



The Planning Inspectorate Yr Arolygiaeth Gynllunio

The Planning Act 2008

**The Norfolk County Council (Norwich Northern Distributor Road
(A1067 to A47(T)) Order**

Examining Authority's Report of Findings and Conclusions

and

**Recommendation to the
Secretary of State for Transport**

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Examining Authority

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Examining Authority's findings and conclusions and recommendation in respect of The Norfolk County Council (Norwich Northern Distributor Road (A1067 to A47(T)) Order

File Ref TR010015

The application, dated 6 January 2014, was made under section 37 of the Planning Act 2008 and was received in full by The Planning Inspectorate on 7 January 2014.

The applicant is Norfolk County Council.

The application was accepted for Examination on 4 February 2014.

The Examination of the application began on 2 June 2014 when the Preliminary Meeting was conducted by Inspector Elizabeth Hill, who was the originally appointed Examining Authority. On 23 June 2014 the Panel of Inspectors presenting this report was appointed as the replacement Examining Authority under s62 and s265 of the Planning Act 2008 (PI-006 Rule 8). The Examination was completed on 2 December 2014.

The development proposed comprises a dual carriageway all-purpose distributor road that would link the A1067 Fakenham Road near Attlebridge to the A47(T) Trunk Road at Postwick. The proposed road would have a length of approximately 20.4 km inclusive of the Postwick works.

At its eastern end the DCO scheme would provide for a further upgrading of the Postwick interchange and related roads that serve adjacent business park areas which have already been granted planning permission. The highway works at Postwick, other than the additional upgrading proposed under the DCO, benefit from Orders made by the Secretary of State for Transport under the Highways Act 1980 following approval on 8 January 2014 and construction has commenced.

Summary of Recommendation:

The Examining Authority recommends that the Secretary of State should make the Order in the form attached as Appendix E.

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1 INTRODUCTION

- 1.1 The application scheme arose through the evolution of the Norwich Area Transportation Strategy (NATS). The earliest iterations of this strategy did not include the Northern Distributor Road (NDR) but consultations on the possibility of including such a proposal commenced in 2003 following changes in government policy; housing and economic growth; development along the inner and outer ring roads; delivery of some Park & Ride sites; and traffic congestion and public comment in relation to the strategy as it then stood. The revised NATS including a NDR was agreed in 2004 in order to provide infrastructure regarded as essential to accommodate growth.
- 1.2 In the 2003 consultation 78% of respondents supported provision of a full length NDR from the A47(T) west of Norwich to the A47(T) east of Norwich which would have involved an additional crossing of the River Wensum west of the city. During 2004 and 2005 further consultations took place to refine potential alignments following which the applicant adopted a prospective route which is essentially that now sought in the DCO scheme from the A1067 in the west to the A47(T) at Postwick in the east, i.e. without any new crossing of the River Wensum west of the city, in the light of concerns over the acceptability of mitigation measures for the Special Area of Conservation (SAC) that covers much of the course of that river. This background is detailed in the Introduction to the Application (AD-001 [1.1 Introduction to the Application](#)) and the Consultation Report (AD-024 [5.1 Consultation report](#)).
- 1.3 The scheme was worked up subsequently alongside the Joint Core Strategy for development in the Greater Norwich Area (City of Norwich, and parts of Broadland District and South Norfolk District) and on 15 December 2011, the Secretary of State for Transport accepted the applicant's funding bid for Programme Entry for that part of the scheme extending from and including the Postwick Hub junction with the A47(T) in the east to the A140 Cromer Road west of Norwich International Airport (See Appendix F to NCC/EX/52 D6-002 [Norfolk County Council - Response to questions in parts 1-3 \(NCC EX 52\)](#)). In April 2012 the applicant agreed to underwrite the cost of the remaining section of the DCO proposal from the A140 to the A1067 to the west.
- 1.4 Following further refinement of the proposals, the applicant commenced the statutory pre-application procedures for a submission of a Nationally Significant Infrastructure Project (NSIP) on 21 June 2013 as the NDR fell within the definition of a NSIP in s22(2)(b) of the Planning Act 2008 (PA2008) that was applicable at the time 'as the highway to be constructed is for a purpose connected with a highway for which the Secretary of State is (or will be) the highway authority'. However, on 24 July 2013 the Highway and Railway (Nationally Significant Infrastructure Project)

Order 2013 (SI 2013/1883) (the Highways Order) was made coming into force the following day. The effect of this order was to remove locally authority highway schemes from the definition of NSIPs. The applicant immediately submitted a qualifying request to the Secretary of State for the NDR to be treated as an NSIP for which development consent is required in order that the application process should not be interrupted (AD-001 Appendix B [1.1 Introduction to the Application](#)).

- 1.5 On 9 August 2013 the Secretary of State duly made a Direction under s35(1) of PA2008 being of the opinion that the Norwich Northern Distributor Road is of national significance for the following reasons:
- (a) 'it provides a direct connection to/from an international airport to the Trans European Network- Transport (TEN-T) and the Strategic Road Network. The Ten-T link is to the A47, one of only a limited number of roads in the East of England which is recognised as such, and'
- (b) 'in addition the scheme supports national growth potential including by directly supporting over 135 ha of proposed employment growth and improves connection to/from the Great Yarmouth Enterprise Zone which supports the offshore energy industry and supply chain.' (AD-001 Appendix C [1.1 Introduction to the Application](#))
- 1.6 A number of Interested Parties (IPs) sought to argue that the DCO should not be considered as an NSIP. While this matter was considered at the acceptance of the application, it seems to us that since the NDR scheme, and any associated development, has been made expressly subject of a Direction by the Secretary of State under s35(1) that it should be treated as development for which development consent is required, it is clearly established as a matter of law that the NDR has to be considered under the provisions of the PA2008.
- 1.7 IPs further sought to argue that the pre-application consultation had been invalid because during the process over the period between 25 July 2013 and 8 August 2013 the scheme fell outside that definition of an NSIP. This was addressed in a legal opinion submitted by the applicant (Appendix D to the Consultation Report [5.1 5.1 Consultation Report Appendices A to J](#)). This concluded that the pre-application process was valid notwithstanding the fact that some was undertaken prior to the s35 Direction, but even if this were not the case no party has been substantially prejudiced as a result. We agree and it also seems to us that the judgement of Mr Justice Turner in relation to a challenge to the making of the DCO for the Heysham to M6 Link Road is relevant to this point. He ruled that the key issue to consider is whether the interests of prospective participants in the approval process would have been prejudiced by the process followed in seeking approval for a

scheme¹. In our view the PA2008 process provides greater opportunity during the Examination process for Interested Parties to make their views known and greater safeguards through provisions embodied in a DCO, including the ability to impose Requirements on the DCO, than the alternative process followed in the approval of the Postwick Hub interchange through separate planning approval and making of Orders under the Highways Act 1980 which would otherwise have been required if the PA2008 process had not been available. Consequently, we are satisfied that proper process was followed in making the application for the DCO.

- 1.8 Some IPs also argued that the pre-application process should be regarded as invalid because the applicant mislaid three substantial representations from groups opposed to the scheme, namely Norwich Green Party, Stop Norwich Urbanisation (SNUB) and the Campaign to Protect Rural England (CPRE) and did not record nor consider them during the statutory pre-application process. These bodies together with the Norwich and Norfolk Transport Action Group (NNTAG), Hockering Parish Council (D2-043 Joint from CPRE Norfolk, Norwich Green Party, Norfolk and Norwich Transport Action Group, Stop Norwich Urbanisation and Hockering Parish Council), Great and Little Plumstead Parish Council (PM-010 Great and Little Plumstead Parish Council) and others also argued that earlier consultation had been deficient in relation to considering alternatives and that the level of opposition to the DCO scheme had been misrepresented because many of those regarded as in support of a NDR only supported a full NDR linking to the A47(T) west of Norwich as canvassed in 2003. These matters and in particular the three unrecorded pre-application representations were also considered at the acceptance stage.
- 1.9 As the matters referred to in the unrecorded representations were raised by others and duly responded to in the Consultation Report, it was concluded that the omission of reference to these representations did not warrant repeating the Consultation process. For our part we ensured that a focus of our written questioning and oral hearings included the matters raised in these representations such as ensuring that alternative options were fully explored. Consequently, we do not consider that any party has been prejudiced by any actual or claimed deficiencies in the consultation process.
- 1.10 Elizabeth Hill was appointed as single Examining Inspector on 16 April 2014 and conducted the Preliminary Meeting held on 2 June 2014. She resigned under s80(2) of the Act for personal reasons shortly thereafter. The current Panel of Inspectors were appointed as Examining Authority (ExA) on 23 June 2014 under s62 and s68 of the Act. The ExA complied with its duties under ss71-73 of the

¹ [2013] EWHC 2937 (Admin)

PA2008 to familiarise itself with the case and endorsed the actions taken by the original ExA prior to that date, subject to the timetable variations referred to in the following paragraph.

- 1.11 As a consequence of the change, the timetable initially set out in the ExA's letter of 8 May 2014 and discussed at the Preliminary Meeting was adjusted with open floor hearings postponed for 2 weeks and issue-specific hearings and compulsory acquisition hearings deferred until September in a timetable issued on 25 June 2014 (PI-006 Rule 8). This timetable was refined and augmented by further procedural decisions during the course of the Examination including those formally to accept a number of non-material changes to the DCO application that are detailed in Section 2 of this report. The final timetable of the Examination is set out in Appendix B to this report.
- 1.12 The ExA familiarised ourselves with the site and surroundings of the DCO scheme through an unaccompanied visit to the route of the NDR and other locations referred to in representations that might be affected on Monday 21 July 2014. An accompanied site visit took place on Wednesday 23 July. This again covered the route of the NDR from Postwick Park and Ride Car Park to Norwich Airport and on to the A1067, with opportunities to view the alignment from various vantage points in and adjacent to nearby historic halls and parklands and settlements or suburbs outside and inside the proposed alignment. Marriot Way was also visited together with potential rat runs through Drayton, Costessey, Weston Longville and Hockering along with the intended HGV route between the A47(T) West of Norwich and the A1067 in the absence of a full NDR. The return journey to Postwick utilised sections of the outer ring road and certain suburban and rural roads that the NDR is intended to relieve.
- 1.13 Subsequently, related to other hearing sessions, the ExA undertook unaccompanied site visits to further potential rat-runs west of Norwich, to roads and localities in the Plumstead and Rackheath areas where there were issues identified relating to crossings over the NDR, safety at certain road junctions and the safety of level-crossings on the Norwich to Cromer railway line. The existing station at Salhouse and potential station sites in the proposed business park area and for the proposed Rackheath Ecotown were viewed by road and on a return journey by rail along the Norwich to Cromer railway line. As requested, we also travelled to Acle to see an alternative potential residential development area that had been canvassed at a hearing and to view the A47(T) Acle straight to and from Great Yarmouth as issues were raised both over the impact of additional traffic on nearby protected habitats and in relation to arguments on the desirability of highway improvements to that section of road. We also viewed the city centre of Norwich extensively in the light of arguments raised concerning its economic health and made specific visits to locations of disputed compulsory acquisition which

could be viewed from public highways, in particular in Fir Covert Road (plot 2/21) and at Horsford (plot 4/16).

- 1.14 At the time of the application, the applicant listed the other consents that would also be required in addition to the DCO in order to implement the scheme in 5.4 (AD-034 5.4 - Details of Other Consents Licences and Permits - Final). During the course of the Examination, the applicant provided updates on progress towards securing these consents both by way of Statements of Common Ground with statutory consultees such as the Environment Agency, Natural England and relevant local authorities and through provision of specific letters from relevant consenting bodies. The position in respect of such consents, licences and permits at the close of the Examination is referred to in section 8 of this report.
- 1.15 The representations from Interested Parties who initially registered to participate in the Examination are listed in the Examination Library, which is set out as Appendix A, through their relevant representations. During the Examination, the ExA exercised their power under s102A of the PA2008 to add Kate Paul, David Brown, Dawn Parkes, Richard Green, Jean Caston and Andrew Caston as additional IPs as they were considered to meet the relevant criteria and also Breckland DC, Drayton PC and Taverham PC under s89(2A).
- 1.16 Following acceptance by the applicant at an issue specific hearing on 18 September 2014 that a 4-arm roundabout junction should be the means of connecting Drayton Lane South and Reepham Road at Drayton with the NDR, NCC formally submitted an application for proposed provision for additional compulsory acquisition to enable this change to be made. After this application was accepted for Examination on 23 September 2014, the statutory advertisement resulted in the registration of additional IPs, namely Charles Emberson, Richard Woods, Susan Chesham-Panam and Anna Ellis. The last two were already noted as Affected Persons (APs) in the Book of Reference, the most up to date version of which being AD-133 (Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). The full sequence of amendments proposed by the application after submission are detailed in section 2 of this report.
- 1.17 There are no undertakings separate from the amended provisions of the DCO, but the applicant has entered into two formal signed and sealed agreements with Network Rail Infrastructure Ltd which led to the withdrawal of their objections as a statutory undertaker in relation to compulsory acquisition (CA) issues and level-crossing safety and there is also a more informal agreement with Norwich Airport Ltd which resolved CA and other issues with that undertaker. These matters are dealt with in detail in sections 4 and 6 of this report.

1.18 The remainder of this report comprises at section 2 a description of the main features of the application and its site. Section 3 is a summary of the relevant legal and policy context before, in section 4, we consider the issues that have been identified including the alternative options that have been canvassed and the background forecasting and appraisal of such options to the extent that it is relevant to assessing the acceptability of the DCO scheme. In section 5, the specific issue of the effect on Habitats that are protected under EU directives is briefly considered in relation to the Report on the Implications for European Sites (RIES) that is set out as Appendix D. Section 6 follows providing specific consideration of the CA sought and other land related issues while section 7 examines the detailed wording of the proposed DCO. Finally, in section 8, we provide a summary of our overall conclusions and recommendations.

2 MAIN FEATURES OF THE PROPOSAL AND SITE

The present application

- 2.1 The application for the DCO was made by Norfolk County Council as local highway authority. The application was submitted on 6 January 2014 (See AD-002 [1.2 NDR Development Consent Order Application Form](#)). It was accepted for Examination on 4 February 2014.
- 2.2 The proposed development is located wholly within the County of Norfolk, mainly within the District of Broadland with a small section within the City of Norwich adjoining Norwich airport and a small part within the area of the Broads Authority at the eastern end of the development where works link it to the A47(T) Postwick junction.
- 2.3 At its western end, the scheme involves re-alignment of 750m of the A1067 Fakenham Road and provision of an at-grade roundabout junction at the start of the proposed dual carriageway all-purpose strategic distributor road that would then run eastwards around the northern side of Norwich for a distance of around 20km. At the eastern end there would be a re-configuration of the junction at Postwick that would link the distributor road to the A47(T). This re-configuration has substantially already been authorised separately to serve approved business park developments and address existing congestion, but the DCO scheme would provide for additional enhancement by way of turning lanes and improved facilities for non-motorised users in view of the forecast additional traffic flows arising from provision of the NDR.
- 2.4 The route of the proposed road runs predominantly through farmland in a gently undulating landscape. There are some areas of woodland and also well-treed hedgerows that limit the extent of wide views, particularly in the eastern section and towards the western end of the works. Because of the nature of the landscape, the earthworks associated with the road are for the most part modest, mainly related to structures carrying the road over or under other transport links or to provide mitigation in terms of visual impact or noise.

Principal works

- 2.5 Moving from west to east along the route of the distributor road, there would be an at grade roundabout junction at the C262 Fir Covert Road. The NDR would then pass beneath a new bridge carrying Marriott's Way over the proposed road. Marriott's Way is a permissive path for pedestrian, cyclist and equestrian use along the line of a former railway line. The NDR would have a further at-grade roundabout junction at the C261 Reepham Road and further eastwards, Bell Farm track would pass over the NDR on a

new bridge as a combined restricted byway and private means of access before provision of another at-grade roundabout with a link road between the B1149 Holt Road and Reepham Road. The former would be closed where it would be crossed by the NDR and the link road would replace the section of Drayton Lane North closest to Horsford, which would also be closed to through traffic. New at-grade roundabouts would be provided where the new link road would join Holt Road and at the junction between Reepham road and the remaining southern section of Drayton Lane. The latter roundabout is a provision introduced by minor changes to the original application scheme that will be detailed more fully below.

- 2.6 Where the NDR crosses the A140 Cromer Road there would be a grade-separated junction with the A140 flying over the NDR with at-grade roundabout junctions and related slip roads to the north and south. The NDR would then skirt around the northern boundary of Norwich Airport, with at its northernmost point a further at-grade roundabout junction. While this feature is intended to facilitate safe movement through a change in alignment, it also provides access to ancillary activities on the north side of the airport including the Petans Training Centre. East of the airport, Quaker Lane would be closed where it would be crossed by the NDR, but a new bridge would carry the C246 Buxton Road over the NDR south of Spixworth and at the B1150 North Walsham Road there would be a further at-grade roundabout.
- 2.7 Further to the east, the NDR would pass through the historic Beeston Park, where there would be significant earth modelling to safeguard the outlook from Beeston Hall, before the NDR reaches an at-grade roundabout with the A1151 Wroxham Road. The NDR would then run south-eastwards through a section of Rackheath Park between Rackheath Hall and Rackheath. There would be a new bridge over the NDR carrying a bridleway and private means of access to maintain continuity for rights of way and access to Newman Road from the vicinity of Rackheath Hall. At the C283 Salhouse Road there would be a further at-grade roundabout. Continuing south-eastwards the NDR would rise on a significant embankment to cross over the Norwich to Cromer railway line close to the C874 Plumstead Road which it would also cross on an over-bridge. There would be an at-grade roundabout on Plumstead Road to the north-east of the NDR from which a link road would run to join the NDR at an at-grade roundabout south-east of Plumstead Road.
- 2.8 From there, the NDR would run southwards beneath a new bridge that would carry the C442 Middle Road over the new road and then south past Low Road and Smee Lane, both of which would be closed where crossed by the NDR, before joining the works already under construction to re-configure the Postwick A47(T) interchange at an at-grade roundabout which would provide

access to the business park developments at and adjoining Broadland Gate.

- 2.9 The Postwick works are more fully described in the application (AD-002 [1.2 NDR Development Consent Order Application Form](#)), but the DCO would authorise additional lanes on the link road to the Peachman Way roundabout within the business park area and on the NDR approaching the Business Park roundabout together with improved facilities for non-motorised users through the signalised junction that would link the NDR to the A47(T), the Postwick Park and Ride site and areas south of the trunk road.
- 2.10 Along much of the route of the NDR there would be new rights of way provided separately from the road carriageways both to enhance the networks available for non-motorised travellers and provide links to crossing points over or under the NDR from the highways that would be closed where crossed by the new road. The works are described in detail in Schedule 1 to the DCO as works numbers 1-21 together with ancillary works numbers (i)-(xi) on pages 63-64 of the DCO recommended in Appendix E.

Associated development

- 2.11 Although in the submitted DCO, associated development was not distinguished from the integral works required to construct the NDR, after the ExA drew attention to the desirability of a consistent approach with other transport DCOs, the applicant accepted that certain works could properly be distinguished as associated development. These were identified in later iterations of the DCO and comprise works numbers 22-26 in Schedule 1 to the recommended DCO that is set out as Appendix E.
- 2.12 Works numbers 22-24 comprise off-site highway works at some distance from the main alignment to mitigate any potential adverse highway safety consequences as a result of changes in traffic flows arising from the operation of the NDR at junctions on the A1151 Wroxham Road, the C874 Plumstead Road and the B1150 North Walsham Road respectively. The integral works in some instances include similar measures, such as work number 18(b), the closure of the C258 Broad Lane at its junction with Plumstead Road, but such works are in much closer proximity to the main alignment and therefore treated as integral to the scheme.
- 2.13 Work number 25 comprises the diversion of 435m of a National Grid high pressure gas transmission pipeline and work number 26 comprises provision of 7 bat gantries and 2 bat houses to mitigate any adverse consequences on protected species of bats.

Maps and plans

- 2.14 The location plan submitted with the application can be found at AD-009 ([2.1 Location Plan Final Version](#)). The minor changes to

the DCO scheme accepted during the course of the Examination update this drawing to a minor extent north of Drayton as referred to below.

- 2.15 The works and land-take are detailed in the Works plans (AD-011 2.3 Works Plans Final Version), the General arrangement drawings (AD-014 2.6 General Arrangement Plans) and the Land plans (AD-010 2.2 Land Plans) submitted with the application. Minor changes to plans accompanying the DCO were submitted during the course of the examination (AD-124 to AD-128 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73), Norfolk County Council - Updated Plans – Sheet 2 of 5 (submitted 9 October) (NCC EX 73), Norfolk County Council - Updated Plans – Sheet 3 of 5 (submitted 9 October) (NCC EX 73), Norfolk County Council - Updated Plans – Sheet 4 of 5 (submitted 9 October) (NCC EX 73) and Norfolk County Council - Updated Plans – Sheet 5 of 5 (submitted 9 October) (NCC EX 73)) and the final drawings extant at the close of the examination are listed in Requirement 4(1) in Schedule 2 of the recommended DCO in Appendix E to this Report.
- 2.16 Structures, drainage arrangements and others supporting details are shown in the Bridge and Elevation Plans (AD-015 2.7 Bridge and Elevation Plans FINAL 19-12-13), the Section drawings (AD-017, 018 and 019 2.9 Indicative Sections, 2.10 Section Plans Final Version and 2.10 Plan and Long section (Structures and Side Roads) 2 of 9 - updated to include Reepham Road), the Drainage and Water Management plans (AD-020 and 021 2.11 Drainage and Surface Water Management Plans (1) and 2.11 Drainage and Surface Water Management Plans (2)) and the Detailed landscaping planting proposals (AD-016 2.8 Detailed Landscaping Planting Proposals).
- 2.17 As with the Works plans, General arrangement drawings and Land plans, amendments were made to a number of these drawings during the course of the Examination both as a consequence of the minor amendments that were accepted as non-material by the ExA which are detailed below and to address drainage and mitigation measures arising from consultation with the Environment Agency (EA) and negotiations with land interests. Additional drawings were also provided in answer to ExA questions to show lighting proposals and details of bat gantries and bat houses. Most of these changes and additional detailing are shown in Documents AD-124 to AD- 128 that are referenced above. The final drawings extant at the close of the Examination are listed in Requirement 4(1) in Schedule 2 of the recommended DCO in Appendix E to this Report.

Amendments to application during examination

- 2.18 On 2 May 2014 the applicant submitted two proposals to make minor changes to the application. Document 5.13 (AD-114 Revised

application doc 5.13 Drayton Lane Proposed change report) proposed a minor change to keep Drayton Lane South open to traffic so that those wishing to access the NDR to or from Drayton would have an improved route available via a road without frontage development whereas without this change such traffic would have had to use Hall Lane which has some frontage residential development and access to a mobile home park. The change had been sought by Drayton Parish Council, Mr Gray, residents of the mobile home park and others and the applicant had conducted a wide ranging consultation in the area to the north-west of Norwich comparable to that undertaken prior to the DCO application itself. This showed that there was very widespread support for the principle of the proposal, i.e. keeping Drayton Lane South open to traffic.

- 2.19 The applicant's submission also included information updating the ES. Land-take would be slightly reduced and the only likely effects identified would be those arising from the redistribution of traffic from Hall North Lane to Drayton Lane South and an increase in traffic through Drayton village centre. Curtailing potential for rat-running around the west of Norwich from intermediate junctions on the NDR was the reason that the applicant did not originally propose keeping Drayton Lane South open. However, the revised traffic forecasts show that although there would be an increase in traffic through Drayton village centre and other localities on the western edge of Norwich with Drayton Lane open for traffic, the flows would still be lower than those forecast to arise without the NDR.
- 2.20 Document 5.14 (AD-115 Revised application doc 5.14 PMA removal Proposed change report FINAL) set out the second minor change proposed by the applicant. This is to omit a proposed private means of access (PMA) between Broad Lane and Plumstead Road in Great and Little Plumstead Parish in the eastern section of the scheme. This PMA had originally been proposed in order to provide agricultural access to facilitate movement between two parts of a holding that would be severed by the NDR. It would, however, have required a greater extent of permanent acquisition from the agricultural holding in order to provide for replacement land for the Fuel Allotments through which the PMA would have passed as these are special category land. There were also concerns over enforceability of the PMA status as some other motorised users might seek to use the PMA to bypass the proposed closure of the junction of Broad Lane with Plumstead Road, a closure proposed to improve highway safety.
- 2.21 The applicant undertook a more limited consultation in this instance, primarily with the land interests concerned, with support indicated because the farming interests were content to use alternative means to access the separated lands while retaining more land on completion of temporary occupation. The Fuel Allotment charity indicated that it was content with the

significantly reduced land-take from the allotment land which would now simply be to create a turning head in Broad Lane. The ES update in this case did not indicate any amended traffic flows and thus no likely changed effects.

- 2.22 The ExA notified IPs of these changes and invited comment by letter dated 8 May 2014 (PI-004 Rule 4 & 6 letter). After careful consideration of both amendments, the ExA indicated on behalf of the Secretary of State by letter dated 16 July 2014 (PI-008 Rule 9 Letter) that in the context of the whole application the materiality of the changes applied for are not of such a degree that they constitute a new project but that, following the applied for amendments, the revised proposal can still be considered as part of the existing application.
- 2.23 The change at Drayton Lane South did not, however, satisfy Drayton Parish Council, Mr Gray and others who favoured a roundabout junction rather than two closely spaced T-junctions where Drayton Lane South and Reepham Road would join and provide a link to the NDR. The applicant's own safety audit had indicated this to be a preferable solution on highway safety grounds but the applicant had not introduced a roundabout because it would further increase likely traffic flows through Drayton village as a consequence of greater ease of turning movements and also because additional land would need to be subject of Compulsory Acquisition. The IPs pursued their arguments at the issue-specific hearing on 18 September stressing that their overriding concern was to maximise highway safety and that they would prefer the roundabout solution provided that it did not result in traffic flows through Drayton village and neighbouring areas greater than those forecast to arise without the NDR.
- 2.24 As the forecast increase in traffic flows through Drayton and nearby areas as a result of the provision of a roundabout junction is modest and accepted by the applicant's consultants to be probably within or close to the margin of error in terms of forecasting flows on individual links in the network, the applicant accepted that they would propose a further change to introduce a 4-arm roundabout even though this would involve CA of additional land. The time available until the statutorily determined close of the Examination was sufficient to complete the statutory requirements that would arise because the applicant could not obtain confirmation from all land interests that the additional acquisition would be acceptable.
- 2.25 The applicant therefore put forward proposed provision of additional land to support this proposed change in an application dated 22 September 2014 (AD-141 Compulsory Acquisition Request for Drayton Lane, Reepham Road roundabout (Submitted 22 September) (NCC EX 63)).

- 2.26 The application further updated the environmental information including a tabulation of relevant traffic flows having regard to the differing junction alternatives. While the proposal does involve an area of additional land-take, other land previously intended for acquisition would no longer be required and drainage arrangements could be simplified. As a consequence almost all land interests had signified their acceptance of the additional land-take, but consent had not been obtained in relation to all interests in affected irrigation systems. Thus, the formal procedure had to be invoked.
- 2.27 The ExA accepted the application for the proposed provision by letter dated 23 September 2014 (PI-012 Notification of decision to accept proposed compulsory acquisition of additional land as part of the application). The requirements of Regulations 5-19 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 were then complied with, the applicant making public advertisement of the proposed provision and undertaking further consultation on a comparable basis to that undertaken for previous Drayton Lane change and the original application in the relevant locality. At the same time, the ExA invited comment from existing IPs on the change by letter dated 10 October 2015 (PI-014 Change of timetable). The general consultation response showed substantial support for the further change including the proposed provision for additional land.
- 2.28 After careful consideration of the proposed provision, the ExA indicated on behalf of the Secretary of State in a letter dated 5 November (PI-016 Timetable for examination of proposed provision) that in the context of the whole application the materiality of the change applied for is not of such a degree that it constitutes a new project but that, following the applied for further amendment including the additional CA, the revised proposal can still be considered as part of the existing application. An opportunity to be heard at hearings in relation to the proposed provision was provided in the revised timetable on 28 November 2014 (see Appendix B to this report).

Planning history

- 2.29 The only previous applications of direct relevance are the planning application for the extensions of the business parks at Broadland Gate and related highway works and the Slip and Side Road Orders under the Highways Act 1980 to modify the A47(T) Postwick junction to serve the extended employment and mixed-use areas.
- 2.30 The hybrid outline planning permission for the extension of the Broadland Gate business Park and detailed planning permission for the related highways was granted by Broadland District Council in October 2011 as referred to in answers to ExA second questions at paragraphs 10.1.2 and 10.1.3 of NCC/EX/53 (D6-003 Norfolk

County Council (NCC EX 53). A comparison of the planning conditions imposed on that application and the proposed Requirements in Schedule 2 of the recommended DCO is contained in NCC/EX/107 (D12-006 Norfolk County Council - Responses to points made at Issue Specific Hearing 28 November (NCC EX 107)). This document also explains the applicant's understanding of when the respective conditions and requirements would be operative.

- 2.31 The Secretary of State's approval letter of 8 January 2014 for the Postwick Highway Orders and the Inspector's report thereon dated 29 October 2013 are set out as Appendices A and B to NCC/EX/45 (D5-030 Norfolk County Council – Comments on points raised at Open Floor Hearings (including Appendices A – M) (NCC EX 45)).

3 LEGAL AND POLICY CONTEXT

3.1 This section of our report refers to the legal and policy context in which the application was prepared and examined.

Planning Act 2008, as amended by the Localism Act 2011

National Policy Statements

3.2 A draft of the National Policy Statement for National Networks (NN NPS) was issued for consultation on 4 December 2013, shortly before the application was submitted and the period for public comment closed on 26 February 2014. However, our examination of this application closed prior to the Department for Transport's published response to comments, including those from Select Committees, and the laying of the final draft before Parliament for designation.

3.3 The Department's Press Releases of 1 December 2014 on an intended £15 billion 'Road investment strategy' and 'Major roads investment in the east of England'² were a prelude to the publication of the National Infrastructure Plan 2014³ on 2 December immediately prior to the closure of the examination. It was indicated on page 121 that the intended version of the NN NPS for designation would be laid before Parliament in December 2014. In fact the response to the Transport Select Committee was published on 16 December 2014 and the intended finalised NN NPS laid before Parliament on 17 December 2014, with the NN NPS formally designated on 14 January 2015. Nevertheless, as the NN NPS did not have effect before the examination closed, we have to report to the Secretary of State on the basis that s105 of the PA2008 was operative.

3.4 This would mean that the Secretary of State must have regard to local impact reports submitted under s60 (which are referred to below), and any other matters that the Secretary of State considers are both important and relevant. We have reported on this basis as no other matters have been prescribed, though drawing attention to appropriate sections of the draft NN NPS where relevant, as the Secretary of State will need to consider our report under s104 following the designation of NN NPS so that it has come to have effect prior to the Secretary of State's decision.

3.5 To facilitate this changed circumstance, in our first written questions issued on 25 June 2014 (PI-006 [Rule 8](#) and PI-007 [Examining Authority's first questions](#)), we sought an update from the applicant and IPs on the operative planning framework and then in our second questions issued on 15 August 2014 (PI-009

² <https://www.gov.uk/government/news/biggest-upgrade-to-roads-in-a-generation> and <https://www.gov.uk/government/news/major-roads-investment-in-the-east-of-england>

³ <https://www.gov.uk/government/publications/national-infrastructure-plan-2014>

Rule 13 Letter and PI-010 The Examining Authority's second round of written questions), we explicitly sought a full appraisal of the DCO scheme against the provisions of the draft NN NPS and against the comments of the House of Commons Transport Select Committee on the draft. Responses were provided by the applicant at D4-001 (Norfolk County Council (letter and response) (NCC EX 05)) and D6-003 (Norfolk County Council (NCC EX 53)).

- 3.6 Comments were also made by some IPs including NNTAG (D4-025 Norwich and Norfolk Transport Action Group), which referred to recommendations of the Committee on Climate Change, and Councillor Andrew Boswell on behalf of Norwich City Green Party (D6-006 Cllr Andrew Boswell on behalf of Norwich Green Party). This again referred to the recommendations of the Committee on Climate Change and suggested, on the basis of a response to a Freedom of Information (FoI) request, that there had been a change in attitude within the DfT in relation to the treatment of carbon emissions as a consequence of comments on the draft NN NPS. We refer to these responses and our own consideration of the scheme against the provisions of the draft NN NPS in our findings and conclusions in section 4 of this report and hope that they may assist the Secretary of State in changing the basis for determining the application from s105 to s104, following which the NN NPS will potentially become the primary document against which to assess the application.
- 3.7 We have had regard to the decisions of the Secretary of State on previous highway DCOs that have been approved under PA2008 and in particular to the wording of Requirements imposed thereon, the processes embodied for approvals under such Requirements and the updating of phraseology used in DCOs as these provide some relevant precedents. The particular DCO decisions that appear most relevant to us are in those in relation to the A556 Knutsford to Bowdon Scheme⁴, the Heysham to M6 Link Road⁵ and the M1 Junction 10a Grade Separation - Luton⁶. The judgement of Mr Justice Turner on the Heysham case that we have already referred to⁷ appears relevant in respect of consideration of alternatives as well as in respect of the process followed.

European Requirements and Related UK Regulations

Habitats Directive (Council Directive 92/43/EEC) and the Birds Directive (Council Directive 2009/147/EC)

- 3.8 The Habitats Directive (together with the Council Directive 79/409/EEC on the conservation of wild birds (The Wild Birds

⁴ The A556 (Knutsford to Bowdon Improvement) Development Consent Order

⁵ The Lancashire County Council (Torrisholme to the M6 Link (A683 Completion of Heysham to M6 Link Road) Order

⁶ M1 Junction 10a Grade Separation - Luton Development Consent Order

⁷[2013] EWHC 2937 (Admin)

Directive)) forms the cornerstone of Europe's nature conservation policy. It is built around two pillars: the Natura 2000 network of protected sites and the strict system of species protection. The Directive protects over 1000 animals and plant species and over 200 habitat types (for example: special types of forests; meadows; wetlands; etc.), which are of European importance.

- 3.9 The Birds Directive is a comprehensive scheme of protection for all wild bird species naturally occurring in the European Union. The Directive recognises that habitat loss and degradation are the most serious threats to the conservation of wild birds. It therefore places great emphasis on the protection of habitats for endangered as well as migratory species. It requires classification of areas as Special Protection Areas (SPAs) comprising all the most suitable territories for these species. Since 1994 all SPAs form an integral part of the Natura 2000 ecological network.
- 3.10 These directives are relevant to the application because there is a European protected site, the River Wensum SAC, forming part of the Natura 2000 network relatively close to the western end of the scheme (0.3km away from the nearest point). The Broads SAC and Broadland SPA/Ramsar sites are around 2.1km from the nearest part of the DCO works. These or other related European sites are also adjacent to the A47(T) as it passes along what is known as the Acle straight between Norwich and Great Yarmouth, a road that is forecast to experience additional traffic flows as a consequence of the DCO scheme. The likely effect on these sites is considered in section 4 of this report and more particularly in section 5 and Appendix D.

Conservation of Habitats and Species Regulations 2010 (as amended) - the Habitats Regulations

Conservation of Habitats and Species (Amendment) Regulations 2012

- 3.11 The Conservation of Habitats and Species Regulations 2010 replaced The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) in England and Wales. The Conservation of Habitats and Species Regulations 2010 (which are the principal means by which the Habitats Directive is transposed in England and Wales) update the legislation and consolidated all the many amendments which have been made to the regulations since they were first made in 1994.
- 3.12 The Conservation of Habitats and Species (Amendment) Regulations 2012 came into force on 16 August 2012. These Regulations amend the Habitats Regulations. They place new duties on public bodies to take measures to preserve, maintain and re-establish habitat for wild birds. They also make a number of further amendments to the Habitats Regulations to ensure certain provisions of Directive 92/43/EEC (the Habitats Directive)

and Directive 2009/147/EC (the Wild Birds Directive) are transposed clearly.

- 3.13 The application was prepared and assessed with regard to the provisions of these regulations, being accompanied by a comprehensive Environment Statement, which considered relevant potential environmental impacts including those on protected habitats as is fully detailed in section 4. Section 5 and Appendix D of this report specifically address Habitats Regulation Assessment issues.

Water Framework Directive

- 3.14 On 23 October 2000, the "Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for the Community action in the field of water policy" or, in short, the EU Water Framework Directive (the WFD) was adopted.
- 3.15 The Directive was published in the Official Journal (OJ L 327) on 22 December 2000 and entered into force the same day. Some amendments have been introduced into the Directive since 2000⁸.
- 3.16 Twelve "Water notes" which intend to give an introduction and overview of key aspects of the implementation of the Water Framework Directive are available to download.⁹
- 3.17 The proposed NDR passes through an area that contains important aquifers and also one that either passes through or would potentially drain to areas of concern in relation to flood risk. Flood risk assessments have been undertaken and sustainable drainage measures designed for the scheme to safeguard the aquifers, run-off into protected sites and mitigate flood risk in consultation with Anglia Water and the Environment Agency. These matters are covered in detail in section 4 of this report.

Government Transport Policy

- 3.18 The White Paper Delivering a Sustainable Transport System (DaSTS) was published by the Department for Transport (DfT) in November 2008.
- 3.19 This set five goals for transport. These included supporting national economic competitiveness and growth by delivering reliable and efficient transport networks; to contribute to better safety, security and health; to promote greater equality of opportunity and improve quality of life. However, they also included an objective to reduce transport's emissions of carbon dioxide and other greenhouse gases to address climate change and promotion of a healthy natural environment.

⁸ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:02000L0060-20090625:EN:NOT>

⁹ http://ec.europa.eu/environment/water/participation/notes_en.htm

- 3.20 DaSTS refers to the Climate Change Act 2008 (then only a Bill) with its mandatory target reduction of 80% in greenhouse gas emissions by 2050 but indicates that DfT will be addressing this issue by such measures as rail electrification and development of improved road vehicle technology as well as behavioural change.
- 3.21 In terms of economic priorities, it accepts the Eddington¹⁰ analysis that there are localised acute congestion problems that lead to delay and unpredictable journey times on strategic routes connecting key urban areas and international gateways. In the short to medium term therefore a policy of improving reliability and resilience and providing appropriate capacity is advocated concentrating "on the lowest carbon transport mode that can actually meet the requirements of the goods or people movement" (paragraph 2.12).
- 3.22 This background was updated by the present government in the May 2010 document 'The Coalition: our programme for government' which states that "modern transport infrastructure is essential for a dynamic and entrepreneurial economy as well as to improve well-being and quality of life." 'Investment in Highways Transport Schemes' was subsequently published in October 2010. Prioritisation of schemes was assessed on the basis of public value for money, strategic value, deliverability and non-monetised impacts. The 'National Infrastructure Plan 2011' carried the approach forward, stating that "Infrastructure networks form the backbone of a modern economy and are a major determinant of growth and productivity."
- 3.23 In January 2011, DfT published a Local Transport White Paper entitled 'Creating Growth, Cutting Carbon, Making Sustainable Local Transport Happen.' It includes statements that "Our vision is a transport system that is the engine for economic growth, but also one that is greener and safer and improves the quality of life for our communities" and "Encouraging sustainable local transport choices depends on local solutions" referring to the steps taken to further localism in terms of planning and the economy (see AD-035 [5.5 Transport Assessment](#)). The applicant believes that the scheme addresses these themes. We will assess the efficacy of the scheme in detail in section 4 of this report but it is notable that the DCO has the support of all the principal local authorities in the locality affected, directly or indirectly, namely Norfolk County Council (both corporately and as planning authority), Norwich City Council, Broadland District Council, South Norfolk District Council, the Broads Authority and Breckland District Council.
- 3.24 HM Treasury published 'Investment in Britain's future' in June 2013. This contains a commitment to the biggest programme of investment in roads since the 1970s and this was carried forward

¹⁰ The Eddington transport study – www.dft.gov.uk/about/strategy/transportstrategy/eddingtonstudy

into 'Action for Roads: A network for the 21st century' which was published by the DfT in July 2013. This highlights the fact that 65% of lorry traffic is carried on the 2% of roads comprising the strategic network. While overall traffic had reduced since 2007, traffic on the strategic network had been broadly constant at 2007 levels. It states that without action there will inevitably be increases in congestion, delays, journey time unreliability, constraints on the economy and increases in pollution. Consequently, it refers to the 'growing challenge' in the vital importance of the road network providing economic benefits. The need to make best use of the network we have and to plan ahead to help the economy to grow is referred to, together with supporting local roads. There is further mention of the decentralisation of decision-making.

- 3.25 The National Infrastructure Plan 2014 that was published on the final day of the examination refers explicitly on page 136 to the Norwich Northern Distributor Road as comprising a local transport scheme that with others identified collectively make up one of the 40 priority national infrastructure projects. It had similarly been identified in the National Infrastructure Plan 2013. The DfT statements published the day before on 'Investing in the road network' detail proposed improvements to the A47(T) from Dereham to Norwich and on to Acle and Great Yarmouth.¹¹

Other Legal and Policy Provisions

National policy and legislation - the National Planning Policy Framework (NPPF)

- 3.26 The ExA considers this to be a matter that is relevant and important in the absence of a designated National Networks NPS. Moreover, the draft NN NPS explicitly states that when a scheme comes to be considered under the PA2008 by virtue of a s35 Direction, the development plan is likely to be an important and relevant matter.
- 3.27 The NPPF states that "This framework does not contain specific policies for nationally significant infrastructure projects for which particular considerations apply. These are determined in accordance with the decision-making framework set out in the PA2008 and relevant policy statements for major infrastructure, as well as any other matters that are considered both important and relevant (which may include the National Planning Policy Framework)" (paragraph 3).
- 3.28 The NPPF introduced a 'presumption in favour of sustainable development' and cites core planning principles, but it also states that "This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for

¹¹ See footnotes to paragraph 3.3 of this report.

decision-making. Proposed development that accords with an up-to-date Local Plan should be approved” and that “Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise” (paragraphs 12 and 11).

- 3.29 The ‘presumption in favour of sustainable development’ is stated to mean “approving development proposals that accord with the development plan without delay”. Where a development plan is absent, silent or relevant policies are out-of date, planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole or specific policies indicate that development should be restricted. Examples of the latter that are given include habitats or species’ protection or flood risk (paragraph 14). The NPPF also states that sustainable development has three dimensions, namely economic, social and environmental.
- 3.30 In a NPPF context it is necessary therefore to consider the development plan as the starting point in consideration of decision-making because there is an up to date development plan document in force relating to the locality and which refers explicitly to the NDR. The details are provided under the sub-heading ‘development plan’ below. This approach does not preclude consideration of the core planning principles and in particular whether adverse impacts outweigh benefits and whether specific policies would indicate that development must be restricted as there will be development plan policies that have to be balanced for and against the development proposed.

The National Parks and Access to the Countryside Act 1949

- 3.31 The Act provides the framework for the establishment of National Parks and AONBs. It also establishes powers to declare National Nature Reserves, to notify Sites of Special Scientific Interest (SSSIs) and for local authorities to establish Local Nature Reserves.
- 3.32 A National Park and/or AONB has statutory protection in order to conserve and enhance the natural beauty of its landscape. National Parks and /or AONBs are designated for their landscape qualities. The purpose of designating a National Park and/or AONB is to conserve and enhance their natural beauty; including landform, geology, plants, animals, landscape features and the rich pattern of human settlement over the ages.
- 3.33 Section 5 of the Act requires that -
- (1) The provisions of this Part of this Act shall have effect for the purpose—

(a) of conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas specified in the next following subsection; and

(b) of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public.

3.34 Following the Sandford Committee's Review of National Parks, s11A(2) of the Act, introduced in the Environment Act 1995, now requires that -

(i) In exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority shall have regard to the purposes specified in subsection (1) of section five of this Act and, if it appears that there is a conflict between those purposes, shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.

3.35 In relation to the application, the area of the Broads Authority has a status akin to that of a National Park. Only a very small part of the Postwick junction enhancement at the eastern extremity of the scheme is within the Broads Authority's area in the vicinity of the River Yare. The works in this area have already been authorised by the Highway Orders made by the Secretary of State and are under construction. Other parts of the scheme pass relatively close to the boundary of the Broads Authority and watercourses that drain into the Broads around Wroxham from the section of the NDR between Spixworth and Rackheath. The Broads Authority was a consultee and party to the composite LIR that was submitted on behalf of the local authorities directly affected by the scheme.

The Wildlife and Countryside Act 1981 (as amended)

3.36 The Wildlife and Countryside Act 1981 is the primary legislation which protects animals, plants, and certain habitats in the UK. The Act provides for the notification and confirmation of Sites of Special Scientific Interest (SSSIs). These sites are identified for their flora, fauna, geological or physiographical features by the countryside conservation bodies (in England Natural England). The Act also contains measures for the protection and management of SSSIs.

3.37 The Act is divided into four parts: Part I relating to the protection of wildlife, Part II relating to designation of SSSIs and other designations, Part III on public rights of way and Part IV on miscellaneous provisions. If a species protected under Part I is likely to be affected by development, a protected species license will be required from Natural England.

- 3.38 This has relevance to consideration of impacts on SSSIs and on protected species and habitats.
- 3.39 In relation to the application, the SSSIs that might be affected are also subject of European designations. The HRA issues are considered in section 4 and in particular in section 5. Otherwise, the main issues arising are the need for licences and mitigation measures necessary to safeguard protected species such as bats, badgers and great crested newts. These matters are detailed fully in sections 4 and 8.

The Countryside and Rights of Way Act 2000

- 3.40 The Countryside and Rights of Way Act brought in new measures to further protect AONBs, with new duties for the boards set up to look after AONBs. These included meeting the demands of recreation, without compromising the original reasons for designation and safeguarding rural industries and local communities. There was also a new duty for all public bodies to have regard to the purposes of AONBs. The Act also brought in improved provisions for the protection and management of SSSIs and updated provisions in relation to rights of way.
- 3.41 The effects on the landscape and other visual issues as well as the effects on rights of way and the ease of movement for non-motorised travellers are detailed in section 4 of this report.

Natural Environment and Rural Communities Act 2006 and United Nations Environment Programme Convention on Biological Diversity 1992

- 3.42 The Natural Environment and Rural Communities Act (NERC) made provision for bodies concerned with the natural environment and rural communities, in connection with wildlife sites, SSSIs, National Parks and the Broads. It includes a duty that every public body must, in exercising its functions, have regard so far as is consistent with the proper exercising of those functions, to the purpose of biodiversity. In complying with this, regard must be given to the United Nations Environment Programme Convention on Biological Diversity of 1992.
- 3.43 The effects on biodiversity are fully assessed in section 4 of this report. As required by Regulation 7 of the Infrastructure Planning (Decisions) Regulations 2010, we have had regard to this Convention in its consideration of the likely impacts of the proposed development and appropriate objectives and mechanisms for mitigation and compensation.

Transboundary Effects

- 3.44 Under Regulation 24 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (EIA Regulations), the Planning Inspectorate on behalf of the Secretary of State for

Communities and Local Government has concluded that the proposed development is not likely to have significant effects on the environment in another European Economic Area (EEA) State.

- 3.45 In reaching this view the Inspectorate has applied the precautionary approach (as explained in the Planning Inspectorate Advice Note 12 Transboundary Impacts Consultation). The conclusions have been published in the Transboundary screening reports produced on behalf of the Secretary of State dated 27 February 2014 and 3 March 2014 (PI-023 [Transboundary Screening Matrix](#)). These screening reports confirmed that environmental effects are likely only to arise in a localised area and that no significant effects were identified which could impact on another EEA Member State. Transboundary issues consultation under Regulation 24 of the EIA Regulations was therefore not considered necessary.
- 3.46 Having regard to these reports and having kept the matter under review throughout the Examination, the ExA is satisfied with regard to Regulation 7 of the Infrastructure Planning (Decisions) Regulations 2010, that there are no outstanding transboundary issues that would argue against the Order being confirmed.

Local Impact Reports

- 3.47 There is a requirement under s60(2) of PA2008 to give notice in writing to each local authority falling under s56A inviting them to submit Local Impact Reports (LIR).
- 3.48 Local Impact Reports have been submitted jointly by Broadland District Council, the Broads Authority, Norfolk County Council (as local authority), Norwich City Council and South Norfolk District Council (LIR-001 [Local Impact Report by Broadland District Council, Broads Authority, Norfolk County Council, Norwich City Council and South Norfolk Council](#)). A Local Impact Report was also submitted by Breckland District Council (LIR-002 [Local Impact Report by Breckland Council \(late submission\)](#)). The ExA accept that there were a number of mitigating circumstances in relation to the late submission of the Breckland LIR (see CR-003 [Breckland DC do wish to submit an LIR](#)) and consequently consider that it should be accepted into the Examination.
- 3.49 The joint LIR, after detailing the local policy background and all potential impacts, indicates that all the contributing authorities consider that there will be clear benefits from the NDR on the authorities that it impacts upon. The main benefits are perceived in terms of transportation, not merely as a consequence of improved highway capacity but also through enabling complementary enhancement of public transport. The NDR is seen as vital to facilitating planned growth while the economic benefits are perceived as wide-ranging. Some adverse consequences such as in relation to noise, road closures and landscape impact are

noted but the authorities are satisfied that appropriate mitigation measures have been proposed to the satisfaction of the authorities with the further attention to detail that was required identified. The NDR is seen as of particular relevance to the authorities, their residents and users and as a consequence each authority has indicated its support for the scheme.

- 3.50 Breckland District Council also supports the provision of the NDR and considers that it will deliver significant benefits to the area through improved traffic circulation, enhanced accessibility and therefore the likelihood of attracting investment. It does however see the need to secure mitigation against adverse traffic consequences in relation to villages west of Norwich.
- 3.51 Refinement of mitigation measures to address the points made in the LIRs is considered in section 4 of this report. They are also considered in relation to the wording of the DCO including the Requirements of Schedule 2 in section 7 of this report.

The Development Plan

- 3.52 The Development Plan is of particular relevance to this case as the draft NN NPS at paragraph 1.3 makes clear that it is likely to be an important and relevant matter especially in establishing the need for the development where the scheme has to be treated as a NSIP as consequence of a Direction under s35 of the PA2008, as in this case.
- 3.53 The Joint Core Strategy for Broadland, Norwich and South Norfolk produced by the Greater Norwich Development Partnership was subject of Examination by Inspectors Foster and Fox who reported on 22 February 2011 that, subject to a limited number of changes, the plan would meet the tests for soundness. One of the changes was a contingency provision should the delivery of the NDR be delayed. The plan was duly adopted in March 2011 and thereby became the statutory development plan for the locality.
- 3.54 The spatial portrait refers to road access to and through the north of Norwich being congested. Consequentially, "strategic access to Norwich International Airport, the coast and the Broads is poor". The spatial vision refers to 33,000 new homes to be provided in the Norwich Policy Area up to 2026 and to about 27,000 new jobs being created with growth focussed on brownfield land in the urban area and in a very large mixed-use urban extension within the Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle north-east of Norwich. Policy 9 refers to 7,000 additional dwellings in this location by 2026 and eventually 10,000 with 2,000 elsewhere in Broadland within the Norwich Policy Area (NPA). There is also reference to some other large scale growth south of Norwich. Policy 9 refers to a total of 80ha of new employment development at the airport, in an extension of Broadland Business Park and at Rackheath.

- 3.55 The NDR is described (with the Long Stratton bypass) as improving access to and across the area. It states that: 'As a key element of NATS (the Norwich Area Transportation Strategy) the NDR is needed to service current transport requirements and is a prerequisite for development of housing and employment to the north-east of Norwich. The NDR will enable significantly enhanced public transport, cycling and walking networks.' Objective 7 refers to the role of the NDR and it is clearly shown on both the Key Diagram and the proposed Implementation Plan for NATS, essentially on the alignment subject of the DCO application.
- 3.56 Of the area-wide policies, Policy 6 refers to the implementation of the NATS, the most recent updates of which incorporate an implementation plan (NATSIP), 'including construction of the Northern Distributor Road (NDR)'.
- 3.57 The Joint Core Strategy was subject to a legal challenge after its adoption and Mr Justice Ouseley handed down a judgement on 24 February 2012 following an application by Mr Heard (SNUB). This required the housing provision for 9,000 dwellings together with 25 ha of employment provision within the Broadland part of the NPA including the North-East Growth triangle (NEGT) to be reconsidered with the benefit of a new Sustainability Appraisal (SA) including reasonable alternatives. The judgement did not require an overall review of the JCS, nor of any other Plan proposal such as the NDR or the Postwick Hub A47 interchange.
- 3.58 The revised JCS was subject to an Examination by Inspector Vickery who reported on 13 November 2013 that subject to 6 amendments the revised element would meet the test of soundness. The revision retained the NEGT, as it was assessed still to perform best in terms of sustainability in relation to alternatives canvassed, but the required amendments included specifying the extent of development that could come forward ahead of improvements to the Postwick junction and ahead of confirmation of the delivery of the NDR. Additionally a new Policy 22 was inserted to trigger a need for a review if monitoring reports indicated that less than 90% of required housing land was being delivered after two years post-adoption of the partial review of the JCS. The modified JCS was adopted in January 2014. Links to copies of the JCS as currently adopted and the 2010 update of NATS are contained in the applicant's response to first ExA question 8.3 (Paragraph 8.3.1 on page 144 of D4-001 [Norfolk County Council \(letter and response\) \(NCC_EX_05\)](#)). Links are also provided to both Inspectors' reports.
- 3.59 A significant number of IPs sought to argue against the NDR in order to oppose the JCS growth proposals, both overall and in relation to the NEGT in particular. We are agreed and made clear at the hearings that it is no part of our remit to re-open consideration of the policies and proposals embodied in the adopted JCS. The plan and the NEGT proposals in particular have

been subject to two independent examinations and the JCS is now a statutory development plan that is clearly up to date and within which work is in hand to carry forward Action Plans and Development Allocations by the appropriate planning authorities. Nevertheless, some IPs maintained opposition to the growth proposals that the NDR would facilitate right up to the end of the DCO Examination. Mr Heard on behalf of SNUB argued that the trigger requiring a review of the JCS because of insufficient housing delivery should already have been activated (see D12-008 SNUB - Post-hearing comments). The response of the applicant is that this is a matter for the appropriate planning authorities, a conclusion with which we concur, as adoption of the amended JCS as recently as January 2014 means that it cannot be regarded as out of date.

- 3.60 As the JCS contains explicit reference to implementation of the NDR and a clear statement of its intended role as an integral part of the NATS, we conclude that there is clear basis in the development plan for the NDR. This is suggested as an appropriate basis for establishing need in the draft NN NPS.

The Secretary of State's powers to make a DCO

- 3.61 The ExA is aware of the need to consider whether changes to the application meant that the application had changed to the point where it was a different application and whether the Secretary of State would have power therefore under s114 of PA2008 to make a DCO having regard to the development consent applied for.
- 3.62 The Secretary of State will be aware of the letter dated 28 November 2011 from Bob Neill MP, then Parliamentary Under-Secretary of State for Planning¹². The view expressed by the Government during the passage of the Localism Act that s114(1) of PA2008 places the responsibility for making a Development Consent Order on the decision-maker, and does not limit the terms in which it can be made.
- 3.63 In exercising this power the Secretary of State may wish to take into account the views of the ExA that the 3 publicised amendments to the DCO put forward by the applicant and detailed in paragraphs 2.18-2.28 above are such that in the context of the whole application, the materiality of the changes applied for are not of such a degree that they constitute a new project but that, following the applied for amendments, including additional CA, the revised proposal can still be considered as part of the existing application.
- 3.64 The applicant has also made a number of additional minor alterations to satisfy statutory consultees and address concerns

¹² http://infrastructure.planningportal.gov.uk/wp-content/uploads/2011/11/111130_Ltr-from-Bob-Neill-MP-re-s114.pdf

over land-take or mitigation with certain land interests. These are of a very minor nature, generally though not universally, reducing land-take or responding to requests for refinements in drainage arrangements, landscaping or planting. All are agreed with the APs concerned or the relevant consultees. Thus, our judgement over these further minor changes is again that they do not introduce material changes to the application. In the same way, although the various iterations of the wording of the DCO have changed the text in a number of places both in the body of the Order and in the schedules, particularly Schedule 2 which contains the Requirements to be imposed to provide safeguards and secure mitigation, we do not regard any of the changes as materially changing the substance of the Order.

3.65 We therefore cannot see any reason why the DCO that we recommend at Appendix E could not be made within the powers of s114.

4 FINDINGS AND CONCLUSIONS ON POLICY AND FACTUAL ISSUES

THE OBJECTIVES FOR THE SCHEME

4.1 The Transport Assessment submitted with the application (AD-035 [5.5 Transport Assessment](#)) sets out the objectives for the scheme as follows:

- Reduce traffic levels and congestion on the existing road network both within the urban area and beyond to the north;
- Facilitate journeys that are currently difficult and require traffic to use roads that are unsuitable for the type and volume of traffic that is currently accommodated;
- Provide access to and help deliver, planned and potential areas of growth, and enable those areas to be free of the need to incorporate provision for extraneous traffic;
- Provide improved transport connectivity, including with the national strategic road network, for existing and future areas of residential and employment development, Norwich International Airport and the wider area of North and North East Norfolk;
- Increase the opportunities for improving provision for public transport and other sustainable forms of transport and improving traffic management within the City Centre, thereby encouraging modal shift, and
- Improve traffic related environmental conditions for residents in the northern suburbs of Norwich and outlying villages, whilst minimising the adverse environmental impacts of the NDR.

4.2 These objectives are repeated in the introduction to the Environment Statement that accompanied the application (AD-046 [6.1 ES Volume 1 Part 1](#)).

4.3 A number of IPs appeared to consider that the objectives had been changed by the Secretary of State's s35 Direction to make the scheme subject to the PA2008 as an NSIP. The reasons given by the Secretary of State for the direction are set out at paragraph 1.5 of this report with a copy of the Direction accompanying the application in AD-001 Appendix C [1.1 Introduction to the Application](#). The applicant stressed that the reasons given by the Secretary of State for considering the scheme to be an NSIP did not alter the overall objectives but simply provided greater detail to support the strategic objectives set out in the third and fourth bullet points detailed above. The applicant considers all assessment of the scheme in relation to alternatives canvassed

and benefits and dis-benefits identified need to have regard to performance against the totality of the objectives and not simply against selected objectives that are of concern to particular IPs. We agree and in our examination and conclusions on the DCO scheme we have followed this approach and had regard to all of the stated objectives.

MAIN ISSUES IN THE EXAMINATION

- 4.4 The preliminary identification of principal issues was undertaken by the originally appointed ExA. Annex B to the Rule 6 letter of 8 May 2014 (PI-004 Rule 4 & 6 letter) contains a comprehensive list of issues including environmental impacts such as air quality, biodiversity and habitats, landscape and visual impact, noise, design and engineering standards and junction strategy, severance and facilities for NMU travellers and water issues, with the cumulative impact also to be considered. The need in relation to the planning context and value for money and economic and social assessments were also flagged up, as were the justification for the CA and the detailed wording of the DCO.
- 4.5 The last two matters are considered in detail in sections 6 and 7 of this report and were the subject of hearings in July, September, October and November 2014 (see Appendix B).
- 4.6 The individual environmental issues and their cumulative impact are detailed in sub-sections of this part of our report. However, it became apparent from comments at the Open floor hearings held and from Written Representations that the matters of greatest and most widespread controversy amongst IPs were the adequacy of the consideration of alternatives to the NDR and the assessment of value for money both of the scheme itself and of alternatives, together with the forecasting that underlies the assessments undertaken. Issue specific hearings were therefore held in September and November 2014 to explore these issues.

Issues arising in Local Impact Reports

- 4.7 The broad content of the two LIRs has already been referred to at paragraphs 3.47-3.51 above. As the LIRs were essentially supportive of the principle of the DCO scheme and primarily concerned to refine details and enhance mitigation there was no substantial conflict between the local authorities and the applicant. As a result, there was constructive dialogue in writing and at the issue-specific hearings and considerable agreement over proposed changes to the drafting of the DCO. These changes are detailed in section 7 of this report.

Conformity with local plan policies and the principle of the development

- 4.8 Paragraphs 3.52-3.60 above refer to the fact that the scheme is specifically identified in an up to date development plan and its

purpose highlighted. The need for the scheme in a planning context is therefore established in accordance with the guidance of the draft NN NPS and the NPPF.

- 4.9 The development plan does, however, contain a number of relevant environmental policies. These are detailed in the joint LIR from the directly affected local planning authorities (LIR-001 Local Impact Report by Broadland District Council, Broads Authority, Norfolk County Council, Norwich City Council and South Norfolk Council). These include certain saved policies from the Broadland District Local Plan and the Norwich City Local Plan and also policies in emerging plans that are not yet part of the development plan. Where appropriate these are referred to along with relevant sections of the draft NN NPS in relation to the various environmental assessments that follow. It should be noted that the Sprowston Neighbourhood plan contains policies for environmental enhancement that depend on the implementation of the NDR.

Conformity with NPSs and other key policy statements

- 4.10 The NDR is a NSIP by virtue of the s35 Direction made by the Secretary of State with its need established in an up to date development plan, as well as more generally by the approach to need contained in section 2 of the draft NN NPS. The local case for need is detailed in Paragraphs 3.1-3.6 of the Environmental Statement (ES) Volume 1 (AD-046 6.1 ES Volume 1 Part 1).
- 4.11 The DCO scheme has, moreover, been prepared following a period of local consideration of alternatives and complementary measures in the evolution of the NATS. While we assess the adequacy of the evaluation of alternatives in detail later in this section of our report, the approach taken by the applicant in devising the DCO scheme appears broadly consistent with the approach to assessment in the context of wider government policy advocated in sections 3 and 4 of the draft NN NPS. The applicant has taken wider environmental policy, safety and sustainable forms of transport into account, though this does not mean there are no issues needing further assessment in the balance as to the acceptability of the DCO scheme. These are addressed under the relevant headings below.
- 4.12 There are no planning obligations with affected local authorities but the applicant has entered into signed and sealed agreements with Network Rail that enabled concerns over level crossing safety and land acquisition to be resolved. These and other agreements with statutory undertakers are referred to in detail below and in section 6 of this report.

Environmental Statement (ES) and Environmental Impact Assessment (EIA)

- 4.13 The application was accompanied by a comprehensive ES which covered likely significant effects in relation to air quality, carbon emissions, cultural heritage, landscape, nature conservation, geology and soils, materials, noise, the effects on travellers and those on community and private assets and road drainage and the water environment . The potential for cumulative impacts was also considered (see Appendix A: AD-046 - AD-095). A Climate Change Risk Assessment, a Flood Risk Assessment, a Health Risk assessment, an Arboricultural Impact Assessment and a Habitats Regulation Assessment (HRA) were included, as were draft licence applications for European Protected Species (EPS) and a Site Waste Management Plan including a Construction Environment Management Plan (CEMP). A Non-technical summary was provided at AD-096 6.3 ES Volume 2 - Non Technical Summary.
- 4.14 The adequacy of this environmental information was considered initially at the acceptance stage and the s55 checklist records that the level of detail provided was regarded as broadly appropriate (PI-001 Norwich Distributor Road Section 55 Checklist). The ExA kept this matter under review throughout the Examination. We are satisfied that with the updated information provided to accompany the applicant's proposals for minor changes to the application, and updates to carbon emission data, Flood Risk Assessment (AD-116 Addendum to the Environmental Statement Flood Risk Assessment (NCC EX 43)), HRA Assessments and draft EPS licence applications which were provided in response to points raised by statutory consultees and other IPs, sufficient environmental information is available in order to assess all likely significant effects of the DCO scheme. A summary update of the ES taking account of almost all minor changes made during the Examination is contained in AD-134 (Norfolk County Council - ES Addendum (submitted 9 October) (NCC EX 80)).
- 4.15 The ExA consider that all the additional environmental information provided after the initial submission of the application should be regarded as other environmental information as it was not sought by the ExA under Regulation 17 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 as further environmental information and it is limited in its scope. It does not reveal any additional likely significant effects.
- 4.16 The ES both initially, and in the subsequent updated information submitted alongside minor amendments and to address particular representations, did consider cumulative impact of the likely effects of the scheme itself. The main ES also addressed cumulative impact of the NDR with those of other planned developments in the area.

- 4.17 In respect of Habitats Regulations Assessment, the applicant did submit an updated HRA after an IP suggested that there could be an impact on the Broads SAC and Broadland SPA because of increased traffic on the adjacent A47(T) and not just on the River Wensum SAC which had been considered in the original HRA. This matter is considered below and in particular in section 5 of this report.
- 4.18 Paragraphs 3.7-3.15 of the ES Volume 1 (AD-046 [6.1 ES Volume 1 Part 1](#)) sets out the alternatives considered during the evolution of NATS and in pre-application consultation. The Main scheme Business Case submission to the Department for Transport (DfT) required evaluation of alternatives and for this 4 public transport alternatives were evaluated. The most favourable, involving enhanced core bus routes and/or Bus Rapid Transit (BRT) routes including an orbital service, was concluded to be implausible as it would have been required to operate without subsidy to achieve a Benefit Cost Ratio (BCR) of 1.5, implying a patronage increase overall of 25%. Nevertheless, following re-confirmation of funding and addition to the list of approved local authority major transport schemes in December 2012, with the benefit of further traffic surveys and the environmental studies recorded in the ES, as well as feedback from public and stakeholder consultation, the two previously discarded primary options of enhancing the existing highway network and improved public transport provision were again re-evaluated.
- 4.19 The conclusion was, as before, that improvements to existing roads would not be able adequately to address the objectives sought and that there would be insufficient highway capacity to enable substantial improvements to be made to public transport provision without increasing congestion to the detriment of the overall objectives.
- 4.20 Document 6.2.3 of the ES (AD-052 [6.2.3 ES Volume 2 - Needs and Alternatives](#)) illustrates the roads options assessed during the latter stages of the process of considering alternatives after it was concluded by the applicant that public transport and other sustainable transport options could not meet the totality of objectives sought but rather should be treated as essential complementary measures to accompany and be facilitated by the NDR. The 5 highway options explicitly addressed in the ES are:
- A single carriageway NDR;
 - Termination of a dual carriageway NDR from the A47(T) Postwick junction at the A140 Cromer Road so that only the north-east of Norwich would be served;
 - Continuation of the NDR from the A140 to the A1067 as a single carriageway only;
 - A dual carriageway as far as Fir Covert Road with only a single carriageway at the western end up to the A1067; and

- Linking up proposed developer roads around the north-east of Cromer from the A47(T) Postwick junction to the eastern edge of Norwich Airport, as with the second alternative, but even more so, only serving the north-east fringe of Norwich.
- 4.21 A drawing in this document also shows some of the unsuitable rural and suburban roads that would otherwise have to carry the burden of traffic that the NDR is intended to provide for.
- 4.22 The NDR gives rise to some adverse impacts, such as in terms of landscape and visual impact, loss of trees, severance and prospective increases in noise in areas through which it would run. The DCO scheme contains extensive mitigation measures in terms of provision of bunding and false cuttings, tree and shrub planting and ecological measures such as provision of bat gantries and bat houses as well as a sustainable drainage scheme to minimise and mitigate run-off and avoid risk to aquifers. These measures were strengthened during the Examination and are referred to where relevant in the following sub-sections and in section 7 in relation to the detailed wording of the DCO.

TECHNICAL ASSESSMENT OF THE BASIS FOR THE SCHEME

Approach to Demand Forecasting for the NDR in support of the DCO

- 4.23 The approach to forecasting for the NDR in connection with this DCO application has been undertaken in line with the DfT's Web-based Transport Appraisal Guidance (WebTAG) including uncertainty log principles. Demand forecasts for the NDR and associated measures, together with alternatives were generated from application of a version of the Norwich Area Transport Strategy (NATS) transport model updated to a 2012 base year.
- 4.24 The NATS transport model comprises three main elements:
- (i) A DIADEM variable demand model incorporating a Production-Attraction format specified in WebTAG. In this case the model operates as an incremental model. DIADEM does not include an assignment module; instead it relies on other software packages to carry out assignments (see below). The public transport and highway assignment models are external to DIADEM but certain software packages can exchange trip matrices and cost matrices.
 - (ii) A Highway Traffic Model (SATURN) based on 413 zones with an extensive detailed simulation area extending beyond the Norwich city urban area along with a buffer network. The model was validated to a 2012 base year and was developed in accordance with WebTAG.

(iii) A Public Transport Model estimated using VISUM covering the same area as the highway model plus rail routes into Norwich (base year 2012).

4.25 A wide range of validation tests of various types was performed. In the case of the Highway Local Model, the calibrated model was subject to validation against the acceptability guidelines in WebTAG. Checks undertaken at key stages in the development of the matrices to ensure that the provenance of the matrices was maintained included analysis of the observed and synthetic matrices prior to merging and, subsequent to merging, comparisons with counts before applying matrix estimation. The model met the WebTAG criteria for GEH and flow proximity for all time periods for both all vehicles and cars.

4.26 In relation to the Public Transport Local Model, the desirable goal is for the model to be assessed on the basis of validation guidelines in WebTAG. However, while the public transport model has been calibrated successfully, insufficient data was available to independently validate the assigned flows. The applicant argues however that the public transport model provides a good representation of base year supply and demand as part of the transport model forecasting system.

4.27 The demand forecasting process used the DIADEM software forecasting procedures in conjunction with scenarios reflecting transport supply side conditions with and without specified transport strategy intervention measures (called 'Do-Minimum' and 'Do-Something' scenarios). It employed a set of demand model parameters adjusting the sensitivity of destination, mode and frequency choices to changes in generalised cost. The demand model parameter values employed are compatible with WebTAG. The DIADEM sub-model was set up to yield insights into:

- Frequency choice;
- Mode choice; and
- Trip re-distribution (destination choice).

The frequency response is only applied to discretionary trips of which the 'other' trip purpose is mostly comprised.

4.28 The applicant maintains that the hierarchy of response is consistent with WebTAG advice. It is argued that a temporal response is most likely where a project imposes significant 'cost' differences between travel during the peak period and travel during the inter-peak and off-peak periods. Moreover, the applicant claims journey time savings as a result of the scheme are likely to have a low influence on time-of-day travel. Therefore time-of-day choice responses were not modelled. The applicant argued re-distribution (or destination choice) is likely to be the main demand response attributable to the scheme.

- 4.29 Separate models were calibrated for the AM peak hour, an inter-peak hour and the PM peak hour (17:00 – 18:00). The development of the 2012 base model yields highway network assignments for five vehicle types/ user classes for each model hour at an Origin-Destination (O-D) level. This segmentation is not sufficient to be employed as inputs to the demand model. The highway demand was therefore split into ten demand segments, with five additional segments included to model trips for Public Transport (PT) users without access to a car. Home-based demand segments are aggregated to 24 hour level for use in Production Attraction (PA) modelling, itself a requirement of WebTAG guidance, and the National Trip End Model (NTEM) and Road Transport Forecasts (RTF).
- 4.30 The trip generation model stage reflected both current conditions and future population and employment scenarios consistent with a spatial allocation of development to reflect the JCS. Generated trips for new developments were estimated initially using the TRICS database, but then 'controlled' for the DfT's NTEM and RTF databases. Further reductions were also applied to reflect the assumed impact of potential travel plans for some sites including large mixed developments in the NEGt.
- 4.31 In the case of trip distribution, the gravity model developed during the construction of the base year model was used to distribute development generated trips. The trip distribution (gravity) model addressed concentration - how spread out (or concentrated) the two ends of a trip are. The concentration parameters were taken from the calibrated trip distribution models. For the home based other and non-home based other purposes, the concentration parameters were split into several sub-purposes, namely education, personal business, recreational, shopping and visiting friends.
- 4.32 Variable demand model techniques were also employed to accommodate potential behavioural changes in the spatial distribution of trips, mode choice and trip frequency in response to changing travel costs.
- 4.33 For forecasting purposes, future year demand matrices are required by mode and time period reflecting:
- National traffic growth forecasts; and
 - Proposed developments allocated according to the JCS.
- 4.34 Forecasts were generated for an assumed opening year for the NDR of 2017 as well as a design year (2032). Current and future highway and public transport networks were defined using standard procedures. Future year transport networks incorporated modifications to reference case/'Do minimum' specifications reflecting network changes including the NDR scheme, complementary traffic management measures, city centre

measures and developer link roads. In addition, travel planning and distribution for new developments were taken into account.

4.35 Demand forecasts were produced for:

- the Reference Case, i.e. no account made for changes in travel costs arising from increased demand or for changes in fuel costs or the value of time.
- a 'Do-Minimum' forecast which used variable demand modelling to account for changes in travel costs and a future transport network without the NDR.
- a 'Do-Something' network which included all highway changes associated with the NDR Scheme, as well as Norwich city centre measures, and the forecast used variable demand modelling to account for changes in travel costs with this network.

4.36 In addition to transport network changes affording access to proposed developments under the JCS, travel demand forecasts accounted for demand effects of the JCS proposals for home based trips as well as those linked to commercial property developments. The transport supply and development assumptions were arrived at through a process of identifying potential transport improvements and development proposals, and undertaking an assessment of the likelihood of these proposals coming forward in the context of the JCS.

4.37 After generating the initial demand projections the NTEM growth factors were applied as a constraint on trip growth for private vehicle use. Similarly, growth in freight traffic reflected DfT RTFs. This process yielded modified demand matrices.

4.38 The reference case matrices developed specifically for the NDR model were identical for the 'Do-Minimum' and 'Do-Something' scenarios, with the same representation of development and the demand for both scenarios controlled to the same growth forecast from NTEM 6 and RTF 2013. This was a matter of some criticism from IPs as the proposed JCS development is argued to be dependent at least partially on construction of the NDR. However, we accept that the applicant's approach is necessary in order to assess the implications of the DCO scheme consistent with WebTAG.

4.39 WebTAG calls for realism testing in relation to the base year demand model. One requirement to engender confidence in forecasts is that iterative demand and assignment models are well converged. In this case the demand model convergence 'gap' statistics are below the WebTAG target of 0.2% indicating an acceptable level of convergence. For all time period models, forecasting years and scenarios, the assignment model convergence 'gap' is well within the recommended WebTAG ceiling value. Overall the demand model and the assignment model

compare very well with the WebTAG targets and it is considered by the applicant that all of the model runs are well converged. This assessment does not depend on individual modelled flows matching estimates based on up to date traffic counts. We are satisfied that as a generality the applicant was able to explain apparent detailed inconsistencies raised by IPs and any remaining apparent anomalies do not undermine our conclusion on the broad consistency of the modelling undertaken with the guidance contained in WebTAG.

Forecast Reference Demand

- 4.40 The forecast reference demand for Home based (HB) highway trips for 2017 is projected to increase between 6% and 8% dependent on trip purpose with a rise of 17 to 31% by 2032 compared to the base year (2012). The growth for HB other trips is higher than for HB work and employers business trips. The growth in non-home based trips from base year to the future year of 2017 is estimated to be around 6% to 7%, while 2032 is forecast to be around 16% to 23% higher. For freight, OGVs are forecast to grow 2% up to 2017, and by 19% up to 2032. LGV trips are forecast to increase by 10% from base year to 2017 and by 55% from base year to 2032.

Constraint to NTEM 6.2

- 4.41 In accordance with DfT guidance as set out in WebTAG, demand matrices were constrained to NTEM 6.2 at NTEM sector level. The use of NTEM affords consistency between different parts of the UK when assessing transport proposals. Reference trip totals were adjusted further to reflect assumptions used in relation to travel planning for selected new developments. The findings from these additional post NATS modelling processes indicate a range of effects dependent upon location but the overall totals are constrained to NTEM.

