



Great Yarmouth Third River Crossing Order 202[*]

Document NCC/GY3RC/EX/009: Written summaries of oral submissions at Open Floor Hearing 1

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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Foreword

This document is part of the Examination submissions relating to an application ('the Application') submitted by Norfolk County Council ('the Applicant') to the Secretary of State for a Development Consent Order ('DCO') under the Planning Act 2008.

If made by the Secretary of State, the DCO would grant development consent for the construction, operation and maintenance of a new bascule bridge highway crossing of the River Yare in Great Yarmouth, and which is referred to in the Application as the Great Yarmouth Third River Crossing (or 'the Scheme').



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Glossary of Abbreviations and Defined Terms

COCP	Code of Construction Practice
DCO	Development Consent Order
OFH	Open Floor Hearing
IP	Interested Party
ExA	Examining Authority
pNRA	Preliminary Navigational Risk Assessment

1 Introduction

- 1.1.1 This note summarises the case made by the Applicant at the Open Floor Hearing ('OFH') on 24 September 2019 ('the hearing') in relation to the Applicant's application for development consent for Great Yarmouth Third River Crossing ('the Application').
- 1.1.2 Oral submissions by all parties attending the hearing were made relating to the agenda published in Annex D of the Rule 6 letter issued by the Examining Authority ('the ExA') on 29 August 2019.
- 1.1.3 In the hearing Michael Bedford QC of Counsel (Cornerstone Barristers), on behalf of the Applicant, assured the Inspector that any issues raised by Interested Parties would be responded to in the Applicant's written summary of oral submissions.
- 1.1.4 The table below only highlights issues raised by Interested Parties in the OFH which require a response from the Applicant.



2 Response to issues raised at OFH 1

2.1.1 The table below sets out matters raised by Interested Parties at the Open Floor Hearing on 24 September 2019 and the Applicant's responses to those matters.

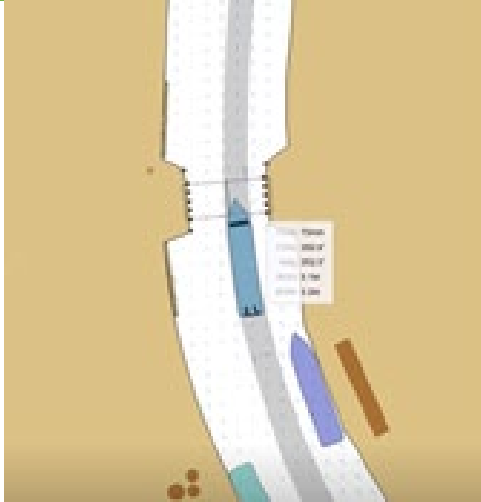
Issue Number	Name	Summary of issue raised by Interested Party at the Open Floor Hearing held on 24 September 2019	Response
1	Alan Goodchild, Goodchild Marine Services, Burgh Castle	<p>Mr Goodchild welcomed the idea of a Third River Crossing but stated that Goodchild Marine's main concern was regarding navigation. Mr Goodchild felt that the new bridge needs coordinated operations with the existing two bridges.</p> <p>Mr Goodchild indicated that he would like reassurance that the new bridge will open freely. He understands for commercial movements the bridge will be opened on-demand but noted that currently there is not on-demand opening for the other two bridges in Great Yarmouth. As such, Mr Goodchild was keen to understand how bridge openings for private and commercial vessels will be managed and co-ordinated and wanted to know whether there would be a joined-up approach to the operation of the three bridges in Great Yarmouth if the Third River Crossing is approved.</p>	<p>The draft DCO (Document Reference 3.1, Planning Inspectorate Reference APP-020) contains, at Schedule 10, a Scheme of Operation that outlines how the scheme bridge is intended to function – and it is noted in particular that it permits on demand openings for commercial vessels. The Applicant will work with GYPC, who operate Breydon and Haven Bridges (on behalf of Highways England and Norfolk County Council), to coordinate, where this is feasible, the opening regimes of the three bridges.</p> <p>The Scheme of Operation places no restrictions on bridge openings for commercial operations. Openings for recreational vessels will be based on a combination of scheduled opening times and request proximity to commercial openings with a requirement to avoid peak road traffic times (8-9am and 4:30-5:30pm).</p>

