<p>The assessment has considered changes to access to recreational activities.</p> <p>Where required, mitigation has been considered as appropriate.</p> <p>See Sections 14.4 and 14.8.</p>
	<p>Policy TR2:</p> <p>Proposals that require static objects in the East marine plan areas, should demonstrate, in order of preference:</p> <ol style="list-style-type: none"> <li>a) that they will not adversely impact on recreational boating routes;</li> </ol>	<p>The assessment has considered changes to access to recreational activities, including recreational vessels accessing the Norfolk Broads.</p>

Policy	Summary	Chapter Reference
	<p>b) how, if there are adverse impacts on recreational boating routes, they will minimise them;</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated; and</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.</p>	See Sections 14.4 and 14.8.
	<p><b>Policy EC2:</b> Proposals that provide additional employment benefits should be supported, particularly where these benefits have the potential to meet employment needs in localities close to the marine plan areas.</p>	<p>The assessment considers the generation of employment opportunities during construction and the potential effects of the Scheme on businesses and the economy during construction and operation.</p> <p>See Sections 14.4 and 14.8.</p>
	<p><b>Policy SOC1:</b> Proposals that provide health and social well-being benefits including through maintaining, or enhancing, access to the coast and marine area should be supported.</p>	<p>The Scheme provides access to the coast and marine area. Figure 14.3 displays the PRoW within the Principal Application Site. Hopton-on-Sea to Sea Palling is part of the England Coast Path and is located within the Principal Application Site.</p>
	<p><b>Policy FISH1:</b> Within areas of fishing activity, proposals should demonstrate in order of preference:</p> <p>a) that they will not prevent fishing activities on, or access to, fishing grounds;</p>	<p>The assessment has considered changes to access to recreational activities, including fishing.</p>

Policy	Summary	Chapter Reference
	<p>b) how, if there are adverse impacts on the ability to undertake fishing activities or access to fishing grounds, they will minimise them;</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated; and</p> <p>d) the case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts.</p>	See Sections 14.4 and 14.8.

*Table 1.3: Summary of Guidance*

Guidance	Summary	Chapter Reference
<b>'People and Communities Clarification Note' (Ref. 14.9)</b>	<p>In August 2012, Highways England produced the 'People and Communities Clarification Note', which recommends combining the Interim Advice Note assessments of 'Community and Private Assets' and 'Effects on all Travellers' into a single topic entitled 'People and Communities'.</p> <p>The IAN indicates that as part of the need to seek efficient reporting there is a requirement to combine DMRB Vol 11 Section 3 Parts 6, 8 and 9 into one chapter titled People &amp; Communities.</p>	<p>This Clarification Note has been adhered to within this assessment and has therefore been considered within this Chapter.</p> <p>See Sections 14.4 and 14.8.</p>
<b>DMRB Volume 11, Section 2, Part 6: Land Use (Ref. 14.10)</b>	<p>The advice note covers the assessment of:</p> <ul style="list-style-type: none"> <li>• Demolition of private property and associated land-take</li> <li>• Loss of land used by the community</li> <li>• Assessing the loss of land used by the community</li> </ul>	<p>The assessment has considered the demolition of properties and land-take as well as loss of community land in accordance with the guidance.</p> <p>See Sections 14.4 and 14.8.</p>

Guidance	Summary	Chapter Reference
<b>DMRB Volume 11, Section 2, Part 8: Pedestrians, Equestrians, Cyclists and Community Effects (Ref. 14.11)</b>	The Advice Note gives guidance on assessing a scheme's impact on the journeys which people make in its locality. It considers journeys made by people as pedestrians (including ramblers), cyclists and equestrians.	<p>The non-motorised user assessment within this chapter and Chapter 17: Traffic and Transport have considered the Advice Note.</p> <p>See Sections 14.4 and 14.8.</p>
<b>DMRB Volume 11, Section 2, Part 9: Vehicle Travellers (Ref 14.12)</b>	The Advice Note provides guidance, including assessment criteria, for the driver stress assessment.	<p>The driver stress assessment is in accordance with the guidance.</p> <p>See Sections 14.4 and 14.8.</p>
<b>Employment Density Guide 3rd Edition published by Homes and Communities Agency (Ref. 14.13)</b>	The guide provides guidance on calculating employment densities.	<p>The guidance has informed the employment calculations.</p> <p>See Sections 14.4 and 14.8.</p>
<b>Additionality Guide 4th Edition published by English Partnerships (Ref. 14.14)</b>	The guide explains how to assess the additional impact or additionality of local economic growth and housing interventions when calculating employment opportunities.	<p>The guidance has informed the employment calculations.</p> <p>See Sections 14.4 and 14.8.</p>