Variable Demand Traffic Forecasts

- 4.42 The modelling framework's capability to incorporate variable demand forecasts was exploited. In accordance with WebTAG guidance the effects of the demand modelling on the reference forecasts was assessed. The parameters employed are within the range suggested in WebTAG and it is argued by the applicant that they imply reasonable variable demand response to changes in travel costs. For the case of the 'Do-Minimum' scenario the forecasts of highway demand for home based purposes compared with the reference case indicates very small changes in the home based highway trip numbers between the Reference Case and the 'Do Minimum' scenario for all forecasting years.

IMPLICATIONS OF PROJECTIONS FOR 'DO MINIMUM' AND ALTERNATIVES

- 4.43 Turning to the implications of these projections for both the 'Do Minimum' scenario and alternatives including the NDR, in the case of the 'Do Minimum' as a result of the projected growth in highway demand, both private vehicle and public transport journey times on key routes are predicted to increase in future years, on some routes significantly. Deterioration of the network performance is demonstrated by overall NATS model statistics on traffic queues which show increases of 19% and 32% in the AM and PM peaks respectively and 13% in the inter-peak in 2017. Larger increases occur of 51% and 79% in 2032 in the AM and PM peaks as well as 49% in the inter-peak. The model results suggest background growth would exacerbate delays and queues at Postwick with a high risk of queues conflicting with high speed traffic on the A47(T).
- 4.44 Moreover, planned city centre improvement measures, which necessitate a significant reduction in city centre through traffic to facilitate implementation, would appear infeasible. Furthermore, many orbital routes, inappropriate in design and capacity for the volumes of traffic that they are required to cater for, will be subject to even greater pressure both in traffic flow terms and associated local environmental effects. Finally, developer link roads would carry significant amounts of strategic through traffic movements in the 'Do Minimum' scenario despite them being designed to act as urban high streets, serving walking and cycling movements as well as traffic access for the developments, or as local development distributor roads.
- 4.45 Under the scenario incorporating the NDR, substantial reductions in traffic on existing orbital routes are projected resulting from reassignment of strategic traffic to the new road. There would also be substantial reductions on the proposed developer link roads. Traffic levels would also be reduced on routes in selected suburbs, including on the Outer Ring Road. Traffic forecasts on the Inner Ring Road would be reduced in 2017 and 2032 to levels only just higher than in the 2012 base year.
- 4.46 The model projections suggest that through the city centre, the forecast traffic in 2032 would be only around half of that in the 2012 base year as a result of implementation of the proposed city centre measures, with some displacement to the Inner Ring Road.
- 4.47 Journey times from the strategic road network to the Airport and the proposed development location at Rackheath compared to conditions under the 'Do Minimum' scenario are projected to reduce significantly with the NDR in place. In addition there are journey time reductions on radial bus routes into the city centre with improvements to journey time reliability.

- 4.48 Comparison of the overall queues projected by the transport model suggests large increases without the NDR, but these would be significantly reduced by the implementation of the scheme.
- 4.49 The demand forecasts provided by the applicant as well as the forecasting tools employed, together with underlying assumptions upon which the projections were based have generated comment and criticism from a number of IPs. The range of concerns encompassed: underlying assumptions upon which forecasts were based; the rationale behind the specifications of certain alternatives subject to assessment; and a limited number of points in relation to the suite of forecasting tools employed. These concerns are discussed in the following paragraphs.

Summary Review of IP contributions

- 4.50 The principal areas of concern relating to forecasting raised by IPs, relate to the various background assumptions and traffic growth predicated on the use of DfT approved traffic tools, in addition to the rationale for and specification of certain options and alternatives subject to testing on the basis of the applicant's transportation model.
- 4.51 Some submissions were comprehensive ranging over forecasting, considerations of alternatives and the appraisal of options. For instance, Professor Goodwin raised concerns about five issues (16 Sept audio transcripts EV-019 to EV-023). First, he argued that the scheme objectives are stated all in terms of making things better but the appraisal was undertaken on the basis of a comparison with an alternative, with the preferred option minimising deterioration in conditions rather than affording an improvement.
- 4.52 His second issue concerned a claimed ambiguity about the strategic objective of the proposal on which in answers to the ExA's second questions, the applicant has said that this is a road for local traffic within the area and not primarily for connecting with the national strategic road system.
- 4.53 His third issue was about whether or not the development which is proposed for the area is actually dependent on the NDR.
- 4.54 His fourth issue concerned complementary measures. He noted that the complementary measures proposed seemed to have a massive dis-benefit and to undermine the benefit proposed for the NDR. Prof Goodwin argued that this has ramifications for the whole appraisal procedure.
- 4.55 His fifth issue related to alternatives and specifically to sustainable transport policies. In a later submission Professor Goodwin also argued that while the applicant's position on smarter travel choices suggested that such potential has largely been realised already, with a further contribution to be made from initiatives in

newly developed areas, there is still substantial unfulfilled potential, based on experience elsewhere (D12-014 Norwich and Norfolk Transport Action Group (NNTAG) - Phil Goodwin; Summary of issues to be resolved).

- 4.56 The argument had been advanced by the applicant that the NDR would reduce congestion, speed up traffic, remove excessive traffic from inappropriate roads, and improve public transport access to the city centre. They also claimed that it would be a necessary condition of business and housing development and contribute to strategic objectives, a claim based on the results from a wide range of different formal appraisal tools demonstrating good transport efficiency, wider economic benefits and good value for money. They argued that alternatives had been analysed and all had been found wanting, offering poor value for money and inconsistent with policy objectives.
- 4.57 IPs argued that many of these claims have been seriously challenged, and some have been abandoned or rephrased with more modest claims. In the applicant's closing statement, at the final ISH on 28 November 2014, their argument was put that the criticisms of treatment of appraisal methodology, and alternatives, were irrelevant, since the traffic assessment, carried out prior to any appraisal, was a prime condition that in effect 'trumped' all others. Only the NDR would deliver the reduced congestion sought and remove traffic from inappropriate roads. In effect these claims preceded, and outweighed, all others.
- 4.58 Some IPs did not agree with the primary importance of the traffic assessment attributed to the scheme and in any case objectors argued that the claims for NDR's traffic impacts (a) were entirely dependent on forecasting assumptions which are inconsistent with experience, and (b) that the applicant's own detailed figures did not show the effects claimed and (c) that the traffic dismissal of alternatives was flawed.
- 4.59 In contrast, the applicant argued Professor Goodwin had not addressed in any detail how the preferred option failed to meet the objectives specified.
- 4.60 It was nevertheless argued by IPs that certain 'anomalous results' were evident suggesting inappropriate parameters, assumptions or model structures had been used leading to biases in the appraisal especially against assessments of traffic reduction measures, city centre and public transport improvements, and in favour of provision for increased car use.
- 4.61 In response to a request from the ExA for a justification for use of an incremental model with parameters values assumed rather than estimated from local conditions, the applicant responded that the demand model was developed in accordance with DfT guidance given in WebTAG (originally using Unit 3.10.3 which has

subsequently been 'retrenched' into Unit M2). Illustrative parameters were used initially, but they were then adjusted using the realism testing to achieve reasonable demand model elasticity values (Unit 3.10.3 provided minimum, median and maximum parameter values). The applicant argued that its approach was consistent with WebTAG guidance where local calibration data for the parameters is not available (as explained at paragraphs 5.1.1 and 5.6.1 of Unit M2). The argument against local calibration of parameters is based on cost and time required to undertake data collection.

- 4.62 The question of the basis on which trips were generated as a result of new developments was raised in submissions and by the ExA. According to the applicant an assessment of the likelihood of development going ahead was provided by NCC planning and transport officers, in accordance with DfT guidance given in the then current WebTAG Unit 3.15.5 (see Sections 4.3 and 5.3 of the [Traffic Forecasting Report AD-039 5.6 Traffic Forecasting Report Vol 1 for submission](#)). Similar guidance is offered in WebTAG Unit M4 Forecasting and Uncertainty (at paragraph 2.2.14). In providing the guidance NCC officers used the housing and employment trajectories supplied by Broadland, South Norfolk and Norwich City Councils. The Developments were categorised according to WebTAG probabilities (near certain, more than likely, etc). Developments planned up to 2017 were considered to be near certain or more than likely and those after 2017 were categorised as reasonably foreseeable.
- 4.63 A further query concerned available evidence to provide justification for travel planning effects at various locations. The applicant acknowledged the limited local evidence on the impact of personalised travel planning. Therefore reliance was placed on Government sources, including Making Personal Travel Planning Work: Practitioners' Guide (DfT 2008) and the WebTAG Unit M5.2 Modelling Smarter Choices (DfT January 2014) (see Document D6-002 [Norfolk County Council - Response to questions in parts 1-3 \(NCC EX 52\)](#))).
- 4.64 The benchmarking evidence in WebTAG Unit M5.2 is based on a meta-analysis that suggests reductions in car trips for work and school through targeted marketing can range between 8% and 18%. In view of the limited local data on the impact of travel planning, a figure of 11% has been used to reduce car trips from new developments in the modelling work. This figure is consistent with the Making Personal Travel Planning Work: Practitioners' Guide (DfT 2008) headline figure and falls within the range set out in WebTAG Unit M5.2.
- 4.65 In addition, a 30% reduction was applied to the 'Beyond Green' development at North Sprowston and Old Catton, and the Rackheath Eco Town development, based on a local assessment carried out by the 'Beyond Green' developer.

- 4.66 During the Examination, the applicant explained that in the DCO scheme the term 'complementary measures' refers to two different sets of transport interventions that are linked to the NDR scheme (see D7-043 Norfolk County Council – Responses to requests and points from Issue Specific Hearings (NCC EX 67)). The first set is offline improvement measures along or adjacent to the route of the NDR (see ES AD-046 6.1 ES Volume 1 Part 1 paragraphs 2.6.1-2.6.5). The second set refers to city centre measures (CC measures) that are proposed with the aim of discouraging through car trips and reducing the dominance of traffic. The applicant stressed these were not part of the application but were included in the appraisal as a condition of funding by the DfT (see Response to Examining Authority's Second Written Questions in Sections 1-3 (D6-002 Norfolk County Council - Response to questions in parts 1-3 (NCC EX 52)) and Traffic Forecasting Report (AD-039 5.6 Traffic Forecasting Report Vol 1 for submission paragraphs 4.4.4-4.4.7)).
- 4.67 According to the applicant the major impact of the city centre measures would be to restrict access for car traffic in the city centre. Although access would be maintained to all the car parks, it would not be possible for cars to travel through the city centre (D10-005 Norfolk County Council - Responses to ExA R17 Request (NCC EX 90)). The city centre measures would not affect bus access and would include new bus priority measures. In the public transport model the bus routes were not altered. The subsequent development and optimisation of the measures might indicate that some beneficial changes to bus routes could be made, but these will be subject to agreement with operators.
- 4.68 Another widespread objection relates to the claim by the applicant that the DCO scheme will lead to improvement in traffic conditions. IPs argue that this claim is based on improvements in the cases cited by the applicant generally being by comparison with the 'Do-minimum' scenario and those future conditions will actually be worse than at the base date. The applicant did not challenge the claim that the worsening will be generally true on average, on like-for-like comparison of roads and times of day, given the forecast of overall traffic increasing faster than road capacity. The applicant argues that absolute levels of network performance are not relevant to the formal rules of benefit cost appraisal. While the latter may be correct, we consider that it would have been helpful for a comparison with current conditions to have been explicitly set out in a comparison with the projected 'Do Minimum' and 'Do Something' conditions in the main body of the documentation. This would have helped inform public understanding of the extent of potential benefit in economic terms that is forecast to be realised by the scheme. Nevertheless, we are satisfied that there was sufficient information available in the totality of the application documentation for an informed audience to judge the implications arising from the DCO scheme.

- 4.69 A further observation offered by Professor Goodwin concerns assumptions about future traffic growth which will affect the results of the appraisal. He went on to argue generally that the higher the traffic growth assumed, the higher the estimated BCR for the NDR, as calculated by current WebTAG methods. The applicant contends that the forecasts presented are accurate and realistic and in accordance with available evidence, including government forecasts. In contrast IPs maintain that forecasts are more likely to be overestimates. Their claim is informed by reference to:
- substantial overestimates from previous forecasts made with similar models, from 1996 to 2006 and from 1996 to 2011, when compared with NCC published monitoring statistics;
 - consistent overestimates made by DfT in every national traffic forecast since 1989, used as the basis for the applicant's forecasts;
 - available evidence on the causes of this and similar trends in other developed countries; and
 - the model parameters employed to make the forecasts seem to result in an underestimate of the extent to which traffic growth can be affected by the costs and quality of the alternatives to car travel.
- 4.70 As a result travel forecasts and economic appraisal outcomes were assessed for a wider range of assumed economic growth rates. High and low growth sensitivity tests were carried out covering different growth rate assumptions. AD-112 [Revised application doc 5.11 Summary Results of Sensitivity tests](#) contains traffic, safety and economic impacts of these sensitivity tests as referred to in D6-002 [Norfolk County Council - Response to questions in parts 1-3 \(NCC EX 52\)](#). The two additional sensitivity tests were as follows:
- High growth scenario excluding travel planning and internalisation reductions
 - DCO zero growth forecast after the opening year of 2017
- 4.71 For the second test scenario, in assuming zero growth beyond 2017, this would imply much of the JCS development would not proceed and the related growth absent from JCS proposals will not occur elsewhere or from existing development. The applicant emphasised such a scenario is not considered realistic or likely.
- 4.72 According to IPs the credibility of existing work and technical aspects of future appraisal was brought into question by the scale of arithmetical mistakes revealed in the applicant's VfM appraisal of their Public Transport option which only came to light towards the end of the Examination. The errors involved treating public transport time savings as seconds whereas they were actually minutes and also failing to include some public transport revenue in the calculation.

- 4.73 In response to the assurance offered by the applicant at the final hearing that the arithmetical mistakes were a single isolated error which had now been corrected and their full confidence in the models and their results, IPs argued that there were two known arithmetical errors, not one. Moreover, other features of the appraisals that the applicant had not noticed or only retrospectively sought to justify when pointed out at the hearings (regarding city centre and public transport measures), suggested a probability that further errors would be a source of bias not just error. It was argued that in these circumstances, a comprehensive independent technical audit both of arithmetical correctness and fitness for purpose of the model should be undertaken with full stakeholder involvement in drawing up the terms of reference and engagement with the auditors and the report. If an audit was to be carried out by the ExA or anybody else, it should allow scrutiny by stakeholders.
- 4.74 Following discovery of these arithmetical mistakes and anomalous substantive results of modelling, the case was tabled that it would be unacceptable to make a recommendation in favour of NDR to the Secretary of State, without the modelling and assessments first undergoing such an audit at the highest level of professional competence.
- 4.75 The ExA gave careful consideration to this proposal for a Technical Audit. However, the ExA was appointed in the light of our technical ability to assess the methodology and basis used in the forecasts that provide the background to the DCO scheme. Consequently, we do not consider that there is any justification for an assessment of the modelling and forecasting through an audit separate from the Examination itself. However, the late stage of the Examination at which there was identification and acknowledgement of the errors by the applicant precluded a detailed audit of the workings of the model and its output by the ExA within the time constraints imposed by the Examination process for this case.
- 4.76 The forecasting tools deployed and underlying assumptions upon which forecasts were generated were subject to intensive scrutiny and questioning by the ExA during the ISHs. In addition, we afforded further opportunities to IPs in attendance to amplify or seek clarification relating to their concerns.
- 4.77 This process yielded some insights into limitations of the forecasting tools and concerns about assumptions made that could be sustained. Nevertheless, following this extensive exercise and intensive scrutiny, it is our view that the suite of tools employed by the applicant are consistent with current professional practice and, on the basis of their performance under validation tests for highway travel demand, sufficiently robust to generate realistic estimates of highway travel demand effects attributable to the NDR and alternatives.

- 4.78 It is also the considered view of the ExA that, notwithstanding the sustainability of selected concerns over certain input assumptions and the specification of public transport arrangements under the alternatives assessed, the forecasting tools offer the most reliable readily available basis on which to estimate travel demand effects by private vehicle and for freight movements, at least in the short to medium term. The implications of this conclusion and foregoing observations for appraisal of the scheme and assessing the value for money of alternatives are considered below.

ALTERNATIVES

Introduction to Alternatives

- 4.79 A possible requirement for an NDR was first formally identified in 1992 following a review of transportation strategies for the greater Norwich area (NATS). A subsequent review of the NATS carried out between 2002 and 2005 centred on a further comparative analysis of possible interventions to resolve the area's transport problems, conserve the historic core of the city, reduce the effect of traffic on the urban area and rural settlements used as rat-runs and facilitate the continued growth of the city in accordance with the policies of the statutory development plan. The 2002 - 2005 NATS review identified as a preferred approach a package of interventions comprising the NDR and measures to improve public transport and encourage modal shift.
- 4.80 Under the NATS Options Assessment in 2005, the NDR proposal was revisited. A wide-ranging 'long list' of over 30 transportation interventions for inclusion in the review of possible strategies was identified. Possibilities included road based and public transport interventions and the application of land use policies and other measures to reduce the demand for travel and encourage modal shift. Following a qualitative assessment of the performance of each intervention in addressing the problems and issues facing the area, possibilities that performed inadequately against social, environmental, and economic objectives, or were less effective than other options, were not taken forward.

(1) Public Transport interventions

- 4.81 Before deciding on the current application proposals, the conclusions of previous analyses of options and alternatives were reviewed. The range of potential public transport interventions has been informed by the 2002-2005 NATS review, although not necessarily as alternatives to the NDR. A qualitative assessment of the performance of these options in resolving the transport problems and issues in relation to NATS aims and objectives concluded that individual public transport interventions or a combination of them would not meet the needs identified. It recognised that unless the issue of traffic congestion was addressed, proposals to significantly improve public transport

could not be fully implemented. As outlined below, public transport options were therefore retained alongside NDR options.

- 4.82 Following the initial assessment, six possible strategies were identified and assessed using an approach based on the DfT's WebTAG methodology. The evidence, analysis and conclusions of the assessment were documented in a "NATS Options Assessment Report" published in August 2005. The assessment concluded that an NDR was required in order to address the area's transport problems. In relation to public transport options, the assessment concluded that cross-city bus routes linking existing Park and Ride sites, the development of interchange facilities at key nodes within Norwich and additional rail stations on the Cromer line to the east of Norwich would not have sufficient impact across the NATS area to be considered as strategic alternatives in their own right or in combination, but they could play an important role to complement the NDR options.
- 4.83 The NATS review came to the view improvements in public transport would not by themselves address the fundamental economic and accessibility problems of the area, including the needs of settlements in the wider area, nor would they provide the essential road infrastructure required to support the growth of the city.
- 4.84 Following the submission by NCC of a Major Scheme Business Case (MSBC), the Department for Transport (DfT) granted funding for the NDR from the A140 to the A47(T) at Postwick, subject to progression by NCC of the NATS public transport measures which were complementary to the NDR. A public transport model was developed to test public transport options in preparing the MSBC for the NDR. The appraisal resulted in a total of four options for initial consideration. Two involved improvements to conventional bus services and two involved alternative forms of light rapid transit.
- 4.85 A heavy rail option was not developed because the geography of the National Rail network within the NATS area is such that, even allowing for the possibility of new stations, a very small percentage of the population of the NATS area would have access to a heavy rail service for local travel. Improvements to local rail services were therefore appropriately taken forward as one of the complementary measures within NATS¹³.

¹³ During the Examination IPs raised potential benefits that might arise from new stations on the southern fringes of Norwich. While such new stations may indeed have merit, albeit almost certainly more difficult to achieve than the aspirations on the Cromer line, given that more than one rail operator would be involved and there are potential conflicts with high speed inter-city services, we do not see such possibilities as fundamentally affecting these conclusions. Potential relevance to serving the NEGT has to be tempered by the likelihood that interchange would almost certainly be required in central Norwich to travel between the different lines.

- 4.86 A combination of BRT and the best performing bus improvements was adopted as the preferred public transport option for modelling and a WebTAG appraisal for the MSBC. The option comprised improvements to the frequency of radial services on existing routes; a new bus service on a part of the Outer Ring Road, and a BRT corridor linking Sprowston, the City Centre, the University (UEA), Norfolk and Norwich Hospital and the Norwich Research Park.
- 4.87 The findings of various assessments suggested that additional bus services included in the PT Option would have to operate without subsidy to achieve a BCR of 1.5 or above. Patronage on the existing core bus routes enhanced under the PT Option would need to increase by 25% to achieve a BCR of 1.5 and by 32% to achieve a BCR of 2.0. These scenarios were considered to be implausible.
- 4.88 Following submission of the test results, DfT granted funding for the NDR in 2009. In December 2011, DfT re-confirmed its funding for the NDR and included the scheme in the National Infrastructure Plan in November 2011.
- 4.89 The 2012-based modelling indicated implementation of the application proposals would be likely to have the required wide-ranging benefits for the City's transport network. It would relieve rural roads and congested radial and ring roads, making it possible to progress the NATS/NATSIP proposals for further improvements to public transport and to take the necessary traffic management measures to effectively remove unnecessary through traffic from the historic core of the City. It would also provide the necessary infrastructure to facilitate employment and residential growth. The incorporation of the NDR into the road network would significantly improve connectivity within and across the City and the surrounding area.

Public Transport Options and Alternatives 2013

- 4.90 The two options that had previously been discarded as alternatives to the NDR, i.e. improvement of the existing highway network and of public transport were re-examined and the remaining feasible alternatives to the application proposals were compared. The initial analysis involved adopting a standard qualitative approach. This was adopted to indicate the extent to which the option or alternative meets (positive) or does not meet (negative) the specified objectives.
- 4.91 The qualitative assessment came to the conclusion that the need can only be met by the construction of a NDR alongside the implementation of measures to improve public transport.
- 4.92 Feasible alternatives to the application proposals were thus perceived as variations of the standard and alignment of the NDR

between the A1067 and the A47(T) at Postwick, including the possibility that its role could be performed by a developer-funded link road constructed as part of the physical expansion of the City. To confirm that the preferred option is the one that best meets the need, the application proposals were compared with five variants, which were seen as potential alternatives to the application proposals.

- 4.93 In addition to the Alternatives appraised in the ES, an option comprising significant improvements to public transport provision was also assessed (Traffic and Economic Appraisal of NDR Alternatives Document AD-113 Revised application doc 5.12 Report on NDR Alternatives final). This option comprises significant service improvements as well as quality enhancements, including BRT, and it has been combined with the extended developer link roads defined in Alternative 5. It assumes:
- 10min frequency throughout the day for both core and BRT buses.
 - No changes to fare structure.
 - Assumed generalised time savings of 5min and 3.8min for BRT and core buses respectively for soft measures.
- 4.94 In establishing the performance of this option the same transport model and forecast assumptions were used as applied to the appraisal of the DCO scheme in the application documents and to the alternative highway options.
- 4.95 The costs of the PT option are assumed to be shared between the local authority and private sector.
- 4.96 Analysis was undertaken on the basis of assumptions consistent with highway alternatives including:
- The 'Do Minimum' for the PT option will be identical to that for the DCO scheme submission.
 - The PT option includes the improvement at Postwick, the proposed city centre measures and the extended developer link roads defined in Alternative 5.
 - All assignments are based on full JCS traffic as reference demand. The PT option was subject to variable demand modelling so the reference demand will be adjusted according to the forecast travel costs permitting trip switching between the modelled modes of transport.
- 4.97 Traffic forecasts and impacts of the PT option included operational assessment of key junctions. The highway network performance assessment encompassed comparison with the DCO scheme.
- 4.98 The developer link roads are projected not to reduce traffic on inappropriate routes and relieve the existing network. Whilst this alternative includes the city centre traffic management measures, the reductions of cross Norwich city centre traffic are much smaller

compared with the DCO scheme, especially for trips crossing the Outer Ring Road cordon. The modelled delays would also mean that the alternative would not address the improved transport connectivity objective for the scheme.

- 4.99 The demand forecasts and operational performance for various alternatives as well as the NDR generated considerable comment from IPs. Their observations were included, both in written submissions at various stages in the Examination process, as well as during ISHs.
- 4.100 In the case of public transport provision, the observations included concerns whether options were fit for purpose, the costing of such options and also the realism of selected specifications given the funding environment and regulatory structures and pattern of control in the industry.

Summary review of IP contributions

- 4.101 The applicant's assessment of the NDR encompassed a review of previous studies undertaken on its behalf. Other stakeholders also came to the conclusion that a strategy based around public transport and complementary measures would not meet its objectives and offer value for money. However, in developing the DCO scheme, the applicant did undertake a further assessment of an option based on major enhancement of public transport. As noted this generated a very poor performance under the economic appraisal as reported in Traffic and Environmental Appraisal of NDR Alternatives Appendix B (AD-113 Revised application doc 5.12 Report on NDR Alternatives final - later amended in AD-139 Norfolk County Council - Revised PT Option economic appraisal and breakdown of benefits (submitted 9 October) (NCC EX 71)). In addition, the public transport proposals would not be commercially viable according to the applicant's analysis. Large subsidies would be required if they were to be implemented.
- 4.102 Some IPs referred to this, noting that all of the applicant's public transport appraisals (both as alternatives and as complementary measures) indicated a large negative financial effect on the commercial bus operators and the operators would therefore not implement them.
- 4.103 According to the applicant, Norfolk County Council's approach to delivering public transport services is based on public sector funding being used primarily to deliver the infrastructure required to support private sector investment by bus operators in the provision of the highest possible standards of bus service.
- 4.104 Objectors argued that all the applicant's public transport appraisals (both as alternatives and as complementary measures) indicate a large negative financial effect on the commercial bus operators, who therefore would simply not implement them, as

defined, it not being within the power of NCC to force them to do so. The cause of this seems to be that the fares revenue to the operator would be very much less than what is necessary to fund the investment in new buses.

- 4.105 The applicant emphasised that one of the main purposes for undertaking the PT option test was to determine whether a substantial implementation of public transport service improvements in addition to extended developer link roads would address the key objectives of the scheme. It was explained in AD-140 Norfolk County Council - NATS economic appraisal (submitted 9 October) (NCC EX 72) in paragraph 2.1.1 that the PT option test (in AD-139 Norfolk County Council - Revised PT Option economic appraisal and breakdown of benefits (submitted 9 October) (NCC EX 71)) assumed all services operated from 2017 so that the maximum impact could be assessed regardless of the economic viability. The results of the demand forecasting exercise showed that the option failed to do this (AD-113 Revised application doc 5.12 Report on NDR Alternatives final chapter 10 and specifically paragraph 10.2.27 in D10-005 Norfolk County Council - Responses to ExA R17 Request (NCC EX 90)). The projected traffic delays would also mean that the PT option would fail to meet the improved transport connectivity objective for the scheme.
- 4.106 In contrast to the PT option, the VfM appraisal carried out for NDR+NATS PT which was requested by the ExA at the ISH into alternatives in September 2014 assumed a phased implementation of services reflecting the build out of development under the JCS.
- 4.107 In response to the argument that the economic appraisal for the PT option (in AD-139 Norfolk County Council - Revised PT Option economic appraisal and breakdown of benefits (submitted 9 October) (NCC EX 71)) should assume the investment costs in bus services should be funded by the public rather than the private sector (Professor Goodwin's submission, page 8 D9-007 Phil Goodwin on behalf of Norwich and Norfolk Transport Action Group (NNTAG)), the applicant did not agree that it would be logical to treat the private investment and operator bus costs as a public sector investment. According to the applicant the NATS strategy assumes public sector investment in supporting infrastructure but not in funding buses or their operation. To do otherwise would not be in accordance with WebTAG.
- 4.108 The definition of Present Value of Costs (PVC) according to official DfT guidance includes only public sector costs and revenues. Costs to the private sector, such as developer contributions, appear in the Present Value of Benefits (PVB) calculation and will reduce the PVB. Therefore it would be wrong to allocate the bus purchase and operating costs to the public sector and for this to be included in the PVC if they are funded by the private sector. The applicant does not agree that anything in the economic

appraisal for the NDR scheme or alternatives provides a justification for changing the presentation of costs and benefits. If one accepts that the method is correct (that only public sector costs should be included in the PVC) then the only reason that the appraisal could be changed legitimately would be if there was a possibility of the public sector funding the investment in new buses and funding their operating costs.

- 4.109 In Norwich, where the vast majority of local bus services operate commercially, it would not be legally or practicably possible for the public sector to directly fund the operating costs of additional local bus services overlapping significantly with existing commercially operated services or of modifications to existing commercially operated services on the scale required to deliver the Public Transport option without a Quality Contracts Scheme (QCS) having been made under the provisions of the Transport Act 2000, as amended by the Local Transport Act 2008. A QCS can be made only where there is a demonstrable, evidence-based case for doing so. A QCS is thus intended for use in circumstances where the deregulated bus market can be demonstrated to be failing to deliver the public sector's policy objectives. This is not the case in Norwich at present.
- 4.110 Consequently, some IPs contended that there should have been at least two different specific alternatives appraised: (A) one which is a true implementable approach which the applicant would itself prefer and be able to implement if for whatever reason the NDR did not go ahead; and (B) one which would be a full carefully constructed alternative sustainable transport strategy including public transport, walking, cycling and other planning measures. Nevertheless, the objectors acknowledged the applicant had offered a 'Plan B' and a separate proxy for it, though doubting that was deliverable.
- 4.111 IPs observed that the applicant argues that the combined effect of the earlier appraisal of city centre measures and the Public Transport option, together with sensitivity tests, is sufficient to reach a conclusion that they are worse value for money than NDR and therefore do not justify further work.
- 4.112 IPs rejected the options input to the appraisal process as being inadequate, not carried out fairly or fully, and certainly not carried out on a full version of that strategy which could only be done when it has been carefully defined both in a technical and consultative process.
- 4.113 The issue of sensitivity of definition of 'alternatives' to forecast traffic growth also generated considerable discussion. According to IPs a key assumption of the applicant is that without NDR, sustainable transport alternatives including public transport and city centre improvements would not be viable due to inadequate road capacity. IPs argued that with lower traffic forecasts, there is

more scope for implementing reallocation of road capacity to more ambitious sustainable transport scheme alternatives.

- 4.114 A key issue for these objectors is that if lower traffic growth is forecast, different alternatives should have been tested, and they would have performed better. Moreover, given the focus of the applicant's objectives, the alternative to be tested should not have been a city-wide public transport scheme, but a much more narrowly focussed combination of traffic reducing measures, public transport improvements and expanded developer link roads.
- 4.115 In specifying the forecast public transport networks, while the applicant claims they developed the forecast networks on the basis of WebTAG 3.15.5 ('The Treatment of Uncertainty of Forecasting'), IPs argue that WebTAG 3.15.5 was not followed appropriately as various public transport interventions contained in the JCS and NATSIP were not correctly classified as 'Reasonably Foreseeable'. They argue as a result they were incorrectly missed out of the uncertainty log. Opponents maintain further that this excluded sensitivity tests being carried out on alternative scenarios based on these interventions early in the process and as part of the main appraisal. The WebTAG guidance says that "alternative scenarios should be based on proposals in the uncertainty log".
- 4.116 These objectors also maintain that the PT option was not a core alternative (i.e. it was not included within Alternatives 1 to 5 referred to in the ES), but an after-thought and apparently first prepared "at a relatively late stage" being first published in May 2014 (see D10-013 [Norfolk County Council - Responses to comments made by IP's \(NCC EX 91\)](#), paragraph 5.2.1). Moreover, they argued that the appraisal of NDR+NATS PT was only carried out after the ExA's request at a Sept 2014 ISH. IPs contend that the inclusion of some elements which were not in the original uncertainty logs at such a late stage in the process is not adequate as they should have been in the original uncertainty log and modelled as core alternatives, within the forecast networks, at a much earlier stage of the process.
- 4.117 In response, the applicant asserted that under the procedures it was working with in the development of the DCO, it was under no obligation to fully work up such an alternative. The applicant argued that the question of alternatives is relevant to the Environmental Impact Assessment (EIA) of the NDR and to the case for compulsory acquisition of property or land.
- 4.118 In relation to EIA, the applicant referred to Regulation 2(1) and paragraphs 18 and 27 of Schedule 4 to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 which require that the ES should include "An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects."

- 4.119 On the basis of this, the applicant argued that it is for the applicant to select the alternatives to be studied and to make a choice as to its preferred option, and that the explanation of those matters in the ES is not expected to be as detailed as the assessment of the scheme itself but need only cover an “outline” of the “main alternatives” and an “indication” of the “main reasons” for the applicant’s choice. The applicant suggests that the material on alternatives provided by the applicant to the ExA more than fulfils these obligations (the main documents addressing alternatives are referred to in paragraph 4.3.4 of D7-043 Norfolk County Council – Responses to requests and points from Issue Specific Hearings (NCC EX 67)). For our part, we accept the approach of the applicant is consistent with the judgement in the challenge to the Heysham DCO¹⁴ on the treatment of alternatives.
- 4.120 For compulsory acquisition, s122(3) of the PA2008 requires that compulsory acquisition can only be authorised in a DCO if the Secretary of State is satisfied that “there is a compelling case in the public interest for the land to be acquired compulsorily.” The applicant noted paragraph 8 of the DCLG ‘Guidance related to procedures for the compulsory acquisition of land’ and argued that existence of a reasonable alternative that would not entail compulsory acquisition or as much compulsory acquisition as is required for the scheme would be relevant to whether there was a compelling case in the public interest for the compulsory acquisition of the land and rights included in the DCO. However, the question of whether a lesser intervention is a reasonable alternative needs to be considered in the context of the objectives of the scheme.
- 4.121 The PT option did not represent a reasonable alternative because of its failure to meet certain objectives and would therefore be incapable of taking the place of the NDR. An option which was not realistically deliverable within reasonable timeframe would also not be a reasonable alternative. This would include options which rely on diverting funding provided for another purpose. The applicant argued that on neither ground could a counter argument that alternatives had not been adequately considered in this case be sustained.
- 4.122 The applicant also drew a distinction between the PT option (which was assessed as a potential alternative to the NDR) and the NDR+NATS PT scenario that is detailed below (which was assessed not as an alternative, but only on a cumulative basis with the NDR to provide an indication of the “big picture”). With regard to the NDR+NATS PT scenario, the applicant emphasised at the hearing that this was not to be seen as an alternative to the NDR, but an integral part of a combined strategy.

¹⁴ [2013] EWHC 2937 (Admin)

NDR+NATS PT Option

- 4.123 Prompted by the submissions of selected IPs and the scrutiny of the NDR scheme during the September 2014 ISHs, the ExA asked the applicant to provide results of a VfM assessment of the NDR in conjunction with an enhanced public transport offer compatible with the NATS Public Transport Strategy in the NATSIP (NDR+NATS PT option). The same transport model and forecast assumptions were used as applied in the appraisal of the DCO scheme and the alternatives considered. This strategy assumes that there is different public transport provision in 2017 and 2032 to reflect build out of development within the JCS. It was emphasised this was significantly different than the PT option test (in AD-139 Norfolk County Council - Revised PT Option economic appraisal and breakdown of benefits (submitted 9 October) (NCC EX 71)) which assumed all services operated from 2017 so that the maximum impact could be assessed regardless of the economic viability. This hybrid variant appears to address both the traffic related objectives of the NDR scheme while limiting the tendency towards further mode shift to the car and increased demand for travel by private vehicle.
- 4.124 Additionally, this combined package would enable the potential operational benefits for public transport resulting from the city centre measures to be exploited, while providing justification for further infrastructure and related improvements in support of an enhanced public transport system focused on serving the city centre. In so doing this would help to mitigate the reduction in the relative accessibility enjoyed by the city centre that would accompany the provision of the NDR in the absence of such measures with the various attendant decentralisation pressures that might be created (see D6-002 Norfolk County Council - Response to questions in parts 1-3 (NCC EX 52)).
- 4.125 In his closing submission Professor Goodwin (D12-014 Norwich and Norfolk Transport Action Group (NNTAG) - Phil Goodwin; Summary of issues to be resolved) noted Norwich Policy Area Sustainable Transport and Complementary Measures are part of the NATSIP package, with the NDR a key component and that the applicant claims that NATSIP is deliverable. According to Professor Goodwin the applicant in effect disowned the economic appraisal of its own public transport options, accepting fully that they would not be viable or realistic, but claiming instead that they represented the best that public transport could do. Anything realistic and consistent with operators financial constraints would be less, and therefore worse.
- 4.126 The objection is that a financially realistic public transport option supported by other measures in a coherent sustainable option would be substantially better than the unrealistic one chosen by the applicant.

- 4.127 He claimed that if the NDR goes ahead, there is no guarantee that substantial public transport improvements would be delivered. Objectors maintain that the necessary future funding is not secured. Also, opening the NDR in 2017 before delivery of many other NATSIP measures, would generate travel to work by car, especially to new employment areas in north-east Norwich and create car dependency more generally. In this way, the NDR would reduce the potential for modal shift and generally undermine efforts to deliver NATSIP such as a commercially successful BRT network and core bus services. Professor Goodwin also suggested that conditional clauses could be added to DCO in order to provide guarantees. In contrast, other objectors maintain that the DCO requirements addressing this issue are unenforceable.
- 4.128 In D7-043 Norfolk County Council – Responses to requests and points from Issue Specific Hearings (NCC EX 67), the applicant acknowledged funding arrangements for NATS are more complex than for the NDR alone. The NDR is part of NATS and is therefore a funded project within the overall longer term delivery plan. The applicant is committed to the delivery of NATS in its entirety. However, it is recognised that some further commitment to the delivery of NATS measures, as now set out in the adopted NATSIP, could provide more confidence in relation to the decision to be made in relation to the NDR (see D7-043 Norfolk County Council – Responses to requests and points from Issue Specific Hearings (NCC EX 67)).
- 4.129 Many of the measures in NATS remain subject to further feasibility and design work, statutory approvals, funding, and in some cases land assembly. To make the construction or opening of the NDR contingent on the prior delivery of such measures would simply frustrate the delivery of the NDR. However, the applicant indicated it would be content to commit to an action plan for implementation of identified complementary measures, with a timetable in the DCO for the NDR, in conjunction with a review mechanism, as set out in the proposed Requirement [33¹⁵], should the ExA or the Secretary of State conclude that such a requirement is necessary to render the NDR acceptable (see D7-043 Norfolk County Council – Responses to requests and points from Issue Specific Hearings (NCC EX 67)).

ExA's conclusions on PT Alternatives

- 4.130 Having reviewed these submissions and considered the deliberations and contributions at the ISHs in both September and November, the ExA is unconvinced that the scale of improvement to public transport specified under the expanded NDR+NATS PT option is a realistic objective under existing regulatory structures

¹⁵ Requirement 31 in the final recommended DCO at Appendix E

and control in the industry and given local performance in the bus market.

- 4.131 Nevertheless, such a concern does not undermine the conclusion reached on the VfM attributable to the scheme as contained in the DCO on the basis of DfT VfM performance thresholds. However, it suggests that regulatory action could be required in future to secure the totality of the complementary measures that are intended to be facilitated by the NDR and the importance of securing these complementary measures to the maximum extent possible through requirements imposed on the DCO.
- 4.132 Overall, notwithstanding the concerns raised by various IPs on the basis of the model projections and the insights that emerged from scrutiny and questioning during the ISHs, we are satisfied that the balance of evidence does reaffirm the conclusion that an option, largely reliant on an enhanced public transport scenario specification as set out in the relevant documentation submitted by the applicant, would be unable to achieve key traffic goals of the NDR or adequately address some of the specified objectives for the preferred DCO scheme.

(2) Alternative road schemes

- 4.133 During the Examination there was only brief consideration of the alternatives expressly considered in the ES. The over-whelming majority of those in favour of proceeding with the NDR as proposed in the DCO application favoured a dual-carriageway for the full-length from the A1067 to the A47(T) at Postwick to ensure that forecast traffic flows could be accommodated throughout at least as far into the future as the design year, achieve a consistency in standard that would encourage maximum utilisation and to maximise road safety benefits. Thus, there was very little evident support for a single carriageway throughout, nor the variants that had sections of single carriageway of greater or lesser length towards the western end of the proposal, although at least initially the traffic flows on these sections may be capable of being accommodated on a single carriageway road. The detail of the assessments of these alternatives is contained in the ES Document 6.1 Section 3 ([AD-0466.1 ES Volume 1 Part 1](#)) and related drawings in ES Document 6.2 Chapter 3 ([AD-052 6.2.3 ES Volume 2 - Needs and Alternatives](#)).
- 4.134 The economic assessment of these alternatives is found in AD-113 [Revised application doc 5.12 Report on NDR Alternatives final](#). On a comparative basis to a Benefit Cost Ratio (BCR) of 4.17 assessed for the NDR in the submitted DCO [or 5.33 including wider benefits]¹⁶, Alternative 1 - a single carriageway scheme would only have a BCR of 2.42 [2.67]. Alternative 3 with a single

¹⁶ These figures are increased to 4.22 [and 5.41] with the minor change to keep Drayton Lane North open - see Appendix E to AD-114 [Revised application doc 5.13 Drayton Lane Proposed change report](#).

carriageway west of the A140 shows an improved BCR of 3.68 [4.84], but this is still significantly inferior to that of the submitted DCO scheme. Alternative 4 was not separately tested because with the very short length of single carriageway at the western end, the outcome would be very close to that of the DCO scheme. The inferior performance of the alternatives in cost-benefit terms is essentially because they would provide lesser traffic, safety and wider benefits and this would outweigh reduced costs.

- 4.135 In the light of the foregoing, we find the arguments in favour of a consistent dual-carriageway approach to be persuasive.

Developer link roads

- 4.136 There was a greater degree of support for the linking up of developer roads both from some of the groups supporting an overall Public Transport alternative and from other IPs, including Parish Councils such as Great and Little Plumstead (9-018 Great & Little Plumstead and D11-005 Great and Little Plumstead) to the north-east of Norwich where this concept is perceived as an alternative to a need for a new road running through countryside beyond most of the proposed NEGT developments other than the proposed Rackheath Eco-town.
- 4.137 The applicant argued that such a road, even if suitable missing links could be devised and provided, would not have the capacity to provide attractive strategic access to Norwich Airport and North Norfolk as junctions would be overloaded. It would be of variable standard as some sections are already committed. Moreover, it would also be wholly at odds to the concept of the developer roads through primarily residential areas being designed as local distributors only in the form of neighbourhood streets with priority for sustainable modes of transport: buses, cyclists and pedestrians. We note the acceptance of the NDR in the agreed statements of common ground with Lothbury Property Trust Company Limited who are responsible for the provision of some of the developer link roads (SOG-005 Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 1 (NCC EX 06) and SOG-012 Update to Statement of Common Ground between Norfolk County Council and Lothbury Property Trust Company Ltd (NCC EX 49)). We also note the advanced position reached in respect of the grant of planning permission for other developments that include sections of developer link roads, in particular the permission at Blue Boar Lane, Sprowston and the resolution to be minded to grant permission for the 'Beyond Green' development (D7-026 and D7-027 Broadland District Council – Growth Triangle Planning Permissions).
- 4.138 The analysis presented by Broadland District Council of a study of transport alternatives undertaken by Norfolk County Council in the context of the Growth Triangle Action Plan (D7-013 Broadland District Council (Norwich and Norfolk Transport Action Group

(NNTAG?) – Growth Triangle Action Plan – Transport Issues Background) also demonstrates both the ineffectiveness and undesirability of seeking to use the developer link roads as an alternative to the NDR. Consequently, we agree with the applicant that this alternative should be rejected as inconsistent with the objectives sought for the NDR. We witnessed the poor environmental and traffic conditions on sections of the current outer ring road that has to perform a number of functions while passing through localities with residential and retail frontages.

- 4.139 Such a conclusion is reinforced by the outcome of the economic appraisal set out in AD-113 Revised application doc 5.12 Report on NDR Alternatives final. This shows that because the developer link roads approach would fail to meet so many of the objectives for the scheme there would be a negative BCR of -11.42 [and -20.34 including wider benefits). Even if, as some IPs argued, an optimised developer link road scheme could be negotiated, notwithstanding the extent to which extensive sections are already committed in planning terms as referred to above, it seems inconceivable to us that such a concept could produce a BCR that would come close to matching that of the DCO scheme because of the failure to meet so many of the scheme objectives.

A full NDR from the A47(T) west of Norwich to the A47(T) in the east

- 4.140 A very substantial number of Relevant Representations argued that the NDR should only be allowed to proceed on the basis of it being a full scheme and not 'a $\frac{3}{4}$ scheme' as proposed. Some saw the need to be greatest around the west side of Norwich in terms of existing demand and congestion related to the University of East Anglia and neighbouring and nearby hospital, science park and retail areas and in relation to prospective developments planned by South Norfolk Council to the south-west of Norwich. Others were concerned over existing rat-running through villages or suburbs close to the western edge of Norwich such as Taverham, Costessey and Ringland and the fear that this would be increased by a NDR ending at the A1067. Similar concerns were expressed by residents and parish councils in and representing settlements a little further out, such as Weston Longville and Hockering, should longer distance traffic be led over the River Wensum at Attlebridge and have to use minor roads to reach the A47(T).
- 4.141 As ExA we are quite clear that we cannot recommend adding to the DCO scheme that has been sought. Thus, our only option would be to recommend rejection of the DCO as a whole were we to be persuaded that the traffic consequences for those living or working around the western edge of Norwich, whether close to the urban area or further out, would be unacceptable. Such matters were considered in detail at ISHs into alternative options and alignment and the western termination for the NDR during

September 2014 and those into the wording of DCO requirements to be embodied in Schedule 2. An iterative process took place and we were ultimately satisfied that safeguards could be put in place to ensure that traffic flows along unsuitable routes around the west side of Norwich could be satisfactorily mitigated. This matter is considered in detail in relation to traffic and transport effects below and in section 7 of this report in respect of the proposed requirements.

- 4.142 We also sought assurances from the applicant that terminating the NDR on the A1067 at the location proposed in the application between Taverham and Attlebridge would not preclude a subsequent provision of a link between the A47(T) west of Norwich and the A1067 should a need for such a distributor road be established in future. Issues over crossing the River Wensum SAC would need to be resolved, but the negotiations over the potential impact of the NDR on the SAC that have been undertaken between the applicant and the EA and NE have indicated that the primary concern to safeguard the interests of the SAC is to avoid siltation. Nevertheless, concern over the effect of such a river crossing is referred to in a number of representations from IPs who fear that the current NDR scheme would inevitably lead to a subsequent proposal for a western A47(T) to A1067 link.
- 4.143 It was only late on in the Examination that a report on a feasibility study into the possibility of such a link was published by the applicant. The Committee Report (D6-019) Norfolk County Council – Wensum Valley Committee Report (with Appendices) (NCC EX 65) was considered by the County Environment, Development and Transport Committee on 18th September 2014. The Minutes (D9-023 Norfolk County Council – Committee Minutes (NCC EX 97)) record a decision to consider commissioning subsequent work, amongst other timing issues, when the Department of Transport's proposals for the A47(T) improvement west of Norwich are extant. In our view this is understandable to avoid risk of abortive work. Although the principle of such improvement was announced by the Secretary of State on 1 December 2014, it will no doubt be some time before such proposals are finalised to the extent that a junction strategy for any possible future additional link road could be agreed.
- 4.144 In the interim, in addition to bus link possibilities, the feasibility study identified no less than 13 road alignments that would still be feasible for a link across the Wensum valley, 9 of which would reach the A1067 either at the proposed roundabout where the NDR would terminate or in the vicinity of Fir Covert Road that also has a proposed roundabout junction with the NDR. It is no part of our remit to comment on the merits or otherwise of any of these options, but it is clear that there are a significant number of options that could be pursued consistent with the NDR as currently proposed.

- 4.145 We therefore conclude that the DCO scheme would neither require nor preclude the provision of a western link road between the A47(T) and the A1067.

Termination at the A140 Cromer Road

- 4.146 The other main alternative canvassed was to terminate the NDR from the east at the A140 Norwich Road just west of the airport. A number of IPs opposed the western section of the NDR, in particular because the benefits in terms of traffic relief are more limited so that the loss of countryside and productive agricultural land and other harm including in relation to landscape impact is less justified. Moreover, IPs express concern that as it is not identified in the reasons given by the Secretary of State for directing that the NDR be considered as a NSIP and it is not being funded by the DfT, constructing this section would result in an unacceptable burden on Norfolk County Council's finances. They argue that this would potentially mean that funding would not be available for complementary or other sustainable transport measures and that other Council services could also be adversely affected as there are forecast reductions in public expenditure being required for some years to come.
- 4.147 Although, the opposition of NNTAG to the NDR is much more wide-ranging, they supported CPRE Norfolk in arguing for the deletion of the section of the NDR west of the A140 Cromer Road at Norwich airport, if the ExA and Secretary of State could not be persuaded to reject the entire scheme (D7-006 [CPRE Norfolk](#), D7-038 [Norwich and Norfolk Transport Action Group \(NNTAG\) – Post Hearing Documents](#) and D6-045 [CPRE Norfolk – Additional information and comments](#)). Moreover, there was a joint submission from NNTAG, CPRE, Norwich Green Party and Hockering Parish Council advocating termination at the A140, albeit with caveats making clear opposition to the DCO scheme as a whole (D9-030 [Norwich and Norfolk Transport Action Group \(NNTAG\), CPRE Norfolk, Hockering Parish Council and Norwich Green Party – Joint submission](#)).
- 4.148 As ExA, we had previously asked the applicant to provide a detailed justification for the section west of the A140 (First ExA questions Q10.3 PI-007 [Examining Authority's first questions](#)) and then to provide a variant DCO and drawings to omit the western section of the NDR between the A140 and A1067 following discussion at the DCO ISH on 24 July (Second ExA questions Q10.3 PI-010 [The Examining Authority's second round of written questions](#)) in order to evaluate the arguments against inclusion of this section of the NDR.
- 4.149 The applicant's response to the first question is contained in NCC/EX/5 (D4-001 [Norfolk County Council \(letter and response\) \(NCC EX 05\)](#)). This refers to the economic assessment of alternatives in AD-113 [Revised application doc 5.12 Report on](#)

NDR Alternatives final and points out that on a comparable basis the BCR would only be 3.81 compared to 4.17¹⁷ for the DCO scheme [or 4.11 compared to 5.33 including wider benefits]. Thus, the higher cost of completing the NDR through to the A1067 is outweighed by the greater benefits achieved.

- 4.150 It also refers to the analysis of alternatives in the ES (AD-046 6.1 ES Volume 1 Part 1). Without the western section of the NDR there would be no relief to existing roads west of the A140. Worse still there would be actual increases on some roads such as School Lane, Drayton and a significant increase in traffic on Hall Lane, over which there is significant IP concern in relation to safety for example from Mr Gray and residents of the mobile home park. That road could experience an increase in terms of annual average daily traffic (AADT) of up to 9,800 vehicles without the western section of the NDR.
- 4.151 In addition, the NDR is intended to relieve traffic on Fakenham Road so that BRT, cycle priority and other complementary sustainable transport measures can be introduced in north-west Norwich. Without the NDR, the applicant's view is that there would be insufficient highway capacity to enable these measures to be progressed, yet around 75% of the projected traffic on the westernmost section of the NDR is forecast to be longer distance traffic that ought not to be forced to use suburban roads. It is therefore not surprising that the full DCO NDR scheme is supported by the relevant parish councils that cover the outer suburbs and nearby settlements within Broadland District west of the A140.
- 4.152 Moreover, the applicant points out that although the JCS policy includes the NEGT development, the north-west edge of Norwich is still envisaged as to be subject of significant development under the emerging Broadland District Council's site allocations plan. Sites include those for 200 dwellings at Hall Lane Drayton, mixed-use redevelopment in Drayton centre, 300 dwellings and B1 development at Hellesdon Hospital, 800-1,000 dwellings at Hellesdon Golf Club and 5.6 ha of commercial development at Fir Covert Road, including full planning permission for a 4,181 m² supermarket and outline permission for 4,500 m² of other retail or business development in the locality where there is currently a garden centre complex (D7-032 Drayton Parish Council – Planning Application re Fir Covert Superstore). Further development is also be envisaged within north-west Norwich. The NDR would serve and facilitate such developments.
- 4.153 We find these arguments for continuing the NDR west of the A140 Cromer Road to be convincing. Nevertheless, and recognising the high test that is set to justify CA, we still asked the applicant to

¹⁷ As footnote 16

provide a variant DCO without the western section of the NDR should we conclude that the case for this section could not be met. The response of the applicant is set out in D6-003 (Norfolk County Council (NCC EX 53)), namely that no such variant would be submitted as the applicant's legal advice is that the Secretary of State could not lawfully make a DCO for the application scheme minus the extent of the NDR west of the A140. In addition the applicant does not consider that they have sufficient information to produce such a variant and that this could not be produced within the timetable requirements for the Examination under the PA2008.

- 4.154 The applicant considers that to devise such a variant would require a revised transport assessment, a revised traffic forecasting assessment and above all a revised ES. Having regard to DCLG advice including the letter from Bob Neil, when Parliamentary Under Secretary, and to the Wheatcroft judgement¹⁸, the applicant does not dispute that it would be possible for the Secretary of State to make a DCO in a form different from that applied for. However, in the view of the applicant, a DCO without the western section would be materially different from that applied for.
- 4.155 This view is taken because of the nature of the consultation undertaken and in particular because the environmental implications assessed in the ES accompanying the application did not include detailed consideration of the consequences of termination at the A140. The alternatives considered in the ES and in the Traffic and Economic Appraisal of alternatives in APP-113 Revised application doc 5.12 Report on NDR Alternatives final only contain high level evaluation and not the assessment of the detailed implications as would be required.
- 4.156 As reduced, such a scheme would only be around 13.6 km in length rather than 20.4 km and by not serving communities to the north-west of Norwich would have a different performance against the overall objectives sought. It is therefore likely that individuals and representative bodies in the Hellesdon, Taverham and Drayton localities who may have been broadly supportive of the DCO scheme and therefore sought only limited involvement in the Examination would have wished to have a much greater input were a truncated proposal to be considered at this stage.
- 4.157 It is accepted that such a scheme would be smaller than the DCO scheme and therefore meet that aspect of the Wheatcroft judgment, but it would be a different scheme with different environmental effects. This could mean that to consider such a proposal without a new ES would be in conflict with relevant legislative requirements. In addition, only high level work had been undertaken for the purpose of in principle consideration of alternatives on the design of a large at-grade roundabout junction

¹⁸ Bernard Wheatcroft Ltd v Secretary of State for the Environment (1982) 43 P & C.R. 233

that would be envisaged as the western termination of such a truncated scheme at the A140. While its performance would probably be able to match that of the current junction proposal at the A140, more studies would be required to work up such a proposal and any necessary consequential works on existing highways in the vicinity. No resources are currently available to undertake such studies.

- 4.158 It will be noted in the submissions from NNTAG and CPRE referred to above, that these legal arguments are not accepted by proponents of a truncated NDR. Nevertheless, as ExA we are persuaded that the legal advice put forward by the applicant is correct and that it would not be open to the Secretary of State to make the DCO excluding the western section of the NDR from the A140 to the A1067 without further environmental assessment, provision of additional detailing and consultation. Although we are of the opinion that the full length of the NDR proposed up to the A1067 can be justified in transport, traffic and planning terms, should the Secretary of State come to a contrary view and consider that the western section should be rejected but that the remaining section is justified, careful consideration would have to be given as to the procedure to be followed.

VALUE FOR MONEY AND ECONOMIC APPRAISAL

- 4.159 The DfT's assessment of Value for Money (VfM) is informed by economic appraisal that incorporates those benefits and costs that can be counted in monetary terms. Under the DfT guidance, a project is generally considered to offer:
- Poor VfM if the Benefit:Cost Ratio (BCR) is less than 1
 - Low VfM if BCR is between 1 and 1.5
 - Medium VfM if BCR is between 1.5 and 2
 - High VfM if BCR is between 2 and 4
 - Very High VfM if BCR is greater than 4
- 4.160 VfM assessment includes transport user appraisal, accident benefits and wider impacts of the scheme that encompass wider economic benefits and journey time reliability benefits. An economic appraisal has been carried out for the Scheme (see Economic Appraisal Report, Document AD-047 [5.7 Economic Appraisal Report v0 for submission](#)). This assesses the transport benefits of the scheme, amongst other aspects, and compares these with the scheme costs.
- 4.161 The economic appraisal approach adopted by the applicant follows WebTAG guidance. The appraisal has been informed by variable demand model (VDM) forecasts, which provide some allowance for traffic generation, redistribution and mode choice effects arising from introduction of the scheme, which were generated for the envisaged opening year for the NDR of 2017 and the design year of 2032. The assumption was also incorporated into the appraisal

that the benefits of the scheme would not change for each year beyond 2032 although traffic demand would grow.

4.162 In the Economic Appraisal Report the applicant provided:

- an assessment of economic benefits for consumer and business users from the NDR scheme based on the VDM forecasts and the likely expenditure profile during the assessment period;
- an assessment of the scheme Vfm based on the VDM model outputs and the latest available scheme costs;
- examination of the stability and distribution of the economic assessment results so as to demonstrate that the economic appraisal is robust and reliable as required by WebTAG.

4.163 The economic appraisal employed the TUBA version 1.9.1 computer program which provides for a matrix-based appraisal taking demand and cost matrices (time, distance and charges) from the transport model as inputs. However, the appraisal extends beyond a more limited assessment to include accident benefits, wider economic benefits and journey time reliability benefits. Their inclusion and approach adopted by the applicant is intended to comply with relevant WebTAG guidance.

4.164 The appraisal also incorporates various assumptions, including economic parameters and annualisation factors. The key assumptions made in the applicant's appraisal are as follows:

- (i) The NDR scheme will be opened in 2017 and is appraised over a 60 year period from the year of opening.
- (ii) User benefits of the scheme after the design year of 2032 are assumed not to grow and are subject to the normal discounting to 2010 present value year and changes to values of time (VOTs) and other economic parameters.
- (iii) The economic benefits of the NDR scheme are accrued over all days of the year.
- (iv) The scheme will be developed and funded by the public sector and investment costs are subject to optimism bias of 15%.
- (v) The economic appraisal has been carried out for a scenario that assumes the implementation of the JCS plan for growth. The land use and development assumptions are consistent in the scenarios with and without the scheme intervention, termed the 'Do Something' and 'Do Minimum' scenarios.
- (vi) Changes in journey times and any economic benefits that are calculated are based on differences between the 'Do Minimum' and the 'Do Something' scenarios.

'Do Minimum' Assumptions

4.165 A 'Do Minimum' (DM) scenario is required as a basis for assessing the economic effects of the proposed intervention – the NDR (and complementary measures) or alternatives. It includes 'near certain' or 'more than likely' schemes and measures to be implemented in connection with the existing transport system between 2012 (the model base year) and 2017.

4.166 The DM includes:

- Network changes - junction improvements, pedestrian improvements and traffic management and safety schemes within Norwich.
- Limited public transport changes
- Future housing and business developments
- Reference traffic growth based on DfT's data contained in TEMPRO using NTEM dataset 6.2 and RTF 2013.

'Do Something' Network

4.167 The 'Do Something' (DS) scenario represents a scenario with:

- the NDR dual carriageway from the A1067 to the north west of Norwich to the A47(T) east of Norwich at Postwick junction, and associated complementary traffic management measures including:
- upgrade of the A47(T) Postwick Trunk Road junction and access improvements to Postwick Park and Ride site;
- complementary traffic management measures for Norwich city centre, with the aim of discouraging through car trips and reducing the dominance of traffic;
- traffic management measures at three locations to address local transport issues that arise with NDR;
- no changes for public transport proposed between the DM and DS.

Analysis of Monetised Costs and Benefits

4.168 Estimation of monetised costs and benefits over a 60 year appraisal period encompasses the following costs and benefits:

- Construction costs
- Maintenance costs
- Operating costs
- Supervision costs
- Time savings
- Vehicle operating cost savings
- Private sector provider benefits
- Greenhouse gases benefits or dis-benefits
- User charges (e.g. parking charges)
- Accidents

4.169 A number of metrics to demonstrate the value of the scheme can be estimated from the appraisal. These include:

- Net Present Value (NPV) – the net sum of all discounted benefits and costs
- Benefit to Cost Ratio (BCR) – The ratio of the Present Value of Benefits (PVB) to the Present Value of Costs (PVC).

The conventional DfT approach to assessing VfM emphasises the BCR.

Economic Appraisal Results

Transport Economic Efficiency (TEE)

4.170 The economy objective identified within WebTAG has as its key goal to support sustainable economic activity and returning good value for money. It incorporates three sub-objectives to -

- improve transport economic efficiency for business users and transport providers;
- improve transport economic efficiency for consumer users; and
- get good value for money in relation to impacts on public accounts.

Accident Benefits

4.171 In addition to TEE, accident benefits were calculated using COBA software consistent with the WebTAG guidance. Accident benefits were calculated for the whole of the modelled highway network. The COBA accident assessment estimated that the NDR scheme would reduce accidents in the Norwich area, valued at £41.2m in monetary benefits in 2010 prices and discounted to 2010.

4.172 The assessment of user benefits and user charges attributable to the NDR scheme under the TEE objective indicates total transport economic efficiency benefits of about £700m in the 60 year assessment period with the Present Value of Benefits (PVB) including accident reductions estimated to be £773m outweighing the £186m Present Value of Costs (PVC). The associated Benefit Cost Ratio (BCR) of the scheme was reported as 4.17 including accidents. Under the DfT's value for money criteria, this represents very high value for money.

Inclusion of Wider Benefits

Wider Economic Benefits

4.173 The applicant argues the NDR would generate wider economic benefits additional to journey time and accident savings reported in previous sections, including significant job creation and labour

movement benefits. The estimation of wider economics benefits followed guidance in WebTAG.

4.174 The wider economic benefits (WEBs) include:

- Agglomeration impacts.
- Increased or decreased output in imperfectly competitive markets.
- Labour market impacts from more/less people working.

4.175 The recommended WebTAG methodology seeks to capture only that part of the above impacts that is not already included in the conventional user benefit calculations.

4.176 The estimated benefits of £187m for wider economic impacts feed into the overall VfM consideration. Agglomeration benefits make up the bulk of the £187m total wider benefit impacts.

Journey Time Reliability Benefits

4.177 'Reliable journeys' is one of the sub-objectives within the 'Economy' section of scheme appraisal; and the estimate provided in this sub-section is aimed at addressing this sub-objective for the NDR scheme. The NDR reliability assessment uses trip, time and distance matrices originally extracted from the Norwich transport model for purposes of economic appraisal. In line with appraisal tools and published DfT guidance, the reliability benefits for the NDR were estimated for a period of 60 years, discounted to 2010 and reported in 2010 values.

4.178 WebTAG indicates that reliability benefits should not be included in estimating the Net Present Value (NPV) and the BCR because the methodology is still subject to further research. However, reliability benefits may be taken into account in the assessment of the overall value for money. Reliability benefits of around £28m (in 2010 prices discounted to 2010) were calculated for the 60 year appraisal period. This is equivalent to around 4% of the time benefits generated by the scheme. The basic DCO BCR is improved to 5.33 once journey time reliability benefits (£28m) and wider economic benefits (£187m) are included in the appraisal.

Economic Assessments for Alternatives listed in the Environmental Statement

4.179 Traffic and economic assessments for four of the road alternatives listed in the Environmental Statement ([AD-046 6.1 ES Volume 1 Part 1](#)) were also carried out. These assessments provided comparative quantitative information on the same basis as that provided for the scheme in the Traffic Forecasting Report ([AD-039 5.6 Traffic Forecasting Report Vol 1 for submission](#)) and the Economic Appraisal Report ([AD-042 5.7 Economic Appraisal Report v0 for submission](#)). The results of the assessments are presented in [AD-113 Revised application doc 5.12 Report on NDR](#)

Alternatives final. The economic appraisal for Alternative 1 (single carriageway NDR) projected a much lower level of benefits than the DCO Scheme resulting in a BCR of 2.42 with accidents and 2.67 with Journey Time Reliability (JTR) benefits and WEBs included. For Alternative 2 (dual carriageway NDR between Postwick Junction and A140), the economic appraisal shows a lower level of benefits than the DCO Scheme due to the lack of improved transport connections west of the A140 with a BCR of 3.81 including accidents. The benefits are increased with the inclusion of JTR and WEBs to give a BCR of 4.11, lower than calculated for the DCO Scheme due to the poorer connectivity provided by the alternative. Alternative 3 (single / dual carriageway NDR) provides the required transport connections, but with a lower standard west of the A140 Cromer Road, the analysis shows less relief on inappropriate routes in the northwest sector. The economic appraisal suggests a BCR of 3.68 with accidents and 4.84 with JTR benefits and WEBs included.

- 4.180 In relation to Alternative 5 (developer link roads) the economic appraisal suggests it does not offer good value for money. The economic dis-benefits outweigh any benefits of the extended link roads due to reduced performance and the effects of introducing city centre traffic management measures without significant traffic relief being provided by the alternative. The calculated BCR is - (minus) 11.42 with accidents included and even worse with JTR and WEBs giving -20.34.

PT Option Economic Appraisal

- 4.181 In addition to the ES alternatives appraised, an option comprising significant improvements to public transport provision was also assessed (Traffic and Economic Appraisal of NDR Alternatives AD-113 Revised application doc 5.12 Report on NDR Alternatives final). The original results from the appraisal (BCR of -34.42) suggested such an option would not meet the scheme objectives or deliver good value for money. With accident effects, journey time reliability impacts and wider economic benefits the estimated outturn was even poorer with a BCR of -46.22.

Revised PT Option Economic Appraisal

- 4.182 Following the September ISH when the public transport appraisal reported in Document 5.12 was subject to detailed scrutiny, the applicant identified significant errors within the economic appraisal of the Public Transport Option reported in Appendix B of the Traffic and Economic Appraisal of NDR Alternatives (AD-113 Revised application doc 5.12 Report on NDR Alternatives final). These had a significant impact on selected estimated public transport benefits. These problems were due to incorrect units used in transferring the bus journey times from the model to the appraisal (involving a factor of 60) and some public transport fares on links not being captured in the extraction for the appraisal.

- 4.183 The economic appraisal was re-run yielding significantly different results to the original findings. The revised Present Value of Benefits (PVB) of the PT Option were estimated to be £-91m (inclusive of accident benefits) compared to the previous estimate of - £916 million. A contributory factor in generating a negative result is the fact that under TUBA the very substantial private sector costs (including developer link roads and additional bus services) are attributed as negative benefits rather than as costs to public accounts. These outweigh the other user benefits that the option would yield, set against the PVB of £27m, the Present Value of Costs (PVC) to public accounts. Overall the revised appraisal indicates a BCR for the PT Option of -3.42 including accidents which, despite being significantly better than the original BCR of -34.4, still would not represent good value for money (see [AD-139 Norfolk County Council - Revised PT Option economic appraisal and breakdown of benefits \(submitted 9 October\) \(NCC EX 71\)](#)).
- 4.184 Moreover, the BCR deteriorates further to -15.23 once journey time reliability benefits (£-30m) and wider economic benefits (£-284m) are included in the appraisal. These partly reflect an inability of the highway network to adequately cope with city centre traffic management measures in the absence of the NDR. According to the applicant the appraisal demonstrates the PT Option does not offer good value for money.

NDR+NATS Option Economic Appraisal

- 4.185 During the September 2014 ISHs, we asked the applicant to provide results of an assessment of the NDR in conjunction with the NATS Public Transport Strategy in view of arguments advanced over the benefit of city centre measures and the applicant's assurances that all NATS Implementation Plan (NATSIP) measures were intended to be carried through as complementary measures alongside the NDR. In response, the applicant provided an additional appraisal encompassing the highway-related elements of the NATSIP including the NDR and improvements to core bus and Bus Rapid Transit (BRT) services. It was stressed that some of the public transport measures which are assumed to be implemented in this appraisal had not been subject to detailed development. The same transport model and forecast assumptions were used as applied to the appraisal of the DCO Scheme in the DCO submission and in relation to the alternatives that were also appraised. The strategy assumed that there is different public transport provision in 2017 and 2032 to reflect the build out of development proposed in the JCS. It was emphasised this was significantly different than the PT option test (in [AD-139 Norfolk County Council - Revised PT Option economic appraisal and breakdown of benefits \(submitted 9 October\) \(NCC EX 71\)](#)) which assumed all services operated from 2017 so that the maximum impact could be assessed regardless of the economic viability.

4.186 The appraisal findings show that the Present Value of Benefits (PVB) is estimated to be £1,116m (inclusive of accident benefits), outweighing the £187m Present Value of Costs (PVC). This is significantly greater than the PVB generated by the NDR Scheme alone as contained in the DCO. Similarly, the BCR of the scheme is 5.98 including accidents. Under the DfT's value for money criteria, this would represent a very high value for money. Including wider economic benefits (£184m) and journey time reliability benefits (£28m) for the NATS PT strategy with the NDR increases the BCR to 7.12.

Economic Appraisal Overview

4.187 The economic appraisal for the proposed NDR with city centre complementary measures shows a BCR of 4.17 which represents very high value for money under the DfT's VfM criteria, with the majority of the transport benefits arising from time savings. The PVB includes accident benefits but does not include wider economic benefits or journey time reliability benefits. When these are included the BCR increases to 5.33. WebTAG requires that the economic results are robust and stable, based on stability ratios. The applicant has argued on the basis of high stability ratios and sector-to-sector benefits that appear realistic that the economic benefits calculated are robust and reliable.

4.188 The results of the economic appraisals and VfM assessments together with the qualitative assessments of other objectives that cannot be readily valued in monetary or on a more limited quantitative basis generated comment from IPs.

Summary Review of IP contributions

4.189 The applicant advised that the assessment of VfM follows standard DfT guidance through the application of WebTAG procedures and assumptions inherent in its various sub routines. The appraisal was undertaken on the basis of variety of assumptions about background economic demographic and traffic change assumptions based on national or regional estimates and the remainder based on detailed consideration of more local circumstances including developments scenarios. The applicant reported these in various documents submitted to the Examination. The findings tended to demonstrate the DCO would offer high or very high value for money under the background conditions assumed by the applicant to apply.

4.190 However, some IPs argued that the appraisal results were sensitive to assumptions about future traffic growth and that this affects the results of the analysis. Generally, the higher the traffic growth assumed, the higher the estimated BCR of the NDR as obtained from the WebTAG based methods. While the applicant asserted the findings are robust on the basis of the evidence available to it, some objectors maintain forecasts are more likely

to be overestimates, referencing overestimates from previous forecasts made with a similar model, as compared with NCC published monitoring statistics, as well as consistent overestimates made by DfT in national traffic forecasts which are used as the basis for applicant's forecasts. IPs also argued that the model parameters used to make the forecasts seem to result in an underestimate of the extent to which traffic growth can be affected by the costs and quality of the alternatives to car travel. Objectors question the compatibility of the model's forecasts for the city as a whole and the empirical evidence for the monitored roads in the area.

- 4.191 Objectors requested additional test scenarios to be modelled and appraised. The applicant undertook additional model runs and appraisals reflecting substantially lower levels of background growth and in one case assuming little or none of the demographic changes anticipated for the NEG and other locations after 2017. The findings of the additional model runs and associated appraisals indicated a substantial reduction in the BCR for the DCO scheme. However, the BCR value generated still indicated that the scheme would lie on the boundary between a medium and high VFM, even if the approved growth proposals in the adopted development plan fail to materialise and traffic growth does not take place after the opening year.
- 4.192 With reference to the city centre measures envisaged by the applicant, according to various IPs the appraisal produces a net increase in cost and an absolute reduction in benefit, implying Norwich would enjoy greater benefits if it had the NDR without the city centre improvements. According to objectors this implied the measures were badly designed or the model used to inform the appraisal of such measures failed to incorporate certain benefits found in very many examples in the UK and overseas.
- 4.193 The applicant asserted that the measures were not badly designed, but accepted that some benefits of such measures were not included in the appraisal, though not deeming that very important. Close inspection of the various submissions by the applicant suggests that as the complementary measures specification incorporated in the model runs is limited to purely infrastructure and traffic management measures and does not provide for assumed introduction of a substantially enhanced public transport system, it is inevitable that it would fail to measure and incorporate substantial benefits potentially accruing from the improved bus system including BRT.

ExA's conclusions on the implications for the scheme arising from the sensitivity tests undertaken and measures planned for the city centre.

- 4.194 Although the sensitivity tests undertaken may not be exactly as sought by Professor Goodwin for NNTAG, in essence the

implications of low growth have been tested at least in relation to economic appraisal. We recognise that there is some evidence of a slow-down in many if not all categories of traffic growth in recent years (even before the financial crash of 2008 and its subsequent consequences). However, it is unclear if this tendency will be sustained, particularly given the fall in motoring costs during our reporting period. Moreover, the applicant is bound to follow the existing guidance on traffic growth projections and relationships provided by the DfT's WebTAG.

- 4.195 Notwithstanding the errors found by the applicant in its appraisal of the PT option including city centre measures, it seems probable that the limitation of the complementary measures specification to infrastructure and traffic management measures without providing for a substantially enhanced public transport system is the likely explanation for the negative appraisal finding. However, this suggests a wider concern in assessing the implications for the DCO scheme, in circumstances should substantial improvements in public transport intended to be introduced as part of the complementary measures fail to materialise.

Dependent development

- 4.196 IPs also pointed to a special procedure for appraisal of alternatives required by WebTAG when some of the traffic forecast for the future arises from development which would not take place unless the road under discussion is provided, called 'infrastructure-dependent development'. It appeared to be accepted by both parties that this procedure has not been explicitly followed, but the applicant claims that the substance of what it is intended to achieve has been provided by a number of sensitivity tests and breakdowns.
- 4.197 In D6-002 Norfolk County Council - Response to questions in parts 1-3 (NCC EX 52), according to the applicant there is reference in WebTAG unit A2.3 which provides guidance in cases where development is dependent on the scheme and provides guidance on how such cases can be assessed as a combined project. In such cases assessment of the costs and benefits of the transport scheme in isolation is required as part of the appraisal (as set out in Step 3 in section 3.4 of unit A2.3) with the dependent development benefits assessed separately (as set out in Step 4 in section 3.5 of unit A2.3).
- 4.198 In response to a question raised by the ExA concerning judgements made on dependant development and responded to at an ISH on 17 September, the applicant stated that the WebTAG guidance on modelling dependent development had been followed. However, Professor Goodwin claimed that steps 1 and 2 of the WebTAG guidance relating to model testing to identify dependent development and then identifying the minimum transport

intervention required to allow the development to proceed had not been followed.

- 4.199 The applicant explained testing had been done, originally in work for the Best and Final Funding Bid (BAFB) submitted to the Department for Transport (in 2011) and then later for the Broadland Area Action Plan (AAP). This response was intended to explain conclusions from the later work for the AAP (which superseded the earlier BAFB work) and the judgements made on dependent development and how these were used in the sensitivity testing work for the NDR scheme.
- 4.200 According to the applicant in undertaking the sensitivity testing work the question addressed was how much development should be assumed to be dependent for the purposes of sensitivity testing the NDR scheme rather than identifying different types of solution that might address the traffic conditions arising from the dependent development. Alternatives to the NDR have been separately assessed and reported in AD-113 [Revised application doc 5.12 Report on NDR Alternatives final](#).
- 4.201 The DCO submission appraisal assumed the full allocation of JCS developments for both with and without scheme scenarios in order to assess the maximum scheme impact (see paragraph 2.1.3 in AD-112 [Revised application doc 5.11 Summary Results of Sensitivity tests](#)). A sensitivity test was also undertaken to understand the effects of dependent development on the assessment of the NDR. Because the dependent development sensitivity test was undertaken after the approval of the Postwick Hub scheme, for the purposes of that test the Postwick Hub scheme was included in the 'Do Minimum' scenario, as was the development 'unlocked' by that scheme.
- 4.202 The development assumed to be dependent on the NDR was taken as the Growth Triangle development identified in the Traffic Forecasting Report in Appendices C to F (AD-040 [5.6 Forecasting Report Vol 2 Apps A-G for submission](#)) less the development unlocked by the Postwick Hub, as determined by the work for the AAP. This dependent development is set out in Table 3.5 in the Summary results of Sensitivity Tests (AD-112 [Revised application doc 5.11 Summary Results of Sensitivity tests](#)).
- 4.203 With the control of forecasts to NTEM/RTF (which is still required when testing schemes where there is dependent development) it shows that the forecast traffic levels on the NDR would be of a similar order in both 'Do Minimum' and 'Do Something' scenarios. The economic assessment in the sensitivity test gives similar BCRs to the main appraisal.
- 4.204 WebTAG requires a robust appraisal that reflects the quantity of planned growth identified within the adopted JCS, which has been subject to independent scrutiny. The sensitivity test shows, even

with much less of the JCS allocated growth in the 'Do Minimum' scenario, the results in terms of traffic levels, junction performance, and economic assessment of the NDR are similar.

