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Norfolk County Council  
By email

Your Ref:

Our Ref: TR010043

Date: 13 February 2020

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Dear Sir/Madam

## **Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 17**

### **Application by Norfolk County Council (NCC) for an Order Granting Development Consent for the Great Yarmouth Third River Crossing**

#### **Examining Authority's request for further information**

The Examining Authority (ExA) has now received the Deadline 6 (DL6) submissions and seeks further information in relation to the comments made by both the Applicant (NCC) and Environment Agency (EA).

The EA has raised concerns with respect to a number of flood risk matters, with the overriding concern relating to the risk/hazard associated with the absence of residual tidal breach modelling within the assessments undertaken to suitably inform the Flood Risk Assessment (FRA). At this time, the EA maintains an objection to the Proposed Development on 'safety grounds'.

The ExA is concerned that at this late stage in the examination there still appears to be a lack of agreement between the Applicant and the EA regarding the approach and conclusions reached in relation to the FRA.

The ExA notes the considerable weight that is rightly attached to the conclusions of the FRA in policy terms and the importance placed on the view of the statutory party (the EA) in this regard. The ExA had hoped and was content (on the basis of previous submissions) that progress would be made to agree these matters, but the most recent submission suggests otherwise.

Taking these matters into account and having specific regard to the points raised by the EA, the ExA has the following questions for the Applicant which need to be answered as a matter of urgency, and no later than **Deadline 7, 3 March 2020**:

## Tidal Residual (Breach) Risk and Emergency Preparedness

The Applicant's response to the points raised by the EA regarding the approach to tidal residual (breach) risk explains how the findings of the Strategic Flood Risk Assessment (SFRA) in this regard have been used as a proxy to identify the likely breach locations applicable to the Proposed Development. Furthermore, the Applicant explains that in using these locations, the effect in terms of tidal residual (breach) risk can be 'deduced' from the information relating to over-topping assessment; rather than conducting any specific modelling for the development concerned.

1. Can the Applicant explain the apparent reluctance/inability to provide the assessment requested by the EA, noting that tidal breach is an important issue for the Proposed Development?
2. Can the Applicant explain why it considers the SFRA is an appropriate information source for formulating the approach to tidal residual (breach) risk having regards to the fact that the SFRA does not include the Proposed Development within its modelled scenarios?
3. Can the Applicant explain the extent to which the 'deduction' used to inform the assessment of tidal residual (breach) risk is appropriate and representative having regard to the likely different flood characteristics when compared with an over topping assessment?
4. Taking into account the apparent uncertainty associated with the approach to tidal residual (breach) risk can the Applicant explain the extent to which this should affect confidence in the likely efficacy of Emergency Preparedness and Response Plan and what if any additional measures should/could be proposed?
5. Can the Applicant explain why it considers the Proposed Development should be defined as 'safety critical', taking into account the need to remain open in an emergency event and the acceptance that certain access points to the bridge would be rendered inoperable during the 0.1% AEP climate change flood event?

## Flood Management

The Applicant explains that as part of its flood management plan for the operational development, Requirement 11 in the draft Development Consent Order requires a surface water drainage system to be prepared 'in general accordance with the drainage strategy' and with approval of relevant bodies.

6. Can the Applicant explain why the EA is not also a body to be consulted in relation to discharging this Requirement?

## FRA Information and Status

The ExA notes that as a consequence of discussions, clarification and further analysis there is now a body of evidence which corrects, clarifies, supports and substantiates findings in the Applicant's FRA. The ExA is also aware that in response to the questions raised above there may well be additional information submitted in this regard.

The ExA is concerned that the iteration of information relevant to the assessment is now so spread amongst examination documents as to render it less accessible for those seeking a definitive view of accounts. This may be of particular relevance with regard to any subsequent certification or discharging activities.

7. Therefore, in response to the questions raised above and to address the issues outstanding can the Applicant please provide a definitive list of information which pertains to and is necessary for understanding the proposed developments impacts to flood risk?

In addition, in responding to the questions raised above, the Applicant should seek the views of the EA in effort to agree the approach to these outstanding issues.

Yours faithfully

*Dominic Young*

**Dominic Young**  
**Examining Inspector**

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