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		<p>Mr Goodchild was also concerned about the location of the layby berths for private boats and set out his belief that they should be located on the inside of the bend as there is a risk with the proposed locations that berthed vessels could be hit by larger passing vessels.</p>	<p>The potential for vessel contact with the waiting facilities has been considered in the preliminary Navigational Risk Assessment (pNRA) (Document Reference 6.14, Planning Inspectorate Reference APP-185) and operational procedures (vacation of the waiting facilities in advance of large vessel transits) would be implemented to lower this risk to ALARP (i.e. as low as reasonably achievable).</p> <p>In terms of the location of the waiting facilities, it is considered that the east bank is more commercially intensive than the west, therefore provision of waiting facilities on the east side would potentially cause detrimental effects to the Port's operation.</p>
2	Simon Coote Alicat Workboats	<p>Mr Coote stated that whilst he understood the need for a Third River Crossing, he is concerned about the impact of the Scheme on his business and is looking for reassurances as to how the Third River</p>	<p>Unrestricted river access for commercial vessels is a key obligation featured in the drafting of the Scheme of Operation (in Schedule 10 to the draft DCO (Document Reference 3.1, Planning Inspectorate Reference APP-020); there are no proposals to impose temporal or durational</p>

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		<p>Crossing will affect his business in the future.</p> <p>Mr Coote explained that currently his business has 24/7hour access to the North Sea via the river. He has a growing yard currently due to the increasing off-shore industry. This unrestricted access is a key asset for his business.</p> <p>Mr Coote stated that his concerns in respect of the Scheme are based on the problems currently experienced by others with the operation of the two existing bridges – he therefore is seeking reassurance that he won't be prevented from carrying out business as usual during the construction of the Scheme or in the event of future operational breakdowns.</p> <p>Mr Coote expressed concern as to what measures are or will be put in place in relation to bridge failure – e.g. if in 20 years time the bridge fails for 2 weeks.</p>	<p>restrictions on openings for navigation for commercial vessels such as those using the river in relation to Mr Coote's business.</p> <p>The operational requirements and protective provisions included in the draft DCO make clear that should the bridge suffer any operational failure it must be kept in the raised position to the extent possible. Details of the provisions for this have been included in the Applicant's Responses to Written Representations, at item MP3 in Table 5.1 of the Response to Relevant Representations (Document Reference NCC/GY3RC/EX/008).</p> <p>The closures required during construction are unavoidable, however as much notice as possible will be given of when these will be and continuous liaison with the stakeholders will be undertaken during the whole of the construction phase to seek to minimise the impacts of these closures as much as possible. Furthermore, as set out in the Outline CoCP (Document Reference 6.16, Planning</p>

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		<p>Mr Coote also expressed his concerns regarding temporary closures of the river during construction of the Scheme.</p>	<p>Inspectorate Reference APP-187), there is an obligation on the Contractor to maintain the navigation channel at all times, except when possession of the entire channel or a restriction on navigation is required to facilitate construction (such as narrowing the vessel size that can pass through the area).</p>
3	Ben Fallet Royal Yachting Association (RYA)	<p>Mr Fallet indicated that the RYA had three key concerns in relation to the Scheme:</p> <p>1. <i>Location of waiting pontoons for small vessels:</i> The Scheme includes proposals to locate pontoons on the outside of the bend in the River (on the east side of the River), meaning that small boats, when berthed at the pontoons, would partly obscure the fendering/potential collision zone at the knuckles (or bridge piers). Furthermore, the RYA considers that swell from passing ships could cause problems for recreational vessels. Mr Fallet indicated that he was of the view that the Scheme could be improved upon by</p>	<p>1. As noted above, the potential for vessel contact with the waiting facilities has been considered in the preliminary Navigational Risk Assessment (pNRA) (Document Reference 6.14, Planning Inspectorate Reference APP-185) and operational procedures (vacation of the waiting facilities in advance of large vessel transits) would be implemented to lower this risk to ALARP.</p> <p>In terms of the location of the waiting facilities, it is considered that the east bank is more commercially intensive than the west, therefore provision of waiting facilities on the east side would potentially cause detrimental effects to the Port's operation.</p>