- 4.205 The applicant claimed under the WebTAG guidance identifying dependent development cannot be done precisely, but it considered that the applicant's dependent development analysis had followed the WebTAG guidance.
- 4.206 Strictly speaking this does not appear to be the case. Prof Goodwin had claimed both the applicant and IP's had accepted the WebTAG procedure had not been explicitly followed. However, close inspection of the Dependent Development Sensitivity Tests suggests that dependent development would produce similar forecast traffic flows on the NDR and thus similar scheme impacts. Though some of the priority junctions and roundabouts are over capacity, further tests indicated that a slight adjustment in traffic management can bring junction performance to an acceptable level. The BCRs are improved by approximately 10%. There are additional development benefits for this scenario.

ExA's conclusions on the implications for the scheme arising from assumptions concerning dependent development

- 4.207 The conclusion that can be drawn from this test is that the effect of allowing for dependent development has only a limited impact on highway performance while boosting economic benefits somewhat. However, this also implies that there is no substantive case for building the NDR on the strength of a requirement to unlock the dependent development.
- 4.208 In our view, setting aside the strategic justification for the scheme that the NDR is necessary for the development to be possible, it is uncertain but seems unlikely that changes to the modelling and appraisal processes would have a material impact on the appraisal results, particularly in the light of the additional sensitivity tests undertaken during the examination by the applicant and detailed elsewhere in this section of our report.
- 4.209 Notwithstanding the concerns raised by various IPs, on the basis of the model projections and the insights that emerged from scrutiny and questioning during the ISHs, the balance of evidence reaffirms the conclusion that, subject to wider macro-economic assumptions being met, the DCO scheme would be likely to demonstrate sufficient VfM to meet DfT VfM performance threshold requirements. Realisation of JCS development projections increases the net transport system related benefits marginally.
- 4.210 The economic appraisals also demonstrate progressive implementation of the public transport strategy as part of the NATSIP together with the NDR would generate further economic benefits in addition to those secured by the NDR itself. It would

also increase further the BCR suggesting this package should be the preferred option under DfT VfM guidelines. This is in fact the applicant's aspiration.

- 4.211 This combined package would also enable the potential benefits for public transport resulting from the city centre measures to be realised, while providing justification for further infrastructure and related improvements in support of an enhanced public transport system focused on serving the city centre.
- 4.212 In so doing, this would help to mitigate the reduction in the relative accessibility enjoyed by the city centre that would accompany the provision of the NDR in the absence of such measures with the various attendant decentralisation pressures that would be created. The economic benefits accruing from such a package and the attendant dis-benefits attributable to the DCO scheme in isolation were not fully represented in the VfM assessment of the DCO scheme as presented in the original assessment of the NDR nor those in relation to alternatives.
- 4.213 As noted previously, however, we are unconvinced that the scale of improvement to public transport specified under the NDR+NATSIP PT option is a realistic objective under existing regulatory structures and control in the industry and given local performance in the bus market. Nevertheless, this would not undermine our conclusion that the VfM attributable to the DCO scheme fully meets DfT VfM performance thresholds. Nor should it reduce efforts to ensure that the complementary measures are linked to the DCO scheme, a point that we shall return to in section 7 of this report in relation to the requirements of Schedule 2.

Financial resources

- 4.214 The funding statement dated 8 January 2014 (AD-007 [4.2 Funding Statement Final Version](#)) indicates that the total cost of the NDR scheme, inclusive of the Postwick Hub and land acquisition and acquisition of interests in land and rights, is £148.55 m.
- 4.215 Some 45% of the cost is to be met by DfT (£67.50 m) and 14% directly or indirectly by other government Departments (CIF funding for the Postwick Hub and Growth Point Funding, together £20.71 m). The government contribution is expressly towards the section from the A47(T) at Postwick to the A140 close to Norwich Airport. However, the applicant, Norfolk County Council (NCC) has resolved to underwrite the balance of funding to complete the full scheme to the A1067 in the sum of £60.34 m (41%).
- 4.216 The NCC contribution would be under-written by a contribution from the Greater Norwich Growth Board out of CIL collected by the District Councils. This CIL contribution from the Growth Board

should amount to £40 m (27% of the total) leaving £20.34 m to be met by the applicant, NCC, as local highway authority (14%).

- 4.217 A number of IPs argued that the funding should be diverted to support of sustainable transport measures or to improvements to the A47(T). The applicant pointed out that it could not divert government main scheme funding away from the specified project and that works to the trunk road are a matter for central government itself¹⁹. IPs also argued that the NCC funding may be less secure given the austerity constraints on local authorities and that the burden of the funding may lead to cuts in other transport expenditure, e.g. that proposed to cover complementary measures, or even cuts to other services.
- 4.218 We are satisfied that funding for the DCO scheme is assured and consider these arguments more fully in section 6 of our report.

ENVIRONMENTAL, SOCIAL AND ECONOMIC CONSIDERATIONS

Good design

- 4.219 The draft NN NPS advises that applying good design to national network projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction, matched by an appearance that demonstrates good aesthetics as far as possible. It is acknowledged, however that the nature of much national network infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.
- 4.220 The evolution of the scheme and consultation on alternatives routes is considered in section 3 above. The purpose of the route is to provide a strategic connection between the A47(T) at Postwick and as many of the radial routes as possible, addressing current transport problems and also serving planned growth to the north-east of Norwich. The corridor chosen reflects identified physical and environmental constraints and the alignment as far as practicable minimises its impact on existing communities, sensitive environmental areas, and heritage assets. These impacts are addressed in the ES and considered in detail below.
- 4.221 The applicant's Design and Departures Report (AD-102 [10.2 Design and Departures Report - Final Version](#)) illustrates how the design process has sought to avoid impacts where possible. Where that has proved impracticable, environmental mitigation measures have been incorporated in the scheme through an iterative design process, reflecting the outcome of consultation.

¹⁹ Details of the newly proposed enhancements to that road have been detailed earlier in our report.

- 4.222 The draft NN NPS places emphasis on functionality, fitness for purpose and safety as key aspects of good design in national network infrastructure projects. We are satisfied that the NDR meets these objectives. The scheme has been designed in accordance with the current standards contained in the Design Manual for Roads and Bridges (DMRB), which sets a standard of good practice in the design of strategic road schemes. As far as possible the scheme meets the required standards of the DMRB on the Trunk Road sections of the scheme. Where this has not been possible, departure applications have been submitted to the Highways Agency and approved. These departures are a result of working within the existing policy constraints of the River Yare/Railway Bridge and the Existing Postwick Bridge. In addition, two departures from standard are associated with the mainline of the route and two further departures from standard are associated with the A140 grade separated junction. These departures have been reviewed during the independent road safety audit process and accepted by the independent safety audit team (AD-102 [10.2 Design and Departures Report - Final Version](#), Section 5).
- 4.223 We are satisfied that the applicant has taken opportunities to demonstrate good design in terms of siting relative to existing landscape character and function, landscape permeability, landform and vegetation. Consideration of landscaping and planting to integrate the scheme with the landscape, and to mitigate any unavoidable environmental impacts such as noise and visual intrusion, has been central to the design process, as demonstrated in the ES. The landscape design has sought to maintain the visual qualities of historic parklands and areas of landscape value through mounding and planting to reduce the impact of unavoidable severance. Extensive new and replacement planting of native species is proposed to provide screening and to integrate the road into the surrounding topography and with existing features as far as possible. New planting would be provided in excess of the 6 to 1 replacement ratio recommended by the Forestry Commission (paragraph 7.5.2. AD-046 [6.1 ES Volume 1 Part 1](#)).
- 4.224 On this issue, we conclude that the design meets the principal objectives of the scheme by substantially mitigating the identified problems on the existing road network, improving operational conditions and simultaneously minimising adverse impacts. It would mitigate the adverse impacts of traffic on the existing congested road network, and provide capacity to accommodate the development proposed in the JCS. The design offers the opportunity for further related improvements to conditions on the existing road network through the implementation of NATS, and would sustain the improvements to operational efficiency for as many years as is practicable taking into account capital cost, economics and environmental impacts.

4.225 For these reasons, we conclude that the scheme complies with the requirements of the draft NN NPS in respect of good design.

Effect on air quality and health

4.226 Many IPs expressed concern that atmospheric pollution from traffic would cause worsening air quality, with adverse consequences for health (for example RR-001 Rick Edwards; RR-050 Ben Hogben and many others).

4.227 Air quality is addressed in Section 4.1 of the ES (AD-046 6.1 ES Volume 1 Part 1). It recognises that the scheme has potential to cause air quality effects during the construction and operational phases. The key pollutants for consideration within the assessment are: nitrogen oxides (NO_x), particularly nitrogen dioxide (NO₂); fine particles (particulate matter defined as those less than 10 (PM₁₀) and 2.5 (PM_{2.5}) microns in diameter; and dust (defined as particulate matter in the size range 1 – 75 microns in diameter).

4.228 The ES considers potential changes in air quality at sensitive receptors affected by the scheme in comparison with air quality standards, as well as with relevant policy and legislation.

4.229 The scheme is a new major road of strategic importance and will alter parts of the existing road network. Once in operation, traffic will be introduced along the new route and the characteristics of traffic flows on the wider road network will change.

Construction phase

4.230 During the construction phase, the ES identifies that the scheme would introduce new emission sources in the form of traffic and plant at some locations and involves potentially dust generating activities.

4.231 According to the ES, the distances from the emission source at which significant construction dust effects are likely to occur are dependent on the extent and nature of mitigation measures, prevailing wind conditions, rainfall and the presence of natural or physical screening. However research undertaken for the Highways Agency (HA 2007) indicates that effects from dust generating activities are generally limited to within 150-200 m of the construction site boundary, although guidance issued by the Institute of Air Quality Management (IAQM) in 2011 requires consideration of effects up to 350 m from the construction area boundary.

4.232 With regard to emissions from plant used in construction, the IAQM guidance advises that impact from exhaust emissions is unlikely to be significant. The ES assesses these impacts to be localised, temporary and of negligible significance taking into account the relatively small plant required.

- 4.233 It is estimated in the ES that the scheme will generate up to 75 HGV deliveries per day (150 movements), predominantly in 20 tonne eight wheeled wagons. EPUK guidance indicates that assessments of construction traffic emissions are only likely to be required for large, long term construction sites that would generate over 200 HGV movements a day. Given the linear nature of the scheme it can be concluded that the effects at any one locality would be temporary, and the level of daily movements below the level at which any significant impact on air quality is likely to occur.
- 4.234 Nevertheless the applicant has undertaken to implement mitigation measures through a Construction Environment Management Plan (CEMP) (AD-136 [Norfolk County Council - Updated Construction Environment Management Plan \(submitted 9 October\) \(NCC EX 82\)](#)). This would be secured through Requirement 18 of the final draft DCO. The draft CEMP sets out clear responsibilities for the management and monitoring of mitigation measures, and compliance will be a requirement of the contract. Table A.9 of the draft CEMP sets out a schedule of mitigation measures including the protection of sensitive areas and habitats, designated haul routes, traffic management, controls on delivery vehicles, dust suppression, limitations on noise and vibration at properties near to the scheme. The contract will also require that the best practicable means for noise control will be applicable at all times, including selection of the most appropriate method and plant for the job, adequate maintenance of plant, optimum siting of stationery plant, local screening, staff training and liaison with local residents.

Operation

- 4.235 Increases in ambient pollutant concentrations attributable to emissions from road vehicles would be greatest very near to the road, and would reduce rapidly with increasing distance. The DMRB advises that contributions from a road to ambient pollution concentrations are generally negligible at a 200 m distance from the road²⁰. The ES uses traffic data from the SATURN dispersion model (AD-044 [5.9 NDR Highway Model LMVR v0 for submission](#)). The model incorporates predicted growth from the Joint Core Strategy (JCS) in both the 'without scheme' and 'with scheme' scenarios, and predicts likely changes in ambient air quality resulting from the NDR and additional measures within the scheme.
- 4.236 Road traffic emissions have been calculated using the most recent version of Defra's Emissions Factor Toolkit (EFT) (<http://laqm.defra.gov.uk/review-andassessment/tools/emissions.html>). Meteorological data from

²⁰ DMRB Volume 11 Section 3 Part 1 Air Quality

the Norwich weather centre from 2010 to 2012 was used to assess patterns of dispersion.

- 4.237 Relevant Air Quality Standards are set out in the Air Quality (England) Regulations 2000 (as amended) and the UK Air Quality Strategy (2007). They are considered to represent a level of exposure below which significant effects on specific sensitive elements of the environment do not occur. For NO₂ an annual mean concentration of 40 µg/m³ should not be exceeded. For PM₁₀ the limit is set at 40 µg/m³ and for PM_{2.5} at 25 µg/m³.
- 4.238 The ES presents two modelled scenarios: 'Without Scheme' (WO) scenario 2017 (opening year); and 'With Scheme' (W) scenario 2017 (opening year).
- 4.239 As part of the assessment an NO₂ diffusion tube monitoring survey was undertaken from April 2102 to July 2013 at 12 locations along the scheme route. The results indicate that existing annual mean NO₂ concentrations are well below the air quality objective.
- 4.240 The ES concludes that the scheme will not cause any exceedence of the air quality objective for NO₂. Beneficial effects of the scheme are predicted within the Central Norwich Air Quality Management Area (AQMA) and in the existing urban area of Norwich, where existing concentrations are higher. Adverse effects would generally occur in the rural areas near to the NDR route where total concentrations are lower. At all discrete receptors where exceedences of objectives are predicted to occur in the 'Without Scheme' scenario, the scheme is predicted to have a beneficial effect. The majority are within the Central Norwich AQMA. This is because the scheme is expected to reduce traffic flows through urban areas where concentrations are higher, and introduce new flows through more rural areas where concentrations are lower.
- 4.241 The ES identifies that 1,194 properties would experience an improvement in air quality, of which the improvement would be greater than 1 µg/m³ for 79 properties. 726 properties would experience deterioration in air quality, of which the deterioration would be greater than 1 µg/m³ at 21 properties. Overall the proposed scheme is considered to have a slight beneficial effect on NO₂ concentrations.
- 4.242 With regard to fine particulates, predicted concentrations would be below the relevant air quality objectives at all receptors and the changes in concentrations caused by the scheme, whether adverse or beneficial, are concluded to be negligible. Daily PM₁₀ and PM_{2.5} concentrations are predicted to be below the objective in all scenarios and the number of days when PM₁₀ concentrations are above 50 µg/m³ would be unchanged by the scheme.

4.243 A specific question was put by the ExA seeking clarification as to why no modelling had been undertaken for 2032. The response of the applicant is that the opening year of the proposed scheme (2017) is expected to represent the worst case within the first years of opening. Although an increase in traffic is expected after 2017, this would be outweighed by predicted improvements in vehicle emissions and background concentrations. In this circumstance, DMRB advice does not require any future year to be assessed. The ExA notes that some scepticism was expressed as to whether the predicted improvements would occur in practice. However the applicant produced evidence to show that, even if that were the case, predicted concentrations would remain below the relevant air quality objectives, and at most locations substantially so (DC-003 Norfolk County Council (NCC EX 53)).

Ecological receptors

4.244 Potential air quality impacts from nitrogen deposition on Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Sites of Special Scientific Interest (SSSI) were considered in the ES. Increases in NO₂ concentrations at Designated Sites would be potentially significant if the scheme would cause an increase in annual mean NO_x concentrations of at least 2 µg/m³ and predicted concentrations are very close to or exceed 30 µg/m³. The assessment demonstrates that the scheme would not result in these criteria being exceeded at any designated sites, and that effects on such sites due to nitrogen deposition would be negligible.

ExA's conclusion on Air Quality

4.245 None of the Local Impact Reports express any concerns over air quality from the local authorities affected by the scheme. While there would be some adverse effects on sensitive receptors during the construction phase, they would be temporary, and the ES conclusion that they would be of no more than slight adverse significance is reasonable. Similarly, although there would be some deterioration in air quality close to the new route, there would be no exceedence of relevant air quality objectives. The number of properties experiencing beneficial effects exceed those where there would be some adverse effect, resulting in the overall effect being slight beneficial for NO₂, and negligible for PM₁₀ and PM_{2.5}.

4.246 The draft NN NPS sets out the approach to the assessment of Air Quality issues for NSIPs. The ES has been prepared in accordance with this approach and its conclusions have not been significantly challenged. We conclude that the scheme would not have a significant adverse air quality impact or lead to a deterioration in air quality in a zone where the air quality breaches the air quality limit values.

Biodiversity and the Natural Environment

Statutory Designated Sites

- 4.247 The applicant's HRA Report (AD-089 [6.2.17 ES Volume 2 - Habitat Regulations Assessment](#)) and the applicant's second HRA Report (D5-033 [Norfolk County Council – Habitat Regulations Assessment: Screening](#)) address effects on European and International designated sites with respect to the tests of the Habitats Regulations 2010 (as amended). Further information was provided in the Breydon Water, the Broads and Broadland HRA Assessment submitted by the applicant on 9 October 2014 (AD-138 [Norfolk County Council - HRA Assessment \(submitted 9 October\) \(NCC EX 84\)](#)). Section 5 of this Report sets out our conclusions on these matters.
- 4.248 The applicant's Environmental Statement (AD-046 [6.1 ES Volume 1 Part 1](#)) submitted with the DCO application identified the following Statutory Designated sites for inclusion within the assessment:
- River Wensum Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI)
 - The Broads SAC
 - Broadland SPA, and Broadland Ramsar site
 - Mid-Yare National Nature Reserve (NNR)
 - Whitlingham Marsh Local Nature Reserve (LNR), and
 - Whitlingham LNR.
- 4.249 The ES identifies the qualifying features and features of interest for which each site is designated, and the location of the sites relative to the proposals. The closest of the above sites is the River Wensum SAC and SSSI at approximately 0.3km from the proposals at the closest point. An assessment is presented of the potential impacts of the proposals on these sites during construction and operation. Impacts associated with habitat loss, disturbance and with pollution are considered in the ES, as well as cumulative effects. The Environmental Statement describes the avoidance and mitigation measures proposed within the scheme and assesses the anticipated residual effects on the designated sites.
- 4.250 None of the sites above will be directly affected by land-take by the proposals. No significant effects are predicted on any of the designated sites considered within the assessment, given the distances from the scheme and the avoidance and mitigation measures to be implemented.
- 4.251 Natural England as the relevant Statutory Nature Conservation Body (SNCB) has subsequently confirmed that it concurs with the applicant's findings of no significant effects in respect of the

European and International sites listed above (D6-012 [Natural England](#)).

European Protected Species

Bats

- 4.252 There are several species of bat known to use areas affected by the proposed scheme and likely to experience direct and indirect effects on their foraging activities and roosting sites in buildings and trees. Mitigation measures have been incorporated into the scheme design to eliminate or reduce impacts on biodiversity and ecology as far as possible. The landscaping scheme has been designed to maximise benefits to vulnerable affected species having regard to species mix, form and layout, timing of planting and the size/type of species planted. These include provision of safe passage for bats across the proposed route including green bridges, wire gantries across the carriageway on the route of established flight paths, an underpass and modified standard bridge designs to include dark corridors to encourage use by bats.
- 4.253 Requirement 5 of the recommended DCO provides assurance that any bat roosts that would be lost would be replaced with a structure of appropriate size and construction to compensate for the loss of the existing roost. A total of seven tree roosts and three building roosts are anticipated to require removal as part of the development. Bat Conservation Trust mitigation guidelines indicate that bat roosts should be provided on a 'like for like' basis. This principle has been adopted throughout the scheme and would be secured through the landscape and ecological mitigation plan as part of Requirement 5.
- 4.254 A mitigation licence would be needed in the event of consent being granted for the scheme. The applicant submitted a draft bat mitigation licence in respect of affected species of bat which was received by NE on 11 November 2014. In response, NE issued 'a letter of no impediment' in respect of bats on 20 November 2014, confirming that, on the basis of the species information and proposals provided, they are satisfied in principle with the mitigation proposals (D10-016 [Norfolk County Council - Correspondence from Natural England and Environment Agency \(NCC EX 99\)](#)). Requirement 5 would ensure that NE is consulted on the detail of mitigation measures before the commencement of works.

Great Crested Newts

- 4.255 Great Crested Newts (GCN) are confirmed as being present at three locations, although the proposed development is anticipated to affect only one breeding pond directly. In two of the locations, fencing would be erected on a precautionary basis, to prevent GCN from entering the construction area. GCN that use the pond to be

lost to the proposed scheme, at Newman Lane, Rackheath, would be relocated to new ponds nearby. It would be necessary to carry out a trapping and exclusion exercise to remove newts from the pond and surrounding foraging area before construction commences. Any newts found would be transferred to the new receptor ponds, each of which would be around 250 m² and located on land adjacent to the proposed scheme. The activities would be carried out in accordance with an EPS mitigation licence that would be needed in the event of consent being granted for the scheme.

- 4.256 The applicant submitted a draft GCN mitigation licence which was received by NE on 8 September 2014. In response, NE issued 'a letter of no impediment' in respect of GCN on 22 October 2014, confirming that, on the basis of the species information and proposals provided, they are satisfied in principle with the mitigation proposals. Requirement 5 would ensure that NE is consulted on the detail of mitigation measures before the commencement of works (D10-016 [Norfolk County Council - Correspondence from Natural England and Environment Agency \(NCC EX 99\)](#)).

Other species and habitats

- 4.257 A number of badger populations are known to exist around the proposed route. The landscape and ecological management plan provided for in Requirement 5 would ensure the installation of badger fencing where necessary, to prevent badgers from entering the carriageway.
- 4.258 Breeding bird populations are ubiquitous throughout the affected landscape. The affected species and population densities vary according to habitat type and quality. Barn Owls are a particularly sensitive species due to their foraging habits and have been given specific consideration in the ornithology assessment within the ES. It is acknowledged that one known nesting/breeding site would be lost which would involve a potential short term reduction in breeding success. Other potential nesting sites along the route would be affected. However, specific provision would be made for the erection of ten nesting boxes parallel to the route at 2 km intervals, where there is suitable roosting and foraging habitat. The landscape scheme has been designed as far as possible to reduce the likelihood of mortality arising from collisions with vehicles, through the placing of profile mounds and planting to act as a barrier to low level flights across the carriageway. The main mitigation measure proposed for reducing impact on breeding birds is to carry out habitat clearance during the winter months when breeding bird activity can be ruled out. This would be secured through the implementation of the Construction Environment Management Plan (CEMP) under Requirement 18 of the draft DCO (AD – 136 [Norfolk County Council - Updated](#)

Construction Environment Management Plan (submitted 9 October) (NCC EX 82)).

- 4.259 The affected woodland habitat is acknowledged in the ES as supporting the largest and most diverse breeding bird populations. Loss of woodland habitat has been avoided as far as possible through careful route selection. The landscaping scheme has been designed with input from ornithologists who carried out the ES surveys. Specific habitat types and layouts have been included with the aim of maximising the value of proposed new woodland, scrub, hedgerow and grassland habitats. While the loss of mature trees can have an adverse impact on cavity nesting species, nesting boxes are to be provided and maintained until such time as new planting matures sufficiently for use by cavity nesting species. New tree planting is proposed in excess of the 6 to 1 ratio recommended by the Forestry Commission, and the species chosen will be mostly native and deciduous to reflect those found in the immediate locality. This would be secured through the DCO requirements, in particular Requirement 4 which requires that the development would be carried out in accordance with the approved plans, and Requirement 5 which ensures that development would accord with the Landscape and Ecological Management Plan provided for in Requirement 5
- 4.260 The proposed scheme also includes extensive mitigation in response to the potential indirect impacts on aquatic invertebrates at The Springs County Wildlife Site (CWS). The proposed measures include mitigation aimed at preventing silt run-off from construction site operations and monitoring of ground water and the water table during construction. These measures will ensure that suitable semi-aquatic vegetation would remain available to support populations of invertebrate species such as Desmoulins's whorl snail. These measures would be secured through the CEMP as part of Requirement 18 of the draft DCO. The operational drainage system has been designed to cater for very large storm events and to avoid any sudden increases in flows and attenuate the rate of ingress at current levels. Pollution containment features are also proposed that would improve the quality of storm water before being discharged to the Springs CWS. Terrestrial invertebrates would benefit from the careful design of the landscaping scheme and the selection of suitable species mixes, including the provision of grassland in accordance with the landscape and ecological management plan as would be secured by Requirement 5.
- 4.261 RR- 670 Patrick Barkham raised concerns regarding the proposed scheme's impact on butterflies living and breeding on land and trees which will be lost, in particular White-letter Hairstreaks and White Admirals, both of which he had observed on land to the north of Norwich. No specific locations were identified, and the relevant statutory consultees did not raise any concerns over possible effects on the habitat of these species being affected by

the route. The applicant has acknowledged the loss of mature trees associated with the proposed scheme, however, replacement planting is proposed at a ratio in excess of 6:1. One of the aims of the proposed new planting and landscaping is to diversify habitat along the route.

- 4.262 The ES identifies a significant adverse effect on Fakenham Road Roadside Nature Reserve (RNR). The site is important for hoary mullein. The whole of this small site would be lost to the scheme, although the valuable species of flora would have their seeds harvested in advance of construction, and the topsoil, including the topsoil-stored seed bank, would be stored for reinstatement on the new verge. A significant (moderate adverse) impact from the loss of 11 important hedgerows is also identified (Table 8.7 AD-046 [6.1 ES Volume 1 Part 1](#)). The lengths to be removed have been minimised as far as possible, and replacement hedgerows would be planted as part of the landscape scheme secured by Requirement 5 of the draft DCO.
- 4.263 While satisfied that the scheme would not harm the water environment or the relevant designated sites, the EA commented that further consideration should be given to opportunities to enhance the proposed drainage features to further encourage biodiversity. In particular it was suggested that the lining of drainage basins would allow some wetter areas to be retained to encourage species diversity. However it has been shown by the applicant that it would not be possible to line any of the proposed unlined infiltration ponds due to the capacity and drain down times. These ponds will be planted with grass and wildflower mixes, which should assist in providing a more diverse habitat, particularly on land that was previously used for agriculture. Where secondary lagoons are to be lined (i.e. at the Springs CWS) reeds will be planted to create wetland areas. The primary lined attenuation ponds are pollution control features, which it would be inappropriate to plant for habitat creation.

ExA's conclusions on biodiversity and natural environment

- 4.264 The ES identifies significant adverse effects during the construction phase on:
- Fakenham Road Roadside Nature Reserve (RNR)
 - Important hedgerows (under the Hedgerow Regulations 1997)
 - Bats, or more specifically directly affected roosts in buildings, directly affected roost in trees, and significant flight paths and areas of activity
 - Breeding bird species of both high and medium conservation value.
- 4.265 However, apart from the loss of mature hedgerows these effects would essentially be short term. The package of mitigation

measures that have been proposed includes extensive woodland planting, replacement hedgerows, green bridges, bat gantries, badger fencing and habitat creation for bats, GCN and other species. The topsoil and stored seed from the Fakenham Road RNR would be returned to site and used to re-establish the verge following construction under the provisions of the LEMP and CEMP. These mitigation measures would ensure that anticipated adverse effects associated with construction and during the initial operation of the proposed scheme would be minimised as far as possible to ensure that there would be no significant medium to long term adverse effect on biodiversity.

- 4.266 The measures would be secured through the requirements of the DCO referred to above and detailed in the NDR mitigation table D12-006 [Norfolk County Council - Responses to points made at Issue Specific Hearing 28 November \(NCC EX 107\)](#). Requirement 4 of the recommended DCO specifies compliance with the mitigation table. By Year 15 (design year), the proposed new planting and habitats would be fully established and complement the existing landscape and habitats. During the operational phase of the scheme, the only significant residual adverse effect would be for bats using the flight paths along Marriot's Way particularly in Year 1 (opening year). This effect would be progressively diminished as planting matures and the bats become habituated to the proposed green bridge and habitat provided. At Year 15 (design year) the anticipated effect would reduce to below significant levels. No other significant residual adverse effects are predicted. By Year 15 (design year), significant beneficial effects are predicted for terrestrial invertebrate habitats at The Springs CWS.
- 4.267 While many representations considered that the scheme would be harmful to wildlife and biodiversity, no specific evidence was put forward to challenge the conclusions of the ES in respect of biodiversity. While some unavoidable harm would arise during the construction phase, extensive mitigation measures are proposed, to be secured through the DCO requirements, which will ensure that there no significant residual adverse effects on biodiversity interests.
- 4.268 We conclude that the proposed scheme, including the extensive mitigation measures referred to above suitably avoids and reduces significant harm to biodiversity in accordance the approach to biodiversity set out in the NN NPS. It is also relevant to note that the mitigation measures have been designed in accordance with the NPPF advice, which aims to facilitate sustainable infrastructure provision, while minimising impacts on and where possible enhancing biodiversity. We also conclude that it would conform generally with policies ENV3, ENV5, ENV6, and ENV7 and CS12 of the Broadland District Local Plan 2006. In avoiding adverse impacts on European Sites and European Protected Species in the

area and beyond it would comply with this aspect of Policy 1 of the JCS.

Civil aviation interests

- 4.269 A number of IPs expressed concerns over the safety implications of routing the NDR so tightly round Norwich International Airport and some that, by severing a portion of airport land, future expansion might be inhibited. These matters were addressed in a Relevant Representation (RR-681 [Norwich Airport Limited](#)) and a Written Representation (D2-081 [Norwich International Airport](#)) from the airport undertaker.
- 4.270 In essence these representations were supportive of the DCO scheme as the NDR was seen as improving access to the airport and to the development of aviation-related businesses at and adjacent to the airport. However, 10 points that needed to be addressed to safeguard public safety and air navigation were highlighted. There was a follow up SoCG (SOG-009 [Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 5 \(NCC EX 06\)](#)) that indicated how the concerns had been or would be overcome, including through joint funding of replacement and relocated airport radar. Prior to the close of the Examination, the undertaker confirmed that all matters were satisfactorily resolved (see email appended to D10-014 [Norfolk County Council - Final Report on Compulsory Acquisition Issues \(NCC EX 92\)](#)). All the issues are fully detailed in section 6 of this report where CA of statutory undertakers is addressed.
- 4.271 As the statutory undertaker has been satisfied in respect of all their operational concerns and are generally supportive of the NDR, we conclude that the NDR scheme should be generally beneficial to civil aviation interests and that there are no matters relating to civil aviation would prevent the making of the Order .

Carbon emissions

- 4.272 At the time of the examination, the National Policy Statement for National Networks (NN NPS) was in draft form. It advised that while, considered in isolation, individual schemes may result in an increase in CO₂ emissions, the Government's overarching plan for reducing carbon emissions will ensure that any such increases do not compromise its overall CO₂ reduction commitments. Increases in carbon emissions should not therefore need to be considered by the ExA and the Secretary of State (paragraph 3.4).
- 4.273 The final version of the NN NPS was published after the examination closed, but will form part of the policy basis on which the Secretary of State makes the decision.
- 4.274 At paragraph 3.5 the draft NN NPS advises that the impact of road development on aggregate levels of emissions is likely to be very

small. Impacts of road development need to be seen against significant projected reductions in carbon emissions and improvements in air quality as a result of current and future policies to meet the Government's legally binding carbon budgets and the EU's air quality limit values. The annual CO₂ impacts from delivering a programme of investment on the strategic road network of the scale envisaged in 'Investing in Britain's Future' amount to well below 0.1% of average annual carbon emissions allowed in the fourth carbon budget.

- 4.275 The impact of carbon emissions is addressed by the applicant at ES section 5.3 (AD – 046 [6.1 ES Volume 1 Part 1](#)). The assessment follows guidance set out in the DMRB regional impacts assessment (HA207/07) and the WebTAG guidance (section 3.3.5). For operational phase effects, both documents specify that emissions from the scheme (the 'With Scheme' scenario) should be compared to the baseline (the 'Without Scheme' scenario) for each assessment year. A single development model has been considered in the creation of the traffic model underlying the scheme. This scenario is based on the Joint Core Strategy. Accordingly, the same regional growth assumptions underlie the 'With' and 'Without' scheme scenarios (paragraph 5.3.16).
- 4.276 The assessment data was subsequently revised by the applicant to take account of the publication of an updated version of Defra's Emission Factor Toolkit (EFT) in July 2014 (v6.0.1) and new data on greenhouse gas (GHG) emissions. The revised calculations showed that the total emissions both with and without the scheme in future years would be lower than those presented in the ES (D5-030 [Norfolk County Council – Comments on points raised at Open Floor Hearings \(including Appendices A – M\) \(NCC EX 45\)](#)).
- 4.277 At the ISH on September 16 2014, Councillor Andrew Boswell argued on behalf of Norwich Green Party (NGP) that the applicant had not properly evaluated the impact of carbon emissions, drawing attention to an expected change to the final version of the NN NPS to require an economic assessment that fully values the impact of carbon emissions (D7-010 [Norwich Green Party](#)). In his original WR, Councillor Boswell contended that absolute transport emissions across Norfolk would increase by 15.75% with the scheme, compared to a predicted 14.10% without the scheme (D2-066 [Norwich Green Party](#)). If this were to be repeated nationally, he expects a transport sector emission rise of 15% (equivalent to 3% of total emissions assuming that transport emissions represent about 1/5 of total emissions). He expresses a profound scepticism with the Government's claim that new road building nationally will only contribute 0.1% of annual average carbon emissions (D6-006 [Cllr Andrew Boswell on behalf of Norwich Green Party Section 5.1](#)).
- 4.278 The applicant produced revised carbon data following reworking with Emission Factor Toolkit (EFT) version 6.0.1 (D6 – 003 [Norfolk](#)

County Council (NCC EX 53), table at 9.4.3 on page 77). Using this data, Councillor Boswell calculated that carbon emissions across the Wider Network Area are predicted to rise by 6.17% with the NDR from the 2012 baseline to 2032. Within the Fully Modelled Area, the increase would be 1.66%, compared with a 2.91% decrease in the do-minimum scenario at 2032 (D9-008 Andrew Boswell on behalf of Norwich Green Party - Carbon). He drew attention to the divergence between increases in absolute transport carbon emissions resulting from the DCO scheme and recent downward national trends in carbon omissions. While acknowledging that the DCO scheme is not bound under the Climate Change Act 2008 to comply with national sectoral carbon trajectories, he considered that this would have a major impact on the value for money appraisal of the DCO scheme over the 60 year appraisal period. In consequence, the scheme would not offer value for money, but would backload significant environmental and economic pressures onto future generations.

- 4.279 In his evidence Councillor Boswell sought to demonstrate that future carbon abatement costs of the NDR scheme would be very significant, and have not been properly accounted for by the applicant. He proposed that the financial evaluation of the scheme should include an assessment of the future costs of abatement and mitigation, either as carbon reductions elsewhere or in financial abatement costs under international treaties. Using the applicant's data the cost was calculated to be some £2.27 billion to 2076, which would produce a negative cost-benefit ratio for the scheme of some -7.95 (paragraph 23 D7-010 Norwich Green Party). On the same basis, the costs of the applicant's 'Do Minimum' scenario would be some £2.22 billion to 2076, producing a negative CBR of -7.7 (paragraph 24, D7-010 Norwich Green Party).
- 4.280 NGP also presented an alternative BCR calculation to that set out in the ES, identifying a cost of £52.7 million associated with GHG emissions (paragraph 28, D5-010 Norwich Green Party). While not accepting the relevance of the point, the applicant attributes this difference to the use of a link based approach in the ES, as opposed to a journey based approach used in the TUBA. We are satisfied that the link based approach used in the ES assessment is the appropriate method which follows the guidance set out in DMRB HA 207/07. In any event the TUBA calculation was included in the economic appraisal, following the WebTAG Guidance. Using the revised data presented in D5-030 Norfolk County Council – Comments on points raised at Open Floor Hearings (including Appendices A – M) (NCC EX 45), the applicant calculates the dis-benefit arising from GHG at £42.6 million (D6 – 020 Norfolk County Council – Addendum to ExA's Second Written Questions (Late submission – 12 September 2014) (NCC EX 62)).
- 4.281 The case on value for money, which has been eloquently advanced by Councillor Boswell on behalf of the NGP, seeks to refute the

applicant's benefit cost ratio claims for the scheme. It forms part of a wider objection to the growth strategy of the adopted JCS and promotes the evaluation of the scheme against an alternative solution based on a 'Plan B package' of integrated transport measures, including public transport, complementary measures and modest road building based on linking up proposed developer roads to the north-east of Norwich. We have addressed these objections elsewhere in this report, concluding that it is not our role to revisit the approved JCS development strategy. Much of the predicted increase in carbon emissions is a consequence of traffic growth resulting from the adopted development strategy.

- 4.282 There is nothing in the draft NN NPS which supports the approach advocated by Councillor Boswell, which would attribute the full cost of mitigation and abatement over 60 years as a financial dis-benefit in assessing value for money. There is no requirement to evaluate the carbon impacts of the scheme against the alternatives considered at the Examination stage. The draft NN NPS advises that impacts of road development need to be seen against significant projected reductions in carbon emissions and improvements in air quality as a result of current and future policies to meet legally binding carbon budgets and air quality limit values. Such measures include decarbonisation in other sectors, and in the transport sector take into account predicted fuel efficiency improvements, use of biofuels, demand reduction and the wider use of ultra-low emission vehicles (ULEV).
- 4.283 We note the NGP scepticism about the Government's assessment of the carbon impact of investment in road schemes, and the delivery of Climate Change 2008 Act targets (paragraph 65, D8 – 009 Andrew Boswell on behalf of Norwich Green Party). We acknowledge that the scheme will lead to an immediate and on-going increase in carbon emissions as compared with the 'Do-Minimum' scenario, though these may be mitigated in future by efficiency improvements promoted in future carbon budget rounds. However, it is not the Government's policy that individual schemes should be refused on the basis of increased carbon emissions, unless they would be so significant as to jeopardise the wider policy imperative to reduce national carbon emissions over time. We conclude that assessment of carbon effects carried out by the applicant in the ES and through the Examination process provides a satisfactory basis for the Secretary of State to determine the DCO application, which accords with the draft NN NPS guidance. The evidence does not show that the impact of the scheme will, in isolation, affect the ability of the Government to meet its carbon reduction targets, nor the fulfilment of the overarching national carbon reduction strategy.

Common law nuisance and statutory nuisance

- 4.284 The issue of potential common law nuisance and statutory nuisance arises because s158 PA 2008 provides a general defence

to action in respect of statutory nuisance. This is incorporated in Article 40 of the final draft DCO.

- 4.285 Andrew Cawdron found it difficult to understand how a DCO can include such a far reaching statement which removes a legal right. He questioned whether this would effectively allow any level of traffic generated noise (or other nuisance) as acceptable, and that the applicant is not responsible and cannot be actioned against (D10-001 [Andrew Cawdron](#)).
- 4.286 The applicant responded that Article 40 is in accordance with section 158 of the 2008 Act and points out that section 152 of the 2008 Act provides for compensation in cases where a person's land is injuriously affected by the invocation of the s158 defence (page 40, D10-013 [Norfolk County Council - Responses to comments made by IP's \(NCC EX 91\)](#)).
- 4.287 The issue is addressed as required by Regulation 5(2)(f) of Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 in a statement relating to statutory nuisance. This concludes that nuisance is only potentially likely to arise as a result of dust, light or noise. The last would be limited as road traffic noise is excluded and so it would only arise from construction activities or vehicles.
- 4.288 The draft NN NPS advises that it is very important that possible sources of nuisance under section 79 (1) of the Environmental Protection Act 1990 and how they might be mitigated or limited are considered by the examining authority so appropriate requirements can be recommended for inclusion within the DCO.
- 4.289 Risks arising during construction can be controlled or mitigated under the proposed Construction Environment Management Plan (CEMP) that would be secured via Requirement 18 of the recommended draft DCO.
- 4.290 No potential for nuisance arising from dust or light during operation has been identified. With regard to operational noise, while the section 158 defence applies, Requirement 21 would ensure that a written scheme detailing operational noise management and attenuation measures, and their on-going maintenance is submitted and approved in consultation with District Councils. These measures must be implemented and thereafter operated in accordance with the approved scheme. The noise assessment in the ES identifies only 2 properties that would qualify for sound insulation where the predicted traffic noise is found to satisfy the criteria for sound insulation in accordance with the Noise Insulation Regulations 1975 (i.e. a design year level of >68 DB and an increase of at least 1 dB).
- 4.291 Accordingly, we are satisfied that all these potential risks of nuisance have been properly considered and addressed in the

preparation of the draft DCO and in the ES, and that appropriate requirements have been included.

Flood risk

- 4.292 Many IPs (for example RR-013 Lynda Edwards and RR - 025 Norman Lester Castleton) raised concerns about the potential for the scheme to increase flooding and pollution of watercourses. These concerns were often associated with concern over levels of development proposed in the JCS.
- 4.293 The draft NN NPS advises that where flood risk is a factor in determining an application the SoS should be satisfied that flood risk will not be increased elsewhere.
- 4.294 The DCO scheme is located in Flood Zone 1 in its entirety, so is not at risk from fluvial or tidal flooding (D5-039 Environment Agency). Accordingly the sequential test set out in Paragraph 5.97 of the draft NN NPS is satisfied. The Flood Risk Assessment (FRA) has shown that no residential or commercial buildings would be at risk of flooding in either operational or blockage scenarios. In its original RR, the EA identified a residual risk associated with overland flows impacting on third parties in a situation where a culvert were to be completely blocked in catchment area OL 12 (RR-837 Environment Agency). A draft addendum to the ES Flood Risk Assessment (FRA) was produced in which the applicant provided further information requested by the EA on flood depths (Subsequently published on 21 July 2014 as AD-116 Addendum to the Environmental Statement Flood Risk Assessment (NCC EX 43)). While there remains some potential for flooding of agricultural land, the remaining residual risk is slight would not affect any sensitive receptors.
- 4.295 The EA also identified a potential issue with lagoons 13, 18a, 23, 24 and 25, where the proposed half drain down times exceeded the 24 hours recommended by the SuDS Manual (CIRIA C697, 2007). The applicant put forward alternative options in order to resolve the issue of poor infiltration rates and long drain down times in a draft addendum to the FRA which enabled the EA to confirm that the revised approach would appropriately improve the performance of these basins, subject to a review of the full basin drainage calculations, and the amended designs and plans being included in the final iteration of the draft DCO. The information requested was provided in AD-116 Addendum to the Environmental Statement Flood Risk Assessment (NCC EX 43). The EA subsequently confirmed that they are now satisfied on this point (D6-007 Environment Agency).
- 4.296 The EA confirmed that it is satisfied with the proposed drainage arrangements, subject to the finalisation of detailed design for which provision is made in the relevant requirements. Requirement 4 would ensure that the development is constructed

in accordance with the approved plans, including those for outline drainage works and drainage and surface water management. An amended plan showing two filter drains proposed to be added ahead of lagoon 18 Ref. RIC093-R1-5080 Rev B has been substituted for the original (Rev A) as requested by the EA ([AD-149 Norfolk County Council - Corrections to Draft DCO Submitted on 20 November 2014 and Updated Version of One Sheet of the Outline Drainage Works Plan \(NCC EX 101\)](#)). Requirement 24 (Surface Water Drainage) requires the development to be constructed in accordance with a detailed surface water drainage strategy to be submitted and approved prior to commencement, on which further consultation with the EA will be required. Access for maintenance of the proposed Sustainable Urban Drainage System (SuDS) would be secured the Compulsory Acquisition provisions of the DCO.

- 4.297 There was fruitful dialogue between the parties during the course of the examination to reach agreement on outstanding issues of detail. We are satisfied that the design of the scheme, including the extensive mitigation measures proposed, will ensure that the scheme will not give rise to any significant flood risk and accords with the approach to flood risk set out in the draft NNPS.

Water Quality and Resources

- 4.298 With regard to the protection of groundwater and surface waters the EA was satisfied in principle that the mitigation measures proposed during the construction phase would prevent any adverse impact on water resources, subject to the provision of further detail in the Construction and Environment Management Plan (CEMP) (RR-837 [Environment Agency](#), D2-085 [Environment Agency](#)). The Applicant subsequently provided further detail in the form of the NDR Mitigation Table (AD-135 [Norfolk County Council - Mitigation Table Report \(submitted 9 October\) \(NCC EX 81\)](#)) and Updated CEMP (AD-136 [Norfolk County Council - Updated Construction Environment Management Plan \(submitted 9 October\) \(NCC EX 82\)](#)). The EA welcomed the submission of the Mitigation Table and confirmed that construction phase mitigation in the revised CEMP is satisfactory (D9-028 [Environment Agency](#)).
- 4.299 These measures would be secured by Requirement 14, which addresses the safeguarding of watercourses and drainage during the construction phase and requires further consultation with the EA on matters of detail before construction commences. Requirement 18 ('Construction Environment Management Plan') would ensure that NE and EA are consulted on the final version of the CEMP.
- 4.300 In the operational phase, the scheme will discharge run-off to groundwater which is described within the ES as having high vulnerability for the majority of the route, and to surface water of high conservation value (The Springs County Wildlife Site). The

scheme proposes the use of a sustainable urban drainage scheme (SuDS) to manage surface water run-off through a series of attenuation ponds. Requirement 24 addresses surface water drainage. The EA initially raised concerns about the use of two-stage rather than three stage treatment, and requested the inclusion of a further treatment stage (RR-837 [Environment Agency](#)) However, following receipt of further information from the applicant, including an updated Groundwater Risk assessment and information on the hydro geological setting of the route, the EA were able to confirm that they were satisfied that the proposed drainage system would be acceptable in terms of affording protection to groundwater resources (D9- 028 [Environment Agency](#)).

4.301 Potential impacts on The River Wensum SAC are addressed in the Biodiversity section above where we conclude that the DCO scheme will have no significant effect on the SAC.

4.302 Accordingly, we are satisfied that the scheme provides satisfactory protection for Water Quality and Resources.

Waste Management, Pollution control and other environmental regulatory regimes

4.303 With regard to waste management, the EA commented that as the scheme is located over areas of sand and gravel, a cut and fill policy is proposed, which would reduce the waste and maximise the use of materials within the schemes footprint (RR-837 [Environment Agency](#)). Uncontaminated spoil and other naturally occurring material excavated in the course of construction activity is excluded from the Waste Framework Directive if it is used in its natural state in the course of construction, and will not require an Environmental Permit (EP). Any treatment of such material prior to use would however require an EP, and if it is to take place at varying locations along the route, a mobile plant licence may be more appropriate. The applicant would need to ensure that they comply with the EP Regulations as the scheme progresses. There is no reason to believe that any relevant operational pollution control permits or licences, if required, would not be granted.

4.304 Requirements 17 and 19 require the submission and approval of final versions of the Site Waste Management Plan (SWMP) and CEMP prior to the commencement of works, in consultation with the EA (RR-837 [Environment Agency](#)).

4.305 The EA welcomed provisions within the draft CEMP for dealing with unsuspected contamination during construction. They sought an amendment to draft Requirement 7 to ensure that remediation would be sufficient to protect water resources. The requirement was amended during the course of the examination as requested by the EA.

- 4.306 The scheme has been designed with primary lined ponds capable of isolating polluting material following a spillage.
- 4.307 Air Quality Impacts are dealt with above where we have concluded that the scheme will not give rise to any exceedences of Air Quality Limits.
- 4.308 We therefore conclude that the scheme will comply with the approach to waste management, pollution control and other environmental regulatory regimes set out in the draft NN NPS.

Heritage

Policy context

- 4.309 The draft NN NPS requires that the SoS should consider impacts on heritage assets, whether designated or not. Impacts on non-designated assets should be assessed on the basis of clear evidence that the assets have a significance that merits consideration in the process, even though they are of lesser value than designated heritage assets. An understanding of the significance of heritage assets should be used to avoid or minimise conflict between their conservation and any aspect of the proposal. When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation.
- 4.310 Policy GS3(i) of the Broadland District Local Plan (Replacement) May 2006 resists development that would have unacceptable effects on the historic environment. Policy ENV8 refers to defined areas of landscape value. Development will only be permitted where this is not detrimental to the character, scenic quality or visual benefit of the area. Policy ENV10 promotes the restoration and maintenance of historic parkland landscapes and historic gardens. Policy ENV14 resists development which would detract from the setting of a listed building. Policy ENV16 aims to protect and enhance the character and appearance of conservation areas.
- 4.311 Policy 1 of the JCS seeks to ensure that the built environment, heritage assets and the wider historic environment will be conserved and enhanced through the protection of buildings and structures which contribute to their surroundings, the protection of their settings, the encouragement of high-quality maintenance and repair and the enhancement of public spaces. Policy 2 requires that development proposals will respect local distinctiveness including the landscape character and historic environment, taking account of conservation area appraisals and including the wider countryside and Broads area.

Heritage assets

- 4.312 There are two Scheduled Ancient Monuments within a 1 km buffer of the route, Horsford Castle and St. Faith's Priory (para 6.5.5 AD-046 6.1 ES Volume 1 Part 1). Both lie on the edge of the 1 km study area applied within the ES. The ES also identifies a number of sites with archaeological potential within 300 metres of the route in accordance with the methodology recommended in DMRB.
- 4.313 The ES reports that at the western end of the route there are relatively few historic buildings in the study area. Moving eastwards, the route skirts around the south of the historic areas of Horsham St Faith, which include a number of listed buildings. From Spixworth eastwards there are various historic buildings associated with the historic parklands, including gates, bridges and lodges, as well as various home farms belonging to the estates. To the south of Rackheath Park, the route skirts around an historic former green in Plumstead, through a number of historic farmsteads towards Postwick.
- 4.314 There are 52 listed buildings within the study area. This includes four grade I and grade II* listed churches. There is a group of 17 listed buildings in and around the village of Horsham St Faith which lies just outside the 300m buffer zone.
- 4.315 A relatively small number of listed buildings lie within 300 m of the route: a cluster of four grade II listed buildings in the village of Horsford, South Lodge Cottage, a bridge near Rackheath Hall, and Rackheath Hall itself.
- 4.316 There are two conservation areas within 1km of the route. The Horsham St. Faith conservation area lies some 400m from the DCO boundary. Its significance lies in its historical association with a Benedictine priory which still stands on the west side. Thorpe End Garden Village Conservation Area lies some 300 m to the east of the route. It is a planned settlement which dates from the 1930s, characterised by wide verges, chestnut trees and the village green.
- 4.317 Construction of the road will result in the loss of some unlisted farm buildings of historic interest and World War II buildings in Rackheath Park.

Historic parklands

- 4.318 The route would pass through two areas of historic parkland at Beeston St Andrew and Rackheath.

Beeston St Andrew

- 4.319 The applicant's ES states that Beeston St Andrew probably dates from the 17th Century. The curtain walls to the north of the present house are considered to date from this period. An estate

map of 1722 depicts an earlier house and park of geometric design. By the early 19th century the park has been radically remodelled and the straight lines replaced by rounded clumps and curving paths. The current Beeston Hall, together with lodges and cottages, date from the end of the 19th Century.

- 4.320 In general the park has not altered its basic form since the early 19th century. Significant plantation belts survive to contribute to the well wooded appearance of this area. The parkland to the south of the Hall is in better condition, with part used for grazing and better survival of mature standard trees. The northern half of the park, through which the route would pass, has lost its standard trees and clumps of trees, along with part of the north-eastern boundary, and much has been ploughed.
- 4.321 The parkland is undesignated but is identified under policy ENV10 of the Broadland District Local Plan (Historic Parklands). The Hall itself is unlisted but the curtain walls flanking the southern façade of the hall are grade II listed.
- 4.322 Beeston Park will be severely affected by severance. The northern third of the park, and the long carriage drive will be severed. At the ISH on 17 September 2014 Mr Birch confirmed that, while the owner of the park originally considered that the impact of the route would be very intrusive, there was a productive dialogue between applicant and owner over mitigation proposals. The mitigation scheme of landscaping and planting now proposed considerably reduces the impact of the road, so that the landowner's earlier concern was overcome. The visual impact of the road would be mitigated by the grading of the land towards a false cutting, having the effect of a large-scale ha-ha. New planting would take the form of clumps of specimen trees to reinforce the parkland effect. Further east (towards Beeston Lane), a combination of mounding and dense planting would be provided to screen the route from the estate cottages and the church. The landscape proposals are shown in drawings MMD-233906-DT-0873 Rev 1 and MMD-233906-DT-0878 Rev 1. The landscaping would be secured through Requirement 4 of the final draft DCO which ensures that the road will be constructed in accordance with the approved plans, and Requirement 5 which provides for a landscape and ecological management plan to be approved prior to commencement, and then implemented.

Rackheath Park

- 4.323 The park forms the setting for the square brick Italianate Rackheath Hall, listed Grade II. The parkland is incised by a minor tributary of the River Bure, which creates areas of striking landform. An earlier deer park was altered by the creation of a landscape park during the 18th century. A World War II airfield was established on a site adjacent to the park in 1943/44, with accommodation blocks in the park woodland. The hall has been

subdivided into apartments along with adjacent new residential dwellings.

- 4.324 A number of mature trees have been retained in the western part of the park where the main approach to the hall is located and the grazed landscape retains some of its parkland appearance. Plantation woodland also remains within the site. The ES states that changes in use and fragmentation of ownership since the sale of the park in 1949 appear to have impacted on its condition (paragraph 6.5.52 AD-046 [6.1 ES Volume 1 Part 1](#)). This was apparent from our accompanied site visit on 23 July 2014. The eastern side towards Green Lane is in mixed and multiple ownership, and includes a variety of uses such as scaffold storage, plant nursery, car repairs and residential. The parkland is undesignated, but is covered by LP policy ENV10 (Historic Parklands). The hall, entrance gates and a bridge are all individually grade II listed.
- 4.325 The ES reports that Rackheath Park will experience severance though to a lesser extent than at Beeston as the line of the road is broadly parallel with the eastern boundary of the park and is mostly screened by the landform from the intact parkland area. Mounding and screen planting is proposed which would help to assimilate the new road into the landscape and provide screening for affected properties (paragraph 6.6.21 AD-046 [6.16.1 ES Volume 1 Part 1](#)). A comprehensive photographic record of the affected parklands will be taken.
- 4.326 The landscape proposals for Rackheath are shown in drawings MMD-233906-DT-0874 Rev 1 and MMD-233906-DT-0875 Rev 1. The setting of Rackheath Hall and Park will be protected by the retention of extensive woodland vegetation between the scheme and the Hall. The scheme will be located in shallow cutting as it passes through Rackheath Park. New woodland planting is proposed on the cutting slopes to create further screening (paragraph 6.2.12 D6-003 [Norfolk County Council \(NCC EX 53\)](#)). The landscaping would be secured through Requirement 4 of the final draft DCO which ensures that the road will be constructed in accordance with the approved plans, and Requirement 5 which provides for a landscape and ecological management plan to be approved prior to commencement, and then implemented.

Archaeology

- 4.327 The ES reports that much of the land which will be directly affected by the route is open agricultural land, where geophysical survey and trial trenching has proven the survival of archaeological remains. The entire route lies within a landscape that appears to have been utilised from the prehistoric period with background material commonly including prehistoric flint and medieval finds. Archaeological mitigation is proposed, which will

include additional evaluation trenches to enable more dating evidence to be recovered to inform the assessment of significance. Draft DCO Requirement 15 would ensure that a written scheme of investigation must be approved prior to works commencing with provision for further investigation to be carried out in the event of any previously unidentified finds.

Mitigation

- 4.328 The design of the DCO scheme includes an extensive package of heritage mitigation measures including works to reduce impacts such as hedgerow and tree planting along the route, areas of woodland planting, creation of bunds to provide screening and reduce road noise, and in some cases grading of the back of bunds to promote return to agriculture and landscape integration.
- 4.329 The unlisted historic buildings which will be lost will be recorded and all historic fabric recovered from the site for re-use.

ExA's conclusions on heritage

- 4.330 The Joint LIR concludes as follows on heritage matters: "Whilst there will undoubtedly be impacts on the above mentioned listed buildings and conservation areas, it has to be accepted that these impacts will be difficult to mitigate. By their nature the listed buildings and conservation areas in question are fixed and part of the Broadland landscape. Clearly there is not the option to move them and as such the NDR will be in close proximity to them. Therefore there needs to be every best effort to limit the impact of the NDR on these cultural assets. Following the lead from English Heritage (as set out in the consultation response), it is agreed that the mitigation proposed in the ES (including potential effects of noise, vibration and lighting as well as visual impacts) appears appropriate and acceptable." (LIR-001 Local Impact Report by Broadland District Council, Broads Authority, Norfolk County Council, Norwich City Council and South Norfolk Council paragraph 7.1).
- 4.331 As far as possible, the chosen route minimises potential impacts on heritage assets. In some cases, other considerations have influenced the choice of route, including the need to limit noise, visual and other impacts on dwellings and settlements. A good example is where the route passes through Beeston and Rackheath Parks. Choice of a route further north, which might have reduced the impact on the parkland, would have increased the impact on a greater number of dwellings.
- 4.332 The construction of the route will inevitably involve disturbance and in some cases losses of archaeological resource. While the large number of prehistoric sites identified along the route cannot effectively be avoided, no archaeological remains of high value have been located within the DCO boundary. The ES concludes

that there are no scheduled monuments or undesignated remains of equal value that are likely to be affected by the scheme. Accordingly the NPPF and the relevant LP policies do not require preservation in situ. Draft Requirement 15 provides for a mitigation strategy for recording below ground archaeological deposits to be put in place.

- 4.333 With regard to listed buildings there will be no direct physical impacts on any listed building identified. A very limited number lie within 300 m of the proposed route, where the significance of adverse effects is assessed as slight to moderate. In the majority of cases the ES assesses the significance of construction and operational effects as neutral or slight (Table 6.10, AD-046 6.1 ES Volume 1 Part 1). In a small number of cases, generally those buildings closest to the route, the effects are assessed as moderate adverse significance. The adverse impacts may include, noise, dust, and air quality and visual impacts. Those located further away would benefit from the greater separation. At Rackheath Park, the setting of listed buildings would be protected by existing established planting.
- 4.334 For the non-designated World War II buildings that will be demolished in Rackheath Park, the significance of the effects is assessed in the ES as moderate, due to the low value of the asset. For all other affected non-designated historic buildings, the significance of impact is assessed as light or neutral.
- 4.335 The ES acknowledges that mitigation in respect of the severance impact of historic parkland is problematic. The historic parklands are likely to experience a significant and on-going reduction in tranquillity levels. However we note that none of the parklands affected are included in the English Heritage register of historic parkland. The adverse effects on the identified historic parklands at Beeston St Andrew and Rackheath would involve conflict with Policies ENV8 and ENV10 of the LP and with Policies 1 and 2 of the JCS, insofar as there would be some harm to the wider historic environment and the distinctiveness of the landscape character and historic environment. However we agree with the ES that the significance of the impact on Beeston and Rackheath Parks when the road is built and in use would be moderate adverse (Table 6.13, AD-046 6.1 ES Volume 1 Part 1).
- 4.336 The ES acknowledges that severance is difficult to mitigate as key relationships are lost. The landscaping proposals described above are expected to provide a degree of compensation, but cannot be regarded as removing the adverse impact.
- 4.337 With regard to the effect on Horsham St Faith CA, the majority of the CA will be screened from the scheme by residential properties with the exception of parts of the south east boundary of the CA. Mitigation proposed includes a bund along the northern side of the scheme which will reduce the visual impact of the setting of the

scheme when in operation. Woodland planting enclosing the airport roundabout would also screen the scheme to the east of the CA. Having regard to the distance between the CA and the scheme and the proposed mitigation, we concur with the ES assessment that the scheme's impact on the CA would be no more than slight adverse during both construction and operation (Response to Question 5.4, D4-001 Norfolk County Council (letter and response) (NCC EX 05)).

- 4.338 Turning to the impact of the road on Thorpe End CA, the applicant has identified a moderate adverse significance of effect on the CA prior to mitigation, due to the effect of noise. Mitigation, in the form of woodland creation along the northern side of Middle Road and on the western side of the scheme, will however help to screen the new road and associated traffic from the CA once the planting is sufficiently matured. Noise bunding is also proposed at this location which will reduce the impact of traffic noise when the scheme is operational. Having regard to the route alignment, design and proposed mitigation we agree with the applicant's assessment that impact upon the setting of the CA will be no more than slight adverse (Response to Question 5.4, D4-001 Norfolk County Council (letter and response) (NCC EX 05)). With regard to the off-line works within the CA these would consist of a new footway along the northern side of Plumstead Road and a new mini-roundabout at the junction between Plumstead Road and Broadland Drive. The applicant has stated that the footway will be designed in accordance with the Council's usual approach to highway design within CAs, with retention of grass verges, reduced width and bonded gravel surfacing. We do not consider that these works are likely to have any significant effect on the character and appearance of the CA once the work is complete due to their sensitive design, limited extent and confinement within the existing road corridor (Response to Question 5.4, D4-001 Norfolk County Council (letter and response) (NCC EX 05)).
- 4.339 No specific evidence has been put forward to challenge the assessments of the significance of impacts in the ES. Insofar as they involve the application of judgment, we conclude that the judgments made are reasonable, and fairly reflect the likely significant impacts of the scheme. On this basis we conclude, having regard to the draft NN NPS, (which in turn reflects the provisions of the National Planning Policy Framework), that the identified harm to individual heritage assets affected, including un-designated assets, would be less than substantial. For the great majority of the identified assets, the significance of impact would be neutral or slight. Where moderate adverse impacts have been identified, these fall to be weighed against the public benefits of the scheme. We address the overall balance at the end of this section.

Land use

- 4.340 The majority of the land the NDR passes over is farmland under intensive arable production, with smaller areas of permanent pasture, poultry rearing, horse paddocks and woodland (see AD-047 [6.1 ES Volume 1 Part 2](#)). Of the total land used for the DCO scheme, some 354 ha in the initial application, 168 ha is grade 2²¹ agricultural land and 114 ha grade 3a with only approaching 47 ha grade 3b and about 25 ha non-agricultural land. Part of the land used would only be used temporarily with the permanent land-take being around 143 ha grade 2 agricultural land, 100 ha grade 3a, 44 ha grade 3b and 21 ha non-agricultural - a total of around 308 ha.
- 4.341 Both the NPPF and the draft NN NPS draw attention to the economic benefits of the best and most versatile agricultural land (which is defined as Grades 1-3a) and encourage development on poorer quality land wherever possible, though the NN NPS does recognise that constraints apply to the locations of linear infrastructure. Saved Policy ENV21 of the Broadland District Local Plan is more explicit requiring special justification for development of such land (see LIR-001 [Local Impact Report by Broadland District Council, Broads Authority, Norfolk County Council, Norwich City Council and South Norfolk Council](#)).
- 4.342 The applicant points out that as best and most versatile land is the predominant land type in the area through which the route of the NDR must pass, it is not possible to avoid use of such land although the route had been devised to use the lowest category possible. While noting the caveat in the NN NPS concerning linear infrastructure and that the LIR from the local planning authorities including Broadland District Council is supportive of the NDR, we must conclude along with the ES that the loss of agricultural land as a national resource is a major adverse effect of the DCO scheme of some significance. This has to be weighed in the overall balance.
- 4.343 This is a point picked up by many IPs who are opposed to the provision of the NDR. It is also particularly argued by a number of farming enterprises that experience loss of land from their holdings and issues of severance (e.g. RR-1132 [R G Carter Farms Limited](#) or RR-635 [Drayton Farms Limited](#)).
- 4.344 Some 66 agricultural holdings are considered to be affected whose size ranges from 0.52 ha to 2,063 ha. The agricultural impact assessment is set out in AD-084 [6.2.13 ES Volume 2 - Community and Private Assets Part 1](#)). Because of the varying size of the holdings and varying land-take, the implications for individual holdings inevitably vary. However, having regard to mitigation

²¹ ALC land grade.

proposed and the availability of compensation, the ES assessment is that there would be no more than minor adverse impacts on 40 farm businesses, negligible impact on 22 farms and beneficial impacts on 4 farms. No farms were expected to experience major or moderate adverse impacts. Consequently, the overall effect on farm viability was not assessed as significant.

- 4.345 We saw no evidence that would lead us to a different conclusion. The effect on holdings that are subject to CA is considered in detail in section 6.
- 4.346 With regard to other land-uses affected, the minor land-take from residential, business or other land-uses is considered in section 6 and the effect on highways elsewhere in this section.
- 4.347 With regard to the effect on open space and related special category land, a remarkably small extent of such land is affected.
- 4.348 At Marriott's Way recreational path, some 1,246 square metres of land designated as open space would be permanently taken for the NDR, but replacement land of some 1,987 square metres would be provided in the new bridge and its approaches over the NDR that would maintain continuity of the path.
- 4.349 In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant draws attention to the strong support of the owner of the public open space, Broadland District Council, as evidenced in the SoCG agreed with the JCS authorities (SOG-002 Statement of Common Ground between Norfolk County Council and Local Authorities (NCC EX 06)).
- 4.350 Appended to D12-002 Norfolk County Council - Update on Compulsory Acquisition Issues following CA Hearing of 28 November 2014 (NCC EX 102), an email dated 2 December 2014 confirms that Broadland District Council accepts the replacement plots for the CA proposed with the applicant having responsibility for maintenance of the new bridge and its approaches.
- 4.351 While the detailed issues concerning the CA are addressed in section 6 and the implications of the alterations to the recreational path on NMU users are considered elsewhere in this section, we are satisfied that this minor use and full replacement of public open space is consistent with the assessment principles in the draft NN NPS.
- 4.352 While the draft NN NPS does not explicitly refer to allotments and following one of the minor revisions, the 298 square metres to be taken from the Plumstead Fuel Allotments to create a turning head for Broad Lane would not be replaced, we are satisfied that this can be justified. The detailed consideration of this plot is set out in section 6.

Landscape and visual impacts

- 4.353 The DCO scheme will, if constructed, represent a significant intervention in the landscape through which it passes, much of which is currently rural in character. A large number of IPs, including Great and Little Plumstead Parish Council (D2 – 105 [Great and Little Plumstead Parish Council](#)), The Open Spaces Society (RR-012 [The Open Spaces Society](#)) and many individual IPs (for example RR-068 [Lindsey Bilston](#), D5-017 [Barbara Staffa](#)) and RR-169 [Anthony Lee](#)) consider that the scheme would cause serious harm to the landscape and countryside of this part of Norfolk, and the setting of Norwich as a relatively compact city surrounded by countryside. Many objectors to the scheme also object to the growth proposals contained in the adopted JCS, which are seen as intimately connected with the NDR proposal. The relationship between the two is dealt with elsewhere in our report. This section concentrates on the landscape and visual impacts of the NDR scheme itself.
- 4.354 The Applicant has carried out a detailed landscape assessment which is set out in Chapter 7 of the ES (AD-046 [6.1 ES Volume 1 Part 1](#)). The assessment follows the guidance given in DMRB for the assessment of trunk roads. Although the NDR would not be a trunk road, if built it would nevertheless constitute a substantial road scheme and as such the advice in DMRB is considered appropriate. The assessment has also been conducted having regard to the 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA) published by the Institute of Environmental Assessment and the Landscape Institute (third edition, 2013) and 'Landscape Character Assessment Guidance for England and Scotland' 2002 (LCAG).

Existing landscape character

- 4.355 Having regard to the character of the landscape a 'Zone of Visual Influence' was taken as being a band extending up to 1 km either side of the NDR, representing the distance beyond which views of the road are unlikely to be significant. For the assessment of landscape character, a wider study area has been defined to set the scheme in context.
- 4.356 With the exception of Norwich Airport the route lies in Broadland District. There are no nationally designated areas within the study area which relate to landscape, although there are two areas identified as 'Areas of Landscape Value' in the Broadland Local Plan (Replacement, adopted 2006), at Beeston Park and Rackheath Park. The closest part of the Broads Authority Area to the route lies to the south of Postwick where it follows the flood plain of the river Yare. To the north the closest part of the boundary lies 1.5 km north of the Springs at Rackheath. Due to a combination of distance, intervening vegetation, undulating topography and the semi urbanised character of the area around

Postwick Junction the scheme will not have any significant visual effect on the landscape of the area covered by the Broads Authority (paragraph 7.3.8 AD-046 [6.1 ES Volume 1 Part 1](#)).

- 4.357 Catton Park is a registered park and garden which lies some 2 km to the south of the route, within the northern suburbs of Norwich. Intervening housing developments and vegetation mean that the scheme will not have any significant effect on the landscape of Catton Park (paragraph 7.3.9 AD-046 [6.1 ES Volume 1 Part 1](#)).
- 4.358 The route lies predominantly to the north and east of the urban area of Norwich, close to the urban fringes which typically consist of relatively modern residential suburbs. Away from the urban area the surrounding villages are generally historic in character, many having ancient churches and historic buildings and a distinct sense of place associated with their setting in the landscape. Many of these settlements have, however, been expanded considerably since the 1930s.
- 4.359 The character of the landscape is described in detail in Chapter 7 of the ES (AD-046 [6.1 ES Volume 1 Part 1](#)). At the western end of the route corridor, commencing at the A1067, the land is undulating and blocks of deciduous woodland dominate the view. Moving eastwards, towards Thorpe Marriott, a flatter topography predominates, with large coniferous plantations providing a degree of enclosure. The landscape then becomes more open with fewer established features towards the A140 (Cromer Road).
- 4.360 The airport occupies a flat plateau of land surrounded by open arable land which is largely devoid of significant landscape features. To the north of the airport, but largely screened by a low ridge, lies the village of Horsham St Faith.
- 4.361 East of the airport, the landscape character becomes more enclosed as it passes through a wooded landscape characterised by large parklands, notably Beeston Park and Rackheath Hall. Beyond Rackheath, the character begins to change further, with a higher degree of woodland and a more undulating landform. The eastern end of the corridor is characterised by flatter topography and a much more open landscape of arable farmland. The route terminates at the A47 in the vicinity of Broadland Business Park where the landscape becomes more urban in character.

Mitigation

- 4.362 The design of the scheme incorporates extensive mitigation proposals which aim to integrate the road into the surrounding landscape as far as possible. Where possible, the route has been aligned to retain existing features or vegetation. The vertical alignment has been lowered where possible to reduce the landscape and visual intrusion where possible, subject to engineering considerations.

4.363 A large part of the route would be screened either wholly or in part by mounding and grading out of side slopes, together with tree and hedgerow planting to link with existing vegetation. New planting would be in excess of the 6 to 1 replacement ratio recommended by the Forestry Commission (paragraph 7.5.2 AD-046 6.1 ES Volume 1 Part 1), mostly of native and deciduous species reflecting those found in the locality. It is acknowledged that mitigation for short-term landscape impacts during the construction phase will be limited. However the landscaping would be increasingly effective in the years following completion.

Construction impacts

4.364 The ES states that localised impacts on landscape character would be moderately adverse during the construction process. Such impacts would include the presence of site compounds and operations such as temporary earthmoving, stockpiling and bridge construction works. For the most part the movement of plant and materials used in construction would occur along the route within the boundary of the DCO, giving rise to adverse impacts throughout the construction period along the entire length of the route.

4.365 Requirement 18 of the final draft DCO include provision for a Construction Environment Management Plan (CEMP) which sets out a clear framework for the management of construction to minimise the degree of disturbance to local communities and individual property owners (AD-147 Norfolk County Council - Revised DCO (NCC EX 103)). The range of construction phases mitigation measures is set out in full in Table A.9 of the updated CEMP (AD-136 Norfolk County Council - Updated Construction Environment Management Plan (submitted 9 October) (NCC EX 82)). The applicant acknowledges that the scope for mitigation of landscape impacts during construction is limited by the nature of the operation. Nevertheless it can reasonably be concluded that, while these construction impacts will cause some landscape harm, they are by their nature temporary and short term, and the weight to be given to them in the overall assessment of scheme impacts assessment is limited.

Operational impacts

4.366 Operational impacts include the physical impact of the route in the landscape and the impact of vehicles travelling along it. In general terms the ES states that in Year 1 following completion the scheme will appear quite noticeable, with mounding and solid barriers in place but without any appreciable effects from planting. In contrast by Year 15 it is considered that the planting will have matured sufficiently for the road to blend satisfactorily into the landscape.

- 4.367 Between the A1067 and Fir Covert Road the route would pass through a currently undisturbed and attractive area of landscape, following a secluded shallow valley. The ES concludes that the scheme would have a moderately adverse impact on the landscape character of this section in Year 1, reducing to 'slight adverse' in year 15 once the mitigation planting has matured.
- 4.368 The section from Fir Covert Road to Reepham Road would cross open fields and pass under Marriott's Way. It would be in cutting for much of its length, though the Marriott's Way bridge crossing would be a prominent structure and out of character with the predominantly flat landscape. The ES identifies the structure as having a major adverse impact, though the sensitivity of the landscape hereabouts is considered to be low. Nevertheless the impact would be moderately adverse in Year 1, reducing to slight adverse in Year 15 once the extensive mitigation planting for the Marriott's Way crossing has matured.
- 4.369 From Reepham Road to the A140 (Cromer Road) the route would cut through the corner of a coniferous plantation on the edge of Drayton Drewray and then through open fields to the north of Thorpe Marriott. The ES states that the route would generally fit well into this flat landscape interspersed with large woodland blocks, which it regards as being of low sensitivity to this type of change. The impact is assessed as being moderate adverse, which due to the low sensitivity of the landscape, would result in landscape effects that are slight adverse in Year 1, reducing to neutral in Year 15. Beyond Drayton Drewray the NDR would pass through open arable land running roughly parallel with Reepham Road to the A140 junction. Due to the presence of existing major roads the landscape is assessed as being of low sensitivity. The route would be largely screened by mounding over much of its length and notwithstanding its siting on a ridge line, the impact is assessed as 'slight adverse' in Years 1 and 15.
- 4.370 The A140/Cromer Road junction would be grade separated with the A140 being carried over the NDR on a bridge, with two new roundabouts and associated slip roads. The ES assesses the landscape sensitivity as low, and the magnitude of change as moderate, in view of the fact that the existing A140 is a busy main road. The magnitude of impact would accordingly be 'slight adverse' in year 1 and remain so in year 15 on account of the scale of the new junction.
- 4.371 Travelling eastwards the NDR would follow the northern boundary of the airport. The landscape here is open and assessed as being of low sensitivity to change due to the presence of the airport. There would be new mounding along the route, but limited opportunities for planting because of the operational requirements of the airport, and the overall landscape impact would be slight adverse in Years 1 and 15.

- 4.372 Between Quaker Lane and the B1150 (North Walsham Road) the route would pass to the south of Quaker Farm before crossing Buxton Road, which would be carried over the NDR on a bridge, resulting in a fairly localised but major degree of change. The landscape here has an attractive well-wooded and somewhat more tranquil quality and is therefore assessed as being of moderate sensitivity to change. The route would weave through an established conifer plantation south of Spixworth, resulting in considerable loss of established trees. However the existing woodland offers the opportunity for effective mitigation through replacement and new planting linking with existing vegetation. Together with screen mounding this will help to blend the route into the landscape. The ES assesses the overall effect as moderate adverse in Year 1, reducing to slight adverse in Year 15.
- 4.373 From the B1150, the route would pass through the parkland setting of Beeston Hall, identified in the Broadland LP as an 'Area of Landscape Value', though not having any other statutory landscape or heritage designation. The engineering and landscape design of this section has been the subject of discussion and negotiation between the applicant and the landowner which has produced a solution where the mounding provided to screen views from the rear of Beeston Hall would be gently graded to respond to existing contours and minimise visual intrusion in the landscape. The landscape of this section is assessed in the ES as being of moderate sensitivity, but with the mitigation proposed the impact is assessed as being 'slight adverse' in Year 1 and in Year 15. Beyond Beeston Park where the route passes close to 'The Springs' the Year 1 assessment is 'moderate adverse' reducing to slight adverse by Year 15.
- 4.374 From Wroxham Road, the route would follow the valley floor, before rising to pass through Woodland between the village of Rackheath and Rackheath Hall to join the Salhouse Road at the new roundabout. This is an attractive and well wooded area, which is also designated as an 'Area of Landscape Value' in the Broadland LP. The landscape character is assessed as moderate, due to the influence of housing and other development. Existing planting would protect Rackheath Hall itself from any significant visual impact, and new planting is considered to reduce the landscape impact to moderate adverse in year 1 and slight adverse in Year 15.
- 4.375 From Salhouse Road, the landscape character changes to become flat, open and largely featureless. It is assessed in the ES as being of low sensitivity to change having regard to the influence of areas of development and busy local roads. However the bridge crossing over the railway would rise to a height of 9.3 metres above existing ground level and would be a very intrusive feature, resulting in a major magnitude of impact. While earth shaping, fencing and planting would be used to help screen the road, the

overall impact on landscape character would be 'moderate adverse' in Years 1 and 15.

- 4.376 From a new roundabout linking to Plumstead Road the route would pass through a tranquil arable landscape, punctuated by farm buildings, mature woodland copses and country lanes, which contribute the attractive landscape quality assessed as being of moderate sensitivity. A combination of mounding and planting would be used to help screen this section of the NDR, resulting in 'moderate adverse' effects in Year 1, reducing to 'slight adverse' by Year 15 as the mitigation matures.
- 4.377 The final section from Smee Lane to Postwick Hub is characterised by relatively open agricultural land, though the influence of business parks starts to become more prominent, culminating in the dominance of the A47 junction at Postwick. This landscape is assessed in the ES as having a low sensitivity to change that would be subjected to a moderate impact, the overall landscape effects being assessed as slight adverse in Year 1 and 15 on account of the scale of the new infrastructure.

Visual Effects

- 4.378 The visual impact of the proposals and how views from residential properties, public rights of way, commercial properties and transport routes would be affected is assessed in ES Vol 1, Section 7.7 (AD-046 [6.1 ES Volume 1 Part 1](#)). Residential properties and users of public rights of way are regarded as being of high sensitivity, whilst commercial properties and transport routes are regarded as being of low sensitivity.
- 4.379 During the construction period visual effects would in general be moderately adverse due to the presence of active construction plant and operations involved in earthmoving and carriageway construction along the length of the route and particularly where bridge structures are proposed. Some mitigation of the visual impact of construction compounds, storage areas and borrow pits would be provided by temporary mounding. Construction impacts are by their nature temporary and short term.
- 4.380 Impacts on specific receptors are identified in ES Vol 2, Chapter 7, Section B, drawings MMD-233906-DT-0656 to 0667 (AD- 062 [6.2.7 ES Volume 2 - Landscape Part 1](#)). The ES acknowledges that construction impacts on properties located close to the route cannot be fully mitigated in all instances. In respect of operational impacts, the scheme proposals incorporate extensive mounding and landscaping which will become increasingly effective in providing screening as planting matures. Nevertheless, a number of properties would continue to experience large adverse effects at Year 15, in particular: 'The Homestead' (4/5) on Drayton Lane; 'New Home Farm' (5/1) immediately adjacent to the link road to the new A140 junction; two cottages on Quaker Lane (7/2); two

properties adjacent to the bridge carrying Buxton Road over the NDR (7/3); 'Belmont House' close to the Wroxham Road roundabout (9/6); 'Railway Crossing' adjacent to the new railway bridge (11/5).

- 4.381 There will be other significant adverse impacts on properties closest to the route where, even after mitigation, the 'large adverse' impacts at Year 1 will reduce to 'moderate adverse' at Year 15, or where the initial 'moderate adverse' impact will persist at Year 15 due to proximity to the route.
- 4.382 In total some 227 residential properties would experience adverse visual effects, of which about half would be of 'large' or 'moderate' adverse significance during construction, and in the first year of opening. In the large majority of cases, these levels will drop to 'moderate', 'slight' or 'neutral' by year 15 as mitigation planting matures.

Visual effects – night-time

- 4.383 Most of the route is not proposed to be lit, apart from at the eastern end in the vicinity of the Postwick Hub, where lighting is an existing feature of the area. Elsewhere, the principal effect would be from headlights of vehicles passing along the route. This will be most apparent in the early years after construction, though mounding and planting will have an immediate effect in reducing the impact of headlights in many locations. As the planting matures by Year 15, night-time effects would reduce from 'slight adverse' to 'neutral' significance for the most part once the screen planting has fully matured.

ExA's conclusions

- 4.384 A road development of this nature will inevitably have a significant effect on the landscape through which it passes. Much of the route is currently rural or semi-rural in character though, in places, proximity to the suburban outskirts of Norwich, and the influence of existing roads and nearby developments areas is evident.
- 4.385 The ES defines any major or moderate adverse impact as significant. The ES has not sought to show that there would be no significant adverse landscape impacts from the scheme. Major change, such as the railway crossing near Plumstead Road has been identified, and a judgement made as to the significance of the impact on the landscape.
- 4.386 The detailed assessment of impacts on landscape character and visual amenity set out in the ES inevitably involve the use of judgment, but it has been undertaken in accordance with widely used guidance, which aims to provide a consistent basis for assessment. Many IPs value the relative compactness of Norwich, and the attractive environment provided by the surrounding

countryside which is within easy reach of most residents. It is understandable that frequent use of the terms 'moderate', 'low' and 'slight' in identifying adverse effects may seem to some to under-estimate the impact on significance of what is a major road scheme on a predominantly rural landscape. However, although much of the landscape through which the scheme would pass is attractive in its own right, is not covered by any national landscape designation, such as a National Park or Area of Outstanding Natural Beauty. The mitigation proposed is extensive, and designed to ensure that the road would, as far as practicable, be assimilated in the landscape and screened in views of sensitive receptors.

- 4.387 Some IPs argued that the photomontages presented in the ES were based on distant viewpoints and accordingly considered to misrepresent the scale of structures and mounds. However they are intended as representative viewpoints and as aids to decision making and assessment. While it is obvious that the closer one gets to a structure, the larger it will appear, it would be unrealistic to assess the impact of a structure or embankment only from close quarters, rather than trying to understand its impact in typical views in the wider landscape. The absolute scale of the structures can readily be understood from the scheme drawings, and we consider that the charge of misrepresentation is not substantiated.
- 4.388 Concerns have been raised about the impact of raised structures along the route, particularly the railway crossing near to Thorpe End and Plumstead Road (for example RR-029 [Andrew Michael Cawdron](#)). A comment frequently made in representations was that carriageway levels should be lowered further and greater use made of cuttings to minimise the impact on neighbouring settlements and the surrounding landscape.
- 4.389 At the railway crossing, a combination of mounding, planting and screen fencing would be used to help screen the road. We acknowledge that the proposed mitigation will not be wholly effective in screening the raised sections near to Thorpe End Garden Village and Plumstead Road. However, the ES confirms that design mitigation of environmental impacts has involved lowering the vertical alignment and adjusting the horizontal alignment where possible, subject to engineering considerations (paragraph 7.5.1 AD-062 [6.2.7 ES Volume 2 - Landscape Part 1](#)). While it might have advantages in terms of landscape and visual impact, we do not consider that the alternative of constructing the road under the railway line would be feasible in engineering terms at reasonable cost, having regard to the consequences for drainage and hydrogeology and the operation of the railway. The alignment of this section has been designed having regard to these constraints, and as far as possible steers a middle course between Rackheath, Thorpe End and the Plumsteads to minimise the impact on any one of the settlements.

- 4.390 The question of the relative impacts of scheme alternatives and alternative alignments was considered at the ISH on 17 September 2014. Clearly a scheme based on public transport improvements would have little or no landscape impact. A number of IPs argued that the scheme should be stopped short at the A140 Cromer Road, and that the route between here and the A1067 should be omitted altogether, which would avoid the identified landscape impacts at the western end of the route. A further option advanced in a number of representations was an inner route from Postwick to the Airport based on linking up prospective development roads. The landscape implications of such a link route have not been evaluated in the same way as the NDR, but as it would pass through permitted or programmed development areas for much of its length, and would not extend beyond the A140, it is reasonable to conclude that the landscape impacts would be much smaller than in the NDR scheme. The applicant's position remains that none of these alternatives would meet the objectives of the scheme. Our conclusions on these alternatives are set out above.
- 4.391 The scheme would comply with Policy TRA17 of the Broadland Local Plan (LP) which requires that new or improved highways will incorporate appropriate landscaping, making use of native species. There would however be conflict with Policy ENV8 of the LP from the effect of the route on Beeston St. Andrew and Rackheath Parks.
- 4.392 In our view, the ES landscape and visual assessment represents a fair and proportionate exercise which identifies the likely significant effects of the scheme, and is a satisfactory basis for the Secretary of State to reach his conclusion.
- 4.393 There will be some harm to the landscape character of the area through which the scheme passes, and also to views from residential properties, rights of way and transport routes. Particular issues arise where there are raised structures, as at Marriott's Way, Cromer Road junction, Buxton Road overbridge, the railway crossing, Plumstead Road and Middle Road overbridge. There are also two areas identified as Areas of Landscape Value in the Broadland LP.
- 4.394 However, extensive mitigation is proposed throughout the length of the route, involving lowering of the carriageway where possible, mounding to create false cuttings and extensive planting of locally appropriate species. In the majority of locations these landscaping works will provide effective mitigation, and help to blend the road in with landscape, as well as mitigating the visual impact of traffic passing along the route. At the railway crossing the impact of the structure will be moderately adverse in Year 1 and remain so at Year 15, given the scale and height of the structure and the approach embankments.

4.395 National planning policy promotes a balanced approach to the consideration of development proposals. One of the core planning principles in the NPPF is to take account of the different roles and character of different areas and recognise the intrinsic character and beauty of the countryside. But the NPPF also says that planning should drive and support sustainable economic development to deliver the homes, businesses and industrial units, infrastructure and thriving local places that the country needs. We address the weight to be attributed to the landscape and visual harm in considering our overall recommendation below.

Noise and vibration

4.396 CPRE Norfolk (D7-006 [CPRE Norfolk](#)) and a large number of IPs (for example RR-019 [Nigel Langley](#) and RR-261 [Raymond Jackson](#)) object to a potential increase in noise pollution during operation from traffic and the loss of tranquillity in areas of countryside along the route which are currently relatively peaceful. Such views were often linked to other concerns over environmental impact, including air quality, wildlife impact, and landscape impact.

4.397 The ES provides a detailed assessment of likely noise impacts, comparing the predicted impacts of noise resulting from the proposed scheme with pre-existing baseline levels. It recognises that there will be negative impacts in the rural area to the north and east of the City through which the route passes, but also identifies positive impacts in the existing urban area from the reduction in through traffic (AD-046 [6.1 ES Volume 1 Part 1](#) and AD-081 [6.2.11 ES Volume 2 - Noise](#)).

4.398 Baseline noise measurements were carried out during September and October 2006, and in March, October and November 2008. In order to provide a robust baseline for the construction year, further measurements were taken in June and September 2013.

Construction phase

4.399 The ES assumes that the majority of construction work will be undertaken during the daytime. Limits for normal working hours and levels of noise at nearby properties which must not be exceeded will be agreed in advance with the relevant local authority and incorporated into the contract specification. The contract will also require selection of the most appropriate method and plant, adequate maintenance of plant, optimum siting of stationary plant and local screening where appropriate. Construction impacts are essentially temporary and transient as work progresses along different sections of the route. Whilst the construction works may take several months, the duration of noise disturbance in the vicinity of any given receptor will be for shorter periods. Requirement 8 of the final draft DCO provides for a written scheme of noise and vibration management to be

submitted and approved prior to the commencement of construction, in consultation with the relevant District Council. The scheme shall include details of the works to be carried out, details of noise attenuation measures proposed, and a scheme for the monitoring of noise during construction to ensure compliance. District Councils will be consulted (AD-147 Norfolk County Council - Revised DCO (NCC EX 103)). The CEMP secured by Requirement 18 also provides for the best practicable means for noise and vibration control to be enforced through the contract (AD-136 Norfolk County Council - Updated Construction Environment Management Plan (submitted 9 October) (NCC EX 82)).

- 4.400 For the majority of receptors the predicted noise level is not predicted to exceed a total noise level of 65 dB(A). While some receptors would experience increases in noise levels above (and in some cases substantially above) 5 dB, such increases are regarded as acceptable provided they are short term and would not exceed 65 dBA. The ES assessment (6.1) identifies a small number of locations along the route where receptors would experience noise levels in excess of 65 dBA from construction activity including earthworks and bridge works which are predicted to last longer than 1 month. These are the Homestead, New Holme Farm, Airport Control Tower and Airport Training Centre, Quaker Cottages and Oakwood House, 'The Railway Crossing', Gazebo Farm in the vicinity of Newman Road Bridge, and Oaks Farm and Beechcroft in the vicinity of Middle Road Bridge. In all these locations the contractor will be required (through the CEMP) seek prior consent for works under Section 61 of the Control of Pollution Act 1974. This gives an opportunity to agree the best practicable means of limiting noise effects from construction activity, and may include temporary noise barriers and/or earth bunds.
- 4.401 Construction traffic is predicted to be less than 200 movements per day, which is not regarded as having a significant impact on the local road network. Nevertheless details of construction traffic management including access points, routing and signing would need to be approved prior to commencement of each section of the route to minimise the impact on communities.
- 4.402 Vibration from construction activities is generally temporary and intermittent in nature. The most likely cause of vibration is from piling works associated with bridge construction. The ES shows that levels of vibration deemed to have a moderate adverse impact are unlikely to occur at distances from the works of greater than 2 m, and that deemed to have a minor adverse impact at distances greater than 8 m. All sensitive receptors are located more than 8 m from the works. Additionally, any vibration impacts arising from construction are unlikely to last for an hour or more. It is therefore reasonable to conclude that there is no evidence of significant vibration impacts arising from construction works (paragraphs 11.7.29 – 32 AD-047 6.1 ES Volume 1 Part 2).

Operational phase

- 4.403 The ES identifies that some sections of the route, though rural in character, are affected by noise from existing road traffic. For example the existing noise climate at the western end of the route is influenced by the A1067 Fakenham Road, B1149 Holt Road and A140 Cromer Road. Other roads which carry substantial daily traffic flows, such as B1150 North Walsham Road, A1151 Wroxham Road and A47 are sources of significant traffic noise in their localities. Norwich Airport is also a significant source of noise, particular between Cromer Road and Wroxham Road. Occasional noise from trains is a feature of the existing noise climate on the east side of Thorpe End and Rackheath. For much of the route measured existing noise levels range from 40 dBA LAeq in the quieter locations up to 60 dBA LAeq near to existing traffic routes and the airport. Around the airport the quietest daytime level was somewhat higher at 45dBA LAeq. In general terms, as would be expected, the quieter locations were those further from the existing road network.
- 4.404 The scheme provides for primary mitigation through the application of a thin surface course (TSC) to the new carriageways along the length of the NDR. This material reduces the generation of tyre noise relative to that for hot-rolled asphalt. Andrew Cawdron was concerned that the benefit would be lost if future resurfacing utilised a different material. In response, the applicant has put forward draft Requirement 33, which provides that when the surfacing of the carriageway is to be replaced, similar low noise surfacing materials to the original must be used. Requirement 21 would also provide for the approval of a written scheme detailing operational noise management and attenuation measures, and for their on-going maintenance.
- 4.405 The proposed landscaping also includes a number of bunds, false cuttings and noise barriers along the greater part of the route, which would contribute to noise attenuation as well as visual screening. The screening effect of such measures has been taken account of in the traffic noise model.
- 4.406 There is also provision for sound insulation for any dwellings at which the predicted traffic noise is found to satisfy the criteria for sound insulation in accordance with the Noise Insulation Regulations 1975 (i.e. a design year level of >68 DB and an increase of at least 1 dB). The noise assessment indicates that only 2 properties would qualify.
- 4.407 The ES illustrates operational noise impacts graphically in the form of noise contours for the opening year and the design year (2032), and contours of difference with respect to the baseline (AD-081 6.2.11 ES Volume 2 - Noise). At the opening of the road, effects are deemed significant if they are predicted to exceed a change of 3 dB, generally considered to be the lowest discernible impact.

For longer term effects, a figure of 5 dBA has been selected as the threshold of significance, to reflect an observed tendency for annoyance levels to decline as people become accustomed to the change.

- 4.408 Of the 2,658 dwellings which would experience significant adverse effects on the opening of the route, the majority are in New Rackheath (441), Old Catton (188), Spixworth (669), Thorpe Marriott (240) and Thorpe End (322). Major adverse effects would occur at the edge of those settlements closest to the proposed route. 851 dwellings would experience increases greater than 5 dBA.
- 4.409 Some 718 dwellings would experience significant beneficial effects. In general, the majority of dwellings where these effects occur (98%) are adjacent to existing roads within the urban area where traffic flows are forecast to reduce. Reduced flows (and hence traffic noise) are also predicted at locations near Fakenham Road, Fir Covert Road and Reepham Road.
- 4.410 In the design year (2032) 1,984 dwellings would experience significant adverse effects of greater than 5 dBA. The majority are in Horsham St Faith (63); New Rackheath (432); Old Catton (70); Spixworth (497); Thorpe Marriott (58); and Thorpe End (258).
- 4.411 Some 494 dwellings would experience benefits greater than 5 dBA from reduced traffic flows. Most of these would be adjacent to existing main roads in the urban area.
- 4.412 It is recognised that there is potential for the scheme to result in increased levels of road traffic noise at night time. While traffic levels are generally lower during the night, there is still a potential impact due to the heightened sensitivity of those likely to be affected at night. The World Health Organisation (WHO) Night Noise Guidelines for Europe propose an interim target level of 55 dB(A)_{Lnight,outside}. This level has been used for the assessment of night-time effects. A total of 422 additional residential properties would experience noise levels in excess of this level. Very few of these receptors are adjacent to the scheme, but lie on existing roads where an increase in traffic is predicted to occur. Of the worst affected properties in the immediate vicinity of the scheme, Hall Farm and Gazebo Farm Barn in Rackheath are to be demolished and have already been acquired by NCC. Gazebo Farm Bungalow is not in residential use, and NCC has accepted a blight notice in respect of 'The Railway Crossing' at Thorpe End.

ExA's Conclusions

- 4.413 The ES noise and vibration assessment demonstrates that, even with the extensive mitigation, there will be significant residual adverse noise effects experienced at considerable numbers of properties along the route. In the design year (2032) 1,984

dwelling would experience adverse effects of greater than 5 dB(A). The number of properties adversely affected would be substantially higher than those where the effects of the scheme would be beneficial. While some residents may become accustomed to the increase over time, others in the most affected areas would continue to experience the change as causing a significant loss of their personal sense of well-being. The effect of night-time noise is particularly likely to be noticed in areas that are currently relatively tranquil, for example Rackheath Hall and around Thorpe End, but other settlements and individual properties would also be affected.

- 4.414 Particular concerns in respect of the impact of the raised section where the route would cross the railway between New Rackheath and Thorpe End Garden Village were raised by Mr Andrew Cawdron in written representations and at subsequent hearings (D5-014 Andrew Cawdron). Mr Cawdron considers that the baseline survey carried out for the ES does not adequately illustrate the effect of night-time noise. He submitted a survey undertaken in April 2014 on his behalf indicating that night-time recorded baseline levels around 30 dB (LAeq) or lower at night-time (D6-001 Andrew M Cawdron). In response to the ExA's question on this matter the applicant acknowledged that where existing traffic noise levels are low, the magnitude of noise change with the scheme would be correspondingly greater. However, noise levels in Thorpe End Garden Village will increase by approximately 6dB at most. The overwhelming majority of receptors between Rackheath and Thorpe End fall below WHO criteria for night-time noise (D6-003 Norfolk County Council (NCC EX 53), Q8.3).
- 4.415 Mr Cawdron also considers that the arrangements for discharging the proposed requirements in respect of noise (and other matters) give no comfort to the general public, as the County Council would in many cases be the relevant planning authority, and is also the applicant (D10-001 Andrew Cawdron). However, this approach has routinely been followed in a number of DCOs, and matches the provisions under the Town and Country Planning Act 1990 whereby a County Council would make an application to its own planning department if it wanted to promote a waste development, for example. NCC has put arrangements in place to ensure a proper separation of its functions as DCO applicant and as local planning authority and expects to maintain similar arrangements for the implementation of the scheme. The DCO includes provision for other bodies to be consulted where appropriate, and any failure to deal appropriately with the discharge of requirements is subject to the normal oversight of the courts through judicial review. Enforcement of the requirements in the event of non-compliance would be by the District Planning Authority for the area.
- 4.416 Environmental priority Env 2 of the Broadland Local Plan aims to reduce impacts on the quality of life from traffic, including air and

noise pollution. As the number of properties which will experience adverse noise impact substantially exceed those which will benefit, the DCO scheme will have an overall negative impact on the achievement of this aim.

- 4.417 The Noise Policy Statement for England 2010 aims to avoid significant adverse impacts on health from noise, to mitigate and minimise such impacts in the context of government policy on sustainable development, and where possible to contribute to the improvement of health and quality of life through the effective management of noise.
- 4.418 A scheme of this size and nature inevitably involves some adverse impacts which cannot be wholly mitigated, despite the very substantial mitigation which is proposed. The adverse effects of noise identified in the ES are matters to be weighed in the balance in considering the overall merits of the scheme.

Safety

- 4.419 The NDR has been designed in accordance with the guidance of DMRB and subject to safety audits. We are satisfied therefore in general terms that the scheme addresses the safety considerations set out in government transport policy and the draft NN NPS.
- 4.420 Nevertheless, a number of IPs particularly those representing cycling and other NMU interests, queried the safety of the many roundabouts proposed along the route of the NDR for cyclists and/or alternatively the acceptability of uncontrolled crossings at the approach to these roundabouts as safe crossing places for cyclists, equestrians or pedestrians. These issues are considered in detail below in relation to the effects on NMUs, but in the context of the benefits of the scheme as a whole we do not consider that any residual concern over such matters would warrant rejection of the DCO.
- 4.421 A related matter concerned the extent of lighting that would be provided along the NDR. With the exception of the Postwick Hub interchange and the main approach to the Broadland Business Park area, the NDR has been designed to be unlit in order to minimise loss of dark skies and night-time visual intrusion for those resident in the vicinity of the proposed road (Drawing No RIC093-R1-4950 in AD-128 Norfolk County Council - Updated Plans – Sheet 5 of 5 (submitted 9 October) (NCC EX 73)). Proposed bunding and other screening reinforce mitigation of the latter concern in relation to vehicle headlamps. Some IPs expressed concern that roundabouts on open high speed roads would be dangerous if unlit and it was accepted that many rural roundabouts are currently lit. However, the applicant pointed out

that such lighting is not a mandatory requirement of the DMRB²² and that what is proposed had satisfied safety audits.

- 4.422 Given that the ES is based on the limited extent of lighting referred to above, we were concerned along with a number of IPs that should a serious accident record arise at particular unlit junctions, then the highway authority might use their permitted development powers to install lighting thereby taking the scheme outside the envelop of the ES. The applicant therefore offered the insertion of what is now Requirement 32 in the recommended DCO set out as Appendix E to this report. At the final hearing session into the wording of the DCO we explored the intent and efficacy of the wording of this requirement which removes permitted development rights to add additional street lighting on the NDR. It should be noted that this requirement is not intended to preclude lighting of warning and/or direction signs which may be provided in some locations.
- 4.423 The applicant pointed out that the requirement would not provide a complete prohibition of additional street lighting should a serious safety issue arise contrary to the conclusions of the safety audits and what is now current national guidance. Rather, the import of the requirement as drafted is that the highway authority would have to seek planning permission for any additional lighting that it may wish to install at a future date. This would enable environmental implications to be assessed and balanced in relation to perceived need. In our judgement, this represents an appropriate means of securing the intent of the DCO while providing a means of re-assessing the situation in future should unforeseen circumstances arise.
- 4.424 The remaining safety issue raised is that in relation to the 3 level crossings on the Norwich to Cromer railway line that are in close or relatively close proximity to the alignment of the NDR. Network Rail initially expressed concern that there could be safety implications arising from the construction and use of the NDR in relation to these level crossings at the end of their Relevant Representation (RR-758 [Network Rail Infrastructure Limited](#)). This was expanded upon in the statement of common ground between the applicant and Network Rail (SOG-011 [Statement of Common Ground between Norfolk County Council and Network Rail Infrastructure Ltd. \(NCC EX 06\)](#)). Network Rail pursued the concern in their Written Representation (D2-087 [Network Rail](#)) to which the applicant responded in NCC/EX/28 suggesting that there would be a modest reduction in traffic through the Plumstead Road level crossing and a substantial reduction on traffic through the Broad Lane crossing.

²² DMRB Vol 8, Section 3 (TA 49/07)

- 4.425 Unfortunately the applicant had to issue a correction to these statements (D6-029 Norfolk County Council response to Network Rail Final (NCC EX 59)) after further analysis of the forecast traffic flows at the actual crossing locations. The applicant now accepts that there would be a minor increase in traffic at the Salhouse Road crossing (LC11) from a forecast 2,200 AADT without the NDR in 2017 to 2,500 with the NDR and from 3,400 to 3,500 in 2032. These figures take account of NEGT development proposals including the Rackheath Ecotown proposal, as do those at the other crossings. At Plumstead Road (LC7) the increase would be more substantial from 4,600 AADT without the NDR in 2017 to 6,500 with the NDR and from 5,900 without the NDR in 2032 to 6,800 with the proposed road. Conversely, at Broad Lane (LC9) the 'Do minimum' predictions of 6,600 AADT in 2017 and 8,100 in 2032 would be reduced to close to zero as a consequence of the proposed closure of its junction with Plumstead Road.
- 4.426 The view of the applicant was that as there was no adverse safety record at any of the crossings, all controlled by automatic half-barriers, there would be no need for any action. NCC accept that it would be physically possible to take Plumstead Road over the railway and close the crossing but this would increase adverse environmental consequences at Thorpe End, require an undesirably sinuous profile for the NDR and have an adverse effect on its flow characteristics as a consequence of a direct rather than indirect intersection with Plumstead Road. However, as the increase in traffic projected at Plumstead Road is more than 10% they accepted that the issue should be reviewed further with Network Rail. It should be noted that as part of NATSIP, the possibility of doubling the frequency of local passenger services on this section of the Norwich Cromer line is also a possibility linked to provision of new stations to serve the business park and ecotown. This could mean that there would be two passenger trains in each direction every hour throughout the day.
- 4.427 As a consequence of the representations from Network Rail, the ExA asked the applicant to produce variant DCO wording and drawings for moving the closure of Broad Lane to the level crossing so that that crossing could also be closed (Question 1.6 PI-010 The Examining Authority's second round of written questions). The applicant duly provided this variant (D6-002 Norfolk County Council - Response to questions in parts 1-3 (NCC EX 52), in particular Appendix E for the variant documentation) but urged against such a solution because there would be a greater improvement in highway safety by having the closure at the Plumstead Road junction. Moreover, keeping the level crossing open would enable Plumstead residents more direct access to the retail and other facilities in Rackheath. Further, while the additional land to form turning areas close to the railway line could probably be acquired, it may well be that the provisions of Regulations 5-19 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 would need to be complied with as

the necessary consents had not been obtained. New consultation was also considered necessary. We found these arguments convincing and did not ask the applicant to incorporate these changes while negotiations continued between the applicant and Network Rail over the level crossings issue as a whole.

- 4.428 Network Rail undertook its own risk assessments based on data provided by the applicant and these were submitted on 29 September 2014 (D8-004 Network Rail Infrastructure Limited – Risk assessments (29 September)), the conclusion being that although the individual risk was assessed as increased at the Broad Lane crossing, despite the projected very large decrease in road traffic, there would be no need for action on the basis of the calculations and relevant guidance. However, Network Rail sought undertakings from the applicant that before NDR construction and after NDR opening, traffic surveys would specifically be undertaken in relation to all of the crossings and that the County Council as local highway authority would seek to facilitate any action then perceived to be necessary to ensure safety in relation to the crossings as a consequence of any changed risk profiles. Network Rail provided a draft of a proposed formal agreement between the applicant and Network Rail on 18 September (D7-041 Network Rail – Progress with NCC re concerns and non-appearance at DCO hearing) and on 1 October Network Rail formally withdrew objection to the NDR in relation to safety at the level crossings, the agreement having been duly executed by both parties (D8-005 Network Rail – No continuing concerns and withdrawal of objection (1 October)). The agreement also commits the highway authority to ensure that any temporary traffic arrangements that would be put in place should the NDR be closed at any time would avoid material increases in traffic across the level crossings.
- 4.429 As ExA we sought clarification of the reasoning behind the individual risk assessment at the Broad Lane crossing (D10-007 Network Rail - Level Crossing Risk). We can understand that individuals may behave less responsibly on a very lightly trafficked road, but with the relatively low frequency of rail traffic, even if the increased frequencies of local passenger trains are achieved, we do not consider that there would be an actual increase in likelihood of accidents at the crossing in view of the very substantial decrease in all forms of traffic along the road over that crossing. Thus, we are satisfied that the NDR as embodied in the DCO scheme together with the executed agreement should avoid any harm to safety at the level crossings. A copy of the executed agreement is contained within Document D12-002 Norfolk County Council - Update on Compulsory Acquisition Issues following CA Hearing of 28 November 2014 (NCC EX 102).

Socio-economic impacts including Commercial impacts

- 4.430 The objectives for the DCO scheme refer to the role of the NDR to provide access to, and help deliver, planned and potential areas of

growth, and to provide improved transport connectivity, including with the national strategic road network, for existing and future areas employment development, Norwich International Airport and the wider area of North and North East Norfolk;

- 4.431 The s35 direction is explicit it referring to the NDR as providing a direct connection to/from an international airport to the strategic road network at the A47(T), one of only a limited number of roads in the East of England which is recognised as such, and supporting national growth potential. It referred to directly supporting over 135 ha of proposed employment growth (at Broadland Gate, Rackheath and in the vicinity of the airport) as well as improving connection to/from the Great Yarmouth Enterprise Zone which supports the offshore energy industry and supply chain.
- 4.432 Not all IPs were prepared to accept these asserted prospective benefits at face value with NNTAG in particular arguing that road improvements might harm outlying areas through the phenomenon known as a 'two-way road' in which central places are more readily able to serve the more remote localities once transport links are improved. They and others such as Norwich Green Party (RR-632 [Norwich Green Party](#)) also suggest that the NDR might undermine needed regeneration in and close to Norwich town centre, drawing attention to the partial relocation of Aviva (Norwich Union) to Broadland Gate and the run-down nature of Anglia Square just outside the inner ring-road. NNTAG continued to supply examples of what they saw as indications of such potential harm throughout the Examination, for example in an announced move of some administrative support for North Sea gas operations from Great Yarmouth to Broadland Gate or suggestions for a peripheral arena (D9-015 [Norwich and Norfolk Transport Action Group \(NNTAG\) - Major Broadland Business park](#)). They also expressed concern over the implications for outlying towns in North Norfolk. Others suggested that merely designating employment sites and providing access would not necessarily bring development while developers prefer to develop on the south side of Norwich in the vicinity of the UEA, hospital and related research parks.
- 4.433 We accept that there are some research findings that would give support for concerns over a 'two-way road' effect, though the applicant's report AD-103 [10.3 Land Use and Economic Development Report Final Version](#) contains references to studies that do show a beneficial result of improvement to transport routes. We also note that the offshore operator highlighted by NNTAG was also intending to develop further in Great Yarmouth. Moreover, the applicant points out that the NDR is not as such a road providing improved access between two towns but rather one that eases communications around Norwich.

- 4.434 We note that the over-whelming majority of business interests are supportive of the NDR scheme, albeit that there are one or two who disagree as to the need or desirability for the road.
- 4.435 For example there is support from a number of companies in the Norwich area e.g. RR-008 [Peal Communications Ltd](#), RR-051 [Wilco Motor Spares Ltd](#), RR-055 [STM Packaging Group Ltd](#), RR-076 [Finn Geotherm UK Ltd](#), RR-079 [Polyprint Mailing Films Ltd](#) and RR-648 [Sands Agricultural Machinery Ltd](#). There is also support from representative business bodies such as RR-642 [Norwich Business Improvement District \(BID\) Ltd](#), RR-649 [Federation of Small Businesses, Mid Norfolk Branch](#), R-031 [East of England Energy Group \(EEEGR\)](#), RR-065 [North Norfolk Business Centre](#); RR-466 [Norfolk Chamber of Commerce](#), RR-836 [CBI East of England](#), some of which cover wide areas. The Norfolk Institute of Directors (RR-1092 [Institute of Directors for Norfolk](#)) is one body that refers to support not being universal.
- 4.436 Specifically, in relation to concerns that there might be an adverse effect on businesses in outlying or coastal towns there are a number of strongly supportive representations from umbrella bodies in such localities (see RR-682 [North Walsham Chamber for Business](#), RR-824 [Fastolff Business Centres](#) and RR-928 [Cromer and District Chamber of Trade and Commerce](#)). The coastal local authorities also express their support (RR-645 [Great Yarmouth Borough Council](#) and RR-736 [North Norfolk District Council](#)).
- 4.437 Looking at tourism there are a number of expressions as to how the NDR is expected to be beneficial, such as RR-861 [Visit Norwich Ltd](#) RR-529 [Wroxham Barns Ltd](#), RR-593 [The Original Cottage Company](#), RR-688 [Timewell Properties Ltd t/a Blue Sky Leisure](#), RR-693 [Visit North Norfolk Coast and Countryside](#) and RR-763 [Norfolk Broads Direct Limited](#). However, there are at least some expressions of a contrary view (e.g. RR-818 [James Matthews](#)). The Land-use and Economic Development Report submitted with the application (AD-103 [10.3 Land Use and Economic Development Report Final Version](#)) concludes that there should be a positive effect on tourism in Norfolk generally as a result of improved connectivity and also on the visitor economy of Norwich.
- 4.438 The fact that the overwhelming majority of business interests, their representative bodies and outlying local authorities as well as those in the JCS area through their joint LIR (LIR-001 [Local Impact Report by Broadland District Council, Broads Authority, Norfolk County Council, Norwich City Council and South Norfolk Council](#)) as well as that of Breckland District Council (LIR-002 [Local Impact Report by Breckland Council \(late submission\)](#)) consider that there would be economic and social benefits of the NDR, does not mean that these viewpoints are necessarily correct. However, we have seen very little evidence, particularly from the locality, that would lead us to question the generality of their conclusions.

- 4.439 Clearly, the Anglia Square area is in need of regeneration and there is an area of the town centre close to the River Wensum near the railway station that is awaiting redevelopment, but the evidence from the applicant and what we saw on our exploration of the town centre generally was a very varied, vibrant and prosperous retail and commercial centre. We noted the permission for a supermarket and related retail/leisure development at Fir Covert Road and agree that strong planning policies will need to be applied to prevent out-of-centre retail development in the vicinity of the NDR in view of the increased relative accessibility that will arise in such localities. However, application of such policies would be consistent with the NPPF and the JCS. We note that the JCS stresses the role of brownfield development within Norwich as well as the development of the NEGTS.
- 4.440 Overall, our conclusion is that the NDR should have a potentially strongly beneficial effect on economic development in the Norwich and wider North Norfolk locality provided that appropriate planning policies are followed.

Traffic and Transport

Public transport benefits

- 4.441 While the NDR forms the key element of the DCO, the applicant's submission also provides for implementation of various complementary measures in fulfilment of conditions imposed by DfT in releasing the funds to support the road's construction. Preparation of the DCO, as noted above, has been informed by consideration of a sustainable urban transport option centred on a major upgrade of the urban public transport system. However, the output of the modelling process and the subsequent appraisal of that option demonstrate that in economic terms it would generate poor performance in terms of value for money. Notwithstanding the errors in the appraisal of that option made by the applicant's advisors, which emerged after the penultimate group of Examination hearings, the same conclusion was reaffirmed even after corrections had been made ([AD-113 Revised application doc 5.12 Report on NDR Alternatives final](#) and [Ad-139 Norfolk County Council - Revised PT Option economic appraisal and breakdown of benefits \(submitted 9 October\) \(NCC EX 71\)](#)).
- 4.442 It may seem surprising that inclusion of the complementary measures as part of the DCO generated poorer appraisal outcomes than if they are excluded from the appraisal analysis. This in turn generated considerable debate about the merits of the complementary measures. Moreover, this also appeared to be conflated with doubt over the likelihood of substantial public transport service enhancements included as part of the NATS materialising. This stemmed from the large negative estimate of

economic benefits that emerged from both the original and corrected assessments of the comprehensive public transport option (D12-007 Norfolk County Council - Responses on Transport Economics and Modelling issues arising at Issue Specific Hearing held on 28 November 2014 (NCC EX 109)).

- 4.443 The Public Transport (PT) Option however was not formulated on the basis of identifying a level of public transport improvement that would necessarily be economically viable but on the basis of providing a significant improvement in the level of public transport provision to establish whether such an improvement could realistically meet the scheme objectives in the absence of the NDR (AD-113 Revised application doc 5.12 Report on NDR Alternatives final D7-043 Norfolk County Council – Responses to requests and points from Issue Specific Hearings (NCC EX 67)). Existing services and additional services were proposed with high levels of frequency throughout the day and with qualitative improvements. Notwithstanding such an “offer” the PT Option was unable to cater adequately for the projected levels of travel demand in either of the assessment years.
- 4.444 The applicant also explained as part of its consideration of alternative strategies and options, consideration was given to heavy rail. However, even allowing for new stations, a very small percentage of the population of the NATS area would have access to a heavy rail service for local travel. A heavy rail option would thus not meet the objectives of the DCO scheme. Light rail options were also considered and discounted on a stand-alone basis in the earlier option assessment work (see Appendix A of D4-42 Norfolk County Council's comments on written representations by Gail Mayhew (NCC EX 25)).
- 4.445 Nevertheless, the DfT condition on funding the NDR in their letter of 15 December 2011 (See Appendix F to NCC/EX/52 D6-002 Norfolk County Council - Response to questions in parts 1-3 (NCC EX 52)) states that “Before Full Approval will be granted, Norfolk County Council (NCC) is required to commit to a funded and timetabled package of sustainable transport in the city centre, on the basis of the Norwich Area Transportation Strategy”. The NATSIP identifies city centre measures. However, the DfT proviso does not include a requirement to deliver all of the NATSIP and they do not require that city centre measures are delivered ‘alongside’ the NDR. Nevertheless, they do require a commitment to a ‘funded and timetabled package of sustainable transport measures in the city centre’. The NATSIP which was adopted by the County Council in April 2010 is a programme to be delivered over a 15 year period. While the funding arrangements for NATS complementary measures are more complex than for the NDR, the applicant is committed to the delivery of NATS in its entirety (see D5-030 Norfolk County Council – Comments on points raised at Open Floor Hearings (including Appendices A – M) (NCC EX 45)). According to the applicant a significant investment in sustainable

transport in the city centre has already been delivered since the DfT letter was issued and this will continue to be delivered following completion of the NDR.

- 4.446 Moreover, what did not appear to be recognised in the explanation of the negative impact attributable to the city centre restraint measures on the overall economic performance of the DCO was the fact that while it contained infrastructure and traffic management measures that would undoubtedly impose additional economic 'costs' on private and commercial vehicles, the assumptions built into modelling the 'Do Something' option excluded any improvement to the supply of public transport services that could take advantage of the traffic restraint measures. Inevitably under the 'Do Minimum' and 'Do Something' assumptions, the result would be to reduce any potential benefits attributable to the NDR plus complementary measures and the overall performance of the applicant's scheme. However, this excludes any net benefits that could occur if the improvements in public transport foreshadowed in NATSIP and successor plans are implemented as proposed in addition to the DCO scheme.
- 4.447 The city centre complementary measures together with the NDR are projected to lead to substantial journey time savings compared to conditions under the 'Do Minimum' (DM) scenario. For example, in 2017 the AM peak journey times with the city centre measures (i.e. the 'Do Something' (DS) scenario) when compared to the scenario without the city centre measures (i.e. the DM scenario), centre reduce in the DS by between 5% and 14%. Moreover, journey time changes in 2032 are more affected by the complementary city centre measures. This would generate time savings and punctuality benefits to users of bus services. Thus, under the DCO there would be demonstrable benefits to public transport users.
- 4.448 The detailed scrutiny of the scheme during the Examination led to supplementary work by the applicant's advisors to produce an analysis of the DCO scheme combined with the NATSIP complementary public transport and other complementary measures. This shows an improved VfM performance. Combining both the NDR with a significantly enhanced public transport level of service (NDR+NATS PT) that would exploit the applicant's infrastructure proposals and traffic management measures including those serving the city centre, did improve the economic performance of such a package significantly over an NDR on its own or with the town centre measures only. With regard to the NDR+NATS PT scenario, the applicant emphasised at the hearing that this was not to be seen as an alternative to the NDR as the NDR was an integral part of the scenario (see AD-140 [Norfolk County Council - NATS economic appraisal \(submitted 9 October\) \(NCC EX 72\)](#)). The assessment of the NDR+NATS PT scenario (as reported in AD-140 [Norfolk County Council - NATS economic appraisal \(submitted 9 October\) \(NCC EX 72\)](#)) showed that the

progressive implementation of the PT strategy which forms part of the NATSIP together with the NDR would result in further economic benefits in addition to those secured by the NDR itself and that the overall package would have a strong positive BCR.

- 4.449 This finding indicates that substantial improvements to the radial public transport network in tandem with the NDR would maximise the economic and other benefits of transport improvements for the city and surrounding area. This would relate not only to transport impacts but environmental, economic and social impacts. In particular the package would safeguard the competitiveness of the city centre which in the absence of the PT measures would experience a reduced level of relative accessibility leading to greater pressures to decentralise activities from the city core. However, the scale of improvement to public transport services specified under the expanded NDR+NATS PT scenario may not be a realistic objective under existing regulatory structures and control in the industry and given the local financial performance in the bus market.

Implications for rat-running around the western edge of Norwich and for villages west of Norwich

Drayton, Taverham, Costessey and Ringland

- 4.450 Appendix I to the Traffic Forecasting Report (AD-041 [5.6 Forecasting Report Vol 3 Apps H-K for submission](#)) shows that on most routes that might be followed through Taverham, Ringland and Costessey by traffic seeking to get from the A47(T) to the A1067 around the western edge of Norwich, traffic flows are forecast to be reduced with the NDR. For example on Beech Road south of the A1067 that could be used by traffic seeking to pass through Ringland or Costessey there is a forecast reduction with the NDR of 900 AADT in 2017 and 400 in 2032 and on The Street Ringland a reduction of 1400 AADT in 2017 and 1700 in 2032. Again on Taverham Lane the reductions are forecast to be 1000 AADT in 2017 and 1500 in 2032. Only on Costessey Lane south of Drayton are the flows forecast to be essentially unchanged whether or not the NDR is constructed with a forecast reduction of 200 AADT in 2017 but an increase of 100 in 2032. Nevertheless a significant number of IPs expressed concern that without a western A47(T) to A1067 link, the NDR could increase rat-running through the villages south of the A1067 and the concerns were taken up by the two district Council, South Norfolk and Broadland. The concern of Drayton Parish Council was primarily related to connectivity and road safety in Hall Lane, Drayton Lane and the centre of Drayton which are dealt with in the subsequent subsection below.
- 4.451 The revised forecasts accompanying the minor change to keep Drayton Road North open do not materially alter the forecast of reductions on most of these routes with unchanged reductions at

Beech Road and Taverham Lane, an increased reduction of 100 AADT on The Street Ringland but no longer any reduction in 2017 on Costessey Lane south of Drayton and an increase of 200 rather than 100 AADT in 2032. However, in view of the concerns raised and the degree to which precise traffic forecasts on particular roads can be relied upon in an area-wide model, in our second ExA questions we asked the applicant to consider introducing a requirement that would ensure that additional traffic calming measures, as referred to in D5-030, the applicant's response to points raised during the open floor hearings (Norfolk County Council – Comments on points raised at Open Floor Hearings (including Appendices A – M) (NCC EX 45)), are implemented prior to the opening of the NDR. We had witnessed the congestion and undesirable environmental conditions caused by existing rat-running through these localities on our site visits.

- 4.452 The applicant responded with a suggested requirement in D6-002 (Norfolk County Council - Response to questions in parts 1-3 (NCC EX 52)) which they proposed should be included in the next revision of the DCO. After discussion at subsequent hearings into the wording of the DCO there was some refinement of the wording of this requirement involving the two district councils. As we are satisfied that the traffic forecasts with the NDR are likely to be broadly accurate, as it is logical that longer distance traffic will be deflected from these routes as a consequence of the new road terminating further west towards Attlebridge, we are confident that what is Requirement 28 in the version of the DCO recommended at Appendix E to this report should provide sufficient safeguards for the settlements south of the A1067 close to the edge of Norwich.

Hockering, Weston Longville and Lyng

- 4.453 The consequences for settlements lying on minor roads between the A1067 and the A47(T) further out from Norwich, to the west of the Attlebridge crossing of the River Wensum are in many ways the converse of those close to the edge of Norwich. Because of the location of the western termination of the NDR, traffic flows are forecast to rise on these connecting roads. Appendix I to the Traffic Forecasting Report indicates potential increases of 800 AADT in 2017 and 1,200 in 2032 through Hockering which represents a near trebling of initial flows on opening and more than doubling of flows at the design year. While at Lenwade on the designated HGV route only modest increases are forecast, a very substantial increase through Weston Longville is predicted with near doubling of traffic in the opening year from 1,700 AADT to 3,300 with the NDR and at the design year an increase from 3,100 AADT to 5,500 with the NDR. To the south of Weston Longville the forecast increases on the two alternative routes east of Hockering to the A47(T) are reflective of the joining of the HGV route and the more direct route through Weston Longville south of that village. IPs questioned the reality of these forecasts in view

of the physical constraints within Weston Longville and it became apparent that the coding of the roads in the model at some distance from the NDR may not have been sufficiently detailed to take such matters into account. What is clear is that there is a prospective increase of some magnitude in proportionate terms on the minor roads between the A47(T) and A1067 west of Attlebridge.

- 4.454 We witnessed the unsuitable nature of the roads through Hockering and Weston Longville on our site visits and can understand the concerns expressed by individuals such as Mr Hawker, a parish councillor from Hockering, and Parish Councils such as Hockering (RR-728 [Hockering Parish Council, D2-051 Hockering Parish Council, D5-029 Hockering Parish Council post hearing submission](#)) and Weston Longville (RR-525 [Weston Longville Parish Council, D2-039 Weston Longville Parish Council, D7-030 Weston Longville PC](#)) both at the outset and throughout the Examination. No doubt those concerns were increased by the limited involvement of Breckland District Council and constituent Parish Councils within that district during some stages of the consultative process for the DCO, albeit that there were technical explanations for this situation as no works were proposed within Breckland District and it is not one of the constituent authorities for the JCS.
- 4.455 The applicant provided a response to the concerns in D5-030 ([Norfolk County Council – Comments on points raised at Open Floor Hearings \(including Appendices A – M\) \(NCC EX 45\)](#)), indicating an intention to reclassify the HGV route that had been upgraded by incremental works as a B Road and promote an HGV ban through Hockering. In response to our question seeking a requirement to ensure that such action and wider measures sought by Breckland District Council to provide further mitigation at Weston Longville and elsewhere are implemented, the applicant provided a further response offering additional requirements including in respect of route signing, albeit at that point in the Examination resisting signing for Norwich Airport and Cromer (D6-002 [Norfolk County Council - Response to questions in parts 1-3 \(NCC EX 52\)](#))).
- 4.456 These requirements were subject of discussion at subsequent hearings into the wording of the DCO which continued right up to the final ISH on 28 November with on-going consultation with the Council's concerned. The final DCO submitted by the applicant after that hearing contained requirements agreed with Hockering and Weston Longville Parish Councils (AD-148 [Norfolk County Council - Comparison Between Applicant's 20 November 2014 Draft DCO and Applicant's 2 December 2014 Draft DCO \(NCC EX 104\)](#) and AD-150 [Norfolk County Council -Table of Amendments to Draft DCO Submitted 2 December 2014 \(NCC EX 105\)](#)). For our part the finalised texts of Requirements 26 and 27 that are recommended in the DCO at Appendix E to this

report should ensure that adverse traffic consequences do not arise in these two villages or sections of minor roads that have not been improved and designated as routes for through traffic.

- 4.457 The position with regard to the village of Lyng is somewhat different. The parish council did make a representation expressing concern that traffic conditions in Lyng would be worsened by the NDR without a comparable A47(T) to A1067 link (AR-010 [Lyng Parish Council – Lyng Village objection](#)) and some IPs expressed similar views (e.g. RR-1196 [Richard Woods](#)). However, the applicant could see no reason why the NDR should affect traffic flows through Lyng and consequently, although the position of Lyng was also raised by Breckland Council, the applicant was only prepared to accept a monitoring requirement and contingent action in respect of that village.
- 4.458 Given that Lyng is to the west of the intended signed route between the A47(T) and the A1067 at Lenwade, i.e. further from the termination of the NDR, we share the judgment of the applicant that it is very unlikely that traffic conditions in Lyng will be materially affected by the construction of the DCO scheme. Thus, we are satisfied that Requirement 29 in the DCO recommended at Appendix E to this report will provide a sufficient safeguard should there be unforeseen traffic consequences.

Potential minor highway variations

- 4.459 The application documents make clear that the final alignment adopted in the application at the conclusion of the pre-application consultative process was to set the route as far from sensitive receptors as possible. While there are arguments for variations in particular instances whether to address environmental concerns or land issues, we are satisfied that the general approach is sound and results in the NDR passing generally through open countryside beyond the outer suburbs of Norwich but still away from outlying villages that are further from Norwich.
- 4.460 There were arguments advanced that the prior approval of the Postwick hub junction improvements prejudiced proper consideration of the NDR scheme as a whole because its eastern termination has been fixed. This argument was raised at the inquiry into the Highway Orders required to implement the scheme that is now under construction. While it was made clear in the decision on those orders that the approval of the Postwick works was an entirely separate matter from that of the NDR as a whole, as the NDR would need to be justified in its own right, we would regard it now to be perverse to seek an alternative eastern termination for the NDR.
- 4.461 The main variations that affect or might have affected more than the immediate locality of the proposed works are assessed in the following sub-sections.

Drayton - Drayton Lane and Hall Lane

- 4.462 The successive minor changes proposed at Drayton initially to keep Drayton Lane South open to traffic through two closely spaced T-junctions and then to provide a 4-arm roundabout at the junction between Drayton Lane North, Reepham Road and the link road to the NDR are detailed in section 2 of this report. The changes came about as a consequence of the volume and substance of representations from IPs. These included Mr Les Gray (D2-014 to D2-18 Les Gray), Drayton Parish Council (D2-077 Drayton Parish Council and Mr Everett on their behalf (RR-537 Graham Everett) and the Drayton Hall Park Residents Association (RR-759 Drayton Hall Park Residents). We are satisfied that the minor changes improve the DCO scheme. The improved connectivity improves the value for money of the scheme raising the BCR to 4.223 [or 5.411 including wider benefits] and, with a roundabout junction, there would be safety benefits. The widespread support for the successive changes noted in the consultations undertaken by the applicant, including support from Broadland District Council and nearby parish councils confirms the logic of these changes. While different land is required for the roundabout junction from that in the original application there are also benefits in terms of simplified land acquisition.
- 4.463 The potential dis-benefit is the prospective increase in traffic through Drayton. The traffic forecasts were tabulated by the applicant in Appendix B to the request for additional Compulsory Acquisition (AD-141 Compulsory Acquisition Request for Drayton Lane, Reepham Road roundabout (Submitted 22 September) (NCC EX 63)). The concern of the Parish Council was to provide for greater connectivity for local residents and to maximise road safety through provision of the 4-arm round-about provided that the ensuing traffic flows through the centre of Drayton were no more than would be expected without the NDR. The tabulation shows that on Hall Lane South there would be a forecast 'Do Minimum' traffic flow of 7,400 AADT in 2017 and 8,800 in 2032. In contrast, with the 4-arm round-about connection to the NDR at Drayton Lane South, the figures would be 6,900 and 8,200 respectively. At School Road in the centre of Drayton the 'Do Minimum' figures would be 11,400 AADT in 2017 rising to 12,600 in 2032. With the 4-arm round-about, the figures would be 10,900 and 11,700 respectively. The condition for support set by the Parish Council would therefore be met.
- 4.464 Although, the roundabout solution with Drayton Lane South open to traffic was sought by Mr Gray, he continued to press additionally for the closure of Hall Lane North at its junction with Reepham Road right up to the end of the Examination (D11-001 Les Gray). The applicant had previously explained in D10-013 Norfolk County Council - Responses to comments made by IP's (NCC EX 91) why closure of Hall Lane North would not be

justified. For our part, we note the 'Do Minimum' forecast traffic flows of 6,100 AADT in 2017 and 7,200 in 2032 on Hall Lane North would be reduced to 1,800 at both dates with the NDR and the round-about at Drayton Lane South. Coupled with the closure of Holly Lane, so there would no longer be a crossroads at the junction with Reepham Road, we consider that what is proposed would result in a significant improvement in highway safety over what would otherwise be likely. Moreover, Requirement 32 in the DCO recommended at Appendix E includes explicit reference to traffic calming in both Hall Lane South and Hall Lane North. The applicant indicated that these measures would include modified junction priorities at the junction between Drayton Lane South and Hall Lane North.

- 4.465 The applicant suggested that to include closure of Hall Lane North in the DCO would require a further round of consultation. Although Mr Gray's arguments were undoubtedly supported by some other IPs, it could not be assumed that there would be universal support as closure would cause less convenient routings for some travellers. We are satisfied that what is proposed represents a practical way forward and do not recommend any further change beyond that introduced by the proposed provision in AD-141 coupled with Requirement 32 in the recommended DCO. Should need arise, it would be open to the highway authority to propose closure of Hall Lane North at any time.

Plumstead Road

- 4.466 Residents of Thorpe End and elsewhere in Great and Little Plumstead Parish opposed the visual and noise implications of the proposed embankment and bridges that would take the NDR over Plumstead Road and the Norwich to Cromer railway line. These concerns are specifically addressed elsewhere in this section, but the applicant did provide a copy of a study undertaken into the alternative possibility that the NDR might pass beneath Plumstead Road and the railway line (Appendix C to D6-029 Norfolk County Council response to Network Rail Final (NCC EX 59)). This concluded that either option considered of gravity or pumped drainage would present serious technical problems in terms of disposal of contaminated earth and water quality and drainage including establishing a water-tight key with chalk strata given that the road surface would have to be at, around or even below the normal water table. There would need to be costly solutions, both initial and on-going, and some potential solutions might prove not to be feasible. The additional cost for the relevant section of the NDR would be some £12m to £16m over the design for an embankment and over-bridges. This would reduce the Benefit Cost Ratio for the scheme. The last point may not in itself be insurmountable, as the BCR would still be robustly positive. More telling are the unresolved technical issues and the fundamental redesign that would be entailed.

4.467 Elsewhere we have concluded that the concerns over the visual impact and noise consequences of the proposed embankment and over-bridges in this locality would not individually warrant recommending against the DCO. Should the Secretary of State be minded not to accept these judgements, we consider that a situation would arise in some ways comparable the issue over possible termination of the NDR at the A140. There would be a need for significant re-design with no guarantee that that a cost-effective and sustainable solution for taking the NDR beneath Plumstead Road and the railway would be able to be produced.

Middle Road - Low Road

4.468 We noted in the Pre-application Consultation Report (AD-024 to AD-031) and in certain representations from IPs that there are divided opinions within Plumstead Parish as to whether Middle Road or Low Road should be the route to be provided to give connectivity over the NDR. During pre-application consultation a bridge had been shown to take a PMA and restricted byway over the NDR at Low Road. However, after consideration of representations, that bridge had been deleted in the DCO application and an all-purpose bridge open to all traffic proposed at Middle Road in order to improve connectivity. There were arguments in the representations as to whether opinion had rightly been assessed to justify this change, but our consideration focussed on the merits or otherwise of the alternative crossings. Consequently, in our second round of questions we asked for variant drawings and DCO wording so that we could consider the alternatives (Question 1.5 PI-010 [The Examining Authority's second round of written questions](#)). We also undertook a number of site visits to Middle Road and Low Road (and Smee Lane) so that we could assess the differing characteristics of these roads.

4.469 The applicant provided the variant documentation in D6-002 [Norfolk County Council - Response to questions in parts 1-3 \(NCC EX 52\)](#). The applicant, while suggesting that simple reinstatement of the consultation proposal would only represent a minor non-material alteration to the submitted DCO, did not favour such a course of action. The concern with the previous proposal was the lack of connectivity and this could only be overcome were the Low Road bridge proposal to be modified to become a bridge open to all traffic. This would, however, result in greater impact in the landscape and in relation to neighbouring properties as alignments and gradients would need to be improved to accommodate all traffics with requisite design standards. Tie-ins to the existing road would be further from the NDR. Such action would require further design work and re-consultation. The choice of Middle Road for the all-purpose bridge by the applicant was because that road is of the highest standard of the options available, albeit that it has the highest number of frontage properties. That does mean however that there would be the greatest connectivity available for occupants of those properties.

- 4.470 It was accepted that agricultural interests would find a Low Road bridge more convenient, but the arable farming enterprise operated from Laurel Farm has widely dispersed land holdings so that without the NDR extensive travel along highways is already required. Access to land across the NDR to the east would be possible either via Middle Road or via the eastbound carriageway of the A47(T). Another landowner would have been able to access separated holdings via the proposed Low Road Bridge. While it is accepted that travel between the two blocks of farmland concerned would involve circuitous routing, the block to the east of the NDR is tenanted by a local farmer based on that side of the road. Compensation would be payable for any diminution of value in respect of severance issues. In addition, it should be noted that the Laurel Farmstead is annotated as a reserve development site GT22 in the emerging NEG T Action plan and the related policy GT20 indicates that it could be brought forward for development at an earlier date than scheduled if there is a shortfall of housing by 2019-20 (see Appendix Q to responses to ExA first questions D2-006 Norfolk County Council - Appendix Q (NCC EX 05)).
- 4.471 For our part, from our site inspections we agree that the standard of Middle Road is more appropriate as the connecting link over the NDR than either of the other alternatives of Low Road or Smee Lane. It would also seem that the use of Middle Road would fit most readily with the approved Lothbury Property development proposals, although it is accepted that those proposals do not require Middle Road to be kept open (see Appendix C to responses to ExA second questions D6-002 Norfolk County Council - Response to questions in parts 1-3 (NCC EX 52)). Finally, although the larger number of frontage properties could have an adverse bearing on highway safety, notwithstanding the generally higher standard of the road, it should be noted that with the NDR, Middle Road is forecast to have lower traffic flows than in a 'Do Minimum' situation. The Traffic Forecasting Report Volume 3 (AD-041 5.6 Forecasting Report Vol 3 Apps H-K for submission) shows that while the existing 2012 flow on Middle Road was 1,500 AADT, without the NDR this flow is forecast to rise to 2,100 in 2017 and 4,100 in 2032. Yet with the NDR these flows are only forecast to be 1,900 and 2,400 respectively²³. Even if these figures overstate the anticipated benefit of the NDR to Middle Road for the reason given in the footnote, we are satisfied that there should not be any undue risk to highway safety as a consequence of the choice of Middle Road for the connection over the NDR to Plumstead. Consequently, we do not recommend modification to the DCO in relation to this aspect of the NDR design.

²³ At the relevant hearing session it was accepted by the applicant that disaggregated figures for Middle Road, Low road and Smee Lane are not available and that these figures should be regarded as a sum of flows on all three roads, with only Middle Road open post-NDR.

Other

- 4.472 There are a number of other very minor variations to highway arrangements that were either accepted by the applicant or canvassed by other parties or affected persons that will be addressed either elsewhere in this section of the report where they arise directly out of environmental considerations or in section 6 of this report where they arise in the context of meeting concerns of land interests or can be addressed in the context of consideration of such interests.

Effects on non-motorised users (NMUs)

- 4.473 Public consultation carried out by the applicant in 2012 and 2013 identified a network of routes to link areas that generate trips by NMUs (such as villages, employment areas, future development) with each other, the Norwich Cycle Network and Marriott's Way. Part of this network makes use of narrow country lanes, roads closed to motor vehicles and existing public rights of way. Improvements to the network proposed as part of the scheme include new grade separated crossings at: Marriott's Way Bridge, Bell Farm Bridge; New Cromer Road Bridge; Buxton Road Bridge; Newman Road Bridge; a bridleway adjacent to the railway line between Green Lane East and Plumstead Road; a shared use footway/cycleway adjacent to Middle Road over the NDR; and two grade separated crossings of the A47. Some of these crossings would also carry roads (with separate provision for the footway/cycleway) or private accesses where the surface would be shared (D4-036 [Norfolk County Council's comments on written representation by Norwich Cycling Campaign \(NCC EX 17\)](#)).
- 4.474 Norwich Cycling Campaign welcomed the 25 km of new non-motorised used routes proposed, but raised concern that more than 11 km of the routes have now been designated as simply "bridleways". As such, they consider these routes could have an unsealed surface that is unattractive, or even unusable by many cyclists and users of mobility buggies (RR-976 [Norwich Cycling Campaign & D7-001 Norwich Cycling Campaign](#)). They consider that it is essential that the routes have a sealed surface, with a wide verge for horse riders.
- 4.475 The applicant's initial response was that the preferred surface for use on the combined NMU routes which are designated as bridleways would be compacted recycled road planings to a depth of 150 mm. DMRB TA91/05: Provision for Non-Motorised Users (NMUs) identifies this as a good compromise towards meeting the requirements of pedestrians, cyclists and equestrians because it provides a hardened surface which benefits cyclists with good surface texture for equestrians.
- 4.476 The exact specification for the surfacing of bridleways has not been agreed. The applicant has stated that they will consider

alternative surface types in consultation with representative user groups, including users of wheelchair and mobility scooters. Requirement 34 of the DCO requires details of surfacing to be submitted and approved prior to commencement of each section of the route. An example of an alternative that could be considered is the provision of a 2.5m wide section (for use by pedestrians and cyclists) and a 2m wide section of verge (for use by equestrians). This can be accommodated within the DCO boundary (D6-003 [Norfolk County Council \(NCC EX 53\)](#)).

- 4.477 Norwich Cycling Campaign consider that where the proposed routes immediately adjoin the NDR, landscaping and/or barriers should be employed to minimise the dangers and intimidating effects of heavy and fast moving traffic for pedestrians. In fact, as shown in the scheme drawings, the majority of NMU routes are not directly adjacent to the main NDR carriageways and have landscaping providing separation (D4-036 [Norfolk County Council's comments on written representation by Norwich Cycling Campaign \(NCC EX 17\)](#), paragraphs 1.3.1–1.3.3).
- 4.478 Norwich Cycling Campaign was also concerned about the safety of proposed crossings at a number of roundabouts along the route. They consider that at-grade, unsignalised crossings of the NDR dual carriageway roundabouts will, for many cyclists, effectively sever a number of routes across the NDR including main radial commuting routes for Norwich, and so will be a disincentive to cycling activity. They suggest that unless these two barriers to cycling activity are addressed the NDR proposals will be in direct conflict with the Prime Minister's stated intention (August 2013) to 'kickstart a cycling revolution' and cycle proof the road network. Evidence of cycle proofing is needed to provide an assurance against the need for expensive remedial work after the road is built (D9-029 [John Elbro on behalf of Norwich Cycling Campaign](#)).
- 4.479 In the applicant's assessment the substantial additional cost of providing grade separated facilities or signal controls at these junctions would not be justified by predicted levels of usage, or potential safety benefits. The applicant considers that vehicle speeds would be generally be lower at roundabout junctions as vehicles are required to slow to negotiate the roundabout. The crossings are generally positioned where there are splitter islands or central reserves so that NMUs would not need to cross the NDR or the radial routes in a single manoeuvre (Applicant's response to Question 6.6, D4-001 [Norfolk County Council \(letter and response\) \(NCC EX 05\)](#)).
- 4.480 We acknowledge that in such locations at-grade crossings may act as a disincentive to less confident and experienced cyclists and other NMUs. Nevertheless we accept that the additional cost of providing bridges or underpasses, or crossing signals in the alternative, would not be justified by the predicted levels of usage or any consequential safety benefits. The at-grade crossings have

been designed to an acceptable standard and subject to safety audit. While appropriate caution would need to be exercised, it would be possible for NMUs to cross in safety. There are alternative grade-separated crossing points that could be used by less confident and experienced NMUs (D6-003 [Norfolk County Council \(NCC EX 53\)](#)). In our view, the approach to the provision of cycle crossings strikes an appropriate balance between safety and cost, and is unlikely to lead to a demand for remediation in the future. The installation of signals at particular crossings could be considered if warranted by levels of usage. However, the extensive provision of new facilities for NMUs as part of the scheme, together with mitigation for any adverse effects, is sufficient evidence that the applicant has taken a reasonable approach to cycle-proofing the scheme.

- 4.481 It has also been suggested that the gradients for the proposed Marriott's Way crossing would be too steep for general recreational cyclists and could act as a deterrent. In response to the ExA's second round of questions, the applicant stated that the maximum gradient on the bridge approaches is more than 5% for only a short distance of 50 m to the northwest and 100 m to the south-east, reaching a maximum of 8%. While we agree that it is preferable to minimise gradients on such routes, the provision of a bridge to carry Marriott's Way over the NDR route is an important element of mitigation. The short sections of steeper gradient are not excessive, and enable better mitigation of the visual impact of the bridge (D6-003 [Norfolk County Council \(NCC EX 53\)](#)).
- 4.482 With regard to footpaths, bridleways and restricted byways, a limited number of severances of existing routes would occur. In most cases reasonably convenient alternatives would be provided.
- 4.483 Spixworth Bridleway BR1 would be severed between St Faith's Road and Quaker Lane, with no new crossing point at this location. However, alternative NMU routes would be provided to the north and south of the NDR, with links to crossing points at the Airport roundabout and Buxton Road. However, it is acknowledged in the ES that journey lengths would be increased for some NMUs, with adverse impacts for walkers (AD-046 [6.1 ES Volume 1 Part 1 Table 12.17](#)).
- 4.484 A short length of Restricted Byway 42 (Attlebridge) would be stopped up between the NDR route and Fakenham Road, with the route diverted to the new roundabout nearby. A short section of Great and Little Plumstead Footpath 5 between the NDR route and Low Road would be stopped up, while a section to the east would be converted to a bridleway between Smee lane and Low Road, with a new section between Low Road and the new bridge at Middle Road. Subject to the provision of appropriate surfacing, these routes would be suitable for walkers and cyclists, as well as equestrians. Although there would be some loss of amenity from

the proximity of traffic, these proposed arrangements would maintain reasonable connectivity for NMUs.

- 4.485 There are other instances where lightly trafficked roads, currently usable by cyclists, would be severed, such as Smee Lane and Low Road, where NMUs would be diverted over a new all-purpose road bridge at Middle Lane. These arrangements would involve some loss of amenity and convenience for users. The provision of an all-purpose bridge at Middle Lane, rather than a dedicated overbridge for NMUs at Low Road was included in response to concerns about the impact of the NDR on connectivity for residents of the the parish of Great and Little Plumstead and we consider that it maintains an acceptable level of connectivity for NMUs.

ExA's conclusions

- 4.486 Where existing routes would be severed, appropriate alternative provision has been made to ensure that connectivity is maintained. Some alternatives would be slightly less convenient, and there would be harm to the amenity of users from the proximity of traffic. Nevertheless, considered as a whole, the proposals would provide an extensive new network of routes for NMUs, which we regard as an overall enhancement of facilities and routes available for NMUs. Elsewhere, particularly in the urban area, predicted declines in traffic levels are likely to be of benefit to NMUs, and present opportunities for additional dedicated facilities and safety improvements.
- 4.487 The NDR proposal would conform generally with saved Policies TRA4, TRA5 and TRA6 of the Broadland Local Plan which are concerned with making provision for pedestrians, cyclists and other vulnerable users and promoting links with existing provision and local services. It would address the aims of Objective 7 and Policy 6 of the JCS, insofar as it seeks significant improvement to the cycling and walking network.

Cumulative Effects with other development

- 4.488 Cumulative impacts considered here can be defined as impacts resulting from incremental changes caused by other past, present or reasonably foreseeable developments together with the NDR. The following developments were identified by the applicant for inclusion within the ES (Table 15.4 AD-046 6.1 ES Volume 1 Part 1):

- Beyond Green Mixed use development including 3520 dwellings and 1000 jobs
- Rackheath Eco Community Mixed used development including 3520 dwellings
- Broadland Gate Mixed use housing and commercial development
- Norwich Airport Engine testing centre
- Norwich Airport Aviation business park 850,000ft²
- Laurel Farm and Brook Farm 600 homes and commercial development
- Blue Boar Lane (White House Farm) 1233 houses
- Norwich Area Transport Strategy (NATS) Measures complementary to NDR

4.489 The proposed JCS allocation of 4000 homes to the NW of Norwich was however not taken into account in the ES assessment of cumulative impacts as the totality of locations and delivery dates are currently not finalised during the consultations on Broadlands District development allocations. Nevertheless, the forecast traffic

data and information for 2017 and 2032 on which the ES is based takes account of the development that is envisaged in the JCS traffic growth predictions, and is reflected in the assessment of operational impacts of the NDR such as noise, air quality and carbon effects (Section 4, 5 and 11 AD-046 [6.1 ES Volume 1 Part 1](#)).

- 4.490 The ES identifies the potential for significant adverse effects on sensitive receptors during construction assuming all projects were to proceed in a similar timeframe. However this is a 'worst-case scenario' as it is likely that this construction programme will be phased over a number of years (Table 15.8 AD-046 [6.1 ES Volume 1 Part 1](#)).
- 4.491 For the operational phase of projects the ES identifies significant adverse impacts on Protected Species and Designated Sites and on Land Use in the design year for the NDR (2017) (Table 15.9 AD-046 [6.1 ES Volume 1 Part 1](#)). The impact on protected species is mostly attributable to the effects on bats, before the proposed mitigation becomes fully effective. The impact on land use results from land take, which is unavoidable. For all other receptors the cumulative impact is assessed as either not significant or beneficial. The ES identifies significant benefits to motorised and non-motorised users in the design year.
- 4.492 By 2032 it is predicted that the adverse impacts on biodiversity will have reduced in significance as the landscaping and habitat creation matures. The benefits to motorised and non-motorised users will still be significantly beneficial as the other development identified phases in. The job creation and housing provided will also have significant benefits.

ExA's conclusions over cumulative impacts

- 4.493 The ES has taken into account potential cumulative impacts from interaction with other proposed developments where these are reasonably foreseeable. The traffic forecasts underlying the proposal reflect the levels of development proposed in the JCS including where precise sites and locations are not yet known. The assessment of generic environmental impacts of the scheme has therefore taken into account predicted traffic growth, including that from other significant development proposals. While we acknowledge the potential for significant cumulative effects during the construction phase of the NDR to arise in association with other schemes in the event of these occurring at the same time, we consider that it is much more likely that the developments would be phased over a longer period. As regards the operational phase of the NDR, there is no evidence that any significant cumulative effects would arise in addition to those attributable to the scheme itself as the DCO scheme has been based on the assumption of JCS growth.

OVERALL CONCLUSIONS ON PLANNING AND TRANSPORT ISSUES

- 4.494 In this section we have assessed the DCO scheme in the light of representations made in relation to the provisions of national planning and transportation policy and guidance, in particular the draft NN NPS and the development plan, as the latter is up to date and has relevant policies that establish the need to the NDR in local terms. We have, as required under s105 of PA2008, paid particular attention to the LIRs submitted by the local authorities in the locality.
- 4.495 Although there was criticism of aspects of the forecasting, we are satisfied that the techniques applied are sound and broadly reflect application of UK Government guidance and professional practice. A low traffic growth scenario had not been evaluated prior to concluding that public transport options without the NDR would not be feasible and most significantly would fail to meet some of the key objectives sought in the NATS and JCS. We are satisfied, however, that all reasonable alternatives have been evaluated, either before submission of the application or through the Examination process, and do not consider that there is evidence based on the Examination that a better performing or even acceptable alternative exists (in economic and operational terms). In this respect we consider that the DCO scheme is consistent with the approach of the NN NPS.
- 4.496 We were disappointed that significant errors were discovered during the course of the Examination in the VfM appraisal of a Public Transport option that was undertaken for the benefit of the Examination. However, when the errors were corrected the outcome still demonstrated a negative BCR for such a package. Conversely, under the central growth assumptions the BCR for the NDR with complementary measures primarily focused on the city centre was very positive showing very high VfM with or without wider benefits (5.33 and 4.17 respectively). Implementation of a substantial package of public transport service enhancements as assumed under the NDR+NATS PT option would improve the BCR of the DCO scheme further to 7.12 and 5.98 respectively. Moreover sensitivity testing to assess the implications of a zero traffic growth scenario after 2017 still showed an acceptable albeit much reduced BCR for the DCO scheme.
- 4.497 The LIRs were strongly and universally supportive of the DCO scheme, perceiving both environmental and economic benefits. We have examined the various likely effects of the scheme. Some are positive others negative. The assessment processes have had regard to the NN NPS.
- 4.498 In relation to air quality our conclusion is that there would be an overall beneficial effect with more receptors experiencing improved air quality than deterioration and no new exceedences

caused. After mitigation and with compliance with proposed requirements there would be no likely significant effects on European Protected Sites. With regard more generally to protected species and biodiversity, although there would be adverse short-term effects during construction and before mitigation measure fully mature, in the medium to long-term adverse effects would be reduced to minor or neutral and there would be some beneficial effects through improved water quality.

- 4.499 There would be clear benefits to civil aviation interests following mitigation that is resolving all issues of safety or navigation concern. In our judgement, there would also be potentially very significant economic development benefits to the economy of the area, including to tourism, a conclusion endorsed almost universally by business interests. Highway safety should be improved and the concerns over potential issues with level crossings have been resolved. On balance we consider that there would be a beneficial effect for NMUs. Some connectivity would be lost where existing highways would be severed without replacement and there are some concerns over at grade-crossing proposed at roundabouts. However, these effects are more than offset by the extended network of bridleways that would be created including some grade-separated crossings and by the forecast reduction in traffic on many urban roads and unsuitable rural roads that would facilitate improved conditions for NMUs in these localities.
- 4.500 Potential nuisance has been properly evaluated and dealt with in the provisions of the DCO and, following assessment and mitigation, there are no outstanding perceived adverse effects in relation to flood risk, water quality, waste management and pollution control.
- 4.501 In contrast to the situation in respect of air quality, there would be a net worsening of the noise climate, notwithstanding the extensive mitigation proposed. While there would be very few properties where increased noise would exceed relevant noise thresholds, the applicant accepts that perception of increased noise would be greatest where ambient noise levels are currently very low. Heritage is another area where there would be likely to be overall harm, albeit less than substantial with most effects neutral or slight and where a moderate impact may persist this would have to be weighed in the overall balance. The situation with regard to landscape impact is somewhat similar. A proportionate assessment has been made and extensive mitigation proposed. Nevertheless, a moderate adverse impact is likely to persist through to the design year in relation to the embankment and railway crossing between Plumstead/ Rackheath and Thorpe End.
- 4.502 There would be a significant major adverse effect on the national resource of best and most versatile agricultural land, but there

would not be a significant effect on the viability of farm holdings and there would be only a minimal effect on designated open space. Last, but not necessarily least, the scheme would result in an increase in CO₂ emissions contrary to the necessary trajectory to attain the targets embodied in statute through the Climate Change Act. However, we do not regard the scale of the increase in emissions as so substantial that it would cause risk to the achievement of the government's overall targets. We recognise that there has to be a shift in travel behaviour and understand the concerns that the provision of the NDR might tend to entrench car dependence. However, we also note that the NDR supports focussed development in the NEGTT which should favour development of a sustainable transport system. Such an aspiration ought to be realisable in the total package envisaged of NDR + complementary measures.