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		<p>locating the pontoons elsewhere, e.g. at other locations downstream for the lower pontoon and upstream for the upper pontoon and indicated that he had shared these suggestions with the Applicant.</p> <p><i>2. Communication to the Environment Agency regarding effects of structures in the waterway:</i> Mr Fallet explained his concern (previously expressed to the Environment Agency ('EA')) that any structure placed in the waterway have an effect akin to that of a weir (affecting the river basin upstream and related outflows), restricting the width of the river (by 40%), affecting its flow and increasing the risk of rain flooding. Mr Fallet reported that the EA's response indicated that it had concerns about the flood modelling. In consequence of this the RYA submitted a holding objection, on the basis that to date, insufficient information had been made available. The RYA now awaits the outputs of the EA's revised flood modelling and would like to reserve its position until</p>	<p>The size of the swell generated by passing vessels is not determined by which side of the river the berth is located, rather it is a function of the distance between the passing vessel and the occupied berth. In the majority of runs during the vessel simulations, vessel passages have favoured the inside of the bend (as shown in the track image below) therefore it is likely that a waiting facility located on the east bank of the river would be more significantly affected by swell from passing vessels.</p>

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		<p>those outputs and their implications are understood. Mr Fallet expressed the view that other parties besides the RYA (e.g. the Norfolk and Suffolk Boating Association and the Broads Authority) might also revise their initial positions too, depending on the outcome of any revised flood modelling. Mr Fallet noted that the Broads Authority had not registered as an Interested Party in relation to the examination of the DCO Application, on the basis of the information (or lack of information) available at the time. Mr Fallet suggested that other organisations (namely Natural England, Norfolk and Suffolk Boating Association) may wish to make comments on the Application if it transpired that the flood risk would change.</p> <p>3. <i>Opening regime – central point of control for coordination of bridge openings:</i> Mr Fallet set out that the regime of opening is also an issue for the RYA. He also went on to say that there is an opportunity for the new control tower to be a single point of</p>	 <p>2. The Applicant's discussions on the Flood Risk Assessment, Environmental Statement - Appendix 12B (Document Reference 6.2, Planning Inspectorate Reference APP-135) and the associated modelling continue with the Environment Agency. The Applicant notes the concerns raised by the RYA (including on behalf of various other organisations); however, the Applicant considers that the information presented in the Flood Risk Assessment is</p>

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		<p>contact for vessels passing throughout the river corridor, but that it should be noted that small boat users might not have equipment to respond to VHF and that communications regimes therefore need to be versatile.</p> <p>4. <i>Objection to de-masting:</i> Mr Fallet explained that the RYA would be strongly opposed to any requirement for de-masting of vessels. Currently, a de-masting pontoon is provided between the Breydon and Haven bridges; however, the RYA would not want a similar facility or requirement in relation to the new bridge.</p>	<p>sufficient and that further modelling would not change the findings of the assessment reported in the Environmental Statement (Document Reference 6.1, Planning Inspectorate Reference APP-096).</p> <p>As part of the process of preparing the Application, the Applicant has engaged in ongoing discussions with the Broads Authority. These discussions are reflected in the Statement of Common Ground due for submission at Deadline 1.</p> <p>3. Along with VHF equipment, E-mail, web and telephone communications are also to be provided within the control tower.</p> <p>Because of the need for visual safety assessment during bridge operations it is not considered optimal to control bridge operations from remote locations, therefore each bridge will retain its own operating procedure and point of control location.</p>

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			4. The Applicant confirms that the Scheme does not include any requirement for vessels to demast for bridge passage.
4	Sue Goodchild Goodchild Marine, Burgh Castle	<p>Ms Goodchild expressed a view that interference with navigation, caused by bridge crossings of the River Yare was an issue that needed to be examined in relation to the Scheme. Ms Goodchild stated that in the last 12 months, Goodchild Marine had lost approximately 60 working days as a result of not being able to get out of their boatyard; and generally the business had lost numerous contracts in last 12 months due to disruption caused by the existing bridges.</p> <p>In this context, Ms Goodchild encouraged the Inspector to consider navigation issues as part of the Examination.</p> <p>Ms Goodchild also reiterated the RYA's concerns about the impacts of the Scheme on flows within the waterway (see item 3.2</p>	<p>The Applicant will work with Great Yarmouth Port Company, who operate Breydon and Haven Bridges (on behalf of Highways England and Norfolk County Council), in order to provide the Examining Authority with details of the recorded breakdowns of these bridges over the past 12 months.</p> <p>The Sediment Transport Assessment (Document Reference 6.2, Planning Inspectorate Reference APP-130) has been informed by 15-minute level gauge data, provided by the Environment Agency, for Haven Bridge, Gorleston-on-Sea, Three Mile House and Burgh Castle. The data has been used to generate the tidal boundaries in conjunction with the extreme sea levels and has informed the calibrating testing. With regards to siltation the Sediment Transport Assessment concludes (within Section 7) negligible to small impacts on</p>