- 4.503 In accordance with the general principles in the draft NN NPS, we have weighed potential benefits against potential adverse impacts. We consider that the achievement of the objectives sought for the NDR, which ought to be substantially attainable provided that the complementary transport measures are also pursued, would provide very significant social and economic benefits that would have a regional and national as well as a local dimension. These include civil aviation and tourist related benefits. There would also be some local environmental, and safety benefits where traffic is re-directed from unsuitable urban or rural roads and a net improvement in air quality. We also conclude that the scheme complies with the requirements of the draft NN NPS in respect of good design.
- 4.504 Against these benefits and attributes need to be weighed the long term residual harm to some heritage assets and to the landscape particularly in the Thorpe End/Plumstead area, the worsening of the overall noise climate, the loss of best and most versatile agricultural land, even if this cannot be avoided, and the increase in carbon emissions.
- 4.505 In our judgement, given that the NDR proposal embodied in the DCO appears to us to be the best available option to address the transport objectives sought in the underlying social, economic and environmental context of the JCS for the Norwich area, we consider that the benefits outweigh the adverse impacts. Consequently, in accordance with the general principles of assessment in the draft NN NP and the balance of development plan policy we consider that the DCO should be made in the form that we recommend at Appendix E to this report.

5 FINDINGS AND CONCLUSIONS ON HABITATS REGULATIONS

Project Location in relation to European Protected Sites and assessments undertaken

5.1 The applicant's HRA Report (AD-089 6.2.17 ES Volume 2 - Habitat Regulations Assessment) submitted with the DCO application identified the following European sites for inclusion within the assessment:

- River Wensum Special Area of Conservation (SAC).

The River Wensum SAC, forming part of the Natura 2000 network is relatively close to the western end of the scheme (0.3km away from the nearest point).

5.2 The applicant's second HRA Report (D5-033 Norfolk County Council – Habitat Regulations Assessment: Screening) has also identified the following European sites as relevant to the proposed development which were not considered within the original HRA Report.

- Breydon Water Special Protection area (SPA)
- Breydon Water Ramsar
- The Broads SAC
- Broadland SPA, and
- Broadland Ramsar.

The Broads SAC and Broadland Ramsar/SPA sites are around 2.1km from the nearest part of the DCO works. These or other related European sites are also adjacent to the A47(T) as it passes along what is known as the Acle straight between Norwich and Great Yarmouth, a road that is forecast to experience additional traffic flows as a consequence of the DCO scheme

5.3 The second report was submitted on a voluntary basis by the applicant in response to concerns raised by the Norwich and Norfolk Transport action Group (NNTAG) in their relevant representation (RR-1054 Norwich and Norfolk Transport Action Group) in relation to the Acle straight. The second HRA Report (D5-033 Norfolk County Council – Habitat Regulations Assessment: Screening) considers the potential impact on these sites, detailing a screening exercise for likely significant effects to their designating features. Further information was provided in the Breydon Water, the Broads and Broadland HRA Assessment submitted by the applicant on 9 October 2014 (AD-138 Norfolk County Council - HRA Assessment (submitted 9 October) (NCC EX 84)).

5.4 The applicant's HRA reports (AD-089 6.2.17 ES Volume 2 - Habitat Regulations Assessment, D5-033 Norfolk County Council – Habitat Regulations Assessment: Screening, AD-137 Norfolk County Council - HRA Addendum (submitted 9 October) (NCC EX 83) and

AD-138 Norfolk County Council - HRA Assessment (submitted 9 October) (NCC EX 84)) identify the qualifying features and features of interest for which each European Site (and Ramsar) is designated.

Conclusions of assessments

- 5.5 As a result of the screening assessment, the applicant concluded that the project is not likely to give rise to significant effects on the following European Sites (collectively termed the Broadland sites) (D5-033 Norfolk County Council – Habitat Regulations Assessment: Screening) and (AD-138 Norfolk County Council - HRA Assessment (submitted 9 October) (NCC EX 84)):
- Breydon Water Special Protection Area (SPA)
 - Breydon Water Ramsar
 - The Broads SAC
 - Broadland SPA, and
 - Broadland Ramsar.
- 5.6 Natural England as the relevant Statutory Nature Conservation Body (SNCB) has subsequently confirmed that it concurs with the applicant's findings of no significant effects in respect of these European and International sites (D6-012 Natural England).
- 5.7 The applicant concluded that significant effects could not be excluded on the River Wensum SAC and potential adverse effects of the scheme on the integrity of this site were assessed. These potential impacts are set out in Table 3a of the Report on Implications for European Sites (RIES) (PI-013 Examining Authority's Report on the Implications for European Sites) (also attached to this report as Appendix D), and include change in groundwater levels, change in water chemistry, change in water flow and siltation.
- 5.8 Following the assessment of adverse effects upon integrity, the applicant concluded that the project will not adversely affect the integrity of the River Wensum SAC (AD-089 6.2.17 ES Volume 2 - Habitat Regulations Assessment). Discussion continued between the parties during the course of the Examination and a revision to the original HRA was issued by the applicant, providing further detail on the specific surface water management measures and drainage strategy (AD-137 Norfolk County Council - HRA Addendum (submitted 9 October) (NCC EX 83)).
- 5.9 NE and the EA have not identified concerns in respect of changes to groundwater levels, changes to water chemistry, or changes to water flow. The EA stated in their response to the ExA's second written questions (D6-007 Environment Agency) that both the EA's and NE's outstanding concerns at that stage related to an increased risk of silt input to the River Wensum SAC as a result of increased vehicle numbers on the A1067. They were satisfied that

measures could be put in place to ensure that the River Wensum SAC would not be adversely affected by an increase in silt input, subject to their requested inclusions to the surface water management plan drainage strategy and the draft CEMP and its securing in the DCO via amendments to the requirements. NE welcomed the inclusion of a draft requirement regarding Weston Hall Road drainage but advised that it should be extended to improve sediment capture on the A1067 at the Lenwade and Attlebridge crossings of the SAC (D6-012 [Natural England](#)).

In-combination effects

- 5.10 The applicant has addressed in-combination effects within all HRA reports (AD-089 [6.2.17 ES Volume 2 - Habitat Regulations Assessment](#), D5-033 [Norfolk County Council – Habitat Regulations Assessment: Screening](#), AD-137 [Norfolk County Council - HRA Addendum \(submitted 9 October\) \(NCC EX 83\)](#) and AD-138 [Norfolk County Council - HRA Assessment \(submitted 9 October\) \(NCC EX 84\)](#)). In relation to the River Wensum SAC the following plans/projects have been included in the in-combination assessment carried out by the applicant (paragraph B.4.26- B4.40 AD-089 [6.2.17 ES Volume 2 - Habitat Regulations Assessment](#)):
- Greater Norwich Development Partnership Joint Core Strategy
 - Anglian Water Services Water Resource Management Plan
 - Norwich Area Transportation Strategy, and
 - River Wensum Restoration Strategy.
- 5.11 Neither the EA nor NE questioned the scope of the applicant’s assessment of in-combination effects or suggested any other plans/projects that should be taken into consideration. Nor did they express any concern over in-combination effects.
- 5.12 The applicant’s HRA Assessment (AD-089 [6.2.17 ES Volume 2 - Habitat Regulations Assessment](#)) recognises the potential for policies in the JCS to act in combination with the NDR to affect the integrity of the River Wensum SAC. The JCS sets out the development strategy in the partnership area including transport infrastructure and the allocation of housing strategy. It includes current development proposals at Beyond Green, White House Farm, Blue Boar Lane and Laurel Farm. The main issue from the HRA of the JCS was the potential effect on the River Wensum SAC from the public water supply abstraction at Costessey. However the EA’s review of consents established that the scale of abstraction would not result in an adverse impact on the SAC. A position statement between Anglian Water, the EA and NE agreed that abstraction at Costessey would be capped at historic levels, and that other potential solutions would be considered by Anglian Water in preparing the Water Resource Management Plan.

- 5.13 With regard to the effect of increased traffic due to planned development, the applicant's HRA Assessment concludes that the projected major reduction of traffic on nearby roads with a direct link to the River Wensum would be strongly beneficial compared to the do-minimum scenario. The predicted reduction in traffic on such roads would reduce contaminant loads, risk of spillages and most importantly, for the potential to generate sediment, the erosion of verges (paragraph D.3.8, AD-089 [6.2.17 ES Volume 2 - Habitat Regulations Assessment](#)).
- 5.14 Paragraph 2.2.14 of the applicant's HRA Addendum report confirms that the traffic model for the NDR is based on the inclusion of further developments such as that proposed in the JCS. There is an expectation that other developments will include sustainable urban drainage systems (SuDS) to mitigate against silt ingress. Other appropriate measures will be required to prevent silt ingress during construction. The River Wensum SAC will not therefore be subject to any significant in-combination impacts from the NDR together with the other developments included in the assessment (AD-144 [Norfolk County Council - Addendum to the HRA \(NCC EX 108\)](#)).

Findings in relation to the effects on the integrity of European Sites

- 5.15 NE has confirmed their agreement with the applicant's assessment that there will be no likely significant effects in respect of Breydon Water Special Protection Area (SPA), Breydon Water Ramsar, The Broads SAC, Broadland SPA, and Broadland Ramsar (D6-012 [Natural England](#)).
- 5.16 Mitigation measures have been incorporated in the design of the NDR to avoid adverse effects on the integrity of the River Wensum SAC. The applicant has engaged in productive dialogue with the Statutory Nature Conservation Bodies (SNCBs) before and during the examination.
- 5.17 The applicant proposes to install temporary drainage features during construction and permanent SuDS elements to reduce the risk of siltation or other pollution impacts with the potential to cause adverse effects on the site. Accidental spillages would be dealt with in accordance with the Site Environmental Management Plan (Table D.4, AD-089 [6.2.17 ES Volume 2 - Habitat Regulations Assessment](#)). These measures would be implemented through the Construction Environment Management Plan (CEMP), which is secured by Requirement 18 of the final Draft DCO submitted on 2 December 2014 (AD-147 [147 Norfolk County Council - Revised DCO \(NCC EX 103\)](#)).
- 5.18 Requirement 24 of the final Draft DCO provides for the submission and approval of a detailed surface water drainage strategy (including pollution control measures) for each section of the

scheme prior to commencement, in consultation with the EA. Requirement 25 makes specific reference to a mitigation measures action plan (MMAP) for the A1067 at Attlebridge and Lenwade, and for Weston Hall Road, to include measures for the prevention of sediment entering the River Wensum SAC. EA and NE will be consulted on the detailed design and implementation of these measures (AD-144 [Norfolk County Council - Addendum to the HRA \(NCC EX 108\)](#) Appendix H).

- 5.19 In response to the publication of the HRA Addendum and the RIES, EA subsequently confirmed that 'subject to the finalisation and implementation of the MMAP in accordance with Requirement 25, there will be no adverse effect on the integrity of the River Wensum SAC'. Natural England confirmed that 'with the production of the draft MMAP, which sets out how the applicant will mitigate sediment ingress, Natural England is able to concur that there will be no adverse effect on the integrity of the River Wensum SAC, and agree the findings of the applicant's draft HRA Addendum' (D10-016 [Norfolk County Council - Correspondence from Natural England and Environment Agency \(NCC EX 99\)](#)).
- 5.20 A final updated version of the HRA Addendum taking into account the most recent comments of NE and EA was submitted by the applicant on 2 December 2014 (AD-144 [Norfolk County Council - Addendum to the HRA \(NCC EX 108\)](#)).
- 5.21 The ExA is accordingly satisfied that the final draft DCO incorporates a programme of mitigation measures in respect of both the construction and operational phases of the NDR which have been agreed by NE and the EA, who will be further consulted on the final details of design. These measures will ensure that the potential for sediment laden surface water to enter the River Wensum SAC as a result of the scheme is negligible, and that there will be no adverse effect on the integrity of the River Wensum SAC.

6 COMPULSORY ACQUISITION AND OTHER LAND MATTERS

The Request for Compulsory Acquisition Powers and Temporary Possession Powers

- 6.1 The DCO contains a request for Compulsory Acquisition (CA) in Part 5 of the draft order (see AD-004 [3.1 Draft Development Consent Order](#) and AD-005 [3.2 Explanatory Memorandum](#) as originally submitted and AD-147 [Norfolk County Council - Revised DCO \(NCC EX 103\)](#) and AD-152 [Norfolk County Council - Updated Explanatory Memorandum \(NCC EX 96\)](#) as extant at the close of the Examination). All subsequent references are to Articles in the recommended DCO in Appendix E. Article 20 provides for CA of land shown on the Land Plans and described in the Book of Reference, with Article 21 incorporating the minerals code and Article 22 providing for extinguishment of rights and Article 24 for the acquisition of rights rather than outright acquisition as specified in Schedule 10. Article 28 addresses the acquisition of parts of certain properties. Other powers sought within the order, such as those within Part 3 relating to interference with existing highways (Articles 8 and 12) involve elements of CA, as do Article 18 which relates to protective works to buildings, Article 19 which gives authority to survey land, Article 29 which relates to rights under or over streets and Articles 33-35 which address matters relating to the rights of statutory undertakers. While strictly outside the definition of CA, Articles 30 and 31 make provisions relating to temporary use of land as specified in Schedule 12.
- 6.2 A Statement of Reasons is contained in AD-006 [4.1 Statement of Reasons](#) and a Funding Statement in Document AD-007 [4.2 Funding Statement Final Version](#). The initial Book of Reference is AD-008 [4.3 Book of Reference](#), but during the course of the Examination this was updated with the most recent version being that in AD-133 [Norfolk County Council - Updated Book of Reference \(submitted 9 October\) \(NCC EX 79\)](#). The Land Plans submitted with the application are AD-010 [2.2 Land Plans](#). Again these were updated during the course of the application, in particular in AD-124 [Norfolk County Council - Updated Plans – Sheet 1 of 5 \(submitted 9 October\) \(NCC EX 73\)](#).
- 6.3 The majority of the land required is currently in agricultural use. Other parts include existing highway land and private accesses, land within Norwich International Airport, part of the grounds of Norwich Aviation Museum, Marriott's Way recreational path, woodland, paddocks and parts of the grounds of individual properties, an industrial storage area, rights to bridge over an existing railway line, forecourts of business premises and derelict farm buildings.

The purposes for which the land is required

- 6.4 The purpose of the CA powers is set out in broad terms in paragraph 1.6 of the Statement of Reasons as to enable the applicant, NCC, to construct and operate the NDR within the order limits. The objectives for the NDR are set out in paragraph 4.1 of this report.
- 6.5 The specific purposes for which each plot is required are set out in Appendix 1/1A to the Statement of Reasons (AD-006 [4.1 Statement of Reasons](#)) by reference both to work numbers and purpose. The amendments to Schedule 1 of the DCO during the course of the Examination, to separate out associated development from integral works, modify the relationship to particular works numbers to a limited extent, but the purposes should remain unchanged. The minor amendments to the scheme that have been accepted during the course of the Examination also amend a small number of plots, particularly in the vicinity of the junction of Drayton Lane North with Reepham Road and in the vicinity of Broad Lane and Plumstead Road. There were also a number of small adjustments elsewhere to accommodate wishes of land interests or statutory consultees. In subsequent consideration of specific plots, reference will be made to the latest plot numbers as set out in the updated Book of Reference and the latest land plans which are referred to above.
- 6.6 Although negotiations have been proceeding to acquire the requisite land by agreement, in order that the necessary land and rights can be acquired at reasonable cost within the required timescale, CA is sought in order to:
- acquire freehold in approximately 384 plots and to remove existing easements servitudes and other private rights in relation to these plots; and
 - acquire new rights in 14 plots;
- Powers are also separately sought to:
- take temporary possession of 52 plots (though in some instances using the CA powers to acquire new rights in respect of some of these plots).
- 6.7 There are Crown interests only in respect of a small number of plots. These are mainly in respect of plots of existing trunk road land in the vicinity of the A47(T) Postwick junction, where the interest of the Secretary of State for Transport is directly involved (plots 12/19-12/29, plots 12/33-12/47, 12/49, 12/53, 12/57 and 12/59-12/60). Additionally Plot 12/55 comprises former trunk road land transferred to the local highway authority, i.e. the applicant, NCC, under the 1989 Order that de-trunked former trunk road land that was no longer required following construction of the Norwich Southern bypass. It is considered possible that this

transfer may have left a residual interest with the Secretary of State and, as a consequence, it is also shown as land where there is a Crown interest. It should be noted that most if not all of this land is required for the construction of the Postwick Hub re-configuration of the A47(T) junction that has already been authorised by the Secretary of State and is currently under construction.

- 6.8 The remaining plots in which there is a residual crown interest are plots 2/26-2/29 which relate to Marriott's Way where it is crossed by the NDR. Marriott's Way follows the route of railway lines between Norwich and Aylsham, but now is a recreational footpath, bridleway and cycle-track vested in Broadland District Council. However, there is a residual interest held by the Highways Agency Historical Railways Estate on behalf of the Secretary of State for Transport following the abolition of British Rail Board (Residuary) Ltd. The interest is in relation to maintenance responsibilities for structures related to the former railway. All the Crown land interests are shown on AD-022 [2.12 Crown Land Plan](#).
- 6.9 The consent under s135 of PA2008 for acquisition of interests other than those held by the Secretary of State for the land at Postwick that is owned by the Secretary of State is given in a letter submitted with the application (AD-104 [10.4 Consent from HA to include Crown Land in Development Consent Order - Final Version](#)). The letter also confirms the acceptance by the Secretary of State of the transfer to the Secretary of State of the completed works that will form part of the revised trunk road junction. A further letter confirming that a similar consent applies to plot 12/55, if such consent is required, is set out as Appendix B to the applicant's responses to first ExA questions (D4-002 [Norfolk County Council - Appendix A,B,C,D & E \(NCC EX 05\)](#)) with consent in relation to the Marriott's Way land as Appendix C to that document.
- 6.10 A number of plots or interests belonging to statutory undertakers are involved in the CA sought. In particular, a diversion of a National Grid high pressure gas main is required, apparatus of Eastern/UK Power Networks is involved, as are facilities of Anglian Water. Land and other interests of Network Rail Infrastructure Ltd are involved in relation to the proposed crossing of the NDR over the Norwich to Cromer Railway line. Land and interests of Norwich International Airport are affected where the NDR would pass around the northern edge of the airport. Various telecommunications operators may also have apparatus affected by the CA measures in the DCO, particularly those in relation to the alteration of streets. All these matters and the protective provisions inserted into the recommended DCO and other agreements reached to address concerns are detailed later in this section of our report.

- 6.11 A limited number of plots involve CA of special category land. These are mainly those in relation to Marriott's Way that is legally defined as open space and for which replacement land is provided. The remaining special category land is land which is designated as Fuel Allotments that is situated between Broad Lane and Plumstead Road. The minor amendment to the application in that vicinity reduces substantially the land to be acquired from the allotments field and consequently replacement land is no longer proposed. These issues are addressed in detail below.
- 6.12 The DCO seeks to incorporate the provisions of the Compulsory Purchase (General Vesting Declarations) Act 1981 with modifications and the provisions set out in s158 of PA2008 relating to the statutory authority and protection given to override easements and other rights. The provisions concerning General Vesting declarations are set out in Article 26, those concerning statutory authority in Article 40 and the power to override easements and other rights in Article 22. This last article includes application of compensation to circumstances where there may be interference, breach, abrogation or discharge of such rights, with compensation for acquisition of rights also addressed in Article 24 and Schedule 11.
- 6.13 Section 120(5)(a) of PA2008 provides that a DCO may apply, modify or exclude a statutory provision which relates to any matter for which provision may be made in the DCO and s117(4) provides that, if the DCO includes such provisions, it must be in the form of a statutory instrument. The DCO seeks to apply s120(5)(a), e.g. through Schedule 11, and is in the form of a statutory instrument.

The Requirements of the Planning Act 2008

- 6.14 Compulsory acquisition powers can only be granted if the conditions set out in sections 122 and 123 of the PA2008 are met.
- 6.15 Section 122 (2) requires that the land must be required for the development to which the development consent relates or is required to facilitate or is incidental to the development. In respect of land required for the development, the land to be taken must be no more than is reasonably required and be proportionate.²⁴
- 6.16 Section 122(3) requires that there must be a compelling case in the public interest which means that the public benefit derived from the compulsory acquisition must outweigh the private loss that would be suffered by those whose land is affected. In balancing public interest against private loss, compulsory acquisition must be justified in its own right. But this does not mean that the compulsory acquisition proposal can be considered

²⁴ Guidance related to procedures for compulsory acquisition DCLG February 2010

in isolation from the wide consideration of the merits of the project. There must be a need for the project to be carried out and there must be consistency and coherency in the decision-making process.

- 6.17 Section 123 requires that one of three conditions is met by the proposal²⁵. The ExA is satisfied that the condition in s123 (2) is met because the application for the DCO included a request for compulsory acquisition of the land to be authorised and that it is also met in relation s123(4) in respect of the proposed provision for CA of additional land at Drayton Lane North as the requirements of Regulations 5-19 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 were complied with. All other additional land brought within the CA provisions after the initial application by minor amendments to satisfy land interests has the consent of the land interests concerned, thereby meeting the test of s123(3) in respect of that land.
- 6.18 A number of general considerations also have to be addressed either as a result of following applicable guidance or in accordance with legal duties on decision-makers:
- all reasonable alternatives to compulsory acquisition must be explored
 - the applicant must have a clear idea of how it intends to use the land and to demonstrate funds are available; and
 - the decision-maker must be satisfied that the purposes stated for the acquisition are legitimate and sufficiently justify the inevitable interference with the human rights of those affected.

How the ExA examined the case for Compulsory Acquisition

- 6.19 Given the number of interests in land that were proposed to be subject to CA, the ExA sought an initial update from the applicant on the status of negotiations with affected persons. This was provided in D1-001 Norfolk County Council's report on status of negotiations with affected persons in respect of compulsory acquisition for each plot (NCC EX 01). As many negotiations were indicated as on-going without a clear indication that there would be acceptance of acquisition, we sought further comment on the status of negotiations by 21 July 2014 and the applicant provided this in answers to first ExA questions (D4-001 and D4-002 Norfolk County Council (letter and response) (NCC EX 05))

²⁵ (1) An order granting development consent may include provision authorising the compulsory acquisition of land only if the Secretary of State is satisfied that one of the conditions in subsections (2) to (4) is met.

(2) The condition is that the application for the order included a request for compulsory acquisition of the land to be authorised.

(3) The condition is that all persons with an interest in the land consent to the inclusion of the provision.

(4) The condition is that the prescribed procedure has been followed in relation to the land.

and Norfolk County Council - Appendix A,B,C,D & E (NCC EX 05) and in response to Relevant Representations and Written Representations from various land-owners (D3-001 Norfolk County Council (NCC EX 04) and D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07)). Separate comments were also provided in response to written representations from various statutory undertakers and prospective developers.

- 6.20 As it was still not clear the extent to which the CA would be ultimately accepted, we scheduled CA hearings to take place on 30 September and 1-3 October 2014. In the event, only a limited number of affected persons (APs) including statutory undertakers sought to be heard, but we were able to ask questions concerning the progress of negotiations e.g. concerning revisions to the gas pipeline diversion proposals sought by National Grid and in relation to Network Rail who made written submissions. The applicant submitted an updating statement following the hearing sessions together with revised land plans and general arrangement drawings illustrating the adjustments made to satisfy land interests including those of National Grid. D8-001 to D8-007 set out the position at that point in the Examination in relation to CA matters.
- 6.21 The applicant had submitted an application for proposed provision of additional CA immediately prior to those hearings in order to provide for a 4-arm roundabout at the junction of Drayton Lane with Reepham Road and the proposed link road to the NDR (AD-141 Compulsory Acquisition Request for Drayton Lane, Reepham Road roundabout (Submitted 22 September) (NCC EX 63)). As a consequence, we scheduled a further CA hearing on 28 November so that there would be opportunity for APs to be heard in relation to the additional land sought. At that hearing we also allowed for the possibility of dealing with any other outstanding matters concerning CA. To facilitate this we produced a schedule of our understanding in relation to representations in respect of each plot for which CA is sought, seeking confirmation from the applicant that all matters had been resolved or, alternatively, their final response in relation to contested plots (PI-015 Rule 17 Request – 5 November 2014).
- 6.22 The applicant provided the information sought in the following D9-021 Norfolk County Council – Additional Land & Owner’s Consent (NCC EX 86), D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), D11-009 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 100) and D12-002 Norfolk County Council - Update on Compulsory Acquisition Issues following CA Hearing of 28 November 2014 (NCC EX 102). In some instances confirmation of withdrawal of objections by statutory undertakers is appended to a number of these documents. In some instances there are

separate submissions to this effect from undertakers. These will be referred to in detail below.

The applicant's general case for CA

- 6.23 The general case of the applicant as set out in the Statement of Reasons and reiterated in written submissions and at hearings is that the NDR is needed to improve connectivity and accessibility across both the northern part of the Norwich urban area and areas of the county in an arc from the north-west to the east of the city. These areas include Norwich International Airport which is not currently linked to the strategic road network but plays an important role in the offshore energy industry being the base for four leading helicopter companies and the centre for offshore survival training. The NDR also provides the basis of transport infrastructure to achieve the growth objectives for the area as contained in the adopted JCS. This includes 10,000 additional dwellings in the NEGT and 80 ha of new employment growth.
- 6.24 The possibility that the need could be met in another way and not require the proposed CA or lesser CA has been subject to studies in the context of the NATS over many years, but these concluded that the NDR is an essential component of a package of transport measures. In order to address specific problems 6 objectives were determined that are set out at paragraph 4.1 above.

Possible alternatives to compulsory acquisition

- 6.25 In concluding that the NDR is an essential component along with complementary public transport measures and city centre environmental enhancement, all reasonable alternatives were considered. Improvement of existing roads and public transport options were considered before it was concluded that the former could not provide sufficient road capacity with acceptable environmental conditions to enable sufficient enhancement of the public transport system to meet potential demand. The public transport option was also considered not to be feasible in terms of value for money. While preparing the Main Scheme Business Case (MSBC) for the DfT, these options were again revisited with similar conclusions so that in the ES and pre-application consultation five road options to the preferred scheme were assessed that would have entailed less CA.
- 6.26 Alternative 1 was a single carriageway along the preferred route, alternative 2 the omission of the western section between the A140 Cromer Road and the A1067 Fakenham Road, alternative 3 a single carriageway for the western section and alternative 4 a single carriageway for the westernmost section between Fir Covert Road and the A1067. Alternative 5 would have been to secure the linking up of developer funded roads in the NEGT to create an outer ring road from the eastern edge of the airport to Postwick.

- 6.27 To a greater or lesser extent these options were deemed to fail to fulfil the totality of the objectives sought and would represent lesser value for money. They are discussed in detail in section 4 of this report.
- 6.28 The applicant also considered whether temporary possession as opposed to CA would enable the objectives of the scheme to be achieved with lesser CA.

The case for CA under s122

- 6.29 The DCO scheme has been designed in accordance with requisite standards to use the minimum land required to fulfil its objectives together with necessary environmental mitigation. Appendix 1/1A of the Statement of Reasons explains the need for each of the CA plots (AD-006 [4.1 Statement of Reasons](#)). Thus, the requirement of s122(2) of PA2008 is met. With regard to s122(3), as there are no realistic alternatives to meet the important objectives of the scheme that are not just locally generated under the JCS but are also to meet national transport and economic growth objectives, there is a compelling case for the necessary land to be compulsorily acquired in order that the scheme can proceed as programmed and at appropriate cost. Funding has been demonstrated to be available through a combination of DfT resources and local contributions via the Greater Norwich Growth Board including through use of pooled CIL and supported by prudential borrowing by the applicant, NCC (see AD-0074.2 [Funding Statement Final Version](#)).

The general case against CA

- 6.30 Bodies objecting to the scheme such as NNTAG, CfBT, CPRE and the Green Party and many individuals argue that alternatives to the NDR have not been adequately considered, including the possibility that developer link roads together with an optimised public transport package could obviate the need for the NDR and prevent road-based private transport becoming entrenched as the primary mode of transport in the expansion of Norwich.
- 6.31 Some of these, such as CPRE (supported by NNTAG, the Norwich Green Party and Hockering Parish Council), focus particularly on the western section of the NDR where it is argued that the benefits are least so that they do not outweigh the harm caused by the road. Others and particularly those hostile to the generality of the JCS NEG proposals such as Great & Little Plumstead Parish Council and SNUB are particularly concerned over environmental aspects of the eastern section. There is particular support for the developer link roads option as an alternative from a number of these objectors.
- 6.32 While objectors to the generality of the scheme did not seek to argue that funding is not available for the NDR itself, a number

suggested that government funding might be better spent on A47(T) improvements, that any CIL shortfall would be likely to increase the direct burden on NCC resources and that committing such an extent of expenditure on the NDR and to the western section that does not have specific central government funding support, could threaten other local transport expenditure and even other Council services. Bodies such as NNTAG and the Green Party doubted whether funding will be available for complementary transport measures as these are not integral parts of the DCO scheme and accounted for in the NDR funding package.

- 6.33 In addition to general considerations such as these, various APs express opposition in principle as a consequence of the impact on their land holdings or raise specific detailed points for consideration. All plots that have been subject to specific representations are considered individually in subsequent paragraphs.

ExA conclusions on the general case for CA

- 6.34 In section 4 of this report we have assessed in depth arguments as to the adequacy of the consideration of alternatives and their value for money. Our conclusions are that the DCO scheme is the only scheme of the alternatives considered that addresses the totality of the objectives sought. In particular, we accept the arguments advanced by the applicant that a public transport option, or a public transport option linked to the provision of continuous developer link roads even if feasible (which has not been demonstrated), would not meet many of the objectives and thereby avoid the need for CA for the NDR along the preferred route.
- 6.35 We gave particular consideration to the alternatives that would have constructed the NDR to a lesser single carriageway standard either throughout or over portions of the western end as these would have reduced the extent of CA that would be required. However, we are convinced that there are clear benefits in constructing the NDR to a constant standard throughout so that it will not only be effective in the short-term but throughout the design period and beyond. Thus, we are satisfied that as a generality the NDR has been designed to appropriate standards and having regard to necessary mitigation so that CA is not being sought unnecessarily for more land than is required to achieve the objectives sought.
- 6.36 Above all we gave special attention to the case for omitting the NDR west of the A140 Cromer Road as the s135 Direction only refers to the section from Postwick to the A140 and central government funding is only expressly provided for that eastern section. However, the western end would provide clear benefits in relief to the A1067 and other roads in the north-western suburbs of Norwich within Broadland District. It would thereby facilitate

implementation of sustainable transport measures in these communities and it would also provide for JCS growth in this part of the JCS area. Consequently, and not simply because assessment of the complete NDR as proposed in the DCO shows best VfM, we consider that there is a compelling case in the public interest for the generality of the CA that is sought. We address the adequacy of funding in detail later in this section.

CA or temporary possession in relation to specific parcels of land that have been subject to representations

- 6.37 The CA of specific plots of land will now be considered in sequence starting from the western end as that is the numbering sequence that has been adopted by the applicant. The interests of statutory undertakers and issues in relation to special category land will be considered separately in order to address the requirements of s127, s131 and s138. Where temporary use is sought separate consideration is also given to representations in respect of such plots.

Plot 1/3 - Mr & Mrs G Black

- 6.38 This 14,380 square metres of farmland is required for the re-alignment of the A1067 on its approach to the round-about that marks the start of the NDR. The Relevant Representation (RR-289 Mr and Mrs G Black) did not oppose the principle of CA but sought assurances over continued use of existing accesses and over fencing and hedging works.
- 6.39 Negotiations continued with the applicant and the letter of 11 November 2014 from the owners' agent appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirmed acceptability of the final proposals shown on the revised plans.
- 6.40 The ExA is satisfied that CA of plot 1/3 is necessary for the construction of the DCO scheme and that the accommodation works proposed meet the requirements of the owners.

*Plots 1/7, 1/8-1/10 and 1/11 and rights in relation to 1/12 -1/15)
- C Bunn and JL Bunn*

- 6.41 These areas of farmland and rights over a private access track are required for environmental mitigation (plot 1/7), to construct the roundabout junction between the A1067 and the NDR, part of the NDR alignment and construction of drainage lagoons and further environmental mitigation. Temporary use of plot 1/11 is only required to undertake the tie-in back to the A1067 towards Norwich. The Relevant Representation (RR-086 C Bunn) argued that the environmental mitigation is not important in this locality and that the drainage lagoons could be re-located. The owner would not be left with useable areas out of the single enclosure

either north or south of the NDR and would, thus, have to dispose of the whole enclosure which is not desired.

6.42 Negotiations continued with the applicant during which the importance of the ecological mitigation and landscape planting north of the NDR was accepted and that the drainage lagoons are in optimum locations. The applicant is, however willing to acquire the whole of the enclosure by agreement. The letter of 11 November 2014 from the owners' agent appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirmed acceptability of the final proposals shown on the revised plans.

6.43 The ExA is satisfied that CA of these plots and CA of the relevant rights is necessary for the construction of the DCO scheme including environmental mitigation and sustainable drainage works and that acquisition of the entire field meets the concerns of the owners. The use of temporary possession powers only in respect plot 1/11 is a proportionate response by the applicant to minimise the extent of CA.

Plots 1/16-1/19, 1/20 and 1/24 (and rights in relation to plots 1/12-15, 1/21 and 1/22) - Mr MA & Mrs JA Savage

6.44 CA of this area of agricultural land west of 'Peacehaven' is generally required for part of the NDR mainline and for environmental mitigation and drainage works with temporary use of Plot 1/19 required to undertake the tie-in to the A1067 towards Norwich. The Written Representation by agents on behalf of Mr & Mrs Savage sought the omission of the 864 square metres of farmland comprising plot 1/20 from the scheme (D2-009 Jason Cantrill).

6.45 Negotiations continued with the applicant and the revised plans and Book of Reference show the deletion of plot 1/20. The email of 27 August 2014 from agents for the owners appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirmed acceptability of the final proposals shown on the revised plans.

6.46 Other than plot 1/20, the ExA is satisfied that CA of these plots and CA of the relevant rights is necessary for the construction of the DCO scheme including environmental mitigation and sustainable drainage works. With regard to the now deleted plot 1/20, we viewed the area concerned and agree with Mr & Mrs Savage that at least part of the western boundary of 'Peacehaven' is already provided with substantial screening and that the additional planting on their land is therefore not justified. We agree therefore that their opposition to the original CA proposals should succeed to this extent and CA should only be confirmed on the basis of the revised Land plans and Book of Reference that omits this plot (AD-124 Norfolk County Council - Updated Plans -

Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). Temporary use of plot 1/19 is also justified. Temporary occupation only of that land represents a proportionate approach by the applicant to minimise the extent of CA.

Plots 1/23 and 2/1 (and rights in relation to plots 1/12-1/15 and 1/21 and 1/22) - Mr D and Mrs P Lord

- 6.47 The 2,249 square metres of land within these plots forms part of Attlebridge restricted byway No 3 and part of the grounds of 'Deighton Hills House'. The Relevant Representation from Mrs Lord (RR-214) did not directly address land interests but expressed the view that the NDR should terminate at the A140 unless or until it could continue to the A47(T) west of Norwich.
- 6.48 Negotiations have continued with the applicant and the email of 30 May 2014 from agents for the owners appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirmed acceptability of the final proposals shown on the revised plans both in relation to fencing and the provision of a new private means of access (PMA) from the proposed Fakenham Road roundabout.
- 6.49 The ExA is satisfied that CA of these plots and rights is necessary for the construction of the DCO scheme including related bridleways and that the accommodation works proposed meet the requirements of the owners. We have addressed the general issue of the alternative of termination at the A140 and traffic around the west side of Norwich to the A47(T) in summary above and in detail in section 4 of our report.

Plots 2/3a, 2/4 and 2/4a - Mr JP Ketteringham and Paul Gunther Contracting Limited (tenant); also plots 1/25, 2/2 and 2/3.

- 6.50 These areas of farmland are required to construct the mainline of the NDR together with related environmental mitigation and bridleways (plots 1/25 and 2/2) or for temporary use in connection with the diversion of a National Grid high pressure gas main (plots 2/3, 2/3a, 2/4 and 2/4a, with permanent rights created through CA in favour of National Grid in respect of the plots with suffix a).
- 6.51 No objection was made by the owner or tenant to the application proposals and in an email dated 20 October 2014, appended to D9-021 Norfolk County Council – Additional Land & Owner’s Consent (NCC EX 86) agents for the land interests confirm the agreement to the inclusion of additional land for CA in order to facilitate the gas main diversion. The revisions are incorporated in the revised Land Plans and updated Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted

9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

- 6.52 The ExA is satisfied that CA of these plots and acquisition of rights is necessary for the construction of the DCO scheme including related bridleways and to facilitate the associated development in the diversion of a National Grid high pressure pipeline. CA should therefore be confirmed on the basis of the revised Land Plans and Book of Reference referred to in the previous paragraph. The temporary possession sought should also be confirmed as that represents a proportionate approach by the applicant to minimise the extent of CA.

Plots 2/5, 2/5a, 2/6, 2/6a, 2/7, 2/11-2/13 and 2/15 - Mr OW and Mrs HR Arnold

- 6.53 The Relevant Representation on behalf of the owners (RR-038) indicated that their agent would be negotiating in order to resolve a number of issues concerning the NDR proposals. The points at issue were subsequently clarified as involving security in relation to the proposed bridleway adjoining the NDR, modifying landscape planting to improve mitigation where it is necessary and at the same reducing permanent land-take through undertaking planting on land temporarily occupied and minimising land to be temporarily occupied in connection with the National Grid high pressure gas pipeline diversion.
- 6.54 The applicant's intent to make or explore changes addressing these points was indicated in D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission - 15 September 2014) (NCC EX 57). An email from agents on behalf of the owners dated 16 October 2014, appended to D9-021 Norfolk County Council - Additional Land & Owner's Consent (NCC EX 86) confirms their agreement to additional CA in so far as rights would need to be acquired on plot 2/6a for the National Grid high pressure gas main diversion and part of plot 2/6, originally only for temporary use in connection with the gas main diversion and as a working area, which would need to be subject of new rights to create and maintain landscaping becoming plot 2/5a. Conversely, plot 2/11 would be changed from permanent acquisition to acquisition of rights to create and maintain landscaping and Plot 2/10 would be deleted as no longer required for temporary use in connection with the gas main diversion. [Plot 2/8 owned by NH Brummage would also be deleted for similar reasons.] The email confirms that all other matters have been resolved satisfactorily.
- 6.55 The ExA is satisfied that CA of these plots and acquisition of rights is necessary for the construction of the DCO scheme including related bridleways and to facilitate the associated development in the diversion of a National Grid high pressure pipeline. The proposed temporary use is also appropriate for inclusion in the

DCO. CA should therefore be confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). The temporary possession sought should also be confirmed on this basis as it represents a proportionate approach to minimise the extent of CA. In part therefore the representations on behalf of Mr & Mrs Arnold against CA have succeeded in so far as plot 2/10 has been deleted and the extent of CA reduced in relation to plot 2/11. However, the change in relation to plot 2/10 [and 2/8] may well be a consequence of meeting the requirements of National Grid in relation to the gas main diversion.

Plots 2/15, 2/19-2/20, 2/20a, 2/30-2/31, 2/33, 2/39, 2/41, 2/41a, 2/42, 3/1, 3/1a, 3/2-3/4 and 3/6 - Trustees of the Gurloque Settlement

- 6.56 The Relevant Representation (RR-290 Trustees of Gurloque Settlement) in relation to these extensive areas of farmland included a request to modify a PMA for farm access direct to the proposed Fir Covert roundabout rather than to Fir Covert Road, address security concerns around Marriott's Way and separate a proposed bridleway from an internal PMA to replace a section of Breck Farm Lane for safety and manoeuvrability reasons in view of the nature of machinery used on the holding as well as landscaping and fencing matters. These points and a comment on the need for low noise surfacing were reiterated at greater length in a Written Representation from agents on behalf of the trustees (D2-049).
- 6.57 While initially, the applicant sought to resist the separation proposal, in D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57) the applicant agreed with the change sought in respect of Fir Covert Road. In D9-021 Norfolk County Council – Additional Land & Owner's Consent (NCC EX 86), it is indicated that the applicant agreed to the separation of the PMA between Breck Farm Lane and Reephram Road and, in an appended letter dated 24 October 2014, the agents gave consent to the additional land-take for temporary occupation in order to create the lengths of PMA (plots 2/20, 2/20a, 2/30, 2/41a, 2/42 and 3/1a are amended or created, with temporary use only sought for 2/30 and 2/42). A further letter dated 11 November 2014 appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirms that there are no outstanding issues between the applicant and the Trustees.
- 6.58 The ExA is satisfied that CA of these plots use is necessary for the construction of the DCO scheme including related bridleways and PMAs. CA should therefore be confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County

Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). The temporary occupation sought in respect of plots 2/20a, 2/30, 2/42, 3/1a, 3/2 and 3/4 should also be confirmed as use of this power by the applicant represents a proportionate approach to minimise the extent of CA. In part therefore the representations on behalf of the Trustees have succeeded in so far as plot 2/20 has been reduced in size and plots 2/30 and 2/42 are now only sought for temporary occupation.

Plot 2/21 - Kelly Bowhill and Michael Williamson

- 6.59 The Relevant Representations from Ms Bowhill and Mr Williamson (RR-748 Miss K.M. Bowhill and RR-750 Mr M.J. Williamson) opposed the reinstatement of a roundabout connection between Fir Covert Road and the NDR, a feature that had been changed at various points during the pre-application process. They drew attention to the additional traffic likely to use Fir Covert Road as a consequence of retail and leisure proposals. If such a roundabout is persisted with then they urged detailed adjustment because the 94 square metres of garden land sought from their property would involve the loss of frontage screening and a mature oak as well as threatening a feature blue cedar.
- 6.60 The objectors appeared at a CA Hearing on 2 October 2014 and we undertook an unaccompanied site visit to the highway frontage of that property on that day in order to assess the impact on trees and amenity. The applicant outlined the history of junction provision in pre-application consultation and pointed out that not only is the inclusion of the roundabout favoured by a number of local business interests, it was supported by Broadland District Council and Felthorpe and Hellesdon Parish Councils. Broadland District Council had granted planning permission for a supermarket and other retail and leisure development on land south of the existing garden centre on the opposite side of Fir Covert Road. In a DM scenario the existing 2012 traffic flow of 6,000 AADT is forecast to increase to 6,700 in 2017 and 8,800 in 2032. Yet with the NDR including a roundabout at this location and at Drayton Road there are forecast only to be 4,800 AADT in 2017 and 8,000 AADT in 2032. In the applicant's view therefore the roundabout is justified and the NDR as a whole would result in reducing the anticipated growth in traffic on Fir Covert Road. Traffic would be monitored in the road under Requirement 30²⁶ of the DCO recommended at Appendix E to this report.
- 6.61 The applicant did not consider that the location of the roundabout could be modified without impacting on other property but the modification reported in relation to the Trustees of the Gurloque

²⁶ Requirement 29 at the time of Document D8-003 Norfolk County Council – Response to Questions & Issues raised at Compulsory Acquisition Hearings (NCC EX 74).

Settlement above (see Document D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission - 15 September 2014) (NCC EX 57)) to remove direct access for the agricultural PMA to Fir Covert Road enabled the land-take to be reduced to 11 square metres. While frontage trees would still have to be removed to achieve necessary forward visibility in relation to the roundabout, there would no longer be any threat to the blue cedar or other trees within the garden of High Breck Farm Bungalow. The applicant's case is set out in D8-003 Norfolk County Council - Response to Questions & Issues raised at Compulsory Acquisition Hearings (NCC EX 74).

- 6.62 Having considered these arguments, the ExA is satisfied that provision of the roundabout is justified in the location sought, but that it is important to avoid, or if not that is not possible, to minimise the extent of impact on the frontage trees and screening on the boundary of the objector's property. Consequently, we consider that CA should therefore be confirmed in this locality on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans - Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). In part therefore the representations of Ms Bowhill and Mr Williamson succeed in so far as the land-take in plot 2/21 is reduced to a maximum of 11 square metres. It will be important that the new landscaping and means of enclosure details that will be required pursuant to Requirements 5 and 20 in the DCO recommended at Appendix E to this report pay particular attention to maintaining the amenity of High Breck Farm Cottage and the landscape of the locality more generally.

Plots 2/34-2/39 - HG Blake Holdings Ltd

- 6.63 The Relevant Representation (RR-933 J Blake Esq) argued that the proposal did not make best use of the agricultural land taken by the proposal.
- 6.64 We visited the Marriott's Way recreational path and Breck Farm Lane during site visits in order fully to understand the proposals for the bridge over the NDR and the bridleway and PMA links that were subject of representations including those on behalf of the Trustees of the Gurloque Settlement as referred to above. In view of the need to effect link-up to existing bridges and rights of way (existing and proposed) that involve a variety of levels, particularly on the south side of the NDR, we accept that it is not possible to reduce the proposed land-take at this point, albeit that the consequence is that there would be an area of environmental mitigation created on an isolated portion of the objector's land between the new Marriott's Way over-bridge, the NDR and Breck Farm Lane/Furze Lane as that right of way would be extended along the south side of the NDR (plot 2/38). This is in addition to the small areas (plots 2/34 and 2/37) scheduled to be acquired

and transferred to Broadland District Council as part of the replacement land for the recreational land taken for the NDR at Marriott's Way. Plot 2/35 north of the NDR is only proposed for temporary occupation as a bridge compound after which it would be returned to agricultural use. It is understood by the applicant that the objector considers that plot 2/38 could profitably be used as a car park for users of Marriott's Way recreational path and is in discussion with Broadlands District Council. The applicant points out that such a proposal is not part of the NDR scheme and should be considered separately. Consequently, we make no comment on this possibility.

- 6.65 Overall, we are satisfied that all of the land in this locality proposed for CA is required for or is incidental to the DCO scheme and therefore that CA should be confirmed in this locality on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). The temporary occupation of plot 2/35 should also be confirmed as use of this power by the applicant is a proportionate approach to minimise the extent of CA.

Plots 3/6 and 3/8-3/9 - Mrs BM Barrett

- 6.66 The Relevant Representation (RR-291) from agents on behalf of Mrs Barrett in relation to her interests in highway, access and adjoining farmland suggested that the way in which rights of way and PMA are dealt with at the junction with Reephams Road should be improved and simplified. The issue was also pursued in a Written Representation (D2-062).
- 6.67 In D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57), the applicant accepted the objector's proposal for repositioning the field access in a minor amendment to the proposed works. In a letter dated 11 November 2014 appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the objector's agent confirms acceptance of the change and that as the principle of boundary treatment are agreed there are no outstanding issues.
- 6.68 For our part, the ExA is satisfied that all the land proposed for CA in this vicinity is required for or is incidental to the DCO scheme. Consequently, therefore CA should be confirmed in this locality on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

Plots 3/6, 3/19, 3/23 and 3/25-3/27 - Mrs S Bransom

- 6.69 The Relevant Representation (RR-293 Mrs S Bransom) concerning the interest in highway land (plot 3/6) and farmland by agents on behalf of Mrs Bransom referred to issues over farm access, fencing and a need to minimise land-take. The preference as expanded upon in a Written Representation (D2-063 Mrs Bransom) is to retain the existing farm access by moving the proposed over-bridge to the west and diverting Horsford restricted byway No 5 rather than maintaining the line of the latter and improving it so it can serve also as a PMA for the farm.
- 6.70 The issues were considered at CA hearings and we undertook site visits to look at the context of the existing farm access and the restricted byway. After further negotiations, the applicant provided evidence by way of a letter dated 24 October 2014 from the objector's agents appended to D9-021 Norfolk County Council – Additional Land & Owner’s Consent (NCC EX 86) that Mrs Bransom had agreed to the inclusion of additional land in order that the applicant's proposals could be upgraded to provide adequate access to Bell Farm via the improved Horsford restricted byway No 5 and Bell Farm Lane over-bridge and via Dog Lane. A further letter dated 11 November 2014 from the objector's agents appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirmed that the revised proposals for the PMA were satisfactory subject to detail that is anticipated as being acceptable and that other issues such as fencing and road surfacing had been resolved, the latter being covered by Requirement 33 in the DCO recommended at Appendix E to this report.
- 6.71 For our part, although we can appreciate why the objector's would have preferred alternative arrangements involving the diversion of the restricted byway, we are satisfied that the revised arrangements provide for access to Bell Farm of an acceptable standard and that CA is justified for all the land required for the revised proposals. All is required for or is incidental to the NDR. CA should therefore be confirmed in this locality on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

Plots 3/11, 3/16 and 3/18 (and rights in relation to plots 3/9 and 3/10) - Trustees of Thorpe and Felthorpe Trust

- 6.72 The Relevant Representation by agents on behalf of the Trustees (RR-292 The Trustees of the Thorpe and Flethorpe Trust) raised concerns over boundary treatment and treatment of the woodland edge to avoid risk of wind-throw. These concerns were re-iterated in a Written Representation (D2-070 Thorpe & Felthorpe Trust).

- 6.73 Negotiations continued with the applicant and in a letter dated 11 November appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), agents for the Trustees confirmed that they accepted that these concerns would be addressed by agreement with the applicant.
- 6.74 It is clear to us that within the arboricultural assessment in the ES (AD-092 6.2.20 ES Volume 2 - Arboricultural Impact Assessment Part 1 and AD-093 6.2.20 ES Volume 2 - Arboricultural Impact Assessment Part 2) the applicant recognises the need to pay special attention to newly exposed woodland edges. The land and rights sought are required to construct the DCO scheme or are incidental to it. Consequently, we are satisfied that the CA should be confirmed as sought.
- Plots 3/15, 3/17, 5/16-5/17, 5/22-5/23, 5/27 and 5/39-5/40 - Mr M and Miss J Keeler*
- 6.75 The Relevant Representation (RR-302 Mr M and Miss J Keeler) from agents on behalf of the Mr and Miss Keeler was concerned primarily to ensure that direct access for farming operations and prospective development land can be taken directly from the proposed roundabout on the A140 that will be the northern part of the grade-separated junction west of the airport. Fencing issues and the need to avoid nuisance from the construction compound on airport land and to maintain agricultural access throughout construction were also referred to. These concerns were re-iterated in a Written Representation (D2-061).
- 6.76 In D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07), the applicant draws attention to a statement of common ground with Building Partnerships Limited, prospective developers of the site for employment development identified within the JCS adjoining the airport which addresses the mechanisms for securing the direct access that is sought on behalf of the land interests. This SoCG is in SOG-005 Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 1 (NCC EX 06). It shows how the approach to the roundabout can be modified to give a two-lane approach able to serve the development site as well as adjoining agricultural land. The applicant's response also refers to the CEMP in relation to addressing matters raised concerning construction. In a letter dated 11 November 2014 that is appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), their agents confirm that all matters had been resolved satisfactorily, although the development access will not be directly provided through the DCO.
- 6.77 For our part we are satisfied that all the land within these plots is required for or is incidental to the DCO scheme and that securing

access to the JCS scheme has been addressed in the SoCG. Consequently, CA should be confirmed as sought.

Plots 3/24-3/27 and 3/29 - Mr B Bransom

- 6.78 The Relevant Representation (RR-298) addressed issues concerning access to Bell Farm and related matters of fencing, landscaping and security. The concerns were re-iterated in a Written Representation (D2-059 Mr B Bransom).
- 6.79 The matters raised are addressed above in relation to Mrs Bransom's interests in some of these plots and neighbouring land as the interests are inter-related.
- 6.80 Section 1.7 of D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57) indicates the applicant's proposals for addressing the concerns particularly in relation to plot 3/24. A letter dated 11 November 2014 from the objector's agents on behalf of both Mrs S Bransom and Mr B Bransom appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirmed that the revised proposals for the PMA were satisfactory subject to detail that is anticipated as being acceptable and that other issues such as fencing and road surfacing had been resolved, the latter being covered by Requirement 33 in the DCO recommended at Appendix E to this report.
- 6.81 For our part, although we can appreciate why the objector's would have preferred alternative arrangements involving the diversion of the restricted byway, we are satisfied that the revised arrangements provide for access to Bell Farm of an acceptable standard and that CA is justified for all the land required for the revised proposals. All is required for or is incidental to the NDR. CA should therefore be confirmed in this locality on the basis of the revised Land Plans and Book of Reference(AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

Plots 3/32-3/34, 4/1-4/2, 4/7, 4/13, 4/19-4/20, 5/9-5/10, 5/15-5/17, 5/22-5/23, 5/27-5/28 and 5/35 - RG Carter Farms Limited

- 6.82 These plots are extensive areas of farmland and interests in adjoining highways. The Relevant Representation (RR-1132 R G Carter Farms Limited) opposes the section of the NDR west of the A140, arguing that an upgrade of Reephams Road would suffice, and also considers that proposals for road closures in this locality are flawed.
- 6.83 In D3-001 Norfolk County Council (NCC EX 04), the applicant draws attention to the consultation on alternative routes between 2003 and 2005 referred to in the ES in Section 3.8 (AD-046 6.1 ES

Volume 1 Part 1) and to the design development process (AD-102 10.2 Design and Departures Report - Final Version). Upgrading of Reepham Road was specifically considered in January 2003 but it was not taken forward in view of the proximity of such a route to Thorpe Marriott. The stance of the applicant remains that the alignment proposed for the NDR generally, including between Holly Lane and Fir Covert Road which is the concern of the objectors, is appropriate as it seeks to minimise impact on sensitive receptors.

- 6.84 For our part, in section 4 of this report we have endorsed the general design approach to the NDR. Although loss of productive farmland is a negative factor to weigh in the balance as to the acceptability of the DCO scheme, the farming interests will receive compensation for land taken and injurious affection of operations.
- 6.85 The particular concern over road closures has not been detailed, but the minor amendments that result in Drayton Lane South being kept open to all traffic at a 4-arm roundabout with Reepham Road and the NDR link may address at least part of the objector's concern. As all the land concerned is required for or is incidental to the DCO scheme, we recommend that CA is confirmed in accordance with revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). Temporary use of plot 3/33 should also be confirmed as use of this power by the applicant is a proportionate approach to minimise the extent of CA.

Plots 4/3-4/4 - RG Carter Will Trust

- 6.86 The Relevant Representation from agents on behalf of the trustees (RR-797 R G W Carter Will Trust), simply referred to on-going negotiations in relation to these parcels of farmland.
- 6.87 In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant indicates that discussions have continued in relation to access and boundary treatments and regard these matters as resolved. There had been no discussion in respect of the extent of land to be acquired or used.
- 6.88 In the light of our general acceptance of the design approach and that the NDR is appropriate in its entirety from the A47(T) at Postwick to the A1067 west of Taverham, we accept that these plots are required for or incidental to the DCO scheme. CA should therefore be confirmed as sought.

Plots 4/3-4/5, 4/9-4/10, 4/29, 4/31, 4/34, 4/40-4/41, 5/4, 5/6-5/7 and 5/11 - Drayton Farms

- 6.89 The Relevant Representation (RR-635 Drayton Farms Limited) in relation to these extensive areas of farmland and interests in

adjoining highways urged that Reepham Road should be followed as the NDR alignment between Holly Lane and Fir Covert Road. Flawed road closures are also cited with particular concern expressed over the closure of Holly Lane and that their holding would be bisected.

- 6.90 The response of the applicant in D3-001 Norfolk County Council (NCC EX 04) is the same as that in respect of RG Carter Farms Limited that is quoted above. Although, the minor amendments to introduce a 4-armroundabout junction at Drayton Road South rather than closure does not directly address the concern over the closure of Holly Lane, a letter from Drayton Farms Limited dated 4 September 2014 appended to D9-021 Norfolk County Council – Additional Land & Owner’s Consent (NCC EX 86) gives their consent to the inclusion of additional land for CA in order to facilitate inclusion of that junction. The letter indicates that Drayton Farms consider the change to be an improvement. Emails from agents for Norwich School, landlord for some of the additional land required for this junction, and the Church Commissioners, holders of mineral rights in relation to such land, that are also appended to this document confirm their acceptance of inclusion of the requisite additional land for CA. Similar appended emails confirm acceptance of inclusion of additional land in respect of the interests of Jane Burke, Trustees of Mrs Jane Burke and Mrs Louise Wheeler. The applicant otherwise maintains their position in D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92).
- 6.91 While there has been no withdrawal of the original representation seeking an alternative alignment and expressing concern over severance and closure of Holly Lane, given our conclusions in section 4 that the section of the NDR between the A140 and A1067 is justified and that the selection of the chosen alignment is sound we consider that the generality of these objections must be rejected. As for the Holly Lane closure given that it is severed by the proposed westbound on-slip to the NDR we cannot see how it could remain open safely for general traffic. With the retention of access to and across the NDR via Drayton Lane alternatives routes appear available to minimise the consequences of severance. Loss of productive agricultural land is a negative factor to weigh in the balance as to the acceptability of the DCO scheme, but compensation will be payable in respect of land-take and severance. Consequently, as all land for which CA is sought is required for or incidental to the NDR proposal, CA should be confirmed for the revised proposals incorporating the Drayton Lane South junction in accordance with the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). Similarly, the temporary occupation of plot 4/9 should be confirmed as use of that power by

the applicant represents a proportionate approach to minimise the extent of CA.

Plots 4/11-4/13 - Anna Ellis

- 6.92 The owner of this paddock and an interest in the adjoining highway, part of which is subject to CA and in respect of which temporary use of part is sought for a construction compound (plot 4/11) made a Relevant Representation (RR-1193 Anna Ellis) when the provision for additional CA to add the roundabout junction at Drayton Lane South was advertised. Her land is not, however affected by that change but only by the original application. The objection is on the ground that Reepham Road and Fir Covert Road could serve the purpose of the NDR west of the A140 and that in relation to this section environmental harm outweighs benefit.
- 6.93 The applicant in D11-009 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 100) draws attention to the justification for the western section of the NDR given in answer to First ExA questions at D4-001 Norfolk County Council (letter and response) (NCC EX 05).
- 6.94 For our part in section 4 of this report we accepted these arguments advanced by the applicant as to why provision of the NDR for the full length proposed up to the A1067 provides added benefits that outweigh adverse impacts. We note also the case for the applicant in relation to the arguments of RG Carter Farms and Drayton Farms over an alternative alignment utilising Reepham Road and conclude that there is a compelling case in the public interest for accepting this length of the NDR on the alignment proposed.
- 6.95 Consequently, as the CA proposed is required for the DCO scheme or incidental to it, we recommend that CA should be confirmed as sought in relation to these plots. The use of the temporary occupation power in respect of plot 4/11 is a proportionate approach by the applicant to minimise the extent of CA and this should also be confirmed.

Plots 4/13, 4/23-4/24, 4/26-4/27, 4/36-4/39, 5/1-5/2, 5/5-5/6 and 5/9-5/10 - Mrs Rachel Foley (Horsford Estate)

- 6.96 The Relevant Representations (RR-857 Mrs Rachel Foley and RR-300 from agents on behalf of Mrs Rachel Foley) opposed the NDR on grounds of the impact on the estate through severance and loss of productive farmland while at the same time seeking fencing, internal access and mitigation in relation to Glebe Farm and other estate properties in terms of embankment height and landscaping, re-instatement of irrigation systems, of land used temporarily and a specific modification in relation to the proposed drainage lagoon No 6 close to Drayton Lane. The objections and

concerns were reiterated and expanded upon in a Written Representation from agents for Mrs Foley (D2-064).

6.97 The applicant put forward an amendment to drainage lagoon 6 and additional planting on the southern bund to the NDR in D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57). The situation with regard to the drainage lagoon was, however, modified by the proposed provision for additional CA in order to incorporate the 4-arm roundabout at Drayton Lane south with Reepham road and the NDR link (AD-141 Compulsory Acquisition Request for Drayton Lane, Reepham Road roundabout (Submitted 22 September) (NCC EX 63)). In emails appended to D9-021 Norfolk County Council – Additional Land & Owner’s Consent (NCC EX 86), consent is confirmed not only by Mrs Foley but also by the Executors of Anne Pollock (dec'd) and the tenants (DNC Farms Limited) for inclusion of additional land for CA as this enables a better arrangement for the drainage lagoon and therefore overall lesser land-take. Consequently, in a letter dated 11 November 2014 appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), agents for Mrs Foley were able to indicate that the principles to be followed with regard to details of fencing, landscaping, internal access, irrigation rectification were agreed and that the revised proposals for drainage lagoon No 6 were consented.

6.98 For our part although we note that there may remain objection in principle to the NDR in so far as it affects the Horsford Estate, as we have concluded in section 4 that the full length of the NDR is justified and designed to appropriate standards, we accept that there is a compelling case in the public interest for the CA sought in the revised proposals as all the plots concerned are required or incidental to the DCO scheme. As there is a reduction in the land-take in the vicinity of the Drayton Lane south junction north of Reepham Road, this may imply partial success in opposing the CA as originally proposed in relation to plots 4/25-4/28. The CA should be confirmed in accordance with the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). The use of the temporary occupation power in relation to plots 4/24, 4/39 and 5/2 should also be confirmed as this is a proportionate approach by the applicant to minimise the extent of CA.

Plots 4/16 and 4/18 - David Pulling, Paul Clarke and Mr CP & Mrs GA Palmer

6.99 The owners sought a reduction in land-take from their frontages at the proposed roundabout junction at Holt Road with the NDR link road.

- 6.100 The applicant incorporated such reductions in the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). However, in D12-001 David Pulling - Compulsory Acquisition of Horsford Hall, dated 6 November 2014, Mr Pulling indicated that he did not consider that the treatment of the frontages had as yet been agreed with the applicant.
- 6.101 In response, the applicant provided greater detail in relation to the reduced land-take in D12-002 Norfolk County Council - Update on Compulsory Acquisition Issues following CA Hearing of 28 November 2014 (NCC EX 102), following discussion at the final CA hearing, although Mr Pulling did not appear despite his stated intention to do so. The reduction in land-take from Mr Pulling & Mr Clarke (plot 4/16) is from 99 square metres to 54 square metres and from Mr and Mrs Palmer (plot 4/18) from 592 square metres to 286 square metres. Consequently, there would be a significantly lesser impact on the woodland and tree belt on these plots with now only 4 or 5 tree on plot 4/18 now needing to be removed. The arboricultural impact assessment in the ES related to the earlier proposals that included a temporary running lane for the construction period that had been dropped after consultation.
- 6.102 We verified the applicant's appreciation of the situation at a site visit to the highway verge following the hearing. We agree that, while the loss of up to five mature tree is regrettable, there would be very little impact on the woodland attached to Horsford Hall (plot 4/16) and that it ought to be possible to restore the tree belt that screens Mr & Mrs Palmer's land (plot 4/18) in the landscaping scheme that is required as part of the DCO scheme²⁷. The resistance to CA succeeds to the extent of the reductions in the land-takes for these two plots.
- 6.103 As the reduced plots are required for the DCO scheme or incidental to it, the CA should be confirmed in accordance with the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

Plot 4/21 - Mr Nicholas Waller-Barrett

- 6.104 The Relevant Representation (RR-301 Mr Nicholas Waller-Barrett as occupier) by agents on behalf of Mr Waller-Barrett reiterated concerns expressed on behalf of the Horsford Estate and Mrs Rachel Foley as Mr Waller-Barrett is tenant of the estate. A Written Representation (D2-047 D Barrett, N Waller-Barrett & C

²⁷ Requirements 5, 6 and 20 in Schedule 2 of the DCO recommended at Appendix E are relevant.

Waller-Barrett) amplified these concerns. In relation to his own land, on-going discussions showed the need for a new field access to retained land and in D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57) this is shown. A letter dated 11 November 2014 appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) from agents on behalf of Mr Waller-Barrett, tenant of the Horsford Estate, confirmed similar acceptance of matters resolved in negotiations with the applicant, as have already been detailed in relation to the landlord, but also Mr Waller-Barrett's satisfaction with the new field access amendment.

- 6.105 As we are satisfied the western section of the NDR is justified and designed to appropriate standards on a generally optimum alignment as detailed in section 4, and that plot 4/21 is required for or incidental to the DCO scheme, we recommend that CA is confirmed in accordance with the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

Plots 4/13 and 4/22 - Mr A & Mrs M Keeley

- 6.106 These plots relate to interest in the highway of Drayton Lane North together with part of the surrounds to the property known as the 'Homestead' that fronts Drayton Lane. In discussions with Mr & Mrs Keeley, the applicant agreed that the proposed new access to the property should be amended to suit their requirements. The amendment does not affect traffic or environmental assessments. The change is shown in D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57). An email dated 1 December 2014 appended to D12-002 Norfolk County Council - Update on Compulsory Acquisition Issues following CA Hearing of 28 November 2014 (NCC EX 102) confirmed that this change is acceptable.
- 6.107 We concluded in section 4 that the western section of the NDR is justified and designed to appropriate standards and alignment. We are satisfied that these plots are required for purposes incidental to achievement of the DCO scheme so that there is a compelling case in the public interest for the CA as sought in the revised plans. CA should therefore be confirmed in accordance with the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

Plots 5/33, 5/35-5/36 and 5/38-5/39 - R & JM Place Ltd

- 6.108 The Relevant Representation (RR-1128 R & J.M. Place Ltd/Frontbench Ltd) simply referred to on-going negotiations. In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant states that these negotiations relate matters such as access and boundary treatments, that remaining issues are minor and expect to be resolved outside the DCO process and do not relate to the extent of land to be acquired or its use.
- 6.109 The ExA has no independent confirmation that this is so. We have studied the particular plots of land sought for CA or temporary use. Plot 5/33 comprises 633 square metres of farmland that is temporarily required to undertake the tie-in of the new grade-separated junction at the A40 Cromer Road back to that road north of the junction. We can appreciate therefore that issues would concern both temporary and long-term means of enclosure in relation to this land and perhaps also to access.
- 6.110 Plots 5/35 and 5/39 are interests in the highway of the A140 and of an unnamed public highway (U57647²⁸) that runs between the A140 and West Lane, Horsham St Faith that require re-configuration to tie-in to the new grade-separated junction. The remaining plots are small areas of farmland adjoining the A140 (plot 5/36 being 383 square metres) and the northern roundabout junction between the NDR slips roads, the A140 and the lane (plot 5/38 being some 1,068 square metres). Again, we can appreciate that issues would concern means of enclosure and perhaps access in relation to the farmland.
- 6.111 All the areas for which CA is sought are clearly required for or incidental to the DCO scheme and as we have endorsed the generality of the scheme, including its design standards and alignment, we conclude that there is a compelling case in the public interest to confirm the CA as sought. With regard to the temporary use of plot 5/33, while in some localities the applicant has been willing to reduce or avoid temporary land-take to undertake tie-ins, no such request has been made in this instance and we can therefore see no reason why the temporary use should not take place. The use of the temporary occupation power is a proportionate approach by the applicant to minimise the extent of CA.

Plot 5/40 Building Partnerships Ltd

- 6.112 Building Partnerships Ltd hold an option on prospective development land identified in the Broadland District Council part of JCS for employment development adjoining Norwich airport. The concern expressed in their Relevant Representation (RR-270

²⁸ Named as New Home Lane on the General Arrangement drawings.

Building Partnerships Limited) is that it should be possible to obtain direct access to the northern round-about of the NDR/A140 grade separated junction where NDR slip roads would join the A140 Cromer Road and the U57647.

- 6.113 The position concerning access for this prospective development has already been referred to in relation to the interests of the owners, Mr M and Miss J Keeley above. In D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07), the applicant draws attention to a statement of common ground with Building Partnerships Limited. This SoCG is in SOG-005 Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 1 (NCC EX 06). It shows how the approach to the roundabout can be modified to give a two-lane approach able to serve the development site as well as adjoining agricultural land. The conclusion of the SoCG is re-iterated in D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92).
- 6.114 As it seems clear, subject to the grant of planning permission and funding by the developer, that appropriate access could be provided for the proposed development from the NDR junction, we can see no reason why CA should not be confirmed for plot 5/40 as sought.
- Plots 5/41-5/46, 6/3 and 6/12 and rights in plots 5/47-5/49 and 6/1-6/2 - Legislator 1657 Ltd*
- 6.115 The Relevant Representation (RR-762 Legislator 1657 Ltd) simply notes that the relevant plots are held for commercial purposes by a company jointly owned by Norfolk County Council in its corporate capacity and Norwich City Council.
- 6.116 D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07) identified the concern to be that access would be retained to their land both north and south of the NDR as the road would sever the holding.
- 6.117 The applicant points out that access would be retained via the existing access point to the Cromer Road south of the southern roundabout of the proposed A140 grade-separated junction while to the north, access would be provided to the separated land that is currently part of the airport. This land is proposed for temporary use as the main site compound surrounded by temporary topsoil storage. The access would remain available at the end of the temporary use, when the land is proposed to be restored to a state suitable for agricultural use. The existing

accesses and the proposed new PMA are clearly seen on the revised general arrangement plan sheet 5²⁹.

- 6.118 The plots concerned are required either for the DCO scheme or purposes incidental to it so that a compelling case exists for the acquisition and use in the public interest. The concern of the landowner that access should be available for their retained land north and south of the proposed road is clearly met. Consequently we recommend that the CA sought should be confirmed. The use of the temporary occupation power in relation to plot 5/43 is a proportionate approach by the applicant to minimise the extent of CA and this occupation should also be confirmed.

Plots 5/50 and 6/5-6/6 - Mr & Mrs L Howe and Mr N Howe

- 6.119 The Relevant Representations (RR-308 Mr and Mrs L Howe and Mr N Howe and RR-574 Lawson Howe) by agents on behalf of these land interests and directly expressed concern over noise and other impacts both from the road itself and also the construction compound that would adjoin West Farm. They sought increased bunding, planting and acoustic fencing and also attention to perceived drainage and security issues. There was also a concern that any portion of their land severed east of the NDR might be disposed of to the airport as it would not be essential for landscaping and should therefore be considered of commercial value. These concerns were reiterated in a Written Representation (D2-058).
- 6.120 The applicant responded in part to these concerns in D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07), pointing out that there should be no drainage concerns given the nature of the SUDS drainage proposed, but that they accepted in part the valuation point regarding severed land east of the NDR although this is a matter for compensation.
- 6.121 Negotiations continued and a letter from their agents dated 24 October 2014 appended to D9-021 Norfolk County Council – Additional Land & Owner’s Consent (NCC EX 86) gives their consent to the inclusion of additional land for temporary occupation in order to facilitate extension of the bunding around the west side of the farmstead on plot 5/50. A further letter from their agents dated 11 November 2014 appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirmed that principles for boundary treatments had been agreed, with acoustic fencing to be assessed together with treatment of gates and gaps, that the drainage specification had been agreed together with a mechanism to treat any unforeseen problems and that as the principle of an element

²⁹ R1C093-R1-5019A Document AD-126 Norfolk County Council - Updated Plans – Sheet 3 of 5 (submitted 9 October) (NCC EX 73)

of commercial value was agreed, the land owners are prepared to accept the proposed CA.

- 6.122 For our part we consider that all the land within these plots is required for the eastern section of the NDR between Postwick and the A140 or is incidental to it, including the temporary occupation of plot 5/50 in order to improve the mitigation for West Farm. That part of plot 6/5 that is indicated for bunding in order to minimise noise impact on the Petans Training Centre east of the NDR appears to us also to fall within that category. We can appreciate that subsequently the occupier of the adjoining land may seek to use the land for other purposes but there is currently a clear purpose intended for all of this land for purposes incidental to the NDR. We consider therefore that there is a compelling case in the public interest for the CA in accordance with the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). It should be confirmed on this basis. The temporary occupation of plot 5/50 should also be confirmed as sought as use of the temporary occupation power in relation to this plot is a proportionate approach by the applicant to minimise the extent of CA.

Plots 6/8 and 6/10-6/11 - MA and HV Medlar (Haulage) Ltd

- 6.123 The Relevant Representation (RR-304 Mr A Medler c/o Mrs S Alston) from agents on behalf of the land owners expressed concern over the location of drainage lagoons numbered 16 on plot 6/10. If they could not be relocated, they sought re-orientation to minimise the impact on the agricultural use of the land. Issues concerning fencing, security and access were also raised. The concerns were re-iterated in a Written Representation (D2-057).
- 6.124 Negotiations continued with the applicant and in D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07), it was indicated that it was hoped to be able to modify the drainage lagoons proposal and confirmed that access would be retained to the mobile telecommunications mast on the objector's land from the airport roundabout. D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57) showed alternative options for the drainage lagoons and a letter dated 24 October 2014 from the objector's agent that is appended to D9-021 Norfolk County Council – Additional Land & Owner's Consent (NCC EX 86) confirmed that the re-arrangement on plot 6/10 is acceptable with consent being given for inclusion of the necessary new land for CA. A further letter from the agents dated 11 November 2014 appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirmed that all outstanding matters were agreed.

6.125 For our part, we are satisfied that the all land contained in revised proposals is required for the eastern section of the NDR or is incidental to it so that there is a compelling case in the public interest for the CA sought. CA should therefore be confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). The reduced area sought within plot 6/10 (and plot 6/8 relating to interests in adjoining highway land) represent a partial success for objectors to the CA.

Plots 6/13-21, 7/1-4, 7/8-7/15 and 7/20-7/22 - P Cook and A Cook

6.126 In D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57), the applicant draws attention to a request from these land owners to extend a proposed shared PMA and bridleway by some 230 metres eastwards and provide a new field access at the end of the shared use section. This is to replace access from Quaker Lane that would be north of the NDR. An email from the land-owners agent dated 5 September 2014 appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirms that the additional PMA is acceptable so that no issues remain outstanding.

6.127 Plots 6/14 and 6/16 are only required for temporary use as topsoil storage and to undertake accommodation works respectively. These and the remaining areas of farmland subject of CA are clearly required for the NDR or are incidental to it. Consequently, we are satisfied that there is a compelling case in the public interest for the CA sought and recommend that it be confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). The temporary occupation of plots 6/14 and 6/16 should also be confirmed as sought as use of the temporary occupation power in relation to these plots is a proportionate approach by the applicant to minimise the extent of CA.

Plots 7/16-7/18, 7/21, 7/24 and 7/26 Mr MA Dewing and Mr RT Bramley on behalf of the EF and EM Dewing Settlement

6.128 These plots relate to an area of farmland south of Quaker lane and west of Buxton Road and interests in adjoining highway land. The Relevant Representation (RR-305 Mr M A Dewing on behalf of the E M and E J Dewing Settlement) from agents on behalf of the land interests raised issues concerning security, means of enclosure and re-instatement of land to be used temporarily (plot 7/17) as well as noting the impact during construction on the usefulness of

the land. A Written Representation (D2-048 E M Dewing Settlement) reiterated these points.

6.129 In D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07), the applicant indicated how these concerns would be addressed including through detail set out in Chapter 13 of the ES (AD-084 6.2.13 ES Volume 2 - Community and Private Assets Part 1 with regard to agricultural reinstatement. In a letter dated 11 November 2014 appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) the agents confirmed that all matters are resolved.

6.130 We are satisfied that all these plots are required for the NDR or are incidental to it so there is a compelling case in the public interest for the CA of these plots. Consequently, the CA should be confirmed as sought. Temporary occupation of plot 7/17 should also be confirmed as use of the temporary occupation power in relation to this plot is a proportionate approach by the applicant to minimise the extent of CA.

Plots 7/30-7/33, 8/1, 8/5, 8/7, 8/9-8/10, 8/10a, 8/10b, 8/11, 8/11a, 8/12-8/14, 9/1-9/3 and 9/5 (and rights in plots 7/25, 7/27-7/29, 9/4 and 9/6) - Hilary Barratt and Mr Michael Dewing on behalf of the Trustees of Beeston Estate

6.131 The Relevant Representation (RR-307 Hilary Barratt and Mr Michael Dewing on behalf of the Trustees of the Beeston Estate) from agents on behalf of the land interests raise a very large number of detailed points concerning these extensive areas of farmland and interests in adjoining highways. The points raised included means of enclosure, security, accommodation works including reinstatement of temporarily used areas and reinstatement of irrigation systems, landscaping, use of low noise surfacing and whether landtake could be reduced either by re-aligning drainage lagoons, repositioning areas for temporary use or considering temporary use rather than outright acquisition where banking is proposed to provide mitigation. A Written Representation (D2-044) reiterated these concerns. A related representation from Michael Dewing which is detailed by the applicant in D3-001 Norfolk County Council (NCC EX 04) refers to wider issues within the Beeston Estate that still needed to be addressed at that time.

6.132 D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07) indicates that the applicant is willing to address many of the points raised including low-noise surfacing and otherwise draws attention to application documentation that specifies the nature of reinstatement of land temporarily used, as in respect of the Dewing Settlement referred to above. D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late

submission – 15 September 2014) (NCC EX 57) shows how the area proposed to be occupied by drainage lagoons numbered 14A has been rationalised and also how several areas would be changed from outright acquisition to temporary use (plot 8/10b) or temporary use and acquisition of rights (plots 8/10a and 8/11a). A letter from the agents dated 11 November 2014 that is appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), confirms that agreement in principle has been reached on all outstanding matters, with access to be maintained during construction and further discussion over the extent of acquisition of environmental mitigation areas during construction.

6.133 We are satisfied that all the land contained the revised plots affecting this landholding are required for the NDR or are incidental to it so a compelling case in the public interest for the CA exists. We recommend therefore that CA is confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). We also recommend that the temporary occupation of plots 7/33, 8/10b (and also of 8/10a and 8/11a with CA of rights) be confirmed. Use of the temporary occupation power in relation to these plots is a proportionate approach by the applicant to minimise the extent of CA.

6.134 The change from outright acquisition to temporary use with or without acquisition of rights represents a partial success in resisting the CA (plots 8/10b and 8/10a and 8/11a) as may the reduction in the area for permanent acquisition in plot 7/32, albeit that the extent of temporary use in plot 7/33 is commensurately increased.

Plots 8/16 and 9/10 (and rights in plots 9/4, 9/6-9/7) - Mr MF Trafford

6.135 Relevant Representations (RR-465 Michael Trafford and RR-309 Mr A J Papworth on behalf of Mr M F Trafford) directly and via agents raised issues relating to boundary treatments and detailing of the PMA in relation to The Springs which feed into The Broads north of the NDR and in relation to which avoidance of pollution is of utmost concern. The issue of noise is also of general concern. Specifically, concern is expressed over the proposed closure of Rackheath Lane at its junction with North Walsham Road and its effect on the operations of the Wroxham Estate/Wroxham Home Farm and the implications of rat-running through unsuitable roads or misuse of the severed road. The concerns were reiterated in Written Representations (D2-019 Jim Papworth on behalf of Wroxham Home Farms and D2-071 Trafford Trust Estate). The Estate is some 5,500 acres in extent but also contract farms the Beeston Estate and so requires access across the proposed closure

very frequently. If the closure is not abandoned the estate argues for provision of a PMA.

- 6.136 While not technically a CA objection because their land holdings are generally further from the NDR than the Trafford Estate and beyond the distance over which Category 3³⁰ claims might be anticipated, representations were also received on behalf of RET Gurney and SE Gurney and Partners of Heggatt Hall Farm. The representations raise similar problems in relation to their agricultural operations if the Rackheath Lane closure takes place (RR-835 R E T Gurney and S E Gurney & Partners and D2-067 R Gurney). A plan of the Trafford Estate, which also shows Heggatt Hall Farm, is at D7-039 Wroxham Estate – NDR access plan.
- 6.137 The initial response of the applicant is in D3-001 Norfolk County Council (NCC EX 04). This draws attention to the proposed mitigation measures for the protection of surface water that are set out in Chapter 14 of the ES Volume 2 (AD-086 6.2.14 ES Volume 2 - Road Drainage and the water environment) and the fact that both NE and EA have opportunity to scrutinize the proposals. In D4-028, the applicant expands on the safeguards concerning alleviation both of flood risk and pollution of the Broads by drawing attention to the Flood Risk addendum that had been prepared (AD-116 Addendum to the Environmental Statement Flood Risk Assessment (NCC EX 43)). A willingness to consider transfer ownership of the bunding adjoining The Springs is noted, subject to discussion with the current land-owner, and to consider noise and other detailed matters further. However, with regard to the closure of Rackheath Lane, while the Transport Assessment (AD-035 5.5 Transport Assessment) showed that the current junction layout could operate within desirable capacity in both 2017 and 2032, the applicant considers that it should be closed for highway safety reasons. The applicant points out that a narrow majority of the Parish Council support the closure.
- 6.138 Nevertheless, negotiations continued and by D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57), the applicant was able to indicate that a PMA solution that might be acceptable to the Estate was under consideration. Appended to D9-021 Norfolk County Council – Additional Land & Owner’s Consent (NCC EX 86), a letter from the Estate's agents confirmed willingness for the additional land necessary to provide the PMA being included within the DCO for temporary occupation (plot 8/16). A further letter dated 11 November appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), confirmed that the Estate is satisfied in relation to quiet road surfacing, the bunding, planting, access and drainage in relation to The Springs and particularly that the

³⁰ As detailed in the Book of Reference

Rackheath Lane junction is acceptable subject to the provision of the PMA. In D10-014, the applicant points out that they cannot make provision for the Gurney Partnership/Heggath Hall Farm to use the proposed PMA, but anticipate that as they have a good working relationship with the Trafford Estate, as neighbouring landowners, a private arrangement should be possible.

6.139 For our part, we viewed the Crostwick Lane/North Walsham Road/Rackheath Lane junction on a number of site visits, accompanied and unaccompanied and passed through it on several occasions. We can well see why the local highway authority considers that the Rackheath Lane closure should be pursued in order to eliminate the present staggered crossroads as North Walsham Road carries a significant volume of traffic and the central turning lane has only limited capacity. Moreover, Appendix I to AD-041 5.6 Forecasting Report Vol 3 Apps H-K for submission shows that the section of the North Walsham Road outside the NDR as here is forecast to experience an increase in traffic with the NDR in contrast to a reduction closer to Norwich. The 2012 flow of 10,600 AADT is forecast to rise to 16,500 on opening of the NDR in 2017 and to 19,000 in the design year of 2032.

6.140 We note from representations from Spixworth Parish Council and individual IPs that there are a variety of opinions in the locality as to the most appropriate solution in terms of highway safety and amenity within Spixworth. On balance, we are satisfied that what the applicant proposes is the optimum solution that maintains accessibility for the village while also seeking to enhance highway safety.

6.141 We are satisfied that the land and rights subject of CA is required to implement the DCO scheme or are incidental to it so that a compelling case in the public interest exists to confirm the CA. It is also appropriate to authorise the temporary occupation of plot 8/16 on the basis of the revised plans that incorporate the additional PMA. The possibility of transferring ownership of part of plot 9/6 adjoining The Springs to the Estate is a matter separate from the DCO. We consider that plot in the following sub-section. CA should therefore be confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans - Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). Use of the temporary occupation power in relation to plot 8/16 is a proportionate approach by the applicant to minimise the extent of CA.

*Plots 9/4, 9/6-9/7 and 9/13 (and rights in plots 9/8-9/9 and 9/15)
- Mrs June Brooks*

6.142 The Relevant Representation (RR-308 Mrs June Brooks) essentially indicates that there are details relating to bunding, landscaping, means of enclosure and rights of access including in relation to the

adjoining Trafford Estate that require further discussion. The points are re-iterated in a Written Representation (D2-053 June Brooks) and which indicate a willingness to see additional planting to benefit the adjoining fishing lakes within the Trafford Estate.

6.143 In D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07), the applicant indicates that they are aware of the right of way on plot 9/4 and that woodland creation is already indicated for the bunding that has been designed to provide effective screening and noise mitigation for the fishing lakes. A letter from agents for Mrs Brooks dated 11 November 2014 appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirms that all matters are agreed including acquisition of the right of way, boundary treatment and acquisition of the severed land north of the NDR and its planting and subsequent disposition.

6.144 For our part, we consider that all the land or rights subject to CA are necessary for the construction of the DCO scheme or incidental to it. This includes the severed land north of the NDR which is required for essential mitigation to protect The Springs. Consequently, there is a compelling case in the public interest to confirm the CA as sought.

Plots 9/13, 9/19, 9/22-9/23, 9/26-9/27, 9/31-9/32, 9/42, 10/32, 10/35-10/36, 11/8, 11/11-11/13, 11/15-11/16 and 11/18 (and rights in plot 9/26) - P Key Esq

6.145 The Relevant Representation in respect of these areas of farmland and interests in adjoining highways (RR-930 P Key Esq) objects to the DCO scheme on the grounds that CA is sought in relation to land not directly connected to the NDR alignment, that providing a bridge at Middle Road with no connection at Low Road will have an adverse effect on the efficiency and viability of farming operations and an adverse effect on highway safety and operation as more farm vehicles will have to use more of the network, that CA is sought from land that has the benefit of planning permission for residential and business development and this could impact on deliverability and generally more land is proposed to be acquired than is necessary.

6.146 In response, in D3-001 Norfolk County Council (NCC EX 04), the applicant points out that the proposed highway improvement at the junction of Green Lane West and Wroxham Road (plot 9/42) arose from comments received during the pre-application consultation as detailed in section 3.3.5 of the Consultation Report (AD-024 5.1 Consultation report). The applicant is confident that the design for the NDR mainline, related road improvements and the design of junctions should enable agricultural use of these highways without causing congestion. They are working with developers in relation to land committed for development.

- 6.147 In D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57), the applicant draws attention to a minor reduction in the land-take proposed from plot 9/22. This is put forward to respond to concerns in the joint LIR from the JCS authorities in order to avoid impact on ancient semi-natural woodland in Orotlan's Grove. While not expressly sought by the objector this reduces land-take as more generally argued for.
- 6.148 In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant reiterates its stance on the points raised by Mr Key's agents, in particular drawing attention also to their response to Second ExA question 1.5 in relation to the pre-application amendment to substitute an all-traffic bridge at Middle Road for the previous proposal only for a PMA and bridleway bridge at Low Road (D6-002 Norfolk County Council - Response to questions in parts 1-3 (NCC EX 52)).
- 6.149 In relation to the last point we accept that alternative routing would be available for agricultural traffic between the dispersed holding concerned and we deal more generally with the Middle Road/Low Road alternatives more fully in section 4 of this report. There we conclude that the applicant's proposals as embodied in the DCO application are on balance the most appropriate.
- 6.150 We viewed the Green Lane West/Wroxham Road junction. Although the position appeared currently less acute than at Spixworth, nevertheless, traffic is forecast to increase significantly on the section of Wroxham Road outside the NDR (while reducing inside) as a consequence of the DCO scheme. The 2012 flow of 11,800 AADT is forecast to increase to 18,500 in 2017 after opening of the NDR and to 23,800 in the 2032 design year (see Appendix I to AD-041 5.6 Forecasting Report Vol 3 Apps H-K for submission). Thus, we are satisfied that this off-site associated development is justified. We note the SoCG with Lothbury Property Trust Company Ltd and its update (SOG-012 Update to Statement of Common Ground between Norfolk County Council and Lothbury Property Trust Company Ltd (NCC EX 49)) and do not consider therefore that the DCO scheme prejudices implementation of JCS development proposals. On the contrary, it supports them. Beyond this we accept the position of the applicant that the issues raised concerning acquisition and severance are matters for compensation.
- 6.151 Consequently, we are satisfied that all land and rights proposed for CA are required to implement the DCO scheme and that there is therefore a compelling case in the public interest to confirm the CA in relation to this land. We recommend that CA be confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73)) and AD-133 Norfolk County

Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

Plots 9/13, 9/19, 9/22-9/23, 9/27, 9/31-9/32, 9/42, 10/32, 10/35-10/36 and 11/8-11/9 (and rights in plot 9/26) - Russell Nicholls

- 6.152 The Relevant Representation (RR-838 Russell Nicholls) from an executor with an interest in these areas of farmland and adjoining highways, mainly though not wholly coincident with the interests of Mr Key addressed above, expresses concern that the scheme takes land with residential development potential and opportunity to minimise such loss has not been taken, with particular concern expressed over one field at Rackheath (plot 10/36) where it is argued that the scheme could be modified.
- 6.153 In D3-001 Norfolk County Council (NCC EX 04), argue by reference to the Consultation Report (AD-031 5.1 Consultation Report Appendices S to Z) that the drainage lagoons numbered 19 and 20 are in their optimum location and cannot readily be re-located as suggested.
- 6.154 In D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57), the applicant draws attention to a minor reduction in the land-take proposed from plot 9/22. This is put forward to respond to concerns in the joint LIR from the JCS authorities in order to avoid impact on ancient semi-natural woodland in Orotlan's Grove. While not expressly sought by the objector this reduces land-take as more generally argued for. Otherwise, the applicant re-iterates their stance that the land and rights for which CA is sought are all required for the DCO scheme (D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92)).
- 6.155 For our part, we can appreciate the concern in relation to plot 10/36 as its acquisition would result in a relatively narrow field portion remaining alongside the NDR. However, the land to the north-east is also farmland albeit separated by a field boundary and no specific alternative proposals for meeting the sustainable drainage requirements for the NDR have been put forward. Consequently, we accept the applicant's position that the issues in respect of land-take whether from agricultural land or development land are essentially matters for compensation. We accept that all the CA sought is required for or incidental to the DCO scheme and recommend therefore that CA be confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

Plot 9/15 - Glen Taylor

- 6.156 The Relevant Representation (RR-024 Glen Taylor) simply sought clarification of whether his access would be compromised by the proposed Wroxham road round-about and this acquisition of 91 square metres from his private access.
- 6.157 In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant confirms that the existing access will remain fully operational.
- 6.158 The plot is required to provide for a safe equestrian crossing point over Wroxham Road for the bridleway being provided along the south side of the NDR. We are satisfied that it is required for the DCO scheme or is incidental to it and that the CA should be confirmed as sought.

Plots 9/24-9/25 and 9/25a - Mr Karl Basey

- 6.159 The Relevant Representation from agents on behalf of the owner (RR-310 Mr Karl Basey) argues that a new PMA will be required because of the busy flows of traffic and bridleway users at the Wroxham Road roundabout and that noise will also require mitigation. The concerns were re-iterated in a Written Representation (D2-054 Karl Basey).
- 6.160 Negotiations continued over these matters and in D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57) an indication was given of provision of a new PMA for Mr Basey's property to the proposed roundabout by means of a branch off the already proposed field access. A letter dated 24 October 2014 appended to D9-021 Norfolk County Council – Additional Land & Owner's Consent (NCC EX 86) from Mr Basey's agent confirmed agreement to inclusion of additional land for CA or temporary occupation in order additionally also to provide a new PMA direct to Wroxham Road as there are two residential units on the site, thereby keeping both accesses largely separate from the new bridleway.
- 6.161 A letter dated 11 November 2014 appended to In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) from Mr Basey's agent confirmed that the principle of all matters was agreed and that no issues in working up details (that include routing the new direct access through a wooded area) are anticipated.
- 6.162 We are satisfied that the CA sought in the revised proposals is required for or incidental to the DCO scheme and meet the requirements of the land interests at this point. Temporary occupation of the additional plot 9/25a should also be confirmed. CA and temporary occupation should therefore be confirmed on the basis of the revised Land plans and Book of Reference (AD-

124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). Use of the temporary occupation power in relation to plot 9/25a is a proportionate approach by the applicant to minimise the extent of CA.

Plots 9/34-9/36, 9/38-9/39, 10/1-10/3 and 10/5 (and 10/16-10/18 Blanmar 1 only)(and rights in plots 9/22-9/23, 9/26-9/29, 9/32-9/33, 10/4, 10/8 and 10/10-10/12)(and 10/17-10/18 Blanmar 2 only) - Blanmar 1 and Blanmar 2

- 6.163 Relevant Representations (RR-037 Blanmar 1 LLP and RR-039 Blanmar 2 LLP) by agents on behalf of both companies (the latter owning the mineral rights in the land) argued that the proposed PMA should be of the standard recommended for roads within industrial estates and also expressed concern that it was proposed to share the main access road with a bridleway and footpath. The plots concerned relate to areas of farmland and access tracks that serve those areas.
- 6.164 A fully detailed case was presented in a Written Representation (D2-001 Lennox Thomson on behalf of Berrys). This argued that the ownership of plots 10/17 and 10/18 should be recorded as that of Blanmar and that there was no justification for the permanent acquisition of plot 9/34, even if it is severed and not proposed to be provided with access, although temporary use for topsoil storage was not necessarily opposed. They also argued that sharing use of the access was not conducive to highway safety but if shared use was proposed, the new highway and bridge should be adopted as highway maintainable at the public expense. In addition, as Blanmar was losing use of its northern access which would be severed without replacement, the sole remaining access via the proposed Newman Road over-bridge was of inadequate standard. It is proposed to have a carriageway of 6 m, which is lesser in width than parts of the existing Newman Road. Moreover, the proposed PMA into Blanmar's retained eastern land has not been demonstrated to be capable of use by an articulated lorry, as it is only proposed to be 3 m wide and running off the proposed embankment rising to the over-bridge.
- 6.165 In D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07), the applicant confirms that they will be responsible for the maintenance of the Newman Road track and over-bridge without imposing any maintenance requirements on those with existing rights all of which would be retained. The new section of Newman road with a running surface of 6 m and generally 1 m margins is of the local highway authority's standard for an HGV access route. As a road serving 8 private properties it is regarded as of an appropriate standard. As the retained Blanmar eastern land has currently an existing use only as grassland/amenity land and not

as industrial land, a 3 m PMA with 1 m margins is regarded as appropriate rather than an industrial estate road, though the geometry of the proposed PMA will be reviewed.

- 6.166 The applicant did not regard the inference in the documentation provided as sufficient to justify recording ownership of plots 10/17 and 10/18 as Blanmar, but indicated willingness to consider further and in the updating of the Book of Reference Plots 10/16-10/18 are all shown as owned by Blanmar 1. Plot 9/34 was at that point argued to be permanently required for landscape and ecological mitigation. However, on reconsideration in D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57), the applicant accepted, in view of a proposed joint venture with a neighbouring land-owner, that the permanent landscaping could be omitted from plot 9/34 so it would only be required for temporary use. This remained the position in the applicant's closing submission (D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92)).
- 6.167 As the applicant is willing to accept that plot 9/34 need no longer be subject of CA for permanent use, we agree that it should be only be subject of temporary use. Use of the temporary occupation power in respect of this plot (and plot 9/38) is a proportionate approach by the applicant to minimise the extent of CA. It would appear that permanent use was only proposed because it was regarded as an isolated portion of severed land that it would have been uneconomic to provide with new access. With regard to the other matters raised on behalf of Blanmar, neither the companies nor their agents availed themselves of the opportunity that was afforded for them to be heard (see D8-007 Blanmar 1 LLP & Blanmar 2 LLP). Consequently, the ExA has no further evidence beyond that provided in the written representation with regard to the concerns expressed over the standard of access to be provided. We are not persuaded that the proposals put forward by the applicant are in anyway inadequate or unsafe having regard to existing uses and rights.
- 6.168 As we are satisfied that all CA of land and rights and temporary use now proposed are necessary for the DCO scheme or incidental to it, we recommend that CA be confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). Temporary occupation of plots 9/34 and 9/38 should also be confirmed. The substitution of temporary use for CA of plot 9/34 represents a partial success of the objectors in opposing the CA.

Plots 10/14-10/15 - Mr J Duncan and Mr T Shaw

- 6.169 The Relevant Representations (RR-311 Mr Duncan and RR-773 Mr T Shaw) sought assurance that there would be access for their tenants to continue trading during and after construction. The plots concerned are small parts of the forecourts of business premises known as units 2 and 3 Newman Road (16 and 35 square metres respectively).
- 6.170 In D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57) the applicant illustrates an amendment to provide wider accesses to the business premises. In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) the applicant indicates that it had not been possible to obtain confirmation that the revised proposals meet initial concerns, but they are confident that operational concerns can be met. It is pointed out that compensation would be paid for disturbance as well as acquisition.
- 6.171 For our part, we are satisfied that these two plots are necessary to reconstruct the Newman Road track to cross the NDR on an over-bridge. We can see no reason why it should not be possible to maintain access to the businesses both during construction and subsequent operation. We therefore recommend that CA be confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

Plots 10/27-10/28 and 10/32 - Frontbench Ltd

- 6.172 The Relevant Representations (RR-790 Frontbench Ltd and RR-1128 R & J.M. Place Ltd/Frontbench Ltd) only refer to on-going discussions in relation to CA and temporary use of two areas of farmland and an interest in an adjoining highway.
- 6.173 In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant states that discussions have related to access and boundary treatments and that they expect all matters to be agreed outside the DCO process. The discussions have not involved the extent of land to be acquired or used.
- 6.174 While we have no independent verification of this situation, the plots have clearly defined purpose in relation to construction of the mainline of the NDR and use of adjoining land for temporary topsoil storage. In our judgement there is therefore a compelling case in the public interest for the CA which should be confirmed as sought, as it should be for the temporary occupation of plot 10/28. Use of the temporary occupation power in respect of this plot is a

proportionate approach by the applicant to minimise the extent of CA.

Plot 10/53 (and rights in plots 10/48 and 11/7) - Clive Scott

- 6.175 The Relevant Representation (RR-436 Clive Scott) refers to a wish to negotiate disposal of his property as quickly as possible in order that he may be able to move. The plot for CA comprises 36 square metres of the private access Drive to the adjoining residential property known as 'The Railway Crossing' and the rights relate to adjoining land.
- 6.176 In D3-001 Norfolk County Council (NCC EX 04), the applicant indicates that a Blight Notice served on the Council by Mr & Mrs Scott dated 27 May 2014 was accepted on 6 June 2014 and that negotiations are therefore underway to acquire 'The Railway Crossing'. In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) the applicant suggests that the only remaining issue is to settle the level of compensation in respect of the deemed notice to treat following acceptance of the blight notice.
- 6.177 The ExA can understand why Mr & Mrs Scott wished to serve a blight notice in respect of the entirety of their property as it is the most adversely affected of all residential properties that are in the vicinity of the NDR. In this case the bridges over the Norwich to Cromer Railway line and Plumstead Road would be situated almost immediately to the north-east of this property with the NDR on a substantial embankment, albeit diminishing eastwards as it would drop down to a roundabout junction with a link road to Plumstead Road. Given the acceptance of the Blight Notice, and as the plot is required for the NDR or works incidental to its construction, we can see no reason why CA should not be confirmed as sought and recommend accordingly.

Plots 10/49-10/50 and 11/2-11/4 - Mrs VA Smith (t/a SJ Smith) as occupier

- 6.178 The Relevant Representation (RR-831 Mrs. V.A.Smith (t/a S.J.Smith)) in relation to these areas of farmland asks as tenant for clarification of the field access both during and after construction in order to plan farming activities.
- 6.179 In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant points out that Mrs Smith would prefer a new access from Broad Lane adjoining 'Penshurst'. However, this would involve land outside the DCO boundary so cannot at this stage be delivered under the provisions of the DCO. They continue to promote access from the Plumstead Road link Road shared with that for drainage lagoons numbered 21. This shown as access X54 on the Street Plans (AD-125

- 6.180 We have been given no reason why the replacement field access should not work as proposed by the applicant. As these plots are clearly required to construct the DCO scheme or are incidental to that construction, there is a compelling case in the public interest for the CA of this land. CA should be confirmed as sought.

Plots 11/19-11/21, 12/3 and 12/5 - David and Sally Jacobs

- 6.181 The Relevant Representations (RR-639 David and Sally Jacobs and RR-632 Mr and Mrs D Jacobs) express concern over the replacement of the PMA and bridleway bridge at Middle Road by the all traffic bridge at Middle Road. They suggest that this will cause severance and inefficiency to farming operations and also that more land is being sought than is necessary. The plots relate to areas of farmland and rights within the adjoining highways of Great and Little Plumstead Footpath No 5 and Sme Lane (which is proposed to be stopped-up).

- 6.182 The applicant points out in D3-001 Norfolk County Council (NCC EX 04) and AD-006 4.1 Statement of Reasons that the land is required for the NDR main alignment and a new bridleway together with a related drainage lagoon and environmental mitigation measures. In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant maintains its position and draws attention to the answer given to the ExA Second question 1.5 that explains the choice of bridges to provide connectivity across the NDR at this point and how access could be provided for severed holdings such as this. Compensation would be paid in relation both to acquisition and the effects of severance.

- 6.183 We address the Low Road/Middle Road bridge choice in section 4 of this report where we conclude that the approach of the applicant is appropriate. We are also satisfied that all these plots are required for or incidental to the DCO scheme. Consequently, we see a compelling case in the public interest for the CA and recommend that it be confirmed as sought.

Plots 12/5, 12/7-12/16, 12/30, 12/32, 12/50-12/52 and 12/54 (and rights in 12/24, 12/27, 12/29 and 12/31) - WR & PJ Tann Limited and Ifield Estates (other than plot 12/5)

- 6.184 The Relevant Representations (RR-924 W R & P J Tann and RR-706 Ifield Estates) assert that the land concerned is subject of a legal agreement and that more land is sought from an agricultural holding than is necessary. The land concerned comprises 2 blocks of agricultural land on either side of the A47(T).

- 6.185 In D3-001 Norfolk County Council (NCC EX 04), the applicant acknowledges the existence of the legal agreement but points out

that the land is still within the ownership of the land owner and so CA is required to facilitate the DCO scheme. Ifield Estates have options on the land and planning permission for development of the Broadland Gate business park development. The applicant has a conditional contract with the owner and option holder for the acquisition of the highway land to construct the A47(T) Postwick junction improvements and the link roads to facilitate the business park development. The NDR requires additional land over and above those works as made clear in AD-006 4.1 Statement of Reasons.

- 6.186 In D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07), it is clarified that the plots in dispute are 12/30, 12/7, 12/5 and 12/55. With regard to 12/30, the applicant suggests that this is covered by the general need for CA in advance of the transfer of the highway land to NCC on completion of the works. If it is not required, CA will not proceed. Plot 12/7 is required to provide a turning head for Smee Lane at the point where it is proposed to stop it up. Plot 12/5, Smee Lane itself, is required once stopped up in order to become a PMA for maintenance of Bat Gantry No 7, but the applicant would be prepared to consider other procedures. Plot 12/55 is required to provide a shared use footway and cycle-track along the northern side the A1042 Yarmouth Road. The roundabout that Ifield Estates refer to as no longer included, that was to have given access to an extension of the Postwick Park and Ride and land north of Yarmouth Road, is described as being under construction in a separate scheme to provide improved access to the Park and Ride site and facilitate its future expansion.
- 6.187 In D6-021 Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57), the applicant refers to a request by WP & PJ Tann Limited and Ifield Estates for additional CA to provide an additional lane for westbound traffic on the approach to the Peachman Way roundabout in the business park area. Suggestions are also advanced to change plot 12/5 to acquisition of rights and plot 12/30 to temporary use only to construct an interim access to Heath Farm pending the build out of the business park. A letter dated 27 October 2014 and an email dated 20 October 2014 appended to D9-021 Norfolk County Council – Additional Land & Owner’s Consent (NCC EX 86) consent to the inclusion of the additional land for the additional running lane in what is plot 12/8. Finally, in D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant indicates that it had been concluded that plot 12/5 would remain as for permanent acquisition but that the acquisition would be by means of dedication rather than legal transfer. An appended email dated 24 September 2014 on behalf of both Ifield Estates and the Tanns confirms the acceptability of the treatment of plots 12/5 and 12/30.

6.188 We are satisfied that that all the CA and temporary use proposed in relation to these holdings is required for or is incidental to the DCO scheme including those plots that are required for the NDR over and above the agreed acquisition for the Postwick Hub works. CA and temporary occupation of plots 12/9 and 12/30 should therefore be confirmed on the basis of the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). Use of the temporary occupation power in respect of plots 12/9 and 12/30 represents a proportionate use of the power by the applicant to minimise the extent of CA. The reduction of plot 12/30 from outright acquisition to temporary use represents a partial success for these land interests in resisting the initially proposed CA.

Plots 12/31 (and rights in 12/8 and 12/32) - Lothbury Investment Management Ltd

6.189 The Relevant Representation (RR-244 Lothbury Investment Management Ltd) pointed out that the company had a legal interest in land through which the NDR would pass at the Broadland Business Park and that the DCO scheme could comprise the ability to implement a planning permission relating to the extension of the business park.

6.190 D4-028 Norfolk County Council's comments on written representations by various Landowners (NCC EX 07) indicates the negotiations between the applicant and the company with a view to seeking to avoid abortive work in construction of a proposed roundabout on Middle Road to join a new developer link road through the Lothbury development site. Depending on whether the link road is constructed ahead of the NDR or the NDR is constructed ahead of the link road one half or the other of the round-about would need to be raised to tie in with new bridges over the Norwich to Cromer railway line or the NDR. Ideally both developments would proceed at the same time avoiding abortive work. The additional cost, which the applicant considers would be modest, to achieve both tie-ins with the NDR would be a matter for potential compensation but in the applicant's view this could only be assessed when the timetables and agreements with the land-owner are finalised.

6.191 Subsequently as noted in D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) the applicant and Lothbury Property Trust Company Limited agreed a SoCG (SOG-005 Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 1 (NCC EX 06)) with an update also agreed subsequently (SOG-012 Update to Statement of Common Ground between Norfolk County Council and Lothbury Property Trust Company Ltd (NCC EX 49)). It is

therefore concluded that no matters remain at issue with the company.

- 6.192 From study of these documents, we concur with this judgement. The particular plots referred to are clearly required to construct the Postwick Hub and business park infrastructure that are also part of the DCO scheme and consequently we consider that there is a compelling case in the public interest for the CA sought. The company at the time of preparation of the revised Book of Reference did not appear to have legal interests in the land at or around Middle Road that are at the heart of the issues dealt with in the statements of common ground, but the issues nevertheless appear to have been resolved. We recommend that CA is confirmed as sought.

Objections by Category 3 parties³¹

Sidney Cowell/Scrone Limited and The Howe Family

- 6.193 Sidney Cowell on behalf of his company, Scrone Ltd, (RR-783 Scrone Limited) pointed out that the NDR cuts off an access to their property at Gazebo Covert. Improved alternative access was sought through extension of the proposed Newman Road over-bridge and an improvement of the shared right of way. Mr Cowell owned other land that is to be acquired for the scheme through his company SCR Ltd (plots 9/29, 9/30 and 9/37). The applicant was informed on 17 November 2014 that Mr Cowell had died but both companies were jointly owned with Mrs Cowell.
- 6.194 In D3-001 Norfolk County Council (NCC EX 04), the applicant points out that alternative access would be provided to Gazebo Covert by PMA X47h (see Street plans sheet 10 AD-125 Norfolk County Council - Updated Plans – Sheet 2 of 5 (submitted 9 October) (NCC EX 73)). This is re-iterated in D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92). The applicant considers this to be a satisfactory access through establishing rights over an existing access track beyond the length of Newman Road that would be improved.
- 6.195 The Howe family of Home Farm, Rackheath Park (RR-829 The Howe Family and D2-079 Howe Family) raised issues of cost to acquire land to improve a further length of the track should it be sought. They also outlined their opposition to improving the access to Gazebo Covert over their land in order to safeguard their livery business and maintain their privacy.
- 6.196 The applicant can see no reason why, to serve existing uses, further CA should be sought against the unwilling third party land-owner to improve the access to Gazebo Covert. Both parties may

³¹ Persons who would or might be entitled to make a claim for injurious affection or depreciation in land value as defined in s57 of the PA2008.

be eligible for compensation under Part 1 of the Land Compensation Act 1973.

- 6.197 We can see no reason to differ from the conclusions of the applicant and do not recommend any additional CA.

Other objections from Category 3 parties

- 6.198 There are just over 30 further Relevant Representations from Category 3 parties who cite potential effects on their residential or business properties such as increased traffic, congestion, noise or pollution. The detail of these representations is summarised in D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) and D12-002 Norfolk County Council - Update on Compulsory Acquisition Issues following CA Hearing of 28 November 2014 (NCC EX 102).³² Of these, the address of one is in Attlebridge (which is forecast to experience increased traffic flow on the A1067), 3 in Taverham, 5 in Horsham St Faith, 2 in Spixworth, 7 from the Rackheath area, 14 in the Thorpe End locality and 2 from elsewhere in Great and Little Plumstead parish. Some of these representations also refer to more general opposition to the DCO scheme such as in relation to need not being justified and loss of farmland. The general objections have been addressed in section 4 of this report and in summary earlier in this section. There we conclude that there are no reasonable alternatives to the DCO scheme that would avoid the need for CA or allow lesser CA. By definition these APs may be eligible to make a claim for compensation.
- 6.199 There are also about another 40³³ further representations from those included in Category 3 in the Book of Reference that do not make direct or indirect reference to potential implications on their properties. Rather they raise general objections to the DCO scheme for reasons including the absence of a western link between the A1067 to A47(T), lack of need, harm to countryside or wildlife, money better spent on public transport or A47(T) improvements and opposition to related development proposals. These issues were also addressed in part 4 of our report. Again these APs may be eligible to make a claim for compensation.
- 6.200 We see nothing in these representations that lead us to depart from our general conclusions that there is a compelling case in the public interest for the compulsory acquisition sought in the revised proposals that were extant at the close of the Examination.

³² The Reference numbers quoted in the NCC documents are not necessarily the same as those in the Examination Library that is Appendix A to this report. Generally the numbers in the Examination Library will be slightly lower as duplicate representations and gaps in sequencing have been eliminated. The ExA have taken some of those listed in the final schedule produced by the applicant as having specific property concerns as well as general objections.

³³ As previous footnote

Statutory undertakers

National Grid Gas Plc

Plots 7/21 (and rights in plots 1/10, 1/14, 1/18, 1/21-1/22, 1/24-1/25, 2/2, 2/4, 2/4a, 2/5, 2/5a, 2/6, 2/6a, 2/7, 2/11, 4/7, 4/12, 10/12, 12/8-12/10, 12/55 and 12/61)

- 6.201 The Relevant Representation (RR-760 National Grid Gas Plc) points out that there are two high pressure gas pipelines crossed by or in close proximity to the NDR as well as a number of lesser mains. National Grid objected to CA of its interest unless or until there is an agreed scheme for diversion of the affected high pressure pipeline and safeguards agreed in respect of all of its interests. Safety must be regarded as a paramount consideration.
- 6.202 In lieu of a Written Representation, the applicant and National Grid submitted a joint statement indicating that negotiations had continued to devise acceptable diversion proposals and secure necessary rights and that it was intended to enter into an agreement between the two parties that would be referenced within the Protective Provisions to be appended to the DCO (D2-065 Joint statement on behalf of National Grid Gas Plc and Norfolk County Council).
- 6.203 A further joint statement dated 29 September 2014 (D7-046 National Grid Gas – Joint statement by National Grid Gas and Norfolk County Council) indicated that progress had been made on agreeing the diversion of feeder main No 3 (Bacton to Roudham) and other matters. Protective Provisions which would be inserted in the next iteration of the DCO and other amendments would ensure that the diversion could be undertaken during an outage under provisions of the DCO that could be transferred to National Grid. Schedule 10 would detail all rights required for National Grid.
- 6.204 D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirmed final agreement with National Grid, with a letter dated 11 November 2014 from National Grid to the Planning Inspectorate (AR-012 National Grid – Withdrawal of Objection) confirming withdrawal of all objections based on an agreement with NCC and the protective and other provisions in the final iteration of the DCO. The Protective Provisions to safeguard the interests of National Grid are set out in Part 2 of Schedule 13 of the DCO recommended at Appendix E to this report.
- 6.205 We are satisfied that the CA of land and rights relating to National Grid are required to construct the DCO scheme. Consequently, the CA should be confirmed incorporating the revisions agreed with National Grid (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133

Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). As we are recommending the DCO set out in Appendix E with the provisions and safeguards sought by National Grid, no further issues remain in relation to this statutory undertaker.

Norwich Airport Limited

Plots 5/41-5/45, 6/3-6/4 and 6/12 (and rights in plots 5/46--5/49 and 6/1-6/3)

- 6.206 The Relevant Representation from the airport undertaker (RR-681 Norwich Airport Limited) is in principle supportive of the DCO scheme in view of the improved accessibility provided for the airport and the anticipated economic development benefits. However, it has a statutory responsibility for public safety and air navigation requirements and consequently objected until its concerns had been resolved. These related to:
1. Primary Search Radar interference.
 2. Instrument Landing System (ILS) and other air navigation aids interference.
 3. Physical effects of the operation and construction of the NDR including traffic fumes, dust, noise and vibration on the Control Tower and adjacent buildings.
 4. Impacts on fire fighting training due to smoke effects on the NDR.
 5. Emergency vehicle access to and egress from the Airport.
 6. Access to land on the north side of the Airport and to the Control Tower Building.
 7. Protection of utilities to the Control Tower and adjacent buildings.
 8. Changes in bird activity and the impacts on flight safety.
 9. Security fence lines.
 10. Height of construction machinery and the impact of machinery on safety and radar.
- 6.207 The representations were reiterated in a Written Representation following a change of ownership of the airport operator (D2-081 Norwich International Airport). Strong support was indicated for the NDR and the related JCS economic development proposals. The airport operator pointed out that, contrary to some individual representations, the airport and the NDR were fully compatible in terms of their proximity. The NDR would not prevent expansion of the airport nor would the airport give rise to safety concerns in relation to the NDR as public safety zones were not compromised. A SoCG would be agreed with the applicant to address the detailed issues referred to in the initial Relevant Representation.
- 6.208 The SoCG is included within SOG-009 Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 5 (NCC EX 06). It notes agreement on the

importance of the NDR to aspirations for development of the Norwich Aeropark on the northern apron and of the Norwich International Aviation academy on the south side of the airport. It acknowledges a funding agreement that will enable relocation and replacement of the airport radar by May 2015 and that the ILS should not be affected. Mitigation works are also agreed to enable continuation of acceptable working conditions at the control tower during and after construction and for continuous provision of utility services. Emergency access is agreed, as is that to the control tower and north side of the airfield provided that the Aeropark development proceeds. If it does not, while a route is agreed, specification has still to be determined. It is also agreed that there will be a bird control management plan taking account of the appended report by Nigel Deacon of Airfield Wildlife management Ltd and that there will be new security fencing provided according to details again depending on whether the Aeropark development proceeds. Finally, it is agreed that heights of construction equipment and landscaping will be controlled to prevent interference with airport radar or safety requirements.

6.209 An email dated 18 November 2014 from the Estates Manager of the airport's operator appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirmed that all outstanding matters mentioned in the SoCG were agreed with the applicant.

6.210 We are satisfied that all land and rights in relation to which CA is sought are necessary for construction of the DCO scheme and in particular the eastern section from the A140 to Postwick. There is therefore a compelling case in the public interest for the CA. As the statutory undertaker has been satisfied in respect of all their operational concerns and are generally supportive of the NDR we recommend that CA should be confirmed as sought.

Eastern Power Networks plc/UK Power Networks plc

Plots 7/4, 7/7, 10/44 and 11/8 (and rights in plots 1/23-1/24, 2/20, 2/20a, 2/22, 2/34, 2/36-2/38, 2/42, 3/12-3/14, 3/24, 4/1, 4/20, 4/34, 5/1-5/2, 5/13, 7/26, 9/4, 9/6-9/8, 9/22-9/23, 9/28, 9/34-9/37, 10/1-10/8, 10/10, 10/12-10/13, 10/20-10/26, 10/29, 11/1, 11/6-11/8, 11/18-11/21, 12/8-12/10, 12/15-12/17, 12/20 and 12/59-12/60)

6.211 No Relevant Representations or Written Representations were received by or on behalf of this statutory undertaker. An email dated 4 November 2014 appended to D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) confirms acceptance by UK Power Networks of terms for acquisition of the Spixworth Switching Station. Plot 7/7 relates to this installation and plot 7/4 rights in its access. D10-009 UK Power Networks – Compulsory Acquisition Agreement refers to this acquisition, but also to the other cable diversions

that will be required to facilitate the NDR. It simply indicates that the undertaker is proceeding to have all agreements in place to enable work during 2015.

- 6.212 Protective provisions to safeguard the interests of Electricity Suppliers are set out in Part 4 of Schedule 13 of the DCO recommended at Appendix E to this report.
- 6.213 We are satisfied that the land and interests are required for the construction of the DCO scheme and consequently that a compelling case exists in the public interest for CA. No matters have been raised by the undertaker and consequently we recommend that CA be confirmed as sought.

Anglian Water Services Limited

Plot 9/28 (and rights in plots 9/6, 9/15, 9/22, 9/26-9/27, 9/35-9/37, 10/1-10/8, 10/10, 10/12-10/13, 10/20-10/26 and 10/29)

- 6.214 A Written Representation (D2-011 Anglian Water) indicated general support for the NDR but put forward a request for alteration to Article 17 of the DCO and suggested protective provisions to be inserted to safeguard its interests.
- 6.215 D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) states that the requests had been met. It drew attention to an email dated 9 October confirming to the Planning Inspectorate that its objections are withdrawn (AR-011 Anglian Water - Withdrawal of Objection). In an email dated 20 November 2014 (D10-006 Anglian Water CA), Anglian Water reiterated that they are content with the provisions of the DCO as recommended at Appendix E to this report. The Protective Provisions to safeguard the interests of Anglian Water are set out in Part 3 of Schedule 13 of the DCO recommended at Appendix E to this report.
- 6.216 Plot 9/28 is an existing sewage pumping station that will be surrounded by works relating to the NDR which will pass just to its south with drainage lagoons and environmental mitigation areas to occupy adjoining land. The scheme provides for future access to the plot.
- 6.217 We are satisfied that the CA is required for or is incidental to the DCO scheme so that a compelling case exists in the public interest. We note the withdrawal of objections from Anglian Water with the incorporation of satisfactory protective provisions. We therefore recommend that the CA be confirmed as sought.

Network Rail Infrastructure Limited

Plot 10/40 (and rights in plots 10/48 and 10/53)

- 6.218 Network Rail made a Relevant Representation (RR-758 Network Rail Infrastructure Limited). This sought insertion of protective provisions in relation to the proposed crossing of the Norwich to Cromer railway line at Plumstead and also raised concerns over the safety of level crossings. A Written Representation by Dentons on their behalf (D2-087 Network Rail) formerly objected to the DCO unless the applicant provided an undertaking that existing rights of Network Rail would not be extinguished, that the new rights to be acquired would be agreed with Network Rail and protection would be put in place in relation to the operations of Network Rail during construction. Plot 10/40 comprises the railway formation itself and is operational land and plots 10/48 and 10/53 adjoining land over which Network Rail has rights to undertake maintenance of the railway.
- 6.219 The objection puts forward suggested protective provisions and also re-iterated concerns that the design had not facilitated closure of level crossings.
- 6.220 The issue of safety in relation to the level crossings is assessed in detail in section 4 of this report. Following the applicant entering a formal agreement with Network Rail relating to monitoring traffic over the 3 nearby level crossings, Network Rail confirmed withdrawal of objection in respect of the crossings in a letter dated 1 October 2014 (D8-005 Network Rail – No continuing concerns and withdrawal of objection (1 October)). Network Rail had previously provided a draft of a proposed formal agreement between the applicant and Network Rail on 18 September Network Rail – Progress with NCC re concerns and non-appearance at DCO hearing.
- 6.221 On the CA issue itself, in D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92) the applicant confirmed that negotiations were at an advanced state over the finalisation of a further Deed of Undertaking with Network Rail Infrastructure Limited with their agreement to its wording confirmed in an appended email dated 19 November 2014. Appended to D12-002 Norfolk County Council - Update on Compulsory Acquisition Issues following CA Hearing of 28 November 2014 (NCC EX 102) are copies of the executed agreements concerning the level crossing (dated 29 September 2104) and the land at and adjacent to the Norwich to Cromer and Sheringham railway line (dated 27 November 2014). At AR-013 Network Rail - Withdrawal of Objection is recorded the formal withdrawal of Network Rail's objection dated 27 November 2014 on the Deed being entered into and agreed protective provisions inserted into the DCO.

- 6.222 The Protective Provisions to safeguard the interests of Railway Interests are set out in Part 1 of Schedule 13 of the DCO recommended at Appendix E to this report.
- 6.223 As the land and rights sought are required for the construction of the DCO scheme, we are satisfied that there is a compelling case in the public interest for the CA. As Network Rail Infrastructure Limited has withdrawn all objections to the DCO, the two Deeds having been entered into and agreed protective provisions inserted, we therefore recommend that the CA be made as sought.

Summary of the position under s127 and s138 of PA2008

- 6.224 No interests of electronic communications operators have been raised. Protective Provisions for Electronic Communications Code Networks are set out in Part 5 of Schedule to the DCO recommended at Appendix E to this report.
- 6.225 Representations were made by National Grid Gas Plc, Norwich Airport Limited, Anglian Water Services Limited and Network Rail Infrastructure Limited. However, all these statutory undertakers have withdrawn their objections in writing. Eastern Power Networks plc/UK Power Networks plc have also indicated that they accept the CA proposed. Protective provisions have been inserted into the DCO that safeguard the interests of all known relevant statutory undertakers. These are applied through Article 41. There are therefore no outstanding issues with regard to s127 of PA2008.
- 6.226 The DCO makes further provisions in relation to statutory undertakers and their apparatus under Articles 33, 34 and 35. We are satisfied that the articles are necessary to facilitate the development to which the order relates and there are no outstanding objections to these provisions. Consequently, we do not consider that there are any issues in relation to s138 of PA2008.

Special Category Land

Public Open Space

Plots 2/26-2/27, 2/27a and 2/28-2/29 - Broadland District Council (Plot 10/12 is also owned by Broadland District Council but is not public open space)

- 6.227 Plot 2/27 comprises 1,246 square metres of the recreational public amenity path known as Marriott's Way that is required to construct the mainline of the NDR. New rights are also sought in plots 2/26, 2/28 and 2/29 that comprise a further 6,574 square metres of the Marriott's Way Recreational land, that would be temporarily used to construct the ramps up to the new bridge that would take the path over the NDR.

- 6.228 Replacement land is to be provided at deck level on the new bridge that would carry Marriott's Way over the NDR in plot 2/27a (474 square metres). It would also be provided at plots 2/23 and 2/25. These are currently areas of farmland west of Marriott's Way together comprising 1,017 square metres. Further replacement land is to be provided at plots 2/34 and 2/37, currently areas of Farmland east of Marriott's Way. Together these comprise some 496 square metres. These four additional plots would extend the embankments or surrounds of the reconstructed path north and south of the NDR. In total some 1,987 square metres of replacement land would be provided which is greater than the total that would be permanently taken.
- 6.229 In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant draws attention to the strong support of the owner of the public open space, Broadland District Council as evidenced in the SoCG agreed with the JCS authorities (SOG-002 Statement of Common Ground between Norfolk County Council and Local Authorities (NCC EX 06)).
- 6.230 Appended to D12-002 Norfolk County Council - Update on Compulsory Acquisition Issues following CA Hearing of 28 November 2014 (NCC EX 102), an email dated 2 December 2014 confirms that Broadland District Council accepts the replacement plots for the CA proposed with the applicant having responsibility for maintenance of the new bridge and its approaches. The email also notes the ownership of plot 10/12 and states that the Council does not have any outstanding compulsory acquisition issues.
- 6.231 We viewed the path and the proposed crossing point of the NDR during our site visits. We are satisfied that the replacement land albeit different in character, as would be the new ramped sections of path, would be a satisfactory replacement for the land taken. In section 4 we concluded that the modified path would still be effective as a route for cyclists, equestrians and walkers.
- 6.232 The CA is clearly required for or incidental to the DCO scheme and we therefore accept that there is a compelling case in the public interest for the CA.

Section 132 of PA2008

- 6.233 Both we and Broadland District Council are satisfied with the proposed replacement land. We therefore recommend to the Secretary of State that the provisions of s132(4) of PA2008 are applicable in so far as replacement land will be given and vested in the current owner subject to the same rights as attach to the order land. Consequently, there should be no need for special parliamentary procedure.

Fuel Allotments

Plots 10/45 - Great Plumstead Fuel Allotment Charity

- 6.234 Plot 10/45 comprises 298 square metres of farmland which is part of a Fuel Allotment west of Broad Lane (C258) at Plumstead. It is required to form a turning head for Broad Lane so that it can be closed at its junction with Plumstead Road in order to improve highway safety on an approach to the NDR.
- 6.235 In the application as submitted a more extensive area of allotment land would have been required in order to create a PMA for agricultural interests to bypass the road closure to move between separate parts of holdings. However, by way of a minor non-material amendment detailed more fully in section 2 of our report, this proposal was deleted as it would also have required additional acquisition from the agricultural holding to provide for replacement land for the allotments (see AD-115 Revised application doc 5.14 PMA removal Proposed change report FINAL).
- 6.236 In D10-014 Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92), the applicant drew attention to their comments on a Written Representation by Gaia Shaw (D2-121 Gaia Shaw GP Fuel Allotment Charity (Late representation)). She argues that land should not be taken from the allotments without the replacement originally proposed or without compensation, as the beneficiaries of the charity would be disadvantaged. She also maintains that the land is being taken for more than highway widening or drainage.
- 6.237 The applicant's comments are contained in D4-054 Norfolk County Council's comments on written representations by Gaia Shaw (NCC EX 48). This confirms that the Fuel Allotment Charity beneficiaries are limited to residents of Great Plumstead and, on the evidence of their accounts lodged with the Charity Commission (which are appended), the charity is actively managing their income for the benefit of their beneficiaries. An appended email dated 29 July 2014 from agents for the charity indicates that the acquisition of the 298 square metres is acceptable without replacement provided that the new boundary is fenced and forms a new agricultural access and subject to compensation.
- 6.238 This confirms that the charity would not be worse off whether or not there was any reduction in the rental payable by the agricultural tenant.
- 6.239 The CA is required for a purpose incidental to the DCO scheme. The arguments for the closure of Broad Lane and in relation to an alternative closure point at the level crossing are detailed in section 4 of this report. If it is accepted that the closure is appropriate to improve highway safety on an approach to the NDR, then the CA is justified in order that proper provision can be

made for a turning head close to the point of closure. CA can therefore be justified on the basis of the revised land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

Section 132 of PA2008

- 6.240 Section 132(5) of PA2008 states that the subsection applies 'if (a) the order land does not exceed 200 metres in extent or the order right is required in connection with the widening or drainage of an existing highway or in connection partly with the widening and partly with the drainage of such a highway and (b) the giving of any other land in exchange for the order right is unnecessary, whether in the interests of the persons, if any, entitled to the rights of common or other rights or in the interests of the public'.
- 6.241 We agree with the applicant that the purpose for which the acquisition is sought appears to comply with the definition of road widening of an existing highway and the charity has indicated that it does not wish to seek replacement. It does not appear that the financial interests of the charity will be harmed so that replacement should not be necessary in the interests of the beneficiaries. Neither should it be necessary in the public interest. Better agricultural access is to be provided and highway safety and convenience, in the provision of a turning head, should be improved. Consequently, there should be no need for special parliamentary procedure.

The ExA's overall conclusions in respect of CA and other land matters

- 6.242 The ExA's approach to the question of whether and what compulsory acquisition powers it should recommend to the Secretary of State to grant has been to seek to apply the relevant sections of the Act, notably s122 and s123, Guidance³⁴, and the Human Rights Act 1998; and, in the light of the representations received and the evidence submitted, to consider whether a compelling case has been made in the public interest, balancing the public interest against private loss.
- 6.243 The ExA understands, however, that the draft DCO deals with both the development itself and compulsory acquisition powers. The case for compulsory acquisition powers cannot properly be considered separately from our view on the case for the development overall as our consideration of the compulsory acquisition issues must be consistent with that view.

³⁴ Planning Act 2008, Guidance related to procedures for compulsory acquisition (CLG, 2013)

6.244 The ExA has shown in the overall conclusion to section 4 that it has reached the view that development consent should be granted. The question therefore that we address here is the extent to which, in the light of the factors set out above, the case is made for compulsory acquisition powers necessary to enable the development to proceed.

The public benefit

6.245 The public benefit essentially derives from the fact that the DCO scheme would wholly or substantially meet the defined objectives sought. These objectives themselves are firmly based in the need established in the development plan and consistent with the draft NN NPS. They also carry forward the NATS Implementation Plan. The objectives set out at paragraph 4.1 above are wide-ranging in transport, economic development and environmental terms and therefore in our judgement mean that the scheme for which CA is sought represents sustainable development as advocated in both the NPPF and government transport policy including the draft NN NPS. We therefore conclude that there should be clear public benefit in confirming the CA sought in the revised CA in order to ensure that the DCO scheme can proceed.

Alternatives

6.246 The DCLG Guidance (paragraph 20) requires that 'The promoter should be able to demonstrate to the satisfaction of the decision-maker that all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored ...'

6.247 The ExA has considered this in terms of the definition of the scheme, the scale of the development proposed, specific characteristics of the development and in relation to the proposed acquisition of each parcel of land proposed for CA.

The definition of the scheme

6.248 The NDR scheme arises out of a long period of assessing the transport requirements of the Norwich area in the context of the NATS. For 10 years or more a northern distributor road has been seen as a necessary part of an overall package of transport measures both to address existing problems and provide for intended growth.

6.249 Initially, a variety of alternative options were considered including a longer NDR to link to the A47(T) to the west as well as to the east of Norwich and a number of possible public transport options including improvements to existing highways. It was concluded by the applicant with the support of other local authorities in the area that a public transport option could not address the totality of the objectives sought. This was in part because congestion would be worsened in view of limitations inherent in seeking to improve existing highways to offset allocation of road space for public or

other sustainable modes of transport. However, in order to secure programme entry for government funding, it was necessary for alternatives to be re-assessed and again it was concluded that neither improving existing highways nor a public transport package would meet objectives. It was also concluded that a public transport package on its own would be unlikely to provide acceptable value for money.

- 6.250 Thus, once programme entry had been granted by the DfT the alternatives evaluated in the ES were variants upon the preferred road scheme. We are satisfied that the design approach to locate the alignment as far from sensitive receptors as possible is fundamentally sound and this locates the scheme essentially as proposed, a position reached after a number of iterations.

The scale of the proposed development

- 6.251 We considered the variants that would have provided for single as opposed to dual carriageway construction, but in terms of coping with forecast traffic flows throughout and beyond the design period, highway safety, providing a consistent standard throughout and encouraging maximisation of benefits we accept that the applicant's proposal for a dual two-lane all-purpose highway throughout the proposed length represents an appropriate scale of development. The VfM of this approach is superior to any of the alternatives.
- 6.252 We considered the option of omitting the western section between the A140 and A1067, but were persuaded that this section would provide real benefits in terms of traffic relief for the north-west of the Norwich area as well as providing for growth proposed in that locality. Omitting the section would show a reduced VfM and overall its inclusion would result in benefits outweighing the harm that would arise from its construction.
- 6.253 We also accept the applicant's case that seeking to use a linking together of developer link roads that are proposed within the NEGT would not meet objectives, even if it is now feasible given planning commitments entered into and even if coupled with a public transport option. It would be potentially detrimental to the environmental and sustainable transport objectives sought and embodied in design requirements for the new neighbourhoods.
- 6.254 We are conscious that some IPs considered that an optimum public transport option had not been tested in the context of a low traffic growth scenario. This may be so, but the traffic forecasting has essentially followed government guidance in WebTAG and while a low traffic growth scenario is a possibility it is by no means the necessary expectation in going forward from where we are today. A sensitivity test on the DCO scheme involving zero forward traffic growth still demonstrated that it would represent value for money. Overall, we consider that alternatives to the

DCO have been considered in depth both before the statutory pre-application consultation on the DCO scheme and during that consultation and assessed further during the Examination. We conclude that no reasonable alternatives have been demonstrated to exist that would meet the totality of the objectives sought for the DCO scheme.

CA of specific parcels

- 6.255 In the preceding paragraphs we have considered individually the case for CA of specific parcels wherever an objection or even a comment has been raised by affected persons. Most of these comments related to issues concerning accommodation works or mitigation though some raised objection to the CA on the basis for example of loss of productive agricultural land or to the acquisition of the totality of the land sought. In the light of the representations and their consideration of during the course of the Examination, the applicant proposed a number of revisions to the extent of CA sought to address wherever possible the detailed concerns raised. We are satisfied that these revisions would adjust the extent of CA sought in ways that would be most beneficial to the land interests concerned consistent with maintaining a scheme that most fully addresses the objectives sought.
- 6.256 We conclude therefore that a compelling case in the public interest exists for the extent of CA sought in the revised Land Plans and Book of Reference (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).
- 6.257 Where necessary temporary possession has been put forward as an alternative to CA on some sites. The recommended draft DCO contains powers for temporary possession which we consider are appropriate for inclusion to support the delivery of the scheme in respect of all plots noted for temporary possession in the revised Land Plans and Book of Reference.

Human Rights Act³⁵ 1998 considerations

- 6.258 A key matter in considering whether a compelling case exists is consideration of the interference with human rights which would occur if compulsory acquisition powers are granted.

Article 1 of the First Protocol

- 6.259 Article 1 of the First Protocol (rights of those whose property is to be compulsorily acquired and whose peaceful enjoyment of their property is to be interfered with) is engaged in so far as

³⁵ <http://www.legislation.gov.uk/ukpga/1998/42/contents>

compulsory acquisition of land and rights is sought. We are satisfied that the revisions put forward by the applicant and which we have endorsed earlier in this section minimise the extent of interference with the rights conferred by this article. Compensation will be payable both for acquisition and any injurious affection suffered by those whose property is directly subject to CA and others whose properties are within reasonable proximity to the proposed CA may also be able to make claims in respect of injurious affection.

- 6.260 In our judgement, therefore, having regard to compensation that will be payable, the interference with rights under Article 1 of the First Protocol in the grant of the CA powers sought is proportionate in so far as the public benefit of the scheme will outweigh the private losses that will be incurred.
- 6.261 With regard to the powers sought to authorise temporary use of land, these also represent an interference with Article 1 rights. However, the interference is lesser and this power is intentionally used to minimise the extent of CA that would otherwise be required. As compensation is payable under both articles 30 and 31 for temporary use to construct or maintain the DCO works in addition to compensation that might otherwise arise from injurious affection or for other reasons, we consider that the interference with rights under Article 1 of the First Protocol in the grant of powers sought for temporary use is proportionate in so far as the public benefit of the scheme will outweigh the private losses that will be incurred.

Article 6

- 6.262 Article 6, which entitles those affected by the compulsory acquisition powers sought for the project to a fair and public hearing of their objections, is also engaged. However, the procedures laid down in the PA2008, related Regulations and guidance have provided repeated opportunities both during the pre-application process and during the course of the Examination for objections to be raised, heard and considered. At the outset of this section of our report, we detailed the steps that we took to ensure that all representations in respect of CA were drawn to our attention and thoroughly explored. Provision was made for a number of hearings to allow for oral representations to be made (see Appendix B) but in the event these opportunities were taken up by a very small number of APs.
- 6.263 We are satisfied that the requirements of Article 6 have been fully met.
- 6.264 The same opportunities for objections to be raised, heard and considered were afforded to those whose land is proposed to be subject to temporary use. Consequently, we are also satisfied that

the requirements of Article 6 have also been met in respect of persons affected by the temporary use provisions in the DCO.

Article 8

- 6.265 It is debatable whether Article 8, which relates to the right of the individual to 'respect for his private and family life, his home ...' is engaged. No occupied residential properties are proposed to be subject to CA. Gazebo Farm house has already been acquired by agreement and is being used by the intended main contractors for non-residential purposes. Hall Farmhouse has also already been acquired by the applicant by agreement and is currently derelict.
- 6.266 The owners of 'The Railway Crossing' that adjoins the Plumstead Road level crossing have served a blight notice on the applicant requesting acquisition of that property in its entirety and not merely the small portion of its access for which CA is sought. The applicant has accepted that blight notice because of the impact of the NDR running on a proposed nearby embankment and bridges over the Norwich to Cromer railway line and Plumstead Road. To this extent it appears accepted that there would be interference with Article 8 rights in respect of this property, but this interference is being addressed by the applicant with compensation terms now under negotiation.
- 6.267 Article 28 of the DCO recommended at Appendix E to this report makes provision for addressing such issues where the issue of part acquisition of a residential property is contested. In the circumstances we are satisfied that wherever Article 8 rights may be engaged there is a procedure provided through which the effect on these rights can be properly assessed.
- 6.268 We have noted the willingness of the applicant to accept a blight notice when served and the information given at a CA hearing that the applicant was willing in principle to re-consider a request for acquisition from a person within Category 3 in the Book of Reference who maintains that the existence of the scheme prevents sale of their property at a reasonable price, thereby preventing moving elsewhere.
- 6.269 In our judgement, having regard to compensation that will be payable, if there is any interference with rights under Article 8, it is proportionate in so far as the public benefit of the scheme will outweigh private losses that may be incurred.

Adequacy of funding

- 6.270 DCLG Guidance on procedures for the compulsory acquisition of land under the PA2008³⁶ indicates that the resource implications

³⁶ Planning Act 2008 - Guidance related to procedures for the compulsory acquisition of land. DCLG September 2013

for any order authorising CA must be clear. A Funding Statement must accompany the application and this was provided in AD-0074.2 Funding Statement Final Version). The timing of the availability of funding is also relevant as Regulation 3(2) of the Infrastructure Planning (Miscellaneous Prescribed Provisions Regulations 2010 requires notice to treat to be given within 5 years of the date that any Order is made.

The funding required

- 6.271 The funding statement dated 8 January 2014 indicates that the total cost of the NDR scheme inclusive of the Postwick Hub and land acquisition and acquisition of interests in land and rights, is £148.55 m. This figure is unchanged in the more recent note on Funding that was contained in D7-044 Norfolk County Council – Appendices to Report (NCC EX 67) dated 29 September 2014 as the changes made to the scheme during the Examination are not considered to have a material bearing on the cost albeit that the later statement shows a slightly different spending profile in the years up to 2016/7.

The source of the funding

- 6.272 Some 45% of the cost is to be met by DfT (£67.50 m) and 14% directly or indirectly by other government Departments (CIF funding for the Postwick Hub and Growth Point Funding, together £20.71 m). While revised arrangements mean that part of the central government contribution will be released via the New Anglia LEP, that the scheme is listed as one of the top 40 National Infrastructure Projects in the most up to date National Infrastructure Plan 2014, means that the central government element of the funding is assured.
- 6.273 The government contribution is expressly towards the section from the A47(T) at Postwick to the A140 close to Norwich Airport. However, the applicant, Norfolk County Council (NCC) has resolved to underwrite the balance of funding to complete the full scheme to the A1067 in the sum of £60.34 m (41%).
- 6.274 In turn the NCC contribution would be under-written by a contribution from the Greater Norwich Growth Board out of CIL collected by the District Councils. This is because the NDR is a critical part of the 'City Deal' and is priority 1 transport infrastructure in the JCS and its implementation plan³⁷. This CIL contribution from the Growth Board should amount to £40 m (27% of the total) leaving £20.34 m to be met by the applicant, NCC, as local highway authority (14%).
- 6.275 The possibility of shortfalls in CIL receipts was raised by IPs together with the burden that the NCC contribution would cause in

³⁷ Local Investment Plan and Programme (LIPP)

relation to overall County Council expenditure which is being cut back. We pursued these matters during the hearings and the applicant provided evidence by way of reference to a statement from the Council's s151 Officer (D7-043 Norfolk County Council – Responses to requests and points from Issue Specific Hearings (NCC EX 67)). The statement is Appendix A in D7-044 Norfolk County Council – Appendices to Report (NCC EX 67) with a report of cabinet consideration in April 2014 as an appendix to D6-019 Norfolk County Council – Wensum Valley Committee Report (with Appendices) (NCC EX 65). These show that NCC is fully committed to underwriting £60.34 m of the cost with borrowing approval available for the whole of this sum should it be required.

- 6.276 As for the cost implications of that borrowing, in D8-003 Norfolk County Council – Response to Questions & Issues raised at Compulsory Acquisition Hearings (NCC EX 74), the County Council points out that annually they borrow some £45-£55 m and as part of the 'City Deal' arrangements HM Treasury have provided approval to access preferential borrowing rates³⁸ for some £60 m out of a total infrastructure programme of £440 m. The NDR is one of the specific projects able to be funded this way. If the whole of the £60 m had to be borrowed funded on this basis the annual borrowing cost would be some £5 m. The applicant argues that this is out of an annual operating budget of some £1.4 billion and therefore would not pose an undue burden should it be necessary.
- 6.277 There is a legally binding agreement in force between Broadland District Council, Norwich City Council, South Norfolk Council, Norfolk County Council and the New Anglia Enterprise Partnership Limited dated 26 September 2014 concerning the creation of the GNGB and its provisions include working together on funding matters. This is Appendix G to D8-003 Norfolk County Council – Response to Questions & Issues raised at Compulsory Acquisition Hearings (NCC EX 74) and Appendix L contains email confirmation from the DfT that the balance of their funding would be paid through the New Anglia LEP but could not be diverted away from the NDR under the local growth fund (LGF) as it had been approved under the Local Authority Majors regime.
- 6.278 In D8-003 Norfolk County Council – Response to Questions & Issues raised at Compulsory Acquisition Hearings (NCC EX 74), the applicant accepts that the £148.55 m total cost cited does not include the cost of potential claims under Part 1 of the Land Compensation Act 1973. This is because the DfT Development Pool Bid process expressly requests exclusion of such costs. However, the land costs included in the economic appraisal in AD-042 5.7 Economic Appraisal Report v0 for submission include an allowance for such costs.

³⁸ PWLB Project rates

- 6.279 The applicant argues that the figure cannot be accurately determined at this stage as claims cannot be made until at least one year after completion of the project but must be made within 7 years of such completion (i.e. between 2019/20 and 2025/6). On past experience, NCC anticipates costs to be likely to be relatively modest, having regard to the scale of environmental mitigation. Given the scale of the Council's overall capital programme no problem is foreseen in accommodating any such costs from 2019 onwards which is beyond the current spending programme.
- 6.280 The Council's case in respect of Part 1 claims seems reasonable to us. With regard to the identified costs which do include costs for CA acquisition of land, interest and rights, we are satisfied on the basis of the evidence provided that there is a reasonable certainty that funding is available for both the CA and construction within the proposed timescale for the project.

Funding for Complementary Measures

- 6.281 The DCO scheme does not itself include the proposed complementary measures so that we do not need to establish whether funding is also available for such measures. Nevertheless, a number of IPs and particularly NNTAG and the Norwich Green Party argued that there was no evidence of comparable funding for the complementary measures. These are regarded as an integral part of the NATSIP and the economic appraisals show that the NDR+NATSIP PT produces a significantly improved BCR over the NDR with only certain city centre complementary measures. Moreover, among the objectives for the NDR are the facilitation of public transport and other sustainable transport measures.
- 6.282 In D7-043 Norfolk County Council – Responses to requests and points from Issue Specific Hearings (NCC EX 67), the applicant provided detail of the overall NATS funding referring back to their comments after the Open Floor hearings (D5-30 Norfolk County Council – Comments on points raised at Open Floor Hearings (including Appendices A – M) (NCC EX 45)). They point out that the funding for complementary measures come from a variety of sources including specific Central Government programmes that have to be bid for over relatively short-timescales and also include some revenue spending. Appendix I tracks expenditure on a largely annualised basis from 2003 up to 2013 with projected figures up to 2017 and a further global forecast for 2018-2025.
- 6.283 After stripping out expenditure on the NDR and Postwick hub, the average annual expenditure on NATS schemes was a little over £4.25 m over the years 2003-2005, between 2006 and 2013 the annual figures varied between a low of just over £1.5 m and a high of almost £4.85 m with a forecast figure of over £7.7 m in 2014. Expenditure is projected to continue with an annual

average spend on NATS after completion of expenditure on the NDR and Postwick hub of almost £10.9 m over the years from 2018 to 2025.

- 6.284 While clearly there is no guarantee that this funding will be available, the tracker does bear out the applicant's assertion that it is intended to carry out a programme of complementary measures of a total magnitude comparable to the proposed expenditure on the NDR including the Postwick Hub but spread out over a fifteen year period. Although the objecting IPs sought early progress, the applicant's case is that a number of the proposals can only be taken forward once the NDR is in place providing additional highway capacity to enable certain town centre measures to be undertaken and some of the BRT routes to be put in place. Some of these reasonably are also only proposed to be implemented in full in parallel with the build out of the JCS NEG T developments.
- 6.285 Overall, we see nothing in the assumed funding programme for complementary measures that would undermine our conclusions on the adequacy of funding for the DCO scheme itself.

Summary of the ExA's recommendations on the granting of CA powers and temporary possession powers

s122(2) and s122(3) of PA2008

- 6.286 In the preceding paragraphs we have concluded that the land and rights being sought for the revised scheme as a whole and for the individual plots that are listed in the revised land plans and updated book of reference are all required for the development to which the development consent that is sought relates or is required to facilitate or is incidental to that development.
- 6.287 We also conclude that there are no reasonable alternatives that would meet the objectives sought, that the public benefit will outweigh any private loss having regard to Article 1 of the First Protocol and Article 8 of the Human Rights Act, having also considered the requirements of Article 6 and that adequate funding is available within the required timescale.

Whether there is a compelling case

- 6.288 We therefore conclude that there is a compelling case in the public interest for the grant of CA powers on the basis of the CA sought as modified during the course of the Examination (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

s120(5)(a) and s126 of PA2008

- 6.289 The DCO recommended at Appendix E does modify statutes to a degree including in respect acquisition of rights, general vesting declarations and acquisition of parts of properties. Articles 24, 26 and 28 refer which will be addressed in detail in section 7 of this report. The modifications are consistent with the provision of s126 of PA2008.

s127 and s138 of PA2008

- 6.290 Although four statutory undertakers made representations on the DCO, all objections were withdrawn by the end of the Examination. Formal agreements were entered into with Network Rail Infrastructure Limited which have been referenced earlier and, in addition to the protective provisions set out in Schedule 13, there were also an agreement with National Grid Gas outside the context of the Examination and an informal agreement with Norwich Airport Limited³⁹ that followed up points arising from a statement of Common Ground. As no matters remained unresolved, we are satisfied that the Protective Provisions in schedule 13 should safeguard the interests of all the statutory undertakers who sought such provisions together those of electronic communications code operators.

- 6.291 No issues should therefore arise under either s127 or s138.

s132 of PA2008 - Special category land

- 6.292 In respect of the small area of recreational path whose acquisition is sought from Broadland District Council in order to provide an over-bridge to maintain continuity of the Marriott's Way path over the NDR, Broadland District Council have confirmed that they are content with the replacement land provided and the works proposed to the path. We concur that the replacement land will serve the same open space purposes as that to be acquired and is equally advantageous in all respects. The path will have steeper gradients over a short distance than the path as currently existing, but will be provided with better connections to a wider network of rights of way.
- 6.293 We do not consider therefore that special parliamentary procedure need be invoked.
- 6.294 Similarly, in relation to land proposed to be taken from Fuel Allotments at Broad Lane Plumstead, only 298 square metres is proposed to be acquired following the minor change set out in AD-115 Revised application doc 5.14 PMA removal Proposed change report FINAL (plot 10/45). We are satisfied that the purpose in

³⁹ It should be noted that Norwich Airport Limited are the tenant of Legislator 1657 Limited, a company jointly owned by the applicant and Norwich City Council.

providing a turning head for Broad Lane consequent upon the closure of its junction with Plumstead Road to improve highway safety on the approach to the NDR complies with the provisions of s132(5)(a) of PA2008. Given the acceptance by the Trustees that no replacement land is required, the fact that the Trustees should not suffer any financial loss (including as a consequence of compensation being paid for the acquisition) we are also satisfied that the provisions of s132(5)(b) are also satisfied in respect of no replacement being required to safeguard the interests of beneficiaries that are narrowly drawn as residents of Great Plumstead.

- 6.295 Although an IP sought to suggest that wider beneficiaries could be served, the Trust would appear to rule that out and in terms of the public interest, the improved agricultural access and provision of a turning head appear to improve convenience for the wider public while the related highway closure should enhance highway safety.
- 6.296 Consequently, again, we do not consider that special parliamentary procedure should need to be invoked.
- 6.297 In respect of temporary possession, appropriate articles have been included in the recommended DCO as discussed below.

7 DRAFT DEVELOPMENT CONSENT ORDER

- 7.1 The text of the DCO submitted as part of the application is set out in AD-004 [3.1 Draft Development Consent Order](#) with an Explanatory Memorandum AD-005 [3.2 Explanatory Memorandum](#).
- 7.2 In the ExA's First Questions, we raised a number of concerns in respect of the wording of the application draft DCO (PI-007 [Examining Authority's first questions](#), Q15.1-Q15.31) on 25 June 2014. In response to these questions, representations from IPs including statutory undertakers, the composite LIR and the applicant's own proposals for minor changes at Drayton and Plumstead, a revised DCO was published on 21 July 2014 (AD-117 [Revised Draft Development Consent Order \(21 July\) \(NCC EX 40\)](#)). A table of amendments was contained in AD-119 [Table of Amendments Made to Draft DCO \(submitted 21 July\) \(NCC EX 42\)](#). The main changes were to omit reference to replacement land being required for Fuel Allotments from the preamble consequent upon the minor change at Plumstead together with changes to the definitions in Article 2 and to Article 32 consequent on that change and to identify statutory undertakers more accurately. Article 17 was modified at the request of Anglian Water. Articles 25, 30 and 33 were clarified in respect of acquisition of rights and temporary use of land. Article 37 and Schedule 16 were deleted as it had been established at that point in the Examination that no trees subject to TPOs were affected by the DCO.
- 7.3 Schedule 1 was modified to be consistent with the two minor changes accepted by the ExA and to insert explicit reference to the proposed bat gantries. A significant number of amendments and additions were made to the requirements specified in Schedule to meet concerns of the ExA, NE and EA, while schedules 3, 6 and 12 were amended to take account of the minor changes, while protective provisions for Network Rail Infrastructure Ltd, Natural Grid Gas, Anglian Water, and Electricity and telecommunications code operators were inserted in Schedule 13.
- 7.4 This revised DCO was considered at an ISH on 24 July 2014, following which on 15 August 2014, the ExA asked more questions in relation to the wording of the DCO (PI-010 [The Examining Authority's second round of written questions](#), Q10.1-Q10.15), though other questions also have a bearing on changes subsequently made by the applicant to the DCO. The questions included our request to separate out associated development from integral works for consistency with other made DCOs and other suggestions to look at comparable provisions in similar DCOs.
- 7.5 Some of our requests were declined for reasons that we have detailed earlier in our report but on 8 September 2014, the applicant put forward a further revised version of the DCO (AD-120 [Norfolk County Council - Revised draft Development Consent](#)

Order (NCC EX 55)), with an introduction in AD-122 Norfolk County Council - Document introducing amendments to Draft DCO (submitted 8 September 2014) (NCC EX 54). The changes arose from on-going discussions with local authorities and statutory undertakers and to respond to our questions and their own review of the provisions of the DCO.