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		<p>above), with particular reference to the impact of siltation on Goodchild Marine's moorings and the existing siltation problem at Burgh Castle, which Ms Goodchild urged the ExA to consider.</p>	<p>the sediment regime with the channel. Furthermore, the Sediment Transport Assessment concludes within Section 7 that there will be no additional material transported into the channel due to the presence of the Scheme.</p>
5	Caroline Fernandez, Norfolk and Waveney MIND	<p>Ms Fernandez noted that Norfolk and Waveney MIND are working on a Statement of Common Ground with the Applicant. They have concerns about:</p> <ul style="list-style-type: none"> • Blighting a neighbourhood with roads • Community garden will be surrounded by roads. • Flooding concerns as gardens sit lower than proposed roads. • The loss of the nature reserve and the impact this will have on the wellbeing of Norfolk and Waveney MIND members. <p>Localised disturbance from the construction and operation of the Scheme.</p>	<p>As set out on page 13 of the Negotiations Tracker (Document Reference 4.4, Planning Inspectorate Reference APP-024) the Applicant has held meetings with Norfolk and Waveney MIND to discuss the Scheme proposals and the impact of those proposals on their property. These discussions are ongoing and the Applicant is committed to working with Norfolk and Waveney MIND throughout the duration of the Scheme to resolve these concerns.".</p> <p>With regards to the concerns raised by Norfolk and Waveney MIND the Applicant would like to signpost the stakeholder to the following chapters of the ES (Document Reference 6.1, Planning Inspectorate Reference APP-096), which explain how the Applicant has assessed the predicted impacts of the Scheme on matters</p>

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			<p>in relation to which Norfolk and Waveney MIND has expressed concerns:</p> <ul style="list-style-type: none"> ● Chapter 8: Nature Conservation; ● Chapter 11: Road Drainage and the Water Environment; and ● Chapter 14: People and Communities. <p>Further details and updates on the ongoing engagement between the Applicant and Norfolk and Waveney MIND will be provided in the Statement of Common Ground which is to be submitted at Deadline 1, and in the updated Negotiations Tracker at Deadline 2.</p>
6	Michael Cole, Affordable Car Sales, Southgates Road	Mr Cole asked if Southgates Road will be a 2,3 or 4 lane highway with the Scheme in place, and asked how, if the road was not to be widened, how it would cope with increased traffic.	As part of the Scheme, the Applicant proposes to widen and realign Southgates Road to tie in with the proposed new signalised junction on the east side of the River, to provide sufficient width for the safe and efficient operation of the new junction based on forecast queue lengths which take full account of bridge openings for river vessels. On the southbound approach to the new junction, the proposed road widening will commence just south of Newcastle Road to enable the development from the existing wide

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			<p>single lane into two lanes, and thereafter to three lanes at the junction stopline.</p> <p>The Applicant's Transport Assessment (Document Reference 7.2, Planning Inspectorate Reference APP-189), which has informed the development of the Scheme proposals, sets out the comprehensive analysis which has been undertaken to assess the forecast impacts of the Scheme, including in relation to Southgates Road.</p>
7	Bridget Heriz-Smith (local resident)	Ms Heriz-Smith asked when the Applicant would provide advice to residents to help them to deal with noise/dust and enquired about the process for recording such issues.	<p>Following the Open Floor Hearing the Applicant made contact with Ms Heriz-Smith, to respond directly to her queries.</p> <p>The query regarding noise and dust resulted from her understanding of a discussion at an earlier consultation event on the Scheme where she had understood that such information was required in order to submit a compensation claim.</p> <p>The resident owns a property on Southtown Road and will be in close proximity to the</p>

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			<p>Scheme both during construction and its subsequent operation.</p> <p>The Applicant was able to clarify the timescales involved and approach required, given that no land acquisition is required from the resident's property, as well as outlining other options potentially available to her.</p> <p>By way of follow up, this information was also sent in writing to Ms Heriz-Smith. The information provided by the Applicant also included a list of chartered surveyors acting elsewhere on the Scheme, in case Ms Heriz-Smith wished to seek her own independent advice on valuation.</p> <p>The Applicant also notes that the Outline CoCP (Document Reference 6.16, Planning Inspectorate Reference APP-187) sets out a number of dust and noise mitigation measures, and at section 2.6, includes mechanisms for dealing with related complaints.</p>