- 7.6 The main changes made in the September version were to modernise language to follow current drafting conventions and improve clarity of certain provisions. Articles 7 and 8 are amended so that the benefit of relevant parts of the DCO could pass to statutory undertakers if they wish to undertake their own diversions or modifications to their plant with further related modifications to Articles 24 and 26 at the request of National Grid Gas to follow precedent set in the A556 Knutsford to Bowdon DCO. Conversely, Article 30 is amended to require cessation of temporary occupation once works are completed. Article 45 was modified to curtail powers to amend the DCO if there may be new or different environmental effects and incorporate TCPA 1990 provisions in respect of discharge of requirements as these are akin to conditions.
- 7.7 General provisions in Schedule 1 have been separated out to avoid repetition though at this stage the applicant had not agreed to separate out associated development. Again there are a substantial number of amendments to the requirements in Schedule 2 to address points from the ExA, points from statutory consultees and to address concerns of Breckland DC in their LIR (LIR-002 Local Impact Report by Breckland Council (late submission)). Schedules 10 and 13 were amended at the request of National Grid Gas and Network Rail Infrastructure Ltd.
- 7.8 This version of the DCO was discussed at an ISH on 19 September 2014, following which a further revision to the DCO was submitted on 9 October 2014 (AD-129 Norfolk County Council - Revised Draft DCO (submitted 9 October) (NCC EX 75)), with an introduction to the changes in AD-132 Norfolk County Council - Table of amendments to Draft DCO (submitted 9 October) (NCC EX 78). The changes made arose from on-going discussions with local authorities, statutory undertakers, APs and continuing review of the DCO by the applicant.
- 7.9 The main changes introduced in the October version were to update format and terminology to reflect SI practice, to modify Article 5(3) to allow for a greater limit of deviation in relation to the Drayton Lane/Reepham Lane junction as this had again been amended by the further minor amendment introducing a roundabout. Further clarification of Articles 6 and 7 was made to indicate which work is for the benefit of National Grid Gas and which works are more generally for the benefit of statutory undertakers. In Article 24 limitations on the power to create restrictive covenants has been introduced to follow provisions in

the A556 Knutsford to Bowdon Order while Article 37 has been re-introduced as changes in accommodation works adjoining the A1151 Wroxham Road mean that there would now be trees subject of a woodland TPO that might be affected.

- 7.10 In Schedule 2, requirements were again amended including inserting reference to a Mitigation Table to indicate how mitigation would be secured and maintained, while in Requirement 4 a schedule of plans was inserted though not at that time including Land or Street Plans because it was suggested that they would otherwise still be bound in the DCO. Further additions and amendments were made to meet suggestions that we made at the ISH and those of representatives of villages lying between the A47(T) and A1067. Additional requirements were introduced to deal with the situation of Lyng, complementary measures, lighting and the surfacing of the NDR and bridleways (Requirements 29, 31, 32, 33 and 34). Changes were also made to Schedules 3, 4, 6, 10, 12 and 14 to relate to the revisions to the scheme agreed with APs and in respect of the Drayton road roundabout (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)). Finally there were further amendments to the protective provisions in Schedule 13.
- 7.11 As ExA, we considered there were still some aspects of the wording of the DCO that warranted amendment and put forward our own suggestions in PI-017 ExA's DCO. Comment was sought on this draft (PI-016 Timetable for examination of proposed provision) prior to further consideration at an ISH on 28 November 2014. In addition to textual amendments throughout to bring the DCO fully into line with current SI practice and precedent in other recently made DCOs, the main substantive changes were to separate out the associated development from integral development as previously requested and to remove the possibility for material variation to the scheme through agreement with the relevant planning authority under requirements.
- 7.12 In response, the applicant put forward a further variant of the DCO on 20 November 2014 for consideration at the ISH (AD-145 Norfolk County Council - Revised Draft Development Consent Order (NCC EX 93)). The changes were explained in AD-151 Norfolk County Council - Table of Amendments to Draft DCO submitted on 20 November 2014 (NCC EX 95). This generally accepted the changes put forward by the ExA, inserted the Land Plans in Requirement 4 as we had also requested, more consultees in Requirement 7(5) at the request of the relevant planning authority, together with a reinstatement of reference to restrictive covenants in Schedule 11, as this is necessary to ensure that the CA and compensation provisions apply where it is necessary to acquire such covenants, and minor textual editing for consistency

and accuracy, including inserting reference to Cromer in Requirement 26(2).

- 7.13 At the DCO hearing, the applicant introduced further minor textual corrections to a number of requirements in Schedule 2 together with an alteration to the table of plans in Requirement 4 to incorporate a revised drainage detail sought by EA⁴⁰ which was formally submitted to the Examination at the same time (AD-149 Norfolk County Council - Corrections to Draft DCO Submitted on 20 November 2014 and Updated Version of One Sheet of the Outline Drainage Works Plan (NCC EX 101)).
- 7.14 At the ISH on 28 November, there remained some points of controversy on the wording of the DCO. These primarily related to requirements concerning traffic through communities west of Norwich and in relation to complementary transport measures. The ISH was attended by representatives of affected parish councils and local authorities and discussion particularly focussed on measures to safeguard Weston Longville and Hockering. Drafts of revisions to the wording of Requirements 26 and 27 were considered and although not able to be universally agreed at the time, there was an agreement between the applicant and the IPs concerned that there would be further discussions with a view to agreed wording before the close of the Examination. Emails appended to AD-150 Norfolk County Council -Table of Amendments to Draft DCO Submitted 2 December 2014 (NCC EX 105) from Mr Richard Hawker on behalf of Hockering Parish Council and Ruth Goodall on behalf of Weston Longville Parish Council confirm that the wording of these two requirements embodied in the final applicant's version of the DCO submitted on 2 December (AD-147 Norfolk County Council - Revised DCO (NCC EX 103)) is acceptable to them. AD-150 also refers to other minor corrections and incorporation of the revised drainage plan referred to above.
- 7.15 There was a discussion of whether Requirement 31 concerning complementary measures could be strengthened. A post hearing comment on behalf of NNTAG and Norwich Green Party (D12-013 Norwich and Norfolk Transport Action Group (NNTAG) - Comments on DCO and Complimentary Traffic Measures) explains why they did not press for a strengthened requirement on this matter. As we consider that achievement of the complementary measures to be important in order to secure all the objectives sought for the NDR, and they are the aspiration of the applicant as part of the NATSIP even if not specifically included in the DCO, we explored possibilities to strengthen the requirement further than the terms offered prior to the final ISH. We considered whether there might be value in identifying the 4 BRT routes proposed to be implemented by 2017, the planned opening date for the NDR,

⁴⁰ Outline Drainage Plan Sheet 17 of 24 Reference R1C093-R1-5080B

under the NDR+NATS PT (BRT2, 3, 4 and 6) (Table 9 of D10-005 Norfolk County Council - Responses to ExA R17 Request (NCC EX 90)). We were persuaded, however, by the applicant's argument that to identify some of the NATSIP measures might give undue prominence to some to the neglect of others. For example explicit reference to the BRT measures might turn attention from town centre measures that will be important to improve the environment of the commercial centre and maximise the relief able to be afforded by the NDR or from the aspiration for additional stations and increased train frequencies on the Norwich to Cromer railway line. Consequently, instead we accept the addition suggested by the applicant (so that the complementary measures would not be confined to those listed in the 2013 update of NATSIP).

7.16 Nevertheless, there remain concerns as highlighted by NNTAG and others, over the longer term measures and the general lack of absolute certainty provided by the requirement. In relation to the latter point, we accept however, that the requirement is broadly modelled on a requirement imposed on the Heysham Link Road DCO in relation to complementary town centre measures and that it has to take such a form. This is not just because of the funding arrangements, but in order to avoid fettering statutory discretion of the highway authority or other bodies which might have to consider representations on TROs or other measures envisaged. We note the wish of DfT to see a programme for at least the town centre measures as part of the process for final release of the funding for the NDR and consider that this helps to lend authority to Requirement 31.

7.17 However, although the full period envisaged for NATSIP to 2032 goes beyond any current spending programmes of either local or national government, we do consider that a further sub-clause (5) could with advantage be added to refer to longer term measures as follows:

'(5) In addition to the provisions of the action plan for the period to 2020/21 as referred to in sub-paragraphs (1)-(3), the action plan and its review under sub-paragraph (4), must contain a statement of the longer-term measures intended to be introduced in the period up to 2032, such as BRT1, BRT5 and orbital bus routes, and an explanation as to why they cannot reasonably be progressed earlier.'

7.18 Although he did not appear at the final ISH, Mr Andrew Cawdron repeatedly expressed concern over the detailed wording of the DCO (see D9-027 Andrew Cawdron and D10-001 Andrew Cawdron). The primary concern is that the relevant planning authority is defined as Norfolk County Council and that therefore it appears in respect of many requirements that the applicant is the

judge of the acceptability of measures to comply with mitigation or other matters of detail.

- 7.19 We have sympathy with this concern, but have to acknowledge that it is normal practice for a development proposal by a planning authority to be appropriately determined by that same planning authority with the usual processes of accountability and scrutiny that this involves. It is, moreover, a concern that has arisen in relation to previous DCOs for transport schemes under PA2008, and relevant safeguards for the approval of requirements were considered to exist in those cases.
- 7.20 In this case, the requirements that do involve clearance by the relevant planning authority will involve consideration by a different function of Norfolk County Council after consultation with the appropriate District planning authority and, where relevant, with particular statutory consultees. Moreover, should enforcement be necessary such action would fall to the appropriate District Council. Thus, having regard to the applicable legal framework and the precedent of other DCOs, we do not consider that that it is appropriate to seek to alter the definition of relevant planning authority.
- 7.21 Another particular concern related to the fact that the planning conditions imposed on the permission for the Postwick Hub, now under construction, differ from the requirements that would be applicable under the DCO. The applicant responded to this concern in D12-006 Norfolk County Council - Responses to points made at Issue Specific Hearing 28 November (NCC EX 107) where they provide a comparative table of the planning conditions and DCO requirements. We are satisfied that as a generality the requirements now proposed to be attached to the DCO provide all necessary safeguards in respect of planning considerations. The applicant points out, rightly, that they would not be able to be selective as to which conditions or requirements they would adhere to. At present it is the planning conditions, but should the DCO be confirmed and implemented they would have to comply with the totality of the requirements contained in Schedule 2. We accept that this is a correct appreciation.
- 7.22 It should be noted that D12-006 Norfolk County Council - Responses to points made at Issue Specific Hearing 28 November (NCC EX 107) also contains an updated mitigation table as referred to in Requirement 4 and an updated draft CEMP, a plan that is also referenced in requirements. As a consequence there would need to be an amendment to the date of the Mitigation Table under the definitions in Requirement 1 so that definition would read '**NDR Mitigation Table (Revision 1, 2 December 2014)**'.
- 7.23 As for concern over matters such as defence to proceedings in respect of statutory nuisance, we addressed this issue in section 4

of our report and are satisfied that the wording of what is now Article 40 is appropriate.

- 7.24 The only other comment that we would make on the wording of the applicant's final 2 December 2014 version of the DCO ([AD-147 Norfolk County Council - Revised DCO \(NCC EX 103\)](#)), is in respect of identification of plans. Having agreed to insert the reference Land Plans in the tabulation in Requirement 4, it is now anomalous that the Street Plan references are not included. These are referred to by the applicant to justify particular accommodation works in relation to comments by APs so in our view it is important that they are referenced.
- 7.25 Further scrutiny of the schedule at the beginning of AD-124 [Norfolk County Council - Updated Plans – Sheet 1 of 5 \(submitted 9 October\) \(NCC EX 73\)](#), shows that the tabulation in Requirement 4 also omits the Speed limit orders and proposed clearway plans, the Classification of highways plan and the Crown land plan. While the last may no longer be significant in so far as the requirements of s135 have been met, it seems to us that **the DCO should reference all the plans that are listed in the schedule in AD-124 subject to the update of Outline Drainage Plan Sheet 17 of 24 Reference R1C093-R1-5080 to Revision B as in AD-149** [Norfolk County Council - Corrections to Draft DCO Submitted on 20 November 2014 and Updated Version if One Sheet of the Outline Drainage Works Plan \(NCC EX 101\)](#)⁴¹.
- 7.26 In addition, we note that in a number of instances in Schedule 2 where approvals are required from the relevant planning authority, it is not always specified that such approvals should be '**in writing**'. We recommend insertion of this phrase as necessary throughout Schedule 2. Finally, we have noted a very small number of typographical errors in the final draft DCO submitted by the applicant and have corrected these in the recommended DCO in Appendix E. Otherwise, we have no other comments on the final wording of the DCO offered by the applicant.
- 7.27 We therefore recommended that the applicant's final version of the DCO be amended to re-date the definition of the Mitigation table in Requirement 1, to add sub-clause (5) to Requirement 31 as set out above, to add the additional plan references referred to in paragraph 7.25 above to insert 'in writing' where approvals are required from the relevant planning authority together with correction of typographical errors. The DCO that we recommend should be made is set out as Appendix E to this report.

Articles and Requirements

- 7.28 The applicant has provided an updated Explanatory Memorandum AD-152 [Norfolk County Council - Updated Explanatory](#)

⁴¹ This amendment is already in the final version of the DCO put forward by the applicant.

Memorandum (NCC EX 96) that explains the purpose of all the articles in the Order and their source where appropriate and also details the purpose of the individual requirements contained in Schedule 2. It is dated 20 November 2014 and therefore covers the DCO as recommended in Appendix E as the subsequent changes agreed in the 2 December 2014 version or as recommended above do not alter the ordering or substance of the articles and requirements.

- 7.29 The definition of the relevant planning authority responsible for authorising clearance of requirements has been addressed above. We accept that it is Norfolk County planning authority but the requirements are also subject to consultation with District planning authorities and statutory consultees where appropriate.
- 7.30 In considering the appropriateness, efficacy and enforceability of the requirements proposed in the DCO that we recommend at Appendix E, we have had regard to that part of DoE Circular 11/95 (as revised) that remains extant guidance.

Description of works

- 7.31 The works are fully detailed in Schedule 1 to the Order. Other than our own pressure upon the applicant to separate out the integral and associated development in accordance with the PA2008, the specification of the works has not in itself been subject of significant controversy. Limits of deviation are precisely defined in Article 5.
- 7.32 Plans that the SoS would need to sign under Article 42 are set out in Requirement 4 in the DCO that we recommend to be made as amended at Appendix E. The Mitigation Table is defined in Requirement 1 as recommended to be amended at Appendix E. The updated Book of Reference is in AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79).

Protective provisions

- 7.33 The DCO as submitted in the application did not contain any Protective provisions. However, Protective provisions were negotiated between the applicant and statutory undertakers who had lodged objections to the DCO⁴² during the examination. These are incorporated as Schedule 13, and in addition to those relating to Railway interests, National Grid, and Anglian Water that led to withdrawal of their objections, protective provisions were also inserted in respect of electricity suppliers and operators of electronic communications code operators, although no objections had been lodged by such undertakers.

⁴² Other than the Airport undertaker who were content as an indirect tenant of the applicant and the City Council with an informal agreement.

- 7.34 The Protective Provisions in relation to National Grid Gas and other adjustments to the wording of the DCO were closely modelled on the wording of the A556 Knutsford to Bowdon Improvement Order.
- 7.35 As there were no outstanding objections from statutory undertakers at the close of the Examination, the Protective provisions and provisions of the DCO as recommended at Appendix E have dealt with all issues in respect of s127 and s138 of PA2008.

Other schedules

- 7.36 The Order contains a number of other Schedules. Schedule 3 specifies streets subject of permanent alteration, Schedule 4 Streets subject of Street works, Schedule 5 Classification of Roads and Schedule 6 Streets to be stopped up. Schedule 7 contains modifications to Rights of Way, Schedule 8 Temporary prohibition or restriction of use of streets and Schedule 9 construction access.
- 7.37 Schedule 10 contains a tabulation of plots in which only new rights may be acquired and Schedule 11 modification of compensation provisions for creation of new rights, while Schedule 12 tabulates the plots that will be subject to temporary occupation. Finally, Schedule 14 specifies speed limits and other traffic regulation measures both those relating to the new roads and amendments to related existing orders. Schedule 15 deals with trees subject of tree preservation orders. Details of a number of these Schedules were amended during the various iterations of the DCO detailed above, particularly to address concerns of APs, but there were no outstanding issues relating to their wording at the close of the Examination.

Other legal agreements

- 7.38 No legal agreements under s106 of the TCPA 1990 were entered into with any local planning authorities. However, two formal agreements have been entered into between the applicant and Network Rail Infrastructure Limited in respect of safety at nearby level crossings and in respect of rights and responsibilities concerning the NDR bridge over the Norwich to Cromer and Sheringham railway line. These agreements are appended to D12-002 [Norfolk County Council - Update on Compulsory Acquisition Issues following CA Hearing of 28 November 2014 \(NCC EX 102\)](#). They are relevant in so far as they enabled this statutory undertaker to withdraw objection to the CA in the DCO, together with the insertion of protective provisions as referred to above.
- 7.39 There has also been reference to a formal agreement between the applicant and National Grid Gas which assisted in the withdrawal of objection to the CA in the DCO alongside the protective provisions and other alterations to the wording of the DCO

referred to above. However, this agreement related to commercial matters and has not therefore been provided to the Examination.

8 SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

The Substance of the draft DCO

- 8.1 In section 3 of this report, we conclude that the draft DCO has been produced having regard to all statutory requirements.
- 8.2 In section 4 at paragraphs 4.1-4.78, we conclude that the need for the DCO scheme has been demonstrated having determined that the modelling and forecasting techniques applied by the applicant are sufficiently robust and realistic. In reaching this conclusion we consider that the development plan has clearly identified the need and requirements for the NDR in accordance with the provisions of the draft NN NPS where a scheme becomes subject to the NSIP regime by virtue of a Direction under s35 of the PA2008.
- 8.3 We also regard the general provisions of the draft NN NPS to be met with regard to scheme development. In particular, in paragraphs 4.79-4.159 we conclude that there are no reasonable practicable alternatives that would achieve the objectives sought. And at paragraphs 4.160-4.214 we conclude that the DCO scheme should represent very high value for money on the basis of current DfT assumptions.
- 8.4 We further conclude at the end of section 4 that the material considerations - environmental, social and economic - in favour of the proposed development outweigh the harmful impacts that have been identified, thereby meeting the assessment approach of the draft NN NPS (and also meaning that the scheme is in accordance with the development plan). We therefore recommend that the DCO be made in the form that we recommend at Appendix E.

HRA Issues

- 8.5 In section 5 we conclude that the DCO scheme is not likely to give rise to any significant effect on the integrity of any European Site either alone or in combination with any other plan or project. A Report on the Implications on European Sites set out as Appendix D. We therefore recommend that no appropriate assessment is required.

CA and other Land Issues

- 8.6 In section 6 we conclude that the CA of land and rights sought is justified in relation to the tests set out in PA 2008 and DCLG Guidance by reference to the Rev A Land Plans and updated Book of Reference that were extant at the close of the Examination (AD-124 Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73) and AD-133 Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)).

- 8.7 It should be noted that in a number of instances, the changes made by the applicant between the DCO as submitted and the Rev A versions of the Land Plans and updated Book of Reference have conceded in response to representations, reductions in CA as compared to what was originally sought. We are satisfied that the remaining CA of land and rights and proposed and temporary use of land is justified and that no further exclusions are required.
- 8.8 There are no outstanding issues in relation to s127 or s138 of PA2008 and Special Parliamentary Procedure should not be required in respect of special category land.
- 8.9 Articles 31 and 32 relating to temporary use of land sought to facilitate the scheme are considered justified as appropriate powers and are recommended for inclusion in the DCO together with Schedule 12 which identifies the land for temporary use. These plots are also noted in the updated Book of Reference and shown on the Rev A Land Plans referred to above.

The Wording of the DCO

- 8.10 The DCO went through 6 iterations to reach the version dated 2 December 2014 presented by the applicant at the close of the Examination. At paragraph 7.27 we conclude that this final version is acceptable subject to further amendments, namely:
- Correction of the date of the Mitigation Table in Requirement 1 of Schedule 2;
 - Insertion of omitted plan references in Requirement 4 of Schedule 2;
 - Addition of a 5th part to Requirement 31 of Schedule 2 on complementary measures to ensure that long-term measures within the NATSIP are not overlooked;
 - Addition of 'in writing' where approvals are needed from the relevant planning authority under requirements in Schedule 2; and
 - Correction of typographical errors.
- 8.11 All the changes to the 2 December 2014 version of the DCO (AD-147 Norfolk County Council - Revised DCO (NCC EX 103)) that are recommended by the ExA are included in the DCO that we recommend be made at Appendix E. A version showing these changes as tracked-changes forms Appendix F.

Agreements

- 8.12 There are no agreements proposed to be entered into between the applicant and any of the JCS or neighbouring local authorities. Two formal agreements were entered into between the applicant and Network Rail Infrastructure Limited. These agreements were required to overcome concerns over safety at level crossings and to resolve CA issues.

Other consents required

- 8.13 In AD-034 5.4 - Details of Other Consents Licences and Permits - Final, the applicant set out the other consents that will be required to implement the DCO if made and which had not yet been obtained by the submission of the application. While there was only limited progress in obtaining these consents during the examination, the statements of common ground with the EA and NE, together with subsequent correspondence, indicate that there are unlikely to be any issues that would prevent implementation of the DCO. In particular, letters of no impediment concerning protected species dated 22 October 2014 and 20 November 2014 respectively from NE that are appended to D10-016 Norfolk County Council - Correspondence from Natural England and Environment Agency (NCC EX 99) indicate that there are no issues seen that should prevent the issue of licences in respect of disturbance to great crested newts and bats.

RECOMMENDATION

- 8.14 We recommend that The Norfolk County Council (Norwich Northern Distributor Road (A1067 to A47(T)) Order be made in the form set out in Appendix E.

APPENDICES

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APPENDIX A - EXAMINATION LIBRARY

The following list of documents has been used during the course of the Examination. The documents are grouped together by examination deadline.

Each document has been given an identification number (i.e. AD-001), and all documents are available to view on the Planning Inspectorate's National Infrastructure Planning website at the Norwich Northern Distributor Road (NDR) page:

<http://infrastructure.planningportal.gov.uk/Norwich>

Document Type	Reference
Direction Letter	SOS-xxx
Application Documents	AD-xxx
Adequacy of Consultation Responses	AOC-xxx
Correspondence	CR-xxx
Relevant Representations	RR-xxx
Notifications from the Planning Inspectorate	PI-xxx
Preliminary Meeting	PM-xxx
Local Impact Reports & Statements of Common Ground	LIR-xxx SOG-xxx
Deadline 1	D1-xxx
Deadline 2	D2-xxx
Deadline 3	D3-xxx
Deadline 4	D4-xxx
Deadline 5	D5-xxx
Deadline 6	D6-xxx
Deadline 7	D7-xxx
Deadline 8	D8-xxx
Additional Representations	AR-xxx
Events	EV-xxx

Direction Letter	
SOS-001	<u>Direction letter</u>

Application Documents	
Application Form	
AD-001	<u>1.1 Introduction to the Application</u>
AD-002	<u>1.2 NDR Development Consent Order Application Form</u>
AD-003	<u>1.3 Newspaper Notices Final Version</u>
Draft Development Consent Order	
AD-004	<u>3.1 Draft Development Consent Order</u>
AD-005	<u>3.2 Explanatory Memorandum</u>
Compulsory Acquisition Documents	
AD-006	<u>4.1 Statement of Reasons</u>
AD-007	<u>4.2 Funding Statement Final Version</u>
AD-008	<u>4.3 Book of Reference</u>
Plans	
AD-009	<u>2.1 Location Plan Final Version</u>
AD-010	<u>2.2 Land Plans</u>
AD-011	<u>2.3 Works Plans Final Version</u>
AD-012	<u>2.4 Street Plans</u>
AD-013	<u>2.5 Permanent Traffic Regulation Clearway and Speed Limit plans Final Version</u>
AD-014	<u>2.6 General Arrangement Plans</u>
AD-015	<u>2.7 Bridge and Elevation Plans FINAL 19-12-13</u>
AD-016	<u>2.8 Detailed Landscaping Planting Proposals</u>
AD-017	<u>2.9 Indicative Sections</u>
AD-018	<u>2.10 Section Plans Final Version</u>

AD-019	<u>2.10 Plan and Long section (Structures and Side Roads) 2 of 9 - updated to include Reepham Road</u>
AD-020	<u>2.11 Drainage and Surface Water Management Plans (1)</u>
AD-021	<u>2.11 Drainage and Surface Water Management Plans (2)</u>
AD-022	<u>2.12 Crown Land Plan</u>
AD-023	<u>2.13 Classification of Highways Plan</u>
Reports	
AD-024	<u>5.1 Consultation report</u>
AD-025	<u>5.1 Consultation Report Appendices A to J</u>
AD-026	<u>5.1 Consultation Report Appendices K to Q</u>
AD-027	<u>5.1 Consultation Report Appendices R1</u>
AD-028	<u>5.1 Consultation Report Appendices R2</u>
AD-029	<u>5.1 Consultation Report Appendices R3</u>
AD-030	<u>5.1 Consultation Report Appendices R4</u>
AD-031	<u>5.1 Consultation Report Appendices S to Z</u>
AD-032	<u>5.2 Flood Risk Assessment</u>
AD-033	<u>5.3 Environmental Protection Act Statement - Final</u>
AD-034	<u>5.4 - Details of Other Consents Licences and Permits - Final</u>
AD-035	<u>5.5 Transport Assessment</u>
AD-036	<u>5.5 TA Appendices Vol 1</u>
AD-037	<u>5.5 TA Appendices Vol 2</u>
AD-038	<u>5.5 TA Appendices Vol 3</u>
AD-039	<u>5.6 Traffic Forecasting Report Vol 1 for submission</u>
AD-040	<u>5.6 Forecasting Report Vol 2 Apps A-G for submission</u>
AD-041	<u>5.6 Forecasting Report Vol 3 Apps H-K for submission</u>
AD-042	<u>5.7 Economic Appraisal Report v0 for submission</u>

AD-043	<u>5.8 NDR Report of Surveys v0 for submission</u>
AD-044	<u>5.9 NDR Highway Model LMVR v0 for submission</u>
AD-045	<u>5.10 NDR PT LMVR v0 for submission</u>
Environmental Statement	
AD-046	<u>6.1 ES Volume 1 Part 1</u>
AD-047	<u>6.1 ES Volume 1 Part 2</u>
AD-048	<u>6.1 ES Volume 1 Part 3</u>
AD-049	<u>6.1 ES Volume 1 Part 4</u>
AD-050	<u>6.2.1 ES Volume 2 - Introduction</u>
AD-051	<u>6.2.2 ES Volume 2 - The Scheme</u>
AD-052	<u>6.2.3 ES Volume 2 - Needs and Alternatives</u>
AD-053	<u>6.2.4 ES Volume 2 - Air Quality</u>
AD-054	<u>6.2.5 ES Volume 2 - Carbon</u>
AD-055	<u>6.2.6 ES Volume 2 - Cultural Heritage Part 1</u>
AD-056	<u>6.2.6 ES Volume 2 - Cultural Heritage Part 2</u>
AD-057	<u>6.2.6 ES Volume 2 - Cultural Heritage Part 3</u>
AD-058	<u>6.2.6 ES Volume 2 - Cultural Heritage Part 4</u>
AD-059	<u>6.2.6 ES Volume 2 - Cultural Heritage Part 5</u>
AD-060	<u>6.2.6 ES Volume 2 - Cultural Heritage Part 6</u>
AD-061	<u>6.2.6 ES Volume 2 - Cultural Heritage Part 7</u>
AD-062	<u>6.2.7 ES Volume 2 - Landscape Part 1</u>
AD-063	<u>6.2.7 ES Volume 2 - Landscape Part 2</u>
AD-064	<u>6.2.7 ES Volume 2 - Landscape Part 3</u>
AD-065	<u>6.2.8 ES Volume 2 - Nature and Conservation Part 1</u>
AD-066	<u>6.2.8 ES Volume 2 - Nature and Conservation Part 2</u>

AD-067	<u>6.2.8 ES Volume 2 - Nature and Conservation Part 3</u>
AD-068	<u>6.2.8 ES Volume 2 - Nature and Conservation Part 4</u>
AD-069	<u>6.2.8 ES Volume 2 - Nature and Conservation Part 5</u>
AD-070	<u>6.2.8 ES Volume 2 - Nature and Conservation Part 6</u>
AD-071	<u>6.2.8 ES Volume 2 - Nature and Conservation Part 7</u>
AD-072	<u>6.2.8 ES Volume 2 - Nature and Conservation Part 8</u>
AD-073	<u>6.2.8 ES Volume 2 - Nature and Conservation Part 9</u>
AD-074	<u>6.2.8 ES Volume 2 - Nature and Conservation Part 10</u>
AD-075	<u>6.2.9 ES Volume 2 - Geology and Soils Part 1</u>
AD-076	<u>6.2.9 ES Volume 2 - Geology and Soils Part 2</u>
AD-077	<u>6.2.9 ES Volume 2 - Geology and Soils Part 3</u>
AD-078	<u>6.2.9 ES Volume 2 - Geology and Soils Part 4</u>
AD-079	<u>6.2.9 ES Volume 2 - Geology and Soils Part 5</u>
AD-080	<u>6.2.10 ES Volume 2 - Materials</u>
AD-081	<u>6.2.11 ES Volume 2 - Noise</u>
AD-082	<u>6.2.12 ES Volume 2 - Effects on all travellers Part 1</u>
AD-083	<u>6.2.12 ES Volume 2 - Effects on all travellers Part 2</u>
AD-084	<u>6.2.13 ES Volume 2 - Community and Private Assets Part 1</u>
AD-085	<u>6.2.13 ES Volume 2 - Community and Private Assets Part 2</u>
AD-086	<u>6.2.14 ES Volume 2 - Road Drainage and the water environment</u>
AD-087	<u>6.2.15 ES Volume 2 - Cumulative Impacts</u>
AD-088	<u>6.2.16 ES Volume 2 - Climate Change Risk Assessment</u>
AD-089	<u>6.2.17 ES Volume 2 - Habitat Regulations Assessment</u>
AD-090	<u>6.2.18 ES Volume 2 - Draft EPS Licence Application</u>
AD-091	<u>6.2.19 ES Volume 2 - Site Waste Management Plan Including CEMP</u>
AD-092	<u>6.2.20 ES Volume 2 - Arboricultural Impact Assessment Part 1</u>

AD-093	<u>6.2.20 ES Volume 2 - Arboricultural Impact Assessment Part 2</u>
AD-094	<u>6.2.21 ES Volume 2 - Flood Risk Assessment</u>
AD-095	<u>6.2.22 ES Volume 2 - Health Impact Assessment</u>
AD-096	<u>6.3 ES Volume 2 - Non Technical Summary</u>

Other documents

AD-097	<u>7.1 Photographs and Photomontages</u>
AD-098	<u>7.2 Plan Identifying Locations and Directions of Photomontages</u>
AD-099	<u>7.3 Index of Photographs</u>
AD-100	<u>10.1 Road Safety audits and briefs Part 1</u>
AD-101	<u>10.1 Road Safety audits and briefs Part 2</u>
AD-102	<u>10.2 Design and Departures Report - Final Version</u>
AD-103	<u>10.3 Land Use and Economic Development Report Final Version</u>
AD-104	<u>10.4 Consent from HA to include Crown Land in Development Consent Order - Final Version</u>
AD-105	<u>Norfolk County Council: How to perform a simple search of a PDF document</u>
AD-106	<u>Norfolk County Council: Index of NDR DCO Searchable document</u>
AD-107	<u>Norfolk County Council's Glossary of Terms (NCC EX 03)</u>
AD-108	<u>Norfolk County Council's NDR Complete Application</u>
AD-109	<u>Norfolk County Council's NDR Complete Contents Table</u>

Post-submission changes

AD-110	<u>Norfolk County Council -Letter - Corrections to Documents (NCC EX 02)</u>
AD-111	<u>Norfolk County Council - Letter - Minor corrections</u>
AD-112	<u>Revised application doc 5.11 Summary Results of Sensitivity tests</u>

AD-113	<u>Revised application doc 5.12 Report on NDR Alternatives final</u>
AD-114	<u>Revised application doc 5.13 Drayton Lane Proposed change report</u>
AD-115	<u>Revised application doc 5.14 PMA removal Proposed change report FINAL</u>
AD-116	<u>Addendum to the Environmental Statement Flood Risk Assessment (NCC EX 43)</u>
AD-117	<u>Revised Draft Development Consent Order (21 July) (NCC EX 40)</u>
AD-118	<u>Comparison between Submission Draft DCO and 21 July 2014 Draft DCO (NCC EX 41)</u>
AD-119	<u>Table of Amendments Made to Draft DCO (submitted 21 July) (NCC EX 42)</u>
AD-120	<u>Norfolk County Council - Revised draft Development Consent Order (NCC EX 55)</u>
AD-121	<u>Norfolk County Council - Comparison between revised draft DCO (8 September) and previous draft DCO (21 July) (NCC EX 56)</u>
AD-122	<u>Norfolk County Council - Document introducing amendments to Draft DCO (submitted 8 September 2014) (NCC EX 54)</u>
AD-123	<u>Norfolk County Council -Statement of Reasons Corrections (submitted 9 October) (NCC EX 68)</u>
AD-124	<u>Norfolk County Council - Updated Plans – Sheet 1 of 5 (submitted 9 October) (NCC EX 73)</u>
AD-125	<u>Norfolk County Council - Updated Plans – Sheet 2 of 5 (submitted 9 October) (NCC EX 73)</u>
AD-126	<u>Norfolk County Council - Updated Plans – Sheet 3 of 5 (submitted 9 October) (NCC EX 73)</u>
AD-127	<u>Norfolk County Council - Updated Plans – Sheet 4 of 5 (submitted 9 October) (NCC EX 73)</u>
AD-128	<u>Norfolk County Council - Updated Plans – Sheet 5 of 5 (submitted 9 October) (NCC EX 73)</u>
AD-129	<u>Norfolk County Council - Revised Draft DCO (submitted 9 October) (NCC EX 75)</u>
AD-130	<u>Norfolk County Council - Comparison between revised draft DCO (8 September) and revised draft DCO (9 October) (submitted 9</u>

	<u>October) (NCC EX 76)</u>
AD-131	<u>Norfolk County Council - Comparison between Application Draft DCO and revised draft DCO (9 October) (submitted 9 October) (NCC EX 77)</u>
AD-132	<u>Norfolk County Council - Table of amendments to Draft DCO (submitted 9 October) (NCC EX 78)</u>
AD-133	<u>Norfolk County Council - Updated Book of Reference (submitted 9 October) (NCC EX 79)</u>
AD-134	<u>Norfolk County Council - ES Addendum (submitted 9 October) (NCC EX 80)</u>
AD-135	<u>Norfolk County Council - Mitigation Table Report (submitted 9 October) (NCC EX 81)</u>
AD-136	<u>Norfolk County Council - Updated Construction Environment Management Plan (submitted 9 October) (NCC EX 82)</u>
AD-137	<u>Norfolk County Council - HRA Addendum (submitted 9 October) (NCC EX 83)</u>
AD-138	<u>Norfolk County Council - HRA Assessment (submitted 9 October) (NCC EX 84)</u>
AD-139	<u>Norfolk County Council - Revised PT Option economic appraisal and breakdown of benefits (submitted 9 October) (NCC EX 71)</u>
AD-140	<u>Norfolk County Council - NATS economic appraisal (submitted 9 October) (NCC EX 72)</u>
AD-141	<u>Compulsory Acquisition Request for Drayton Lane, Reepham Road roundabout (Submitted 22 September) (NCC EX 63)</u>
AD-142	<u>Amended Book of Reference dated 24 March 2014</u>
AD-143	<u>Norfolk County Council - Non-Statutory Stakeholder Engagement on Minor Change to Application (NCC EX 85)</u>
AD-144	<u>Norfolk County Council - Addendum to the HRA (NCC EX 108)</u>
AD-145	<u>Norfolk County Council - Revised Draft Development Consent Order (NCC EX 93)</u>
AD-146	<u>Norfolk County Council - Comparison Between ExA 5 November 2014 Draft DCO and NCC 20 November 2014 Draft DCO (NCC EX 94)</u>
AD-147	<u>Norfolk County Council - Revised DCO (NCC EX 103)</u>

AD-148	<u>Norfolk County Council - Comparison Between Applicant's 20 November 2014 Draft DCO and Applicant's 2 December 2014 Draft DCO (NCC EX 104)</u>
AD-149	<u>Norfolk County Council - Corrections to Draft DCO Submitted on 20 November 2014 and Updated Version if One Sheet of the Outline Drainage Works Plan (NCC EX 101)</u>
AD-150	<u>Norfolk County Council -Table of Amendments to Draft DCO Submitted 2 December 2014 (NCC EX 105)</u>
AD-151	<u>Norfolk County Council - Table of Amendments to Draft DCO submitted on 20 November 2014 (NCC EX 95)</u>
AD-152	<u>Norfolk County Council - Updated Explanatory Memorandum (NCC EX 96)</u>

Adequacy of Consultation Responses

AOC-001	<u>Broads Authority</u>
AOC-002	<u>South Norfolk Council</u>
AOC-003	<u>Great Yarmouth Borough Council</u>
AOC-004	<u>Lincolnshire County Council</u>
AOC-005	<u>Norfolk County Council</u>
AOC-006	<u>Norwich City Council</u>
AOC-007	<u>Cambridgeshire County Council</u>
AOC-008	<u>Suffolk County Council</u>
AOC-009	<u>Broadland District Council</u>

Relevant Representations

RR-001	10021701	<u>Rick Edwards</u>
RR-002	10021703	<u>Neville Yardy</u>
RR-003	10021704	<u>Jane Jones</u>
RR-004	10021705	<u>Chris Baker</u>
RR-005	10021706	<u>Robert Powell</u>

RR-006	10021708	<u>Victor Brown</u>
RR-007	10021709	<u>Stephen Austin</u>
RR-008	10021713	<u>Peal Communications Ltd</u>
RR-009	10021715	<u>Alfred N Townly</u>
RR-010	10021718	<u>Jim Hamshaw</u>
RR-011	10021720	<u>Jessica Woodhouse</u>
RR-012	10021721	<u>The Open Spaces Society</u>
RR-013	10021723	<u>Lynda Edwards</u>
RR-014	10021724	<u>Michael Spencer Collar</u>
RR-015	10021726	<u>K G Leggett</u>
RR-016	10021728	<u>Stephen Green</u>
RR-017	10021730	<u>TSA Group Limited</u>
RR-018	10021740	<u>Great & Little Plumstead Parish Council J Jones Clerk to the Council</u>
RR-019	10021748	<u>Nigel Langley</u>
RR-020	10021749	Emma Slaughter
RR-021	10021751	<u>Robertson Stewart Lindsay</u>
RR-022	10021754	<u>Colin Fox</u>
RR-023	10021755	<u>Mrs I Lawrance</u>
RR-024	10021756	<u>Glen Taylor</u>
RR-025	10021758	<u>Norman Lester Castleton</u>
RR-026	10021759	<u>Dean Orchard</u>
RR-027	10021760	<u>T W Norton</u>
RR-028	10021764	<u>Peter Dewath</u>
RR-029	10021821	<u>Andrew Michael Cawdron</u>
RR-030	10021825	<u>Jonathan Hill</u>

RR-031	10021879	<u>East of England Energy Group (EEEGR)</u>
RR-032	10021943	<u>Hugh J Boswell Ltd</u>
RR-033	10022004	<u>Delmonte Garage</u>
RR-034	10022014	<u>Dr Graham Martin</u>
RR-035	10022040	<u>Mark Lusher</u>
RR-036	10022047	<u>L E Thomson BSc (Hons) MRICS</u>
RR-037	10022048	<u>Blanmar 1 LLP</u>
RR-038	10022049	<u>Simeon Jackson</u>
RR-039	10022050	<u>Blanmar 2 LLP</u>
RR-040	10022124	<u>Peter Boddy</u>
RR-041	10022126	<u>Elizabeth Philpot</u>
RR-042	10022152	<u>David Hastings</u>
RR-043	10022168	<u>Lynn Larkins</u>
RR-044	10022169	<u>James Wakefield</u>
RR-045	10022182	<u>M. Morgan</u>
RR-046	10022184	<u>Isobel Brewin</u>
RR-047	10022189	<u>Joy Franklin</u>
RR-048	10022194	<u>Lee Walker</u>
RR-049	10022215	<u>Christopher Dady</u>
RR-050	10022231	<u>Ben Hogben</u>
RR-051	10022277	<u>Wilco Motor Spares Ltd</u>
RR-052	10022278	<u>EU Ltd</u>
RR-053	10022283	<u>Stella Shackle</u>
RR-054	10022294	<u>Mike Penfold</u>
RR-055	10022298	<u>STM Packaging Group Ltd</u>
RR-056	10022299	<u>John Allaway</u>

RR-057	10022303	<u>Jane Wallace</u>
RR-058	10022304	<u>Jenny Gladstone</u>
RR-059	10022308	<u>Julian Blackmore</u>
RR-060	10022309	<u>Rosemary Bennett</u>
RR-061	10022313	<u>Jason Beckett</u>
RR-062	10022315	<u>Dr Anthony Smith</u>
RR-063	10022316	<u>Caroline Davison</u>
RR-064	10022317	<u>Richard Claxton</u>
RR-065	10022320	<u>North Norfolk Business Centre</u>
RR-066	10022321	<u>Mrs C M Scott Barber</u>
RR-067	10022324	<u>Peter Trudgill</u>
RR-068	10022327	<u>Lindsey Bilston</u>
RR-069	10022331	<u>Karen Brockman</u>
RR-070	10022347	<u>Thomas Walshe</u>
RR-071	10022360	<u>Robert Braby</u>
RR-072	10022364	<u>Paul Stevenson</u>
RR-073	10022367	<u>Carole Morgan</u>
RR-074	10022380	<u>James Wagg</u>
RR-075	10022383	<u>Swannington with Alderford and Little Witchingham Parish Council</u>
RR-076	10022388	<u>Finn Geotherm UK Ltd</u>
RR-077	10022398	<u>Polyprint</u>
RR-078	10022413	<u>Durga Chaterjee</u>
RR-079	10022414	<u>Polyprint Mailing Films Ltd</u>
RR-080	10022437	<u>G Underhill</u>
RR-081	10022445	<u>Dingles Toyota</u>

RR-082	10022474	<u>Judith Stewart</u>
RR-083	10022486	<u>Richard Hawker</u>
RR-084	10022508	<u>Jeffrey A Jordan</u>
RR-085	10022512	<u>Mrs N M Richards</u>
RR-086	10022518	<u>C Bunn</u>
RR-087	10022524	<u>Dr A O'Neill</u>
RR-088	10022530	<u>Geoffrey Fearn</u>
RR-089	10022536	<u>Glynn White</u>
RR-090	10022538	<u>George Bell</u>
RR-091	10022547	<u>Steve Lake</u>
RR-092	10022552	<u>D.Pagan</u>
RR-093	10022554	<u>John Clayton</u>
RR-094	10022557	<u>Roger Andrews</u>
RR-095	10022563	<u>Raymond Houseago</u>
RR-096	10022567	<u>Julia Houseago</u>
RR-097	10022574	<u>Martin Wright</u>
RR-098	10022575	<u>Joan wright</u>
RR-099	10022577	<u>Brian Murfitt</u>
RR-100	10022621	<u>Mr R Codling</u>
RR-101	10022644	<u>Stefi Barna</u>
RR-102	10022646	<u>Clive Sexton</u>
RR-103	10022649	<u>Ivan Smith</u>
RR-104	10022651	<u>Lee Cozens</u>
RR-105	10022654	<u>James Dexter</u>
RR-106	10022655	<u>D G M Kenney</u>

RR-107	10022658	<u>Noel Debbage</u>
RR-108	10022660	<u>Yvonne Howes</u>
RR-109	10022661	<u>ClIr Mark Robinson</u>
RR-110	10022664	<u>Ken Grayling</u>
RR-111	10022668	<u>P.Fiddy</u>
RR-112	10022675	<u>Jean Bishop</u>
RR-113	10022696	<u>Pat Gowen</u>
RR-114	10022717	<u>Gail Mayhew</u>
RR-115	10022718	<u>David Watkinson</u>
RR-116	10022724	<u>Jez Weatherly</u>
RR-117	10022734	<u>John Moorfield</u>
RR-118	10022735	<u>Pamela Moorfield</u>
RR-119	10022736	<u>Lindsay Moorfield</u>
RR-120	10022738	<u>Jenny Ramsay</u>
RR-121	10022740	<u>Coryn Stanforth</u>
RR-122	10022750	<u>Richard Downes</u>
RR-123	10022778	<u>Michael de Whalley</u>
RR-124	10022782	<u>Michael Wyard</u>
RR-125	10022799	<u>Rebecca Gibbs</u>
RR-126	10022842	<u>Anthony Clarke</u>
RR-127	10022847	<u>Adrian Holmes</u>
RR-128	10022864	<u>Mrs Carole Cross</u>
RR-129	10022871	<u>Catherine ford</u>
RR-130	10022874	<u>Chris Cotton</u>
RR-131	10022880	<u>Robert Cutter</u>
RR-132	10022891	<u>Alison Wakeman</u>

RR-133	10022908	<u>Paul Bunn</u>
RR-134	10022910	<u>Tersa Belton</u>
RR-135	10022911	<u>Sara Beaven</u>
RR-136	10022912	<u>John Copeman</u>
RR-137	10022935	<u>Mr Westrup</u>
RR-138	10022940	<u>Mrs Phyllis Hardie</u>
RR-139	10022953	<u>David Basey</u>
RR-140	10022958	<u>Mr S R Fidler</u>
RR-141	10022965	<u>Mary B. Dunn</u>
RR-142	10022973	<u>Craig Robson</u>
RR-143	10022978	<u>Simon Whiteside</u>
RR-144	10022998	<u>Olaya de la Iglesia</u>
RR-145	10023003	<u>Andy Bennett</u>
RR-146	10023038	<u>Ian Williams</u>
RR-147	10023040	<u>Sally Revell</u>
RR-148	10023047	<u>Joseph Hodges</u>
RR-149	10023061	<u>Mr P B Stockell</u>
RR-150	10023103	<u>Alan Norton</u>
RR-151	10023113	<u>Thelma Norton</u>
RR-152	10023120	<u>Sarah Boothby</u>
RR-153	10023183	<u>Leslie Scott</u>
RR-154	10023204	<u>Hazel Davidson</u>
RR-155	10023225	<u>R Bulmer</u>
RR-156	10023226	<u>Jane Bulmer</u>
RR-157	10023233	<u>Larking Gowen Chartered Accountants</u>

RR-158	10023245	<u>Mark Crutchley</u>
RR-159	10023257	<u>Robert Webster</u>
RR-160	10023282	<u>John Charman</u>
RR-161	10023283	<u>Sharon Jay</u>
RR-162	10023298	<u>M D Hailstone</u>
RR-163	10023299	<u>D Berry</u>
RR-164	10023302	<u>Chris Marshall</u>
RR-165	10023329	<u>Anthony David Martin</u>
RR-166	10023347	<u>Janice Yorath</u>
RR-167	10023354	<u>Wayne Yorath</u>
RR-168	10023395	<u>Elaine Jones</u>
RR-169	10023409	<u>Anthony Lee</u>
RR-170	10023416	<u>Gillian Lee</u>
RR-171	10023453	<u>Shan Barclay</u>
RR-172	10023464	<u>Ivan Smith</u>
RR-173	10023472	<u>David Smith</u>
RR-174	10023512	<u>Paul Hurst</u>
RR-175	10023550	<u>Paula Coombe</u>
RR-176	10023812	<u>Rosemary Braby</u>
RR-177	10023832	<u>M Webb</u>
RR-178	10023848	<u>Tim Patient</u>
RR-179	10023892	<u>Nicola Lake</u>
RR-180	10023912	<u>B.G.Webb</u>
RR-181	10023942	<u>James Braby</u>
RR-182	10023946	<u>N Ball</u>
RR-183	10023979	<u>Mr Anthony Stubbs</u>

RR-184	10024059	<u>Matthew Clifford</u>
RR-185	10024069	<u>Ian Shepherd</u>
RR-186	10024082	<u>Mr Stephen Gowen</u>
RR-187	10024091	<u>Margaret Duke-Wyer</u>
RR-188	10024111	<u>R S Baker</u>
RR-189	10024185	<u>Mr James Gotts</u>
RR-190	10024597	<u>Lynda Edwards</u>
RR-191	10024650	<u>J Pond</u>
RR-192	10024690	<u>Jessica Goldfinch</u>
RR-193	10024706	<u>Road Haulage Association</u>
RR-194	10024727	<u>Catherine Debbage</u>
RR-195	10024751	<u>Tony Howes</u>
RR-196	10024897	<u>Mary Horne</u>
RR-197	10025226	<u>Reg Harris</u>
RR-198	10025227	<u>Robert Craggs</u>
RR-199	10025228	<u>Andrew Hayden</u>
RR-200	10025229	<u>Paul Newman</u>
RR-201	10025230	<u>Ian Darby</u>
RR-202	10025231	<u>James Hayes</u>
RR-203	10025232	<u>Raymond Browne</u>
RR-204	10025233	<u>Robert Leslie Slocombe</u>
RR-205	10025234	<u>Beata Bialasik</u>
RR-206	10025235	<u>Mr D S Collins</u>
RR-207	10025237	<u>Linda Woolfenden</u>
RR-208	10025238	<u>Paul Thurtell</u>

RR-209	10025239	<u>Graham Woolfenden</u>
RR-210	10025240	<u>S J Chilvers</u>
RR-211	10025241	<u>Anne Hurst</u>
RR-212	10025242	<u>Clare Hurst</u>
RR-213	10025243	<u>Peter Cutting</u>
RR-214	10025244	<u>Pamela A Lord</u>
RR-215	10025245	<u>S Betts</u>
RR-216	10025246	<u>Barry Coe</u>
RR-217	10025247	<u>Laura Johnson</u>
RR-218	10025248	<u>Mrs Margaret Bridgman</u>
RR-219	10025249	<u>Mrs CA Williams</u>
RR-220	10025250	<u>Margaret McBride</u>
RR-221	10025251	<u>Ingo Wagenknecht</u>
RR-222	10025252	<u>Susan Slatter</u>
RR-223	10025253	<u>Peter Akister</u>
RR-224	10025254	<u>Mrs E Hedge</u>
RR-225	10025255	<u>Mrs C Wilkinson</u>
RR-226	10025256	<u>John David Blackwell</u>
RR-227	10025257	<u>Mr Christopher A Saunders</u>
RR-228	10025258	<u>Mrs Jill Rowland</u>
RR-229	10025259	<u>Christopher Dann</u>
RR-230	10025260	<u>Mrs Attfield</u>
RR-231	10025261	<u>C Attfield</u>
RR-232	10025262	<u>Paul Hart</u>
RR-233	10025263	<u>Mr P Meachen</u>
RR-234	10025264	<u>Matthew Hall</u>

RR-235	10025265	<u>David Redgrove</u>
RR-236	10025266	<u>Rupert Trigg</u>
RR-237	10025267	<u>Mark Watson</u>
RR-238	10025268	<u>Gerald Crowson</u>
RR-239	10025269	<u>Mrs Janet Hartwell</u>
RR-240	10025270	<u>Karl Wildey</u>
RR-241	10025271	<u>Dr C. L. Hedley</u>
RR-242	10025272	<u>Dr Richard Charles Maguire</u>
RR-243	10025274	<u>Jonathon Pitt</u>
RR-244	10025275	<u>Lothbury Investment Management Ltd</u>
RR-245	10025276	<u>Gail Sullivan</u>
RR-246	10025277	<u>Edward Aspinall</u>
RR-247	10025278	<u>Emma Aspinall</u>
RR-248	10025279	<u>Robert Wade</u>
RR-249	10025280	<u>Peter Anderson</u>
RR-250	10025281	<u>Penelope Carpenter</u>
RR-251	10025282	<u>Brian Marshall</u>
RR-252	10025284	<u>David Rivers</u>
RR-253	10025285	<u>Amanda Lehmann</u>
RR-254	10025286	<u>Sally Wright</u>
RR-255	10025287	<u>Peter Herring</u>
RR-256	10025288	<u>Ms Jan Jones</u>
RR-257	10025289	<u>Sarah Shorten</u>
RR-258	10025290	<u>Raymond Perry</u>
RR-259	10025291	<u>Christine Turney</u>

RR-260	10025292	<u>M Franklin</u>
RR-261	10025293	<u>Raymond Jackson</u>
RR-262	10025295	<u>Ian Chapman</u>
RR-263	10025296	<u>Dawn Coleman</u>
RR-264	10025297	<u>Mr B Cook</u>
RR-265	10025298	<u>Lesley Chapman</u>
RR-266	10025299	<u>Mr L Smith</u>
RR-267	10025300	<u>Mrs Debbie Hutchings</u>
RR-268	10025301	<u>C Carney</u>
RR-269	10025302	<u>Kim Blake</u>
RR-270	10025303	<u>Building Partnerships Limited</u>
RR-271	10025304	<u>David Morrison</u>
RR-272	10025305	<u>Phil Oakley</u>
RR-273	10025307	<u>Lynn Larkins</u>
RR-274	10025308	<u>Cathryn Waldron</u>
RR-275	10025309	<u>Nicholas Starling</u>
RR-276	10025310	<u>Anthony Knights</u>
RR-277	10025311	<u>Mrs Shaune Richardson</u>
RR-278	10025312	<u>Gillian Saunders</u>
RR-279	10025313	<u>Angela Hollis</u>
RR-280	10025314	<u>Glenys Ives-Keeler</u>
RR-281	10025315	<u>Stephanie L Middleton</u>
RR-282	10025317	<u>Janet Shurety</u>
RR-283	10025318	<u>Stephen Mindham</u>
RR-284	10025319	<u>Valerie Hart</u>
RR-285	10025320	<u>Alan James Dean</u>

RR-286	10025321	<u>Terence Weston</u>
RR-287	10025322	<u>John Geoffrey Phillipson</u>
RR-288	10025323	<u>Pinnacle Consulting Engineers Ltd</u>
RR-289	10025325	<u>Mr and Mrs G Black</u>
RR-290	10025326	<u>Trustees of Gurloque Settlement</u>
RR-291	10025327	<u>Mrs S Bransom on behalf of Mrs Barrett</u>
RR-292	10025328	<u>The Trustees of the Thorpe and Flethorpe Trust</u>
RR-293	10025329	<u>Mrs S Bransom</u>
RR-294	10025330	<u>Mrs Amanda Randall</u>
RR-295	10025331	<u>Mrs Pauline Adcock</u>
RR-296	10025332	<u>Mr Ricky Randall</u>
RR-297	10025333	<u>Brooke Harris</u>
RR-298	10025334	<u>Mr B Bransom</u>
RR-299	10025335	<u>Keith Davies</u>
RR-300	10025336	<u>Mrs Rachel Foley</u>
RR-301	10025337	<u>Mr Nicholas Waller-Barrett as occupier</u>
RR-302	10025338	<u>Mr M and Miss J Keeler</u>
RR-303	10025339	<u>Mr and Mrs L Howe and Mr N Howe</u>
RR-304	10025340	<u>Mr A Medler c/o Mrs S Alston</u>
RR-305	10025341	<u>Mr M A Dewing on behalf of the E M and E J Dewing Settlement</u>
RR-306	10025342	<u>Laurence Watts</u>
RR-307	10025343	<u>Hilary Barratt and Mr Michael Dewing on behalf of the Trustees of the Beeston Estate</u>
RR-308	10025344	<u>Mrs June Brooks</u>
RR-309	10025345	<u>Mr A J Papworth on behalf of Mr M F Trafford</u>

RR-310	10025346	<u>Mr Karl Basey</u>
RR-311	10025347	<u>Mr Duncan</u>
RR-312	10025348	<u>Mr P Basey</u>
RR-313	10025349	<u>Mr. Christopher Shurety</u>
RR-314	10025350	<u>Patrick FitzSymons</u>
RR-315	10025351	<u>Mr R Young</u>
RR-316	10025352	<u>Andy Blanchflower</u>
RR-317	10025354	<u>John Newby</u>
RR-318	10025355	<u>David Callow</u>
RR-319	10025357	<u>Oscar Hughes</u>
RR-320	10025358	<u>Mrs Maureen Plumstead (Nee Murphy)</u>
RR-321	10025360	<u>Martin Plumstead</u>
RR-322	10025361	<u>David Crawford</u>
RR-323	10025362	<u>Jim Fisher</u>
RR-324	10025363	<u>Mrs Danielle Epurescu</u>
RR-325	10025365	<u>Micah Newman</u>
RR-326	10025366	<u>Sue McEwan</u>
RR-327	10025367	<u>Mr Julian Pilkington</u>
RR-328	10025368	<u>Rob Esdaile</u>
RR-329	10025369	<u>Vince Lamb</u>
RR-330	10025370	<u>Jane Slocombe</u>
RR-331	10025371	<u>Matthew Skedge</u>
RR-332	10025372	<u>Keith Kondakor</u>
RR-333	10025373	<u>Lucy Hall</u>
RR-334	10025374	<u>Richard Norman Lamb</u>
RR-335	10025375	<u>Leanne Davison</u>

RR-336	10025376	<u>Adam Sofroniou</u>
RR-337	10025377	<u>Joanna Polley</u>
RR-338	10025378	<u>Paul Elsey</u>
RR-339	10025379	<u>Pete Abel</u>
RR-340	10025380	<u>D. J. Renney</u>
RR-341	10025382	<u>Almuth Ernsting</u>
RR-342	10025383	<u>Norfolk Dinosaur Park Limited</u>
RR-343	10025384	<u>Barrie Jones</u>
RR-344	10025387	<u>Miss Sadie Huxford</u>
RR-345	10025388	<u>Kevin Fallon</u>
RR-346	10025389	<u>Mrs Jean Powell</u>
RR-347	10025390	<u>Derek West</u>
RR-348	10025391	<u>Clive Astley</u>
RR-349	10025392	<u>Laura Spawls</u>
RR-350	10025393	<u>Nicholas Holm</u>
RR-351	10025394	<u>Stephen Spawls</u>
RR-352	10025395	<u>Eileen Pitman</u>
RR-353	10025396	<u>Michael Silvester</u>
RR-354	10025397	<u>Hetty Selwyn</u>
RR-355	10025398	<u>David Watson</u>
RR-356	10025399	<u>Darrin Green</u>
RR-357	10025400	<u>John Gaskin</u>
RR-358	10025401	<u>Carol Cholerton</u>
RR-359	10025405	<u>Andrea Needham</u>
RR-360	10025406	<u>Rachel Crampton</u>

RR-361	10025407	<u>Roger Carter</u>
RR-362	10025409	<u>The Norwich Traffic Club</u>
RR-363	10025410	<u>Maria Anastasi</u>
RR-364	10025411	<u>Graham Lingley</u>
RR-365	10025412	<u>Mrs Elizabeth Fairweather</u>
RR-366	10025413	<u>Ben Johnsen</u>
RR-367	10025419	<u>Michael Flett</u>
RR-368	10025421	<u>Jennifer Wood</u>
RR-369	10025422	<u>Go West travel t/a Norfolk Green</u>
RR-370	10025424	<u>Mr K Warner</u>
RR-371	10025426	<u>Roy St Pierre</u>
RR-372	10025427	<u>David Sharpe</u>
RR-373	10025428	<u>Susan Manton</u>
RR-374	10025432	<u>Dominic Templeman</u>
RR-375	10025433	<u>Nicholas Thompson</u>
RR-376	10025437	<u>Diane Machin</u>
RR-377	10025439	<u>Peter J Walker</u>
RR-378	10025440	<u>Mr V Hartwell</u>
RR-379	10025441	<u>Mrs K Watson</u>
RR-380	10025442	<u>John Roberts</u>
RR-381	10025444	<u>David A.R.Wilkinson</u>
RR-382	10025446	<u>Peter J Clarke</u>
RR-383	10025447	<u>Mrs J Burgess</u>
RR-384	10025449	<u>Rosemary Isaac</u>
RR-385	10025451	<u>Lee Fuller</u>
RR-386	10025453	<u>Josephine Candeland</u>

RR-387	10025455	<u>Richard Kemp</u>
RR-388	10025457	<u>Marilyn Farley</u>
RR-389	10025458	<u>Richard Impey</u>
RR-390	10025459	<u>Jonathan Statham</u>
RR-391	10025464	<u>Graham L. Garner</u>
RR-392	10025465	<u>Mrs Linda Jackson</u>
RR-393	10025466	<u>Hannah Greef</u>
RR-394	10025467	<u>Chris Gillham</u>
RR-395	10025469	<u>John Berry</u>
RR-396	10025470	<u>Philip Hooper</u>
RR-397	10025471	<u>Karen Hooper</u>
RR-398	10025472	<u>Clare Morton</u>
RR-399	10025473	<u>Alan Martin</u>
RR-400	10025474	<u>Neil Collins</u>
RR-401	10025475	<u>Pamela Taylor</u>
RR-402	10025476	<u>David Blomfield</u>
RR-403	10025477	<u>J Symington</u>
RR-404	10025481	<u>Valerie Mortimer</u>
RR-405	10025482	<u>Adrian Matthews</u>
RR-406	10025483	<u>John Nicholson</u>
RR-407	10025484	<u>Jo Symington</u>
RR-408	10025485	<u>Mr Tim Culling</u>
RR-409	10025486	<u>Fiona MacGregor</u>
RR-410	10025487	<u>Richard Price</u>
RR-411	10025488	<u>Darren Arnup</u>

RR-412	10025489	<u>Tim Moore</u>
RR-413	10025490	<u>Phil Thomas</u>
RR-414	10025493	<u>Robert Lindsay</u>
RR-415	10025494	<u>David Johnson</u>
RR-416	10025495	<u>James Stagg</u>
RR-417	10025496	<u>John Mcfadyen</u>
RR-418	10025497	<u>Shirley Fairhurst</u>
RR-419	10025498	<u>Dafydd Humphreys</u>
RR-420	10025499	<u>Tony Goodchild</u>
RR-421	10025500	<u>Christina Harris</u>
RR-422	10025501	<u>Sandra Brinded</u>
RR-423	10025502	<u>Karen Whitehouse</u>
RR-424	10025503	<u>Rachel Roe</u>
RR-425	10025505	<u>Ms J McCleary</u>
RR-426	10025507	<u>Sarah Clarke</u>
RR-427	10025508	<u>Ann Stagg</u>
RR-428	10025509	<u>Mr Christopher James Burchett</u>
RR-429	10025510	<u>Sue Bowen</u>
RR-430	10025511	<u>William Crudgington</u>
RR-431	10025512	<u>David Middleton</u>
RR-432	10025513	<u>Rod Townly</u>
RR-433	10025514	<u>Derek Long</u>
RR-434	10025517	<u>Tamsin Roques</u>
RR-435	10025518	<u>Ross Nockles</u>
RR-436	10025519	<u>Clive Scott</u>
RR-437	10025520	<u>Alec Blyth</u>

RR-438	10025521	<u>Esther Jury</u>
RR-439	10025522	<u>Barry Manley</u>
RR-440	10025523	<u>Anthony Albert Martin Abigail</u>
RR-441	10025524	<u>Dr Jeremy Bartlett</u>
RR-442	10025526	<u>Vanna Bartlett</u>
RR-443	10025527	<u>Susan Curran</u>
RR-444	10025528	<u>Paul Simmonds</u>
RR-445	10025529	<u>John Elliot</u>
RR-446	10025531	<u>Sandra Brinded</u>
RR-447	10025532	<u>Carol Haines</u>
RR-448	10025534	<u>L Brown</u>
RR-449	10025535	<u>Mrs Alicia Hull</u>
RR-450	10025536	<u>M J Turner</u>
RR-451	10025537	<u>D G Reeve</u>
RR-452	10025538	<u>Amanda Williams</u>
RR-453	10025540	<u>Matthew Williams</u>
RR-454	10025541	<u>Katharine Dunn</u>
RR-455	10025542	<u>Karina Shearing</u>
RR-456	10025543	<u>Amy Johnson</u>
RR-457	10025544	<u>Tracey Turner</u>
RR-458	10025546	<u>Geraldine Terry</u>
RR-459	10025548	<u>Ashley Wilks</u>
RR-460	10025549	<u>Attlebridge Parish Meeting</u>
RR-461	10025551	<u>Michele Brighton</u>
RR-462	10025552	<u>Sennowe Estate</u>

RR-463	10025553	<u>Gemma Makepeace</u>
RR-464	10025554	<u>Simon Polley</u>
RR-465	10025555	<u>Michael Trafford</u>
RR-466	10025557	<u>Norfolk Chamber of Commerce</u>
RR-467	10025558	<u>Anne Tandy</u>
RR-468	10025559	<u>Mr Christopher Yates</u>
RR-469	10025560	<u>Linda Hazel</u>
RR-470	10025561	<u>Roger Gibbons</u>
RR-471	10025562	<u>William Bissett</u>
RR-472	10025563	<u>Keith Barnes</u>
RR-473	10025564	<u>Lynda Barnes</u>
RR-474	10025565	<u>Helen Margaret Hibbert Martin</u>
RR-475	10025566	<u>Alan Richard Martin</u>
RR-476	10025569	<u>Robert Cockaday</u>
RR-477	10025570	<u>Jeffrey Taylor</u>
RR-478	10025571	<u>James Cleaver</u>
RR-479	10025572	<u>Dr N Shamoon</u>
RR-480	10025573	<u>Susan Castle</u>
RR-481	10025574	<u>Penny Edwards</u>
RR-482	10025575	<u>Paul Starling</u>
RR-483	10025576	<u>David Young</u>
RR-484	10025577	<u>Claire Vaughan Smith</u>
RR-485	10025578	<u>Phoenix Sam Wolf</u>
RR-486	10025579	<u>D Haden-Scott</u>
RR-487	10025580	<u>Mrs Joan Stearman</u>
RR-488	10025581	<u>A W Johnson</u>

RR-489	10025582	<u>Mrs B Johnson</u>
RR-490	10025583	<u>Phil Middleton</u>
RR-491	10025585	<u>Ian Sinclair</u>
RR-492	10025586	<u>Heather Taylor</u>
RR-493	10025587	<u>Local Community</u>
RR-494	10025589	<u>Glenn Unstead</u>
RR-495	10025590	<u>Mark Willett</u>
RR-496	10025591	<u>M. Garner</u>
RR-497	10025592	<u>David Orr</u>
RR-498	10025593	<u>Justin Rhys</u>
RR-499	10025594	<u>Robert Harris</u>
RR-500	10025596	<u>Chris Todd</u>
RR-501	10025597	<u>Tom Fowler</u>
RR-502	10025598	<u>Barbara Jane</u>
RR-503	10025599	<u>Mrs Hilary Greener</u>
RR-504	10025600	<u>Cordelia Lemmon</u>
RR-505	10025601	<u>Jaya Sexton</u>
RR-506	10025602	<u>Karen Sexton</u>
RR-507	10025603	<u>Marie Newson</u>
RR-508	10025604	<u>Julia Frith</u>
RR-509	10025605	<u>Margaret Shelley</u>
RR-510	10025606	<u>Cllr Lesley Grahame</u>
RR-511	10025607	<u>Yvonne Sayer</u>
RR-512	10025608	<u>Mrs Gillian Moore</u>
RR-513	10025609	<u>Ian Colligon</u>

RR-514	10025611	<u>Chris Notley</u>
RR-515	10025612	<u>Mr. C. Bond</u>
RR-516	10025614	<u>Annelise Savill</u>
RR-517	10025615	<u>Jimmy Sayle</u>
RR-518	10025617	<u>G.Shaw</u>
RR-519	10025619	<u>Margaret Haden-Scott</u>
RR-520	10025621	<u>Stephen Green</u>
RR-521	10025622	<u>Elizabeth Holliday</u>
RR-522	10025624	<u>Ann Pulford</u>
RR-523	10025625	<u>Norfolk Wildlife Trust</u>
RR-524	10025627	<u>Ann Ray</u>
RR-525	10025628	<u>Weston Longville Parish Council</u>
RR-526	10025629	<u>Felthorpe Parish Council</u>
RR-527	10025630	<u>Mrs J Robson</u>
RR-528	10025631	<u>Greg Brown</u>
RR-529	10025632	<u>Wroxham Barns Ltd</u>
RR-530	10025633	<u>Mrs Elizabeth Hayward</u>
RR-531	10025634	<u>Mrs B Hollis-Graves</u>
RR-532	10025635	<u>Suzane Cunningham</u>
RR-533	10025636	<u>Michael James</u>
RR-534	10025637	<u>Dr Robert Cunningham</u>
RR-535	10025638	<u>Stacey Lane</u>
RR-536	10025639	<u>Nigel Haystead</u>
RR-537	10025640	<u>Graham Everett</u>
RR-538	10025641	<u>Paul Newson</u>
RR-539	10025644	<u>Derek Barratt</u>

RR-540	10025645	<u>Anne Dismorr</u>
RR-541	10025646	<u>Brian Cleland</u>
RR-542	10025647	<u>Kim Shearwood</u>
RR-543	10025648	<u>James Porter</u>
RR-544	10025649	<u>Mark Smith</u>
RR-545	10025650	<u>Susan Brown</u>
RR-546	10025651	<u>Mrs Christine Bolton</u>
RR-547	10025652	<u>Angela Smith</u>
RR-548	10025653	<u>R Anastasiou</u>
RR-549	10025654	<u>Christina Jimenez</u>
RR-550	10025656	<u>Kenneth Cushing</u>
RR-551	10025657	<u>Anita Humphreys</u>
RR-552	10025658	<u>R Coles</u>
RR-553	10025659	<u>Jeff Granger</u>
RR-554	10025660	<u>O Dennington-Price</u>
RR-555	10025661	<u>Jane Bouttell</u>
RR-556	10025662	<u>Mr A Gray</u>
RR-557	10025663	<u>Alan Haines</u>
RR-558	10025664	<u>R. James</u>
RR-559	10025665	<u>Mr Roger Taylor</u>
RR-560	10025666	<u>Margaret Gray</u>
RR-561	10025667	<u>Shaun Smith</u>
RR-562	10025668	<u>Tim Jones</u>
RR-563	10025669	<u>David Ramsbotham</u>
RR-564	10025670	<u>Brian Walker</u>

RR-565	10025671	<u>Matt Wildash</u>
RR-566	10025672	<u>Paula Wildash</u>
RR-567	10025673	<u>Mark Pulling</u>
RR-568	10025674	<u>Joanne Rowell</u>
RR-569	10025675	<u>Julia Hyland</u>
RR-570	10025676	<u>Jonathan Hooton</u>
RR-571	10025677	<u>Marion Gaskin</u>
RR-572	10025678	<u>Elizabeth Wells</u>
RR-573	10025679	<u>Lucy Galvin</u>
RR-574	10025680	<u>Lawson Howe</u>
RR-575	10025681	<u>Sallie Rice</u>
RR-576	10025682	<u>MP for Norwich North</u>
RR-577	10025683	<u>John Woodhouse</u>
RR-578	10025685	<u>Ruth O'Beney</u>
RR-579	10025686	<u>Ms.B.Dickins</u>
RR-580	10025687	<u>Roger Miah</u>
RR-581	10025688	<u>Julia Hook</u>
RR-582	10025689	<u>Steven Jefferson</u>
RR-583	10025692	<u>John Bardell</u>
RR-584	10025695	<u>Anthony Richardson</u>
RR-585	10025696	<u>Tim York</u>
RR-586	10025697	<u>Professor John Greenaway</u>
RR-587	10025698	<u>Sue Bilbie</u>
RR-588	10025699	<u>Spixworth Parish Council</u>
RR-589	10025700	<u>Sheila Earl</u>
RR-590	10025701	<u>Eunice Hutchin</u>

RR-591	10025703	<u>Robin Earl</u>
RR-592	10025704	<u>David Clague</u>
RR-593	10025705	<u>The Original Cottage Company</u>
RR-594	10025706	<u>Pat Barker-Green</u>
RR-595	10025707	<u>Mathew Goodson</u>
RR-596	10025708	<u>Hester Earl</u>
RR-597	10025709	<u>N Wolsey</u>
RR-598	10025710	<u>David Arkieson</u>
RR-599	10025711	<u>Charles Nevick</u>
RR-600	10025712	<u>Glenn Carter</u>
RR-601	10025713	<u>B Gooderham</u>
RR-602	10025714	<u>Mr D I Owen</u>
RR-603	10025715	<u>Ben Price</u>
RR-604	10025716	<u>M Albinson</u>
RR-605	10025717	<u>Eastern Region Green Party</u>
RR-606	10025719	<u>Paul Jeater</u>
RR-607	10025720	<u>Holiday Inn Norwich North / Holiday Inn Norwich City</u>
RR-608	10025721	<u>Rebecca Blum</u>
RR-609	10025722	<u>Lucy Parkes</u>
RR-610	10025723	<u>Mrs E Buckingham</u>
RR-611	10025724	<u>P. Simmons</u>
RR-612	10025726	<u>Paul Megson</u>
RR-613	10025727	<u>John F Bugg</u>
RR-614	10025728	<u>David Gate</u>
RR-615	10025729	<u>Emma Lawrence</u>

RR-616	10025730	<u>Miss Fielding</u>
RR-617	10025732	<u>Rhado Kerrigan</u>
RR-618	10025733	<u>Jacob Sanders</u>
RR-619	10025734	<u>Nikki Young</u>
RR-620	10025735	<u>Jacqueline Empson-High</u>
RR-621	10025736	<u>Alan Coddington</u>
RR-622	10025737	<u>Jonathan Smith</u>
RR-623	10025738	<u>Pippa Nurse</u>
RR-624	10025740	<u>Kevin Hawker</u>
RR-625	10025741	<u>Nick Hough</u>
RR-626	10025743	<u>Martin Baker</u>
RR-627	10025744	<u>David Tandy</u>
RR-628	10025745	<u>Damian Holmes</u>
RR-629	10025748	<u>Elizabeth Sidebottom</u>
RR-630	10025749	<u>Gareth Marston</u>
RR-631	10025751	<u>Cynthia Macdonald</u>
RR-632	10025752	<u>Norwich Green Party</u>
RR-633	10025754	<u>Councillor (Dr) Andrew Boswell</u>
RR-634	10025755	<u>Dr Susan Strickland</u>
RR-635	10025756	<u>Drayton Farms Limited</u>
RR-636	10025757	<u>Terence Dawson</u>
RR-637	10025758	<u>Robert Gledhill</u>
RR-638	10025759	<u>Sally Butler</u>
RR-639	10025760	<u>David and Sally Jacobs</u>
RR-640	10025761	<u>Helen Cavell</u>

RR-641	10025762	<u>J Medler Haulage CO LTD</u>
RR-642	10025763	<u>Norwich Business Improvement District (BID) Ltd</u>
RR-643	10025764	<u>Rosemary Woods</u>
RR-644	10025765	<u>Ms Sue Haward</u>
RR-645	10025766	<u>Great Yarmouth Borough Council</u>
RR-646	10025767	<u>Mr James Andrew Tate</u>
RR-647	10025768	<u>Julie Waller</u>
RR-648	10025769	<u>Sands Agricultural Machinery Ltd</u>
RR-649	10025771	<u>Federation of Small Businesses, Mid Norfolk Branch</u>
RR-650	10025772	<u>Neil Blunt</u>
RR-651	10025773	<u>Anthony Aldous</u>
RR-652	10025775	<u>Jean Aldous</u>
RR-653	10025776	<u>Paul Elsegood</u>
RR-654	10025777	<u>Elisabeth Charlish</u>
RR-655	10025778	<u>Noel Pegg</u>
RR-656	10025779	<u>Graham Charlish</u>
RR-657	10025780	<u>Nicholas Olney</u>
RR-658	10025781	<u>Robert Shearwood</u>
RR-659	10025782	<u>Michael Walters</u>
RR-660	10025783	<u>Brian Witty</u>
RR-661	10025784	<u>Jamie Wilkin</u>
RR-662	10025786	<u>Peter Roe</u>
RR-663	10025787	<u>Stephen Baker</u>
RR-664	10025788	<u>Mrs Caroline Buckman</u>
RR-665	10025791	<u>Philip Whitehead</u>

RR-666	10025792	<u>Linda Bright</u>
RR-667	10025793	<u>Ms Vickers</u>
RR-668	10025800	<u>Jacqueline Betty Alden</u>
RR-669	10025801	<u>Andrew Jordan</u>
RR-670	10025802	<u>Patrick Barkham</u>
RR-671	10025803	<u>Stuart Hards</u>
RR-672	10025804	<u>Stop Norwich Urbanisation (SNUB)</u>
RR-673	10025805	<u>Robin Carman</u>
RR-674	10025806	<u>Tim Beeden</u>
RR-675	10025807	<u>Dan Cox</u>
RR-676	10025808	<u>Lynne Cutts</u>
RR-677	10025809	<u>Clare Marshall</u>
RR-678	10025810	<u>Mrs E Beeden</u>
RR-679	10025811	<u>Stephen McKelvey</u>
RR-680	10025812	<u>Sheila Ashford</u>
RR-681	10025813	<u>Norwich Airport Limited</u>
RR-682	10025814	<u>North Walsham Chamber for Business</u>
RR-683	10025815	<u>Michael Laflin</u>
RR-684	10025816	<u>Mr. Roy Schofield</u>
RR-685	10025817	<u>Mrs. Margaret Schofield</u>
RR-686	10025818	<u>David Staples</u>
RR-687	10025819	<u>Paul Peck</u>
RR-688	10025823	<u>Timewell Properties Ltd t/a Blue Sky Leisure</u>
RR-689	10025824	<u>Samir Jeraj</u>
RR-690	10025825	<u>Georgina Stedman</u>
RR-691	10025826	<u>Mr R McPherson</u>

RR-692	10025827	<u>John Hare</u>
RR-693	10025829	<u>Visit North Norfolk Coast and Countryside</u>
RR-694	10025830	<u>Lucy Howard</u>
RR-695	10025832	<u>Katy Jones</u>
RR-696	10025833	<u>Samantha Maxey</u>
RR-697	10025834	<u>Nicky Rowbottom</u>
RR-698	10025835	<u>John Ranson</u>
RR-699	10025836	<u>Marguerite Finn</u>
RR-700	10025837	<u>Sandra Hughes</u>
RR-701	10025838	<u>Stanley Cutts</u>
RR-702	10025839	<u>Juliet Wimhurst</u>
RR-703	10025840	<u>Clive Jarrett</u>
RR-704	10025841	<u>Margaret Garwood</u>
RR-705	10025842	<u>Mrs Sharon Starling</u>
RR-706	10025843	<u>Ifield Estates</u>
RR-707	10025844	<u>Rod Champkin</u>
RR-708	10025846	<u>Mr Christopher H J Cockcroft</u>
RR-709	10025847	<u>Mr R McQueen</u>
RR-710	10025848	<u>James Hupton</u>
RR-711	10025849	<u>Mrs Stephenson</u>
RR-712	10025850	<u>David Gafford</u>
RR-713	10025851	<u>Karen Sayer</u>
RR-714	10025852	<u>Claire Latham</u>
RR-715	10025853	<u>J W Utting</u>
RR-716	10025854	<u>Glenis Humphries</u>

RR-717	10025855	<u>B.J. Savory</u>
RR-718	10025856	<u>Annie Green-Armytage</u>
RR-719	10025857	<u>Miss Heather Enid Wells</u>
RR-720	10025858	<u>Peter Ross</u>
RR-721	10025859	<u>Simon Norton</u>
RR-722	10025860	<u>Mr Ra Halliday</u>
RR-723	10025861	<u>Sara Read</u>
RR-724	10025862	<u>Mrs Olive Halliday</u>
RR-725	10025864	<u>Annelies Hall</u>
RR-726	10025865	<u>Deepak Rughani</u>
RR-727	10025866	<u>Judy Sinclair</u>
RR-728	10025867	<u>Hockering Parish Council</u>
RR-729	10025868	<u>Richard Bearman</u>
RR-730	10025869	<u>Barry Shorten</u>
RR-731	10025870	<u>Christopher Squire</u>
RR-732	10025872	<u>D. Taylor</u>
RR-733	10025873	<u>T W Norton</u>
RR-734	10025875	<u>Jane Saunders</u>
RR-735	10025878	<u>Stephanie Howard</u>
RR-736	10025879	<u>North Norfolk District Council</u>
RR-737	10025880	<u>John Adam</u>
RR-738	10025882	<u>Susan Percival</u>
RR-739	10025883	<u>Briggs</u>
RR-740	10025885	<u>M.J. Harriet Carter</u>
RR-741	10025886	<u>CPRE Essex</u>
RR-742	10025887	<u>DL Raby</u>

RR-743	10025888	<u>Jon Starling</u>
RR-744	10025889	<u>Campaign for Better Transport</u>
RR-745	10025890	<u>Paul Wilkinson</u>
RR-746	10025891	<u>Kate Fielden</u>
RR-747	10025892	<u>Paul Neale</u>
RR-748	10025894	<u>Miss K.M. Bowhill</u>
RR-749	10025895	<u>Mr S. O</u>
RR-750	10025896	<u>Mr M.J. Williamson</u>
RR-751	10025897	<u>Tom Druitt</u>
RR-752	10025898	<u>Brenda Pollack</u>
RR-753	10025899	<u>Mrs Stephanie Byng</u>
RR-754	10025900	<u>J.R.W. le Grice</u>
RR-755	10025901	<u>Stephen Dowson</u>
RR-756	10025902	<u>Sue Weatherburn</u>
RR-757	10025903	<u>Laurence Smith</u>
RR-758	10025904	<u>Network Rail Infrastructure Limited</u>
RR-759	10025907	<u>Drayton Hall Park Residents</u>
RR-760	10025908	<u>National Grid Gas Plc</u>
RR-761	10025910	<u>Michael Eyre</u>
RR-762	10025911	<u>Legislator 1657 Ltd</u>
RR-763	10025912	<u>Norfolk Broads Direct Limited</u>
RR-764	10025913	<u>E. Fletcher</u>
RR-765	10025914	<u>Mr Larry Beck</u>
RR-766	10025915	<u>Christine Parker</u>
RR-767	10025917	<u>Jenny Raggett</u>

RR-768	10025918	<u>Helen Baczkowska</u>
RR-769	10025919	<u>Michael Cole</u>
RR-770	10025920	<u>Marion Elizabeth Cole</u>
RR-771	10025922	<u>Derek Edward Richardson</u>
RR-772	10025923	<u>John Buttifant</u>
RR-773	10025924	<u>Mr T Shaw</u>
RR-774	10025925	<u>Richard R Laxen</u>
RR-775	10025926	<u>Robin Beaven</u>
RR-776	10025927	<u>Mr Wolfe</u>
RR-777	10025928	<u>Michael Cary</u>
RR-778	10025931	<u>Phil Belden</u>
RR-779	10025932	<u>John H. Brogden</u>
RR-780	10025933	<u>Karen Richardson</u>
RR-781	10025934	<u>Chris Bluemel</u>
RR-782	10025936	<u>David Abraham</u>
RR-783	10025937	<u>Scrone Limited</u>
RR-784	10025938	<u>Elizabeth Boddy</u>
RR-785	10025939	<u>Ben McQuillin</u>
RR-786	10025940	<u>Gordon Hardie</u>
RR-787	10025941	<u>Peter Offord</u>
RR-788	10025943	<u>Andrea Rippon</u>
RR-789	10025944	<u>Jonathan Andrew Hill</u>
RR-790	10025945	<u>Frontbench Ltd</u>
RR-791	10025946	<u>Lady Prince-Smith</u>
RR-792	10025947	<u>Christine Wilson</u>
RR-793	10025948	<u>Antoinette Berry</u>

RR-794	10025951	<u>Henrietta Cassidy</u>
RR-795	10025952	<u>Louise Utting</u>
RR-796	10025954	<u>Andy Pritchett</u>
RR-797	10025955	<u>R G W Carter Will Trust</u>
RR-798	10025957	<u>Roger Cavell</u>
RR-799	10025960	<u>Mark E Dunn</u>
RR-800	10025962	<u>Mrs J Hopwood</u>
RR-801	10025963	<u>Ian Boreham</u>
RR-802	10025965	<u>Paige Mitchell</u>
RR-803	10025966	<u>David Smith</u>
RR-804	10025967	<u>C Temple-Richards</u>
RR-805	10025968	<u>Sophie Hill</u>
RR-806	10025969	<u>Roy Waller</u>
RR-807	10025970	<u>P Barber</u>
RR-808	10025971	<u>Alan Mortram</u>
RR-809	10025974	<u>Mrs Stephanie Heath</u>
RR-810	10025979	<u>Noel Dew</u>
RR-811	10025980	<u>Peter Kirk</u>
RR-812	10025981	<u>Paul Burfield</u>
RR-813	10025982	<u>Olivia Hanks</u>
RR-814	10025983	<u>Rita Dew</u>
RR-815	10025984	<u>Campaign to Protect Rural England</u>
RR-816	10025985	<u>Steve Wagland</u>
RR-817	10025986	<u>North Norfolk Business Forum</u>
RR-818	10025987	<u>James Matthews</u>

RR-819	10025989	<u>Sandra Bogelein</u>
RR-820	10025990	<u>City Lettings (Norwich) Ltd</u>
RR-821	10025991	<u>etc..(East Anglia) Ltd</u>
RR-822	10025994	<u>Andrew Howard</u>
RR-823	10025995	<u>Salhouse Parish Council</u>
RR-824	10025996	<u>Fastolff Business Centres</u>
RR-825	10025997	<u>Susan Dye</u>
RR-826	10025998	<u>J P Shanks</u>
RR-827	10026000	<u>Cozens Lighting</u>
RR-828	10026001	<u>English Heritage</u>
RR-829	10026002	<u>The Howe Family</u>
RR-830	10026003	<u>Biofuelwatch</u>
RR-831	10026004	<u>Mrs. V.A.Smith (t/a S.J.Smith)</u>
RR-832	10026006	<u>M Parlar</u>
RR-833	10026007	<u>Charles Birch</u>
RR-834	10026008	<u>Richard Bacon MP</u>
RR-835	10026010	<u>R E T Gurney and S E Gurney & Partners</u>
RR-836	10026011	<u>CBI East of England</u>
RR-837	10026013	<u>Environment Agency</u>
RR-838	10026014	<u>Russell Nicholls</u>
RR-839	10026015	<u>Lorna Webb</u>
RR-840	10026016	<u>Mrs Mary Ash</u>
RR-841	10026017	<u>Public Health England</u>
RR-842	10026018	<u>Dr Anthony Wright</u>
RR-843	10026019	<u>Broads Society</u>
RR-844	10026020	<u>Rinaldo</u>

RR-845	10026021	<u>Anthony Moore</u>
RR-846	10026022	<u>Mrs Julie Flanders</u>
RR-847	10026024	<u>Verna E Gage</u>
RR-848	10026025	<u>David Jesse</u>
RR-849	10026026	<u>H Shanks</u>
RR-850	10026027	<u>Derek Trollope</u>
RR-851	10026028	<u>DJP Harris</u>
RR-852	10026029	<u>Derek Pardey</u>
RR-853	10026031	<u>Michael Cropley</u>
RR-854	10026032	<u>Sally Godwin</u>
RR-855	10026034	<u>James Froud</u>
RR-856	10026041	<u>Peter Crouch</u>
RR-857	10026042	<u>Mrs Rachel Foley</u>
RR-858	10026044	<u>North Norfolk Green Party</u>
RR-859	10026045	<u>Rachel Burt</u>
RR-860	10026046	<u>A.J. Mitchell</u>
RR-861	10026047	<u>Visit Norwich Ltd</u>
RR-862	10026048	<u>Kate Reeve</u>
RR-863	10026050	<u>Jamie W T Fox</u>
RR-864	10026051	<u>John Dack</u>
RR-865	10026052	<u>David Rogers</u>
RR-866	10026053	<u>William Wales</u>
RR-867	10026054	<u>Maddie Parisio</u>
RR-868	10026056	<u>Natural England</u>
RR-869	10026057	<u>Norfolk Association of Architects</u>

RR-870	10026058	<u>Philip Ramsay</u>
RR-871	10026059	<u>Ritchie Simmonds</u>
RR-872	10026060	<u>Marion Amos</u>
RR-873	10026061	<u>Julian Woods</u>
RR-874	10026062	<u>S N Lowther</u>
RR-875	10026063	<u>John Knights</u>
RR-876	10026064	<u>Michael Braithwaite</u>
RR-877	10026065	<u>David Ward</u>
RR-878	10026066	<u>Danny Kett</u>
RR-879	10026067	<u>Mike Stone</u>
RR-880	10026068	<u>Anthony Bradnum</u>
RR-881	10026069	<u>Ben Peirson</u>
RR-882	10026071	<u>Geoffrey Brace</u>
RR-883	10026072	<u>Lisa Hamill</u>
RR-884	10026073	<u>Adrian Dearnley</u>
RR-885	10026074	<u>Dave Allen</u>
RR-886	10026075	<u>Lydia Lawrence</u>
RR-887	10026076	<u>The Norwich Society</u>
RR-888	10026077	<u>Christopher Gardiner</u>
RR-889	10026078	<u>George Thompson</u>
RR-890	10026079	<u>Cromer Town Council</u>
RR-891	10026081	<u>Patricia Conway</u>
RR-892	10026082	<u>Jean Danks</u>
RR-893	10026083	<u>Sarah knights</u>
RR-894	10026084	<u>Richard Turner</u>
RR-895	10026085	<u>Ian Marshall</u>

RR-896	10026086	<u>Anthony Forster</u>
RR-897	10026088	<u>Paula Foster</u>
RR-898	10026089	<u>Derek James Stubbs</u>
RR-899	10026090	<u>Greenhouse</u>
RR-900	10026091	<u>John Postle</u>
RR-901	10026092	<u>Bob Ellis</u>
RR-902	10026093	<u>John Manson</u>
RR-903	10026094	<u>John Burrell</u>
RR-904	10026095	<u>Carl Hughes</u>
RR-905	10026096	<u>Mr Graham Phillips</u>
RR-906	10026097	<u>Colney Parish Meeting</u>
RR-907	10026100	<u>Harry Mather</u>
RR-908	10026101	<u>Kevin O</u>
RR-909	10026102	<u>Hazel Anne Martin</u>
RR-910	10026103	<u>E Walker</u>
RR-911	10026104	<u>Mrs J A Turner</u>
RR-912	10026105	<u>Mr Mel Dobbs</u>
RR-913	10026107	<u>Robert Wordsworth</u>
RR-914	10026108	<u>Norman Cockburn</u>
RR-915	10026109	<u>Christopher Webb</u>
RR-916	10026110	<u>Mr David Wilde</u>
RR-917	10026111	<u>Dr C A Ashley</u>
RR-918	10026112	<u>Jane Moyse</u>
RR-919	10026113	<u>Nick Le Neve Walmsley</u>
RR-920	10026114	<u>John Francis</u>

RR-921	10026115	<u>Joanna Smith</u>
RR-922	10026116	<u>Stephanie Wolfe</u>
RR-923	10026117	<u>Robert Bilbie</u>
RR-924	10026118	<u>W R & P J Tann</u>
RR-925	10026119	<u>Chris Bishop</u>
RR-926	10026120	<u>Mrs Karen Earp</u>
RR-927	10026121	<u>Andrew Bowen</u>
RR-928	10026122	<u>Cromer and District Chamber of Trade and Commerce</u>
RR-929	10026123	<u>Stephanie Plackett</u>
RR-930	10026124	<u>P Key Esq</u>
RR-931	10026125	<u>Bee Korn</u>
RR-932	10026126	<u>Mr and Mrs D Jacobs</u>
RR-933	10026127	<u>J Blake Esq</u>
RR-934	10026128	<u>Phil Hardy</u>
RR-935	10026129	<u>Sophie Chollet</u>
RR-936	10026130	<u>Paul Hill</u>
RR-937	10026131	<u>Nick Winn</u>
RR-938	10026132	<u>Doreen Scott</u>
RR-939	10026133	<u>Gerald Fowler</u>
RR-940	10026134	<u>Caroline Brimblecombe</u>
RR-941	10026135	<u>Suki</u>
RR-942	10026136	<u>Ian Davidson</u>
RR-943	10026137	<u>Nigel Brown</u>
RR-944	10026138	<u>Keith Bindley</u>
RR-945	10026139	<u>Mrs Southon</u>

RR-946	10026140	<u>Mary Farrell</u>
RR-947	10026141	<u>Colin Ford</u>
RR-948	10026143	<u>J Mikaiel</u>
RR-949	10026144	<u>Poppy Buller</u>
RR-950	10026145	<u>Mrs Lisa Mikiel</u>
RR-951	10026146	<u>Kevin Wade</u>
RR-952	10026147	<u>Scott Budds</u>
RR-953	10026149	<u>Richard Cook</u>
RR-954	10026150	<u>Paul Charlick</u>
RR-955	10026151	<u>Wroxham Parish Council</u>
RR-956	10026153	<u>Stephen McConnell</u>
RR-957	10026154	<u>Gillian McConnell</u>
RR-958	10026155	<u>Objectives Reached</u>
RR-959	10026156	<u>Phillip Goodall</u>
RR-960	10026157	<u>Henry Caswell</u>
RR-961	10026158	<u>Aaron Joyce</u>
RR-962	10026159	<u>Wensum Valley Hotel and Golf Club</u>
RR-963	10026160	<u>Mrs J Aldous</u>
RR-964	10026161	<u>L Peake</u>
RR-965	10026162	<u>James Brown</u>
RR-966	10026163	<u>John Fox</u>
RR-967	10026164	<u>Norfolk Living Streets</u>
RR-968	10026165	<u>Philip Charles Hunt</u>
RR-969	10026166	<u>Hazel Brain</u>
RR-970	10026167	<u>Melody Wright</u>
RR-971	10026168	<u>R A Brown Heating Services Ltd</u>

RR-972	10026169	<u>Lois Hill</u>
RR-973	10026170	<u>Robert Brown</u>
RR-974	10026172	<u>Anne Weber</u>
RR-975	10026173	<u>Claire Stephenson</u>
RR-976	10026174	<u>Norwich Cycling Campaign</u>
RR-977	10026175	<u>Tony Brain</u>
RR-978	10026176	<u>Reuben Greasley</u>
RR-979	10026177	<u>Terence Harris</u>
RR-980	10026178	<u>Rose Baulcombe</u>
RR-981	10026179	<u>Sophie Utting</u>
RR-982	10026180	<u>John Hurst</u>
RR-983	10026181	<u>Caroline Jury</u>
RR-984	10026182	<u>Emma Jones</u>
RR-985	10026183	<u>T Churcher</u>
RR-986	10026184	<u>John Hurst</u>
RR-987	10026185	<u>Kevin Parker</u>
RR-988	10026187	<u>Nicholas Carver</u>
RR-989	10026188	<u>Mrs Veronica Baldwin</u>
RR-990	10026189	<u>Mr Stephen Curtis</u>
RR-991	10026190	<u>Steven Page</u>
RR-992	10026191	<u>Rowan Gavin</u>
RR-993	10026192	<u>Roger Pymer</u>
RR-994	10026193	<u>M.A.Lee</u>
RR-995	10026194	<u>Mrs. D.G. le Grice</u>
RR-996	10026195	<u>Stephen Weber</u>

RR-997	10026196	<u>Michael R Delph</u>
RR-998	10026197	<u>Mrs Jill Loan</u>
RR-999	10026198	<u>David Sparrow</u>
RR-1000	10026199	<u>John Hovell</u>
RR-1001	10026200	<u>Maggie Page</u>
RR-1002	10026201	<u>Gilbert Wright</u>
RR-1003	10026202	<u>Sylvia Grimmer</u>
RR-1004	10026203	<u>Elisabeth Moy</u>
RR-1005	10026204	<u>Riccardo Morabito</u>
RR-1006	10026205	<u>Ms. Carol Long</u>
RR-1007	10026206	<u>Will Stewart</u>
RR-1008	10026207	<u>Julia Kemp</u>
RR-1009	10026208	<u>John Nuttall</u>
RR-1010	10026209	<u>S Gann</u>
RR-1011	10026210	<u>Jim Elliott</u>
RR-1012	10026211	<u>Paul Taylor</u>
RR-1013	10026212	<u>Raymond Dennis Baker</u>
RR-1014	10026213	<u>Paul Lancaster</u>
RR-1015	10026214	<u>Paul Greef</u>
RR-1016	10026215	<u>Paul Coppard</u>
RR-1017	10026216	<u>Paula Blyth</u>
RR-1018	10026217	<u>Cecil Hughes</u>
RR-1019	10026220	<u>David Dennengton</u>
RR-1020	10026221	<u>Andrew Smith</u>
RR-1021	10026222	<u>Roger Lynes</u>
RR-1022	10026223	<u>Sian Berry</u>

RR-1023	10026225	<u>Cassie Tillett</u>
RR-1024	10026226	<u>Richard Tagg</u>
RR-1025	10026227	<u>Stephen Piper</u>
RR-1026	10026228	<u>Ken Saul</u>
RR-1027	10026229	<u>Ruth Goodall</u>
RR-1028	10026230	<u>Richard C Thirkettle</u>
RR-1029	10026231	<u>John Lester</u>
RR-1030	10026232	<u>Campaign for Better Transport - East Sussex</u>
RR-1031	10026233	<u>Lisa Freaney</u>
RR-1032	10026234	<u>Mrs M Haw</u>
RR-1033	10026235	<u>M. R. Ferm</u>
RR-1034	10026236	<u>Alan Middleton</u>
RR-1035	10026237	<u>Gordon A Denton</u>
RR-1036	10026238	<u>David Whayman</u>
RR-1037	10026239	<u>Paula Starling</u>
RR-1038	10026240	<u>Christine Ross</u>
RR-1039	10026241	<u>Joanne Hodds</u>
RR-1040	10026242	<u>Tim Hook</u>
RR-1041	10026243	<u>Rebecca Durant</u>
RR-1042	10026244	<u>Dr Susanna Alexander</u>
RR-1043	10026245	<u>Stephen Richard Buckle</u>
RR-1044	10026246	<u>Miss A Giles</u>
RR-1045	10026248	<u>Martin Edwards</u>
RR-1046	10026249	<u>Beard</u>
RR-1047	10026250	<u>Rachel Lane</u>

RR-1048	10026251	<u>Claire Uttley</u>
RR-1049	10026252	<u>Peter Cushing</u>
RR-1050	10026253	<u>Felicity Tanous</u>
RR-1051	10026254	<u>Colin Spelman</u>
RR-1052	10026255	<u>Matthew Reeve</u>
RR-1053	10026256	<u>Joan Baker</u>
RR-1054	10026257	<u>Norwich and Norfolk Transport Action Group</u>
RR-1055	10026258	<u>Mrs Patricia Thorpe</u>
RR-1056	10026259	<u>Richard Thorpe</u>
RR-1057	10026260	<u>Justin Cohu</u>
RR-1058	10026262	<u>Roger James Bell</u>
RR-1059	10026264	<u>Maureen Begley</u>
RR-1060	10026265	<u>Alex Cassam</u>
RR-1061	10026266	<u>Brian Buller</u>
RR-1062	10026268	<u>Mrs Susan Dingle</u>
RR-1063	10026269	<u>John Staveley</u>
RR-1064	10026270	<u>Ms Dinah Berry</u>
RR-1065	10026271	<u>Sam Church</u>
RR-1066	10026272	<u>Mrs Dora Pudge</u>
RR-1067	10026273	<u>Chris Wood</u>
RR-1068	10026274	<u>Rachel Watson</u>
RR-1069	10026275	<u>Mr. Parkinson</u>
RR-1070	10026276	<u>Val Thomas</u>
RR-1071	10026278	<u>Chris Crean</u>
RR-1072	10026279	<u>Patrick Hewins</u>
RR-1073	10026280	<u>Maria Veronese</u>

RR-1074	10026281	<u>Julie Marriott</u>
RR-1075	10026283	<u>Greta V Seymour</u>
RR-1076	10026284	<u>Sally Wilson-town</u>
RR-1077	10026287	<u>Frances Hornett</u>
RR-1078	10026288	<u>Christine Way</u>
RR-1079	10026289	<u>Hayden Marriott</u>
RR-1080	10026290	<u>Nigel Howard</u>
RR-1081	10026291	<u>Nigel Lodge</u>
RR-1082	10026292	<u>Sophie-Mae Routledge</u>
RR-1083	10026294	<u>Inner Space</u>
RR-1084	10026295	<u>Nigel Howard</u>
RR-1085	10026296	<u>Terry Baxter</u>
RR-1086	10026297	<u>Jonathan Rush</u>
RR-1087	10026298	<u>Peter Morris</u>
RR-1088	10026299	<u>Jason Hunt</u>
RR-1089	10026300	<u>Elizabeth Dartford</u>
RR-1090	10026302	<u>Amy Reeve</u>
RR-1091	10026303	<u>Mary Routledge</u>
RR-1092	10026304	<u>Institute of Directors for Norfolk</u>
RR-1093	10026305	<u>Joanna Tyler</u>
RR-1094	10026306	<u>Andrew Wilson</u>
RR-1095	10026307	<u>Timothy Savage</u>
RR-1096	10026308	<u>N. Hardy</u>
RR-1097	10026309	<u>Tony Arthur Park</u>
RR-1098	10026310	<u>Joanna Jones</u>

RR-1099	10026311	<u>Louise Gorman</u>
RR-1100	10026312	<u>Moton on the Hill Parish Council</u>
RR-1101	10026313	<u>Audrey Elliott</u>
RR-1102	10026315	<u>Chris Wilson-Town</u>
RR-1103	10026316	<u>Jenn Parkhouse</u>
RR-1104	10026317	<u>Simon Brett</u>
RR-1105	10026318	<u>Paul Atterton</u>
RR-1106	10026319	<u>Christopher Wicks</u>
RR-1107	10026320	<u>Bryan Southon</u>
RR-1108	10026322	<u>Mark Fitzsimmons</u>
RR-1109	10026323	<u>Joan Saul</u>
RR-1110	10026324	<u>Mrs Linda Davis</u>
RR-1111	10026325	<u>Aaron Brown</u>
RR-1112	10026328	<u>Mrs Julie Cole</u>
RR-1113	10026329	<u>Nichola Joyce</u>
RR-1114	10026330	<u>Shona Moffat</u>
RR-1115	10026331	<u>Mrs Janet Miindham</u>
RR-1116	10026332	<u>Stephen Little</u>
RR-1117	10026333	<u>MR. Keith Roe</u>
RR-1118	10026334	<u>Mr David Johnson</u>
RR-1119	10026335	<u>Martin Stride</u>
RR-1120	10026336	<u>Lawrence Mikaiel</u>
RR-1121	10026337	<u>David Mather</u>
RR-1122	10026338	<u>Chris George</u>
RR-1123	10021812	<u>Peter Lanyon</u>
RR-1124	10022305	<u>Rosemary O'Donoghue</u>

RR-1125	10022346	<u>Roger C Brown</u>
RR-1126	10025294	<u>Ms A F Coles</u>
RR-1127	10022248	<u>Margherita Colombo</u>
RR-1128	10024544	<u>R & J.M. Place Ltd/Frontbench Ltd</u>
RR-1129	10025504	<u>Mrs D.J.Stubbs</u>
RR-1130	10025655	<u>Mrs A Blyth</u>
RR-1131	10019322	<u>Godfrey Sayers</u>
RR-1132	10021990	<u>R G Carter Farms Limited</u>
RR-1133	NNDR-0094	<u>Mrs J Sullivan</u>
RR-1134	NNDR-0110	<u>Mrs J K Ducker</u>
RR-1135	NNDR-0055	<u>D Barber</u>
RR-1136	NNDR-0057	<u>Mr M Jenner</u>
RR-1137	NNDR-0050	<u>Mrs Anne Unwin</u>
RR-1138	NNDR-0096	<u>Mrs Doreen Dale</u>
RR-1139	NNDR - 0121	<u>Mrs P Bonomally</u>
RR-1140	NNDR-0091	<u>David Clarkson</u>
RR-1141	NNDR-0090	<u>Mr W Stone</u>
RR-1142	NNDR-0092	<u>Mrs Katie Finlayson</u>
RR-1143	NNDR-0095	<u>Mr Alan Dale</u>
RR-1144	NNDR-0048	<u>Mr Mervyn Read</u>
RR-1145	NNDR-0097	<u>Mr M Taylor</u>
RR-1146	NNDR-0099	<u>Mr Michael Potter</u>
RR-1147	NNDR-0002	<u>Mr Terry Grimes</u>
RR-1148	NNDR-0001	<u>Mr Asker</u>
RR-1149	NNDR-0006	<u>Mrs Heather Alexander</u>

RR-1150	NNDR-0004	<u>Mr Glyndon Jones</u>
RR-1151	NNDR-0060	<u>Mollie Howes</u>
RR-1152	NNDR-0101	<u>Mrs J Abel</u>
RR-1153	NNDR-0107	<u>Mr Rodney Purdy</u>
RR-1154	NNDR-0100	<u>Mrs Fiona Potter</u>
RR-1155	NNDR-0106	<u>Mr Valarie Purdy</u>
RR-1156	NNDR-0044	<u>Mr Peter Chamberlain</u>
RR-1157	NNDR-0045	<u>Jean Chamberlain</u>
RR-1158	NNDR-0042	<u>Mr Anthony Rossi CBE</u>
RR-1159	NNDR-0041	<u>Mrs Patricia Blythe</u>
RR-1160	NNDR-0082	<u>Mrs J Richardson</u>
RR-1161	NNDR-0030	<u>Rodney Bulldeath</u>
RR-1162	NNDR-0062	<u>Mr M Ives-Keeler</u>
RR-1163	NNDR-0116	<u>Mr A Haynes</u>
RR-1164	NNDR-0123	<u>Michael Dewing</u>
RR-1165	NNDR-0071	<u>Mr Peter Wilson</u>
RR-1166	NNDR-0075	<u>Mr Richard Bettinson</u>
RR-1167	NNDR-0009	<u>Mr Peter Croot</u>
RR-1168	NNDR-0112	<u>A Morris</u>
RR-1169	NNDR-0070	<u>Mr Trevor Clarke</u>
RR-1170	NNDR-0109	<u>Miss Hilary Brown</u>
RR-1171	NNDR-0012	<u>Mr Henry J Jones</u>
RR-1172	NNDR-0031	<u>Mr Tony Simkins</u>
RR-1173	NNDR-0021	<u>Mr Gordon Wicks</u>
RR-1174	NNDR-0022	<u>Mrs Wicks</u>
RR-1175	NNDR-0023	<u>Graham Jackson</u>

RR-1176	NNDR-0024	<u>Mr David Smith</u>
RR-1177	NNDR-0026	<u>Mr Richard Harlow</u>
RR-1178	NNDR-0028	<u>Dennis Dix</u>
RR-1179	NNDR-0029	<u>Margery Dix</u>
RR-1180	NNDR-0111	<u>Margaret Burton</u>
RR-1181	NNDR-0076	<u>Mrs Sue Bettinson</u>
RR-1182	NNDR-0093	<u>Mrs S Gamble</u>
RR-1183	NNDR-0068	<u>Raymond Walpole</u>
RR-1184	NNDR-0067	<u>Mr Marcus Davison</u>
RR-1185	NNDR-0019	<u>Mr Raymond Baker</u>
RR-1186	NNDR-0013	<u>Suzanne Hudson</u>
RR-1187	NNDR-0015	<u>Mr Cossey</u>
RR-1188	NNDR-0014	<u>Mrs Diana Rising</u>
RR-1189	NNDR-0017	<u>Mrs Winifred Sherwood</u>
RR-1190	NNDR-0117	<u>Mr John Woods</u>
RR-1191	NNDR-0037	<u>Mr Frank Oxborough</u>
RR-1192	NNDR-0038	<u>Mrs Oxborough</u>
Relevant Representations on the Proposed Provision		
RR-1193	<u>Anna Ellis</u>	
RR-1194	<u>Charles Emberson</u>	
RR-1195	<u>Mrs Cheshem-Panam</u>	
RR-1196	<u>Richard Woods</u>	

Correspondence

CR-001	<u>Norwich Distributor Road Certificate</u>
CR-002	<u>Breckland DC do not wish to submit an LIR</u>

CR-003	<u>Breckland DC do wish to submit an LIR</u>
CR-004	<u>Certificates of Compliance with Regs 7, 8 & 9 of the CA Regs</u>
CR-005	<u>Norfolk County Council – Letter outlining potential minor changes</u>
CR-006	<u>Norfolk County Council – Appendix A to letter</u>
CR-007	<u>Norfolk County Council – Appendix B to letter</u>
CR-008	<u>Norfolk County Council – Appendix C to letter</u>

Notifications

PI-001	<u>Norwich Distributor Road Section 55 Checklist</u>
PI-002	<u>Notification of Decision to Accept Application</u>
PI-003	<u>Post acceptance s51 advice to applicant</u>
PI-004	<u>Rule 4 & 6 letter</u>
PI-005	<u>Procedural decisions made following the Preliminary Meeting</u>
PI-006	<u>Rule 8</u>
PI-007	<u>Examining Authority's first questions</u>
PI-008	<u>Rule 9 Letter</u>
PI-009	<u>Rule 13 Letter</u>
PI-010	<u>The Examining Authority's second round of written questions</u>
PI-011	<u>Compulsory Acquisition Application Checklist</u>
PI-012	<u>Notification of decision to accept proposed compulsory acquisition of additional land as part of the application</u>
PI-013	<u>Examining Authority's Report on the Implications for European Sites</u>
PI-014	<u>Change of timetable</u>
PI-015	<u>Rule 17 Request – 5 November 2014</u>
PI-016	<u>Timetable for examination of proposed provision</u>
PI-017	<u>ExA's DCO</u>

PI-018	<u>Comparison DCO – ExA & NCC</u>
PI-019	<u>Notification of Completion of ExA Examination</u>
PI-020	<u>Option Comparative Table Requirements as advised</u>
Scoping Documents	
PI-021	<u>Applicant's Scoping Report</u>
PI-022	<u>Secretary of State's Scoping Opinion</u>
PI-023	<u>Transboundary Screening Matrix</u>

Preliminary Meeting	
Notifications of wish to speak at Preliminary Meeting on Monday 2 June 2014 (including agenda items wishing to discuss, and any submissions on matters not set out in the agenda)	
PM-001	<u>Peter Ross on behalf of Weston Longville Parish Council</u>
PM-002	<u>Anthony Rossi</u>
PM-003	<u>Les Gray</u>
PM-004	<u>Tony Clarke</u>
PM-005	<u>Mr & Mrs G Boden</u>
PM-006	<u>John Hurst</u>
PM-007	<u>Norfolk County Council</u>
PM-008	<u>John Elbro on behalf of Norwich Cycling Campaign</u>
PM-009	<u>Campaign to Protect Rural England - Norfolk</u>
PM-010	<u>Great and Little Plumstead Parish Council</u>
PM-011	<u>Andrew Boswell on behalf of Norwich Green Party</u>
PM-012	<u>Christine Patricia Way</u>
PM-013	<u>D Clague</u>
PM-014	<u>Jen Parkhouse</u>
PM-015	<u>Richard Hawker on behalf of Hockering Parish Council</u>

PM-016	<u>Stop Norwich Urbanisation</u>
PM-017	<u>Sophie Chollet</u>
PM-018	<u>Deepak Rughani</u>
PM-019	<u>Denise Carlo on behalf of Norwich & Norfolk Transport Action Group</u>
PM-020	<u>Jacqueline Alden</u>
PM-021	<u>Lesley Grahame</u>
PM-022	<u>Ashley Wilks</u>

Local Impact Reports & Statements of Common Ground

LIR-001	<u>Local Impact Report by Broadland District Council, Broads Authority, Norfolk County Council, Norwich City Council and South Norfolk Council</u>
LIR-002	<u>Local Impact Report by Breckland Council (late submission)</u>
SOG-001	<u>Statement of Common Ground - Introduction (NCC EX 06)</u>
SOG-002	<u>Statement of Common Ground between Norfolk County Council and Local Authorities (NCC EX 06)</u>
SOG-003	<u>Statement of Common Ground between Norfolk County Council and Statutory Organisations (NCC EX 06)</u>
SOG-004	<u>Statement of Common Ground between Norfolk County Council and Parish Councils (NCC EX 06)</u>
SOG-005	<u>Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 1 (NCC EX 06)</u>
SOG-006	<u>Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 2 (NCC EX 06)</u>
SOG-007	<u>Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 3 (NCC EX 06)</u>
SOG-008	<u>Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 4 (NCC EX 06)</u>
SOG-009	<u>Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 5 (NCC EX 06)</u>

SOG-010	<u>Statement of Common Ground between Norfolk County Council and Other Interested Parties Part 6 (NCC EX 06)</u>
SOG-011	<u>Statement of Common Ground between Norfolk County Council and Network Rail Infrastructure Ltd. (NCC EX 06)</u>
SOG-012	<u>Update to Statement of Common Ground between Norfolk County Council and Lothbury Property Trust Company Ltd (NCC EX 49)</u>
SOG-013	<u>Statement of Common between Norfolk County Council and Ground Broads Authority (NCC EX 60)</u>

Deadline 1

Report on status of negotiations with affected persons in respect of compulsory acquisition for each plot

D1-001	<u>Norfolk County Council's report on status of negotiations with affected persons in respect of compulsory acquisition for each plot (NCC EX 01)</u>
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Submissions from Norfolk County Council including information on improved document searching, the glossary, the complete application, and the contents table

D1-002	<u>Letter from Norfolk County Council regarding improved document searching of the NDR DCO</u>
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Deadline 2

Written Representations

D2-001	<u>Lennox Thomson on behalf of Berrys</u>
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D2-002	<u>Kim Shearwood</u>
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D2-003	<u>Tony Clarke</u>
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D2-004	<u>John Holmes</u>
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D2-005	<u>Brian Cleland</u>
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D2-006	<u>Barry Shorten</u>
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D2-007	<u>Melody Wright</u>
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D2-008	<u>Andrew Wilson</u>
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D2-009	<u>Jason Cantrill</u>
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D2-010	<u>D&P Colchester & W.A Whitmore</u>
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D2-011	<u>Anglian Water</u>
D2-012	<u>Michael Collar</u>
D2-013	<u>Marc Allen</u>
D2-014	<u>Les Gray</u>
D2-015	<u>Les Gray - Appendix A</u>
D2-016	<u>Les Gray - Appendix B</u>
D2-017	<u>Les Gray - Appendix C</u>
D2-018	<u>Les Gray - Appendix D</u>
D2-019	<u>Jim Papworth on behalf of Wroxham Home Farms</u>
D2-020	<u>Norman Castleton</u>
D2-021	<u>Christine Wilson</u>
D2-022	<u>Mr & Mrs Bulmer</u>
D2-023	<u>Phyll Hardie</u>
D2-024	<u>BJ & RV Plant</u>
D2-025	<u>Michael Rayner</u>
D2-026	<u>Jane Bouttell</u>
D2-027	<u>Keith Davies</u>
D2-028	<u>Peter Anderson</u>
D2-029	<u>Victor Brown</u>
D2-030	<u>Danny Kett</u>
D2-031	<u>Frances Bushnell</u>
D2-032	<u>Shan Barclay</u>
D2-033	<u>Cromer Town Council</u>
D2-034	<u>David Clague</u>
D2-035	<u>Mike Flett</u>

D2-036	<u>Campaign to Protect Rural England - Norfolk</u>
D2-037	<u>Spixworth Parish Council</u>
D2-038	<u>Tracey Burton</u>
D2-039	<u>Weston Longville Parish Council</u>
D2-040	<u>John Elbro</u>
D2-041	<u>Tony Clarke Part 1</u>
D2-042	<u>Tony Clarke Part 2</u>
D2-043	<u>Joint from CPRE Norfolk, Norwich Green Party, Norfolk and Norwich Transport Action Group, Stop Norwich Urbanisation and Hockering Parish Council</u>
D2-044	<u>Beeston Estate</u>
D2-045	<u>Bryan Robinson</u>
D2-046	<u>Chris Todd</u>
D2-047	<u>D Barrett, N Waller-Barrett & C Waller-Barrett</u>
D2-048	<u>E M Dewing Settlement</u>
D2-049	<u>Gurloque Settlement</u>
D2-050	<u>Hannah and Oliver Arnold</u>
D2-051	<u>Hockering Parish Council</u>
D2-052	<u>Jeremy Bartlett</u>
D2-053	<u>June Brooks</u>
D2-054	<u>Karl Basey</u>
D2-055	<u>Michael Innes</u>
D2-056	<u>Mr & Mrs Black</u>
D2-057	<u>Mr A Medler</u>
D2-058	<u>Mr and Mrs Howe & MR N Howe</u>
D2-059	<u>Mr B Bransom</u>
D2-060	<u>Mr Bunn</u>

D2-061	<u>Mr M and Miss J Keeler</u>
D2-062	<u>Mrs Barratt</u>
D2-063	<u>Mrs Bransom</u>
D2-064	<u>Mrs Foley</u>
D2-065	<u>Joint statement on behalf of National Grid Gas Plc and Norfolk County Council</u>
D2-066	<u>Norwich Green Party</u>
D2-067	<u>R Gurney</u>
D2-068	<u>Ruth Goodall</u>
D2-069	<u>Salhouse Parish Council</u>
D2-070	<u>Thorpe & Felthorpe Trust</u>
D2-071	<u>Trafford Trust Estate</u>
D2-072	<u>Natural England</u>
D2-073	<u>Patricia Fielding</u>
D2-074	<u>Norwich and Norfolk Transport Action Group</u>
D2-075	<u>Norwich and Norfolk Transport Action Group - Goodwin Report</u>
D2-076	<u>Norwich and Norfolk Transport Action Group Appendix A</u>
D2-077	<u>Drayton Parish Council</u>
D2-078	<u>Gail Mayhew</u>
D2-079	<u>Howe Family</u>
D2-080	<u>John Woods</u>
D2-081	<u>Norwich International Airport</u>
D2-082	<u>Peter Croot</u>
D2-083	<u>Richard Hawker</u>
D2-084	<u>Aaron Brown</u>
D2-085	<u>Environment Agency</u>

D2-086	<u>John Arnott</u>
D2-087	<u>Network Rail</u>
D2-088	<u>Old Catton Parish Council</u>
D2-089	<u>Sophie Chollet</u>
D2-090	<u>Tom Loudon</u>
D2-091	<u>Wroxham Parish Council</u>
D2-092	<u>Building Partnerships</u>
D2-093	<u>Edwina Knowles</u>
D2-094	<u>I M Witham</u>
D2-095	<u>Birketts on behalf of Trafford Estate of Wroxham</u>
D2-096	<u>Andrew Boswell</u>
D2-097	<u>Anthony Rossi</u>
D2-098	<u>Tony Clarke</u>
D2-099	<u>Andrew Cawdron</u>
D2-100	<u>Broads Authority</u>
D2-101	<u>Colney Parish Council</u>
D2-102	<u>Elizabeth Fletcher</u>
D2-103	<u>Graham Everett</u>
D2-104	<u>Graham Martin</u>
D2-105	<u>Great and Little Plumstead Parish Council</u>
D2-106	<u>Jason Hunt</u>
D2-107	<u>John Adam</u>
D2-108	<u>Lesley Grahame</u>
D2-109	<u>Margherita Columbo</u>
D2-110	<u>Mollie Howes</u>

D2-111	<u>Nicholas Olney</u>
D2-112	<u>North Norfolk Green Party</u>
D2-113	<u>Paul Marshall</u>
D2-114	<u>Robert Craggs</u>
D2-115	<u>Robert Robinson</u>
D2-116	<u>Roger Carter</u>
D2-117	<u>Simon Norton</u>
D2-118	<u>John Hurst</u>
D2-119	<u>Peter Wilkinson</u>
D2-120	<u>Sally Wright</u>
D2-121	<u>Gaia Shaw GP Fuel Allotment Charity (Late representation)</u>
D2-122	<u>Andrew Boswell on behalf of Norwich Green Party (Late representation - 11 July 2014)</u>

Deadline 3

Comments on Relevant Representations

D3-001	<u>Norfolk County Council (NCC EX 04)</u>
Notification of wish to speak at the open floor hearings on Tuesday 22 and Wednesday 23 July 2014	
D3-002	<u>Andrew Boswell</u>
D3-003	<u>Andrew Cawdron</u>
D3-004	<u>Ashley Wilks</u>
D3-005	<u>Barbara Staffa</u>
D3-006	<u>Brian Rose on behalf of Breckland District Council</u>
D3-007	<u>Bryan Robinson</u>
D3-008	<u>D Clague</u>
D3-009	<u>Deepak Rughani</u>
D3-010	<u>Gordon Bambridge</u>

D3-011	<u>Graham Everett</u>
D3-012	<u>Michael Innes</u>
D3-013	<u>Mollie Howes</u>
D3-014	<u>Norwich and Norfolk Transport Action Group</u>
D3-015	<u>Paul Claussen</u>
D3-016	<u>Peter Anderson</u>
D3-017	<u>Richard Bearman</u>
D3-018	<u>Rupert Read on behalf of the Eastern Region Green Party</u>
D3-019	<u>Tony Clarke on behalf of Cyclists Touring Club, Right to Ride</u>
D3-020	<u>Wayne Perry</u>
D3-021	<u>Alfred Townly</u>
D3-022	<u>Katy Jones on behalf of Campaign to Protect Rural England Norfolk</u>
D3-023	<u>Lesley Grahame (Green Party Councillor) on behalf of Thorpe Hamlet Ward</u>
D3-024	<u>Norwich Airport Limited</u>
D3-025	<u>Sandra Bogelein</u>
D3-026	<u>Michael Cary</u>
D3-027	<u>Phyll Hardie</u>
D3-028	<u>Stephen Heard, firstly on behalf of SNUB, and secondly on behalf of Salhouse Parish Council</u>
D3-029	<u>Kim and Robert Shearwood</u>
D3-030	<u>I. T. Smith</u>
D3-031	<u>Nicky Richards</u>
D3-032	<u>Vic Brown</u>
D3-033	<u>Roz Rose on behalf of Spixworth Parish Council</u>
D3-034	<u>Richard Hawker</u>

D3-035	<u>Mr. & Mrs. David Lord</u>
D3-036	<u>Lester Broome & Karen Campbell-Broome</u>
D3-037	<u>Ian Shepherd on behalf of Campaign to Protect Rural England Norfolk</u>
D3-038	<u>Peter Lanyon</u>
D3-039	<u>Les Gray</u>
D3-040	<u>John Staveley on behalf of Weston Longville Parish Council</u>
D3-041	<u>Frances Bushnell on behalf of Drayton Hall Park Residents' Association</u>
D3-042	<u>Graham Everett</u>
D3-043	<u>Graham Everett on behalf of Drayton Parish Council</u>
Notification of wish to participate in the accompanied site visit on Wednesday 23 July 2014	
D3-044	<u>Barry Staffa</u>
D3-045	<u>Mr & Mrs David Lord</u>
D3-046	<u>Mr and Mrs A Solomon</u>
D3-047	<u>Mrs R Rose on behalf of Spixworth Parish Council</u>
D3-048	<u>Norwich and Norfolk Transport Action Group</u>
D3-049	<u>Raymond Walpole</u>
Notification of wish to make oral representation at the issue specific hearing on Thursday 24 July 2014	
D3-050	<u>Norfolk County Council</u>
D3-051	<u>Norfolk County Council as Relevant Planning Authority</u>
D3-052	<u>Katie Scuoler on Behalf of Network Rail</u>
D3-053	<u>Katy Jones on behalf of Campaign to Protect Rural England Norfolk</u>
D3-054	<u>Nick Tribe on behalf of Natural England</u>
D3-055	<u>Ruth Goodall</u>

Deadline 4

Responses to ExA's first written questions	
D4-001	<u>Norfolk County Council (letter and response) (NCC EX 05)</u>
D4-002	<u>Norfolk County Council - Appendix A,B,C,D & E (NCC EX 05)</u>
D4-003	<u>Norfolk County Council - Appendix F,G,H,I & J (NCC EX 05)</u>
D4-004	<u>Norfolk County Council - Appendix K,L,M,N & O (NCC EX 05)</u>
D4-005	<u>Norfolk County Council - Appendix P Parts 1-5 (NCC EX 05)</u>
D4-006	<u>Norfolk County Council - Appendix Q (NCC EX 05)</u>
D4-007	<u>Norfolk County Council - Appendix R Parts 1-8 (NCC EX 05)</u>
D4-008	<u>Norfolk County Council - Appendix S Parts 1-7 (NCC EX 05)</u>
D4-009	<u>Norfolk County Council - Appendix T (NCC EX 05)</u>
D4-010	<u>Norfolk County Council - Appendix U (NCC EX 05)</u>
D4-011	<u>Norfolk County Council – Draft Landscape & Ecological Management Plan Part1 (NCC EX 50)</u>
D4-012	<u>Norfolk County Council – Draft Landscape & Ecological Management Plan Part 2 (NCC EX 50)</u>
D4-013	<u>Norfolk County Council – Draft Landscape & Ecological Management Plan Part 3 (NCC EX 50)</u>
D4-014	<u>Norfolk County Council – Draft Landscape & Ecological Management Plan Part 4 (NCC EX 50)</u>
D4-015	<u>Norfolk County Council – Draft Landscape & Ecological Management Plan Part 5 (NCC EX 50)</u>
D4-016	<u>Norfolk County Council – Draft Landscape & Ecological Management Plan Part 6 (NCC EX 50)</u>
D4-017	<u>Norfolk County Council – Draft Landscape & Ecological Management Plan Part 7 (NCC EX 50)</u>
D4-018	<u>Norwich City Council</u>
D4-019	<u>Campaign to Protect Rural England - Norfolk</u>
D4-020	<u>Environment Agency</u>
D4-021	<u>Les Gray</u>

D4-022	<u>Natural England</u>
D4-023	<u>Norfolk County Council as Relevant Planning Authority</u>
D4-024	<u>Norwich Airport</u>
D4-025	<u>Norwich and Norfolk Transport Action Group</u>
D4-026	<u>Broadland District Council (this has now been superseded)</u>
D4-027	<u>Broadland District Council (submitted late, to supersede previous submission)</u>
Comments on Written Representations	
D4-028	<u>Norfolk County Council's comments on written representations by various Landowners (NCC EX 07)</u>
D4-029	<u>Norfolk County Council's comments on written representation by Anglian Water (NCC EX 10)</u>
D4-030	<u>Norfolk County Council's comments on written representation by Broads Authority (NCC EX 11)</u>
D4-031	<u>Norfolk County Council's comments on written representation by Building Partnerships Limited (NCC EX 12)</u>
D4-032	<u>Norfolk County Council's comments on written representation by The National Cycling Charity (NCC EX 13)</u>
D4-033	<u>Norfolk County Council's comments on written representation by Colney Parish Council (NCC EX 14)</u>
D4-034	<u>Norfolk County Council's comments on the joint written representation by CPRE Norfolk, Norwich Green Party, Norfolk and Norwich Transport Action Group, Stop Norwich Urbanisation and Hockering Parish Council (NCC EX 15)</u>
D4-035	<u>Norfolk County Council's comments on written representation by Drayton Parish Council (NCC EX 16)</u>
D4-036	<u>Norfolk County Council's comments on written representation by Norwich Cycling Campaign (NCC EX 17)</u>
D4-037	<u>Norfolk County Council's comments on written representations by Mr L Gray (NCC EX 19)</u>
D4-038	<u>Norfolk County Council's comments on written representations by Great and Little Plumstead Parish Council (NCC EX 20)</u>
D4-039	<u>Norfolk County Council's comments on written representations by</u>

	<u>Lesley Grahame - Green Party Councillor (NCC EX 21)</u>
D4-040	<u>Norfolk County Council's comments on written representations by Richard Hawker (NCC EX 22)</u>
D4-041	<u>Norfolk County Council's comments on written representations by Hockering Parish Council (NCC EX 23)</u>
D4-042	<u>Norfolk County Council's comments on written representations by Gail Mayhew (NCC EX 25)</u>
D4-043	<u>Norfolk County Council's comments on written representations by Andrew Cawdron (NCC EX 26)</u>
D4-044	<u>Norfolk County Council's comments on written representations by Natural England (NCC EX 27)</u>
D4-045	<u>Norfolk County Council's comments on written representations by Network Rail (NCC EX 28)</u>
D4-046	<u>Norfolk County Council's comments on written representations by Norwich and Norfolk Transport Action Group (NNTAG) (NCC EX 29)</u>
D4-047	<u>Norfolk County Council's comments on written representations by Norwich Green Party (NCC EX 30)</u>
D4-048	<u>Norfolk County Council's comments on written representations by The Open Spaces Society (NCC EX 31)</u>
D4-049	<u>Norfolk County Council's comments on written representations by Spixworth Parish Council (NCC EX 32)</u>
D4-050	<u>Norfolk County Council's comments on written representations by Campaign for Better Transport (NCC EX 33)</u>
D4-051	<u>Norfolk County Council's comments on written representations by Weston Longville Parish Council (NCC EX 34)</u>
D4-052	<u>Norfolk County Council's comments on written representations by Campaign to Protect Rural England (NCC EX 35)</u>
D4-053	<u>Norfolk County Council's comments on written representations by Professor Phil Goodwin (NCC EX 36)</u>
D4-054	<u>Norfolk County Council's comments on written representations by Gaia Shaw (NCC EX 48)</u>
D4-055	<u>Norfolk County Council's comments on written representations by Environmental Agency (NCC EX 18)</u>

D4-056	<u>Norfolk County Council's comments on written representations (NCC EX 38)</u>
Comments on Local Impact Reports	
D4-057	<u>Campaign to Protect Rural England Norfolk's comments on the Local Impact Report prepared by Broadland District Council, Broads Authority, Norwich City Council, Norfolk County Council, South Norfolk Council</u>
D4-058	<u>Les Gray's comments on the Local Impact Report prepared by Broadland District Council, Broads Authority, Norwich City Council, Norfolk County Council, South Norfolk Council</u>
D4-059	<u>Richard Hawker's comments on the Local Impact Report prepared by Broadland District Council, Broads Authority, Norwich City Council, Norfolk County Council, South Norfolk Council</u>
D4-060	<u>Campaign for Better Transport's comments on the Local Impact Report prepared by Broadland District Council, Broads Authority, Norwich City Council, Norfolk County Council, South Norfolk Council</u>
D4-061	<u>Norfolk County Council's comments on the Local Impact Report prepared by Broadland District Council, Broads Authority, Norwich City Council, Norfolk County Council, South Norfolk Council (NCC EX 39)</u>
D4-062	<u>Norwich and Norfolk Transport Action Group's comments on the Local Impact Report prepared by Broadland District Council, Broads Authority, Norwich City Council, Norfolk County Council, South Norfolk Council</u>
D4-063	<u>Tony Clarke on behalf of Cyclists Touring Club - Right to Ride's comments on the Local Impact Report prepared by Broadland District Council, Broads Authority, Norwich City Council, Norfolk County Council, South Norfolk Council</u>
Submissions regarding cross examination at issue specific hearings	
D4-064	<u>Norfolk County Council</u>
D4-065	<u>Professor Goodwin on behalf of Norwich and Norfolk Transport Action Group</u>
D4-066	<u>Les Gray</u>
Comments on report on status of negotiations with affected persons in respect of Compulsory Acquisition	
D4-067	<u>Network Rail (regarding outstanding issues with applicant)</u>

D4-068	<u>Sidney Cowell on behalf of SCR Limited and Scrone Limited</u>
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Deadline 5	
Comments on responses to ExA's first written questions	
D5-001	<u>Campaign to Protect Rural England Norfolk</u>
D5-002	<u>Network Rail</u>
D5-003	<u>Norfolk County Council (NCC EX 46)</u>
Comments on responses to written representations	
D5-004	<u>Network Rail</u>
D5-005	<u>CPRE Norfolk, Norwich Green Party, Norwich and Norfolk Transport Action Group (NNTAG), Norwich Green Party, SNUB & Hockering Parish Council</u>
D5-006	<u>Cyclists Touring Club and the Norwich Cycling Campaign</u>
D5-007	<u>Drayton Parish Council</u>
D5-008	<u>Les Gray</u>
D5-009	<u>Norwich and Norfolk Transport Action Group</u>
D5-010	<u>Norwich Green Party</u>
D5-011	<u>Spixworth Parish Council</u>
D5-012	<u>Graham Everett</u>
D5-013	<u>Norwich Cycling Campaign</u>
Written summary of case put orally at Open floor hearing (Norwich Assembly House) on Tuesday 22 July 2014	
D5-014	<u>Andrew Cawdron</u>
D5-015	<u>Kim Shearwood</u>
D5-016	<u>Andrew Boswell on behalf of Norwich Green Party</u>
D5-017	<u>Barbara Staffa</u>
D5-018	<u>Norwich and Norfolk Transport Action Group</u>
D5-019	<u>Richard Bearman on behalf of Norfolk Green Party</u>

D5-020	<u>Bryan Robinson (Post hearing submission)</u>
D5-021	<u>Michael Innes (Presentation Slides submitted at hearing)</u>
D5-022	<u>Eastern Region Green Party – Consultation Document (Norwich Area Transport 2003) requested at hearing</u>
D5-023	<u>Norwich Green Party</u>
Written summary of case put orally at Open floor hearing (Thorpe Saint Andrew) on Tuesday 22 July 2014	
D5-024	<u>Gordon Bambridge on behalf of Breckland Council (Post hearing submission)</u>
Written summary of case put orally at Open floor hearing (Drayton) on Wednesday 23 July 2014	
D5-025	<u>Peter Lanyon</u>
D5-026	<u>Campaign to Protect Rural England Norfolk</u>
D5-027	<u>John Allaway</u>
Written summary of the Accompanied Site Visit on Wednesday 23 July 2014	
D5-028	<u>Norwich & Norfolk Transport Action Group</u>
Written summary of case put orally at issue specific hearing on the draft DCO, on Thursday 24 July 2014	
D5-029	<u>Hockering Parish Council post hearing submission</u>
D5-030	<u>Norfolk County Council – Comments on points raised at Open Floor Hearings (including Appendices A – M) (NCC EX 45)</u>
D5-031	<u>Norfolk County Council – Appendices N – O of Comments on points raised at Open Floor Hearings (NCC EX 45)</u>
D5-032	<u>Norfolk County Council – Correction Document – Comments on Open Floor Hearing (NCC EX 58)</u>
D5-033	<u>Norfolk County Council – Habitat Regulations Assessment: Screening</u>
Responses to comments on Local Impact Reports	
D5-034	<u>Norfolk County Council (NCC EX 47)</u>
Responses to requests to cross examine at issue specific hearings	
D5-035	<u>Les Gray</u>

D5-036	<u>Norwich and Norfolk Transport Action Group (withdrawal of request)</u>
D5-037	<u>Graham Everett</u>
D5-038	<u>Norfolk County Council</u>
Response to the applicant's addendum to the Environmental Statement & Flood Risk Assessment	
D5-039	<u>Environment Agency</u>
Response to Applicant's comments on Written Representations	
D5-040	<u>Professor Goodwin on behalf of Norwich and Norfolk Transport Action Group's second response to Norfolk County Council's response to written representations</u>

Deadline 6

Responses to ExA's second written questions

D6-001	<u>Andrew M Cawdron</u>
D6-002	<u>Norfolk County Council - Response to questions in parts 1-3 (NCC EX 52)</u>
D6-003	<u>Norfolk County Council (NCC EX 53)</u>
D6-004	<u>Bryan Robinson</u>
D6-005	<u>Chris Todd on behalf of Campaign for Better Transport</u>
D6-006	<u>Cllr Andrew Boswell on behalf of Norwich Green Party</u>
D6-007	<u>Environment Agency</u>
D6-008	<u>Graham Everett on behalf of Drayton Parish Council</u>
D6-009	<u>John Hurst</u>
D6-010	<u>Les Gray</u>
D6-011	<u>Michael Collar</u>
D6-012	<u>Natural England</u>
D6-013	<u>Norwich and Norfolk Transport Action Group (NNTAG)</u>
D6-014	<u>Norfolk County Council as the local planning authority</u>

D6-015	<u>Peter Lanyon</u>
D6-016	<u>Phil Goodwin</u>
D6-017	<u>Ruth Goodall</u>
D6-018	<u>Sharps Redmore</u>
D6-019	<u>Norfolk County Council – Wensum Valley Committee Report (with Appendices) (NCC EX 65)</u>
D6-020	<u>Norfolk County Council – Addendum to ExA’s Second Written Questions (Late submission – 12 September 2014) (NCC EX 62)</u>
D6-021	<u>Norfolk County Council - Position Statement on Landowner Raised Issues (Late submission – 15 September 2014) (NCC EX 57)</u>
Issue Specific Hearing into alternative options and alignments, and impacts (Assembly House, Norwich) on 17 September 2014	
D6-022	<u>Richard Hawker – Oral Submission</u>
Issue Specific Hearing into the western termination and minor changes (Assembly House, Norwich) on 18 September 2014	
D6-023	<u>Norwich and Norfolk Transport Action Group (NNTAG), CPRE Norfolk, CBT and Keith Buchan - Presentation submission</u>
D6-024	<u>Norwich and Norfolk Transport Action Group (NNTAG) – Department for Transport Programme Entry Letter</u>
D6-025	<u>Norwich and Norfolk Transport Action Group (NNTAG) – Norfolk County Council Best and Final Bid for Half NDR Sept 2011</u>
Issue Specific Hearing into the Draft Development Consent Order (Assembly House, Norwich) on 19 September 2014	
D6-026	<u>Robert Cragg’s oral submission</u>
Miscellaneous	
D6-027	<u>Tony Clarke – Applicant’s comments on points raised at Open Floor Hearings</u>
D6-028	<u>Norfolk County Council response to Spixworth Parish Council (NCC EX 61)</u>
D6-029	<u>Norfolk County Council response to Network Rail Final (NCC EX 59)</u>
D6-030	<u>Andrew Boswell on behalf of Norwich Green Party – Response to the Applicant’s comments on points raised at Open Floor Hearings</u>
D6-031	<u>Applicant response to Norwich and Norfolk Transport Action Group (NNTAG) and Bryan Robinson (NCC EX 64)</u>

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Deadline 7	
Comments on responses to ExA's second written questions	
D7-001	<u>Norwich Cycling Campaign</u>
D7-002	<u>Cyclists Touring Club – Support of Norwich Cycling Campaign's comments on responses</u>
D7-003	<u>Les Gray – Comments on NCC response to Q1.4</u>
D7-004	<u>Norwich Green Party – Comments on NCC Carbon Data Response to ExA's Q9.4</u>
D7-005	<u>Graham Everett on behalf of Drayton parish Council – Comments on NCC response to Q1.4 and Q10.3</u>
D7-006	<u>CPRE Norfolk</u>
Issue Specific Hearing (Assembly House, Norwich) on 16 September 2014	
D7-007	<u>Richard Seaman</u>
D7-008	<u>Norwich Green Party presentation</u>
D7-009	<u>Les Gray</u>
D7-010	<u>Norwich Green Party</u>
D7-011	<u>Norwich and Norfolk Transport Action Group (NNTAG)</u>
D7-012	<u>Norwich and Norfolk Transport Action Group (NNTAG) – Growth Triangle Area Action Plan</u>
D7-013	<u>Broadland District Council (Norwich and Norfolk Transport Action Group (NNTAG)?) – Growth Triangle Action Plan – Transport Issues Background</u>
D7-014	<u>Norfolk County Council – Historic Traffic Counts (NCC EX 66)</u>
D7-015	<u>Les Gray – Incorrect Missing Model Parameters (Final)</u>
D7-016	<u>Norwich Green Party – Strategic Housing Market Assessment</u>
D7-017	<u>Norwich Green Party – Implications of forthcoming Strategic Housing Market Assessment</u>
D7-018	<u>Bryan Robinson – Letter dated 28 September 2014 and NCC response</u>

Issue Specific Hearing (Assembly House, Norwich) on 17 September 2014	
D7-019	<u>Andrew Cawdron - Noise, Pollution and the Landscape Environment</u>
D7-020	<u>Norwich Green Party presentation</u>
D7-021	<u>Norwich and Norfolk Transport Action Group (NNTAG)</u>
D7-022	<u>Alexander Walker – Objection and information re Bus Rapid Transport</u>
D7-023	<u>Great & Little Plumstead Parish Council – Proposed NDR and questions to NCC following the 17 October hearings</u>
D7-024	<u>Broadland District Council – Area Action Plan 1</u>
D7-025	<u>Broadland District Council – Area Action Plan 2</u>
D7-026	<u>Broadland District Council – Planning permission decision notice and list of conditions</u>
D7-027	<u>Broadland District Council – Growth Triangle Planning Permissions</u>
D7-028	<u>Norwich Green Party – Sustainable Transport</u>
D7-029	<u>Norwich Green Party – Sustainable Transport Appendix</u>
Issue Specific Hearing (Assembly House, Norwich) on 18 September 2014	
D7-030	<u>Weston Longville PC</u>
D7-031	<u>Les Gray</u>
D7-032	<u>Drayton Parish Council – Planning Application re Fir Covert Superstore</u>
D7-033	<u>Trafford Estate – Questions re hearings and confirming attendance</u>
D7-034	<u>Sustrans – email objection and the need for cycling/walking provisions</u>
D7-035	<u>National Grid Gas – Joint statement between NCC and National Grid Gas plc</u>
D7-036	<u>Tony Clarke – Comments re statements made at the hearings</u>
D7-037	<u>Dr Graham Martin – The NDR Enquiry including recent proposals and implications for the JCS</u>
D7-038	<u>Norwich and Norfolk Transport Action Group (NNTAG) – Post Hearing Documents</u>

D7-039	<u>Wroxham Estate – NDR access plan</u>
Issue Specific Hearing (Assembly House, Norwich) on 19 September 2014	
D7-040	<u>Norwich and Norfolk Transport Action Group (NNTAG)</u>
D7-041	<u>Network Rail – Progress with NCC re concerns and non-appearance at DCO hearing</u>
D7-042	<u>Costessey Parish Council – A47 Western missing link routes</u>
D7-043	<u>Norfolk County Council – Responses to requests and points from Issue Specific Hearings (NCC EX 67)</u>
D7-044	<u>Norfolk County Council – Appendices to Report (NCC EX 67)</u>
D7-045	<u>CPRE Norfolk – Additional information and comments</u>
D7-046	<u>National Grid Gas – Joint statement by National Grid Gas and Norfolk County Council</u>
Miscellaneous	
D7-047	<u>Tony Clarke representative of Cyclists Touring Club – Email stating CTC’s position has not changed</u>
D7-048	<u>Andrew Cawdron</u>

Deadline 8

Compulsory Acquisition Hearing (Assembly House, Norwich) on 30 September 2014

D8-001	<u>Norfolk County Council – Position Statement on Landowner Raised Issues (NCC EX 57)</u>
D8-002	<u>Norfolk County Council – Update to Compulsory Acquisition Report (NCC EX 70)</u>
D8-003	<u>Norfolk County Council – Response to Questions & Issues raised at Compulsory Acquisition Hearings (NCC EX 74)</u>
D8-004	<u>Network Rail Infrastructure Limited – Risk assessments (29 September)</u>
D8-005	<u>Network Rail – No continuing concerns and withdrawal of objection (1 October)</u>
D8-006	<u>Brown & Co – status of negotiations</u>

Compulsory Acquisition Hearing (Assembly House, Norwich) on 1 October 2014	
D8-007	<u>Blanmar 1 LLP & Blanmar 2 LLP</u>
Miscellaneous	
D8-008	<u>Norwich & Norfolk Transport Action Group</u>
D8-009	<u>Andrew Boswell on behalf of Norwich Green Party</u>
D8-010	<u>Costessey Parish Council</u>
D8-011	<u>Robert Craggs</u>
D8-012	<u>Bryan Robinson</u>
D8-013	<u>Norfolk County Council – Correction of Responses to First Written Questions (NCC EX 69)</u>

Deadline 9	
Comments on proposed changes to scheme	
D9-001	<u>Drayton Parish Council</u>
D9-002	<u>Les Gray</u>
D9-003	<u>Tony Clarke on behalf of Cyclist Touring Club</u>
General comments on scheme/Miscellaneous	
D9-004	<u>Tony Clarke on behalf of Cyclist Touring Club</u>
D9-005	<u>Robert Craggs</u>
D9-006	<u>Michael Innes</u>
D9-007	<u>Phil Goodwin on behalf of Norwich and Norfolk Transport Action Group (NNTAG)</u>
D9-008	<u>Andrew Boswell on behalf of Norwich Green Party - Carbon</u>
D9-009	<u>Andrew Boswell on behalf of Norwich Green Party - Economic Appraisal</u>
D9-010	<u>Peter Lanyon</u>
D9-011	<u>Stephen Heard on behalf of SNUB</u>

D9-012	<u>Graham Martin</u>
D9-013	<u>Norwich and Norfolk Transport Action Group (NNTAG) - NCC Public Transport Appraisal</u>
D9-014	<u>Norwich and Norfolk Transport Action Group (NNTAG) - Cringleford development</u>
D9-015	<u>Norwich and Norfolk Transport Action Group (NNTAG) - Major Broadland Business park</u>
D9-016	<u>Norwich and Norfolk Transport Action Group (NNTAG) - NCC Integrated Transport Budget</u>
D9-017	<u>Gail Mayhew</u>
D9-018	<u>Great & Little Plumstead</u>
D9-019	<u>Mollie Howes</u>
D9-020	<u>Norfolk County Council – Hearing Attendees</u>
D9-021	<u>Norfolk County Council – Additional Land & Owner’s Consent (NCC EX 86)</u>
D9-022	<u>Norfolk County Council – response to selected points raised by Mr Robinson, Norwich and Norfolk Transport Action Group (NNTAG) and Norwich Green Party (NCC EX 87)</u>
D9-023	<u>Norfolk County Council – Committee Minutes (NCC EX 97)</u>
D9-024	<u>Norfolk County Council – Economic Appraisal WebTAG (NCC EX 88)</u>
D9-025	<u>Norfolk County Council – Norwich Area Transport Strategy 2006 (NCC EX 89)</u>
Response to R17 Request	
D9-026	<u>Dentons on behalf of Network Rail</u>
Comments on the applicant’s DCO	
D9-027	<u>Andrew Cawdron</u>
D9-028	<u>Environment Agency</u>
D9-029	<u>John Elbro on behalf of Norwich Cycling Campaign</u>
D9-030	<u>Norwich and Norfolk Transport Action Group (NNTAG), CPRE</u>

	<u>Norfolk, Hockering Parish Council and Norwich Green Party – Joint submission</u>
Comments on the RIES	
D9-031	<u>Tony Clarke on behalf of Cyclist Touring Club</u>
D9-032	<u>Natural England</u>

Deadline 10	
Comments on the ExA's draft DCO	
D10-001	<u>Andrew Cawdron</u>
D10-002	<u>Richard Hawker</u>
D10-003	<u>Norfolk County Council as relevant authority</u>
D10-004	<u>Weston Longville Parish Council</u>
Further information requested by the ExA	
D10-005	<u>Norfolk County Council - Responses to ExA R17 Request (NCC EX 90)</u>
D10-006	<u>Anglian Water CA</u>
D10-007	<u>Network Rail - Level Crossing Risk</u>
D10-008	<u>Network Rail – Compulsory Acquisition Land</u>
D10-009	<u>UK Power Networks – Compulsory Acquisition Agreement</u>
Miscellaneous	
D10-010	<u>Norwich and Norfolk Transport Action Group (NNTAG) - Active Travel and Health Economic Appraisal</u>
D10-011	<u>Norwich and Norfolk Transport Action Group (NNTAG) - Questions to First Eastern Counties</u>
D10-012	<u>Norwich Green Party - WebTAG assessment</u>
D10-013	<u>Norfolk County Council - Responses to comments made by IP's (NCC EX 91)</u>
D10-014	<u>Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 92)</u>

D10-015	<u>Norfolk County Council - NDR Examination Document Tracker (NCC EX 98)</u>
D10-016	<u>Norfolk County Council - Correspondence from Natural England and Environment Agency (NCC EX 99)</u>
D10-017	<u>Bryan Robinson (late submission received 6 November 2014)</u>

Deadline 11

Comments on information and responses provided by the applicant

D11-001	<u>Les Gray</u>
D11-002	<u>Norwich and Norfolk Transport Action Group (NNTAG)</u>
D11-003	<u>Norwich Green Party</u>
D11-004	<u>Richard Hawker</u>
D11-005	<u>Great and Little Plumstead</u>

Additional comments on the draft DCO

D11-006	<u>Norfolk County Council as relevant planning authority</u>
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Miscellaneous

D11-007	<u>Denise Carlo on behalf of Norwich and Norfolk Transport Action Group - Issue Specific Hearing Request (amended)</u>
D11-008	<u>Denise Carlo on behalf of Norwich and Norfolk Transport Action Group - Issue Specific Hearing Request</u>
D11-009	<u>Norfolk County Council - Final Report on Compulsory Acquisition Issues (NCC EX 100)</u>

Deadline 12

Compulsory Acquisition Hearing (Assembly House, Norwich) on 28 November 2014

D12-001	<u>David Pulling - Compulsory Acquisition of Horsford Hall</u>
D12-002	<u>Norfolk County Council - Update on Compulsory Acquisition Issues following CA Hearing of 28 November 2014 (NCC EX 102)</u>

Issue Specific Hearing (Assembly House, Norwich) on 28 November 2014

D12-003	<u>Norfolk County Council as relevant planning authority - Confirmation of attendance</u>
D12-004	<u>Andrew Cawdron - Final Statement</u>
D12-005	<u>Norfolk County Council - NDR Option Comparative Table Final (NCC EX 106)</u>
D12-006	<u>Norfolk County Council - Responses to points made at Issue Specific Hearing 28 November (NCC EX 107)</u>
D12-007	<u>Norfolk County Council - Responses on Transport Economics and Modelling issues arising at Issue Specific Hearing held on 28 November 2014 (NCC EX 109)</u>
D12-008	<u>SNUB - Post-hearing comments</u>
Miscellaneous	
D12-009	<u>Norwich and Norfolk Transport Action Group (NNTAG) - Road safety information</u>
D12-010	<u>Bryan Robinson - Summary of Objection</u>
D12-011	<u>Les Gray - Email detailing accidents at Hall Lane - Reepham Road junction</u>
D12-012	<u>Norfolk County Council as relevant planning authority - Comments on the draft DCO</u>
D12-013	<u>Norwich and Norfolk Transport Action Group (NNTAG) - Comments on DCO and Complimentary Traffic Measures</u>
D12-014	<u>Norwich and Norfolk Transport Action Group (NNTAG) - Phil Goodwin; Summary of issues to be resolved</u>
D12-015	<u>Norwich and Norfolk Transport Action Group (NNTAG) - City Centre change make a massive difference to buses</u>
D12-016	<u>Norwich and Norfolk Transport Action Group (NNTAG) - Note on A47 Study December 2014</u>
D12-017	<u>Norwich and Norfolk Transport Action Group (NNTAG) - Strategic Case 2 December 2014</u>
Additional Representations	
AR-001	<u>Joint statement of National Grid Gas Plc and Norfolk County Council</u>

AR-002	Norwich Green Party – NPS & Climate Change
AR-003	Norwich Green Party – NPS & Climate Change (Appendices)
AR-004	Les Gray and NCC correspondence
AR-005	Letter from Simon Wright MP from Mary Dunn
AR-006	Alexander B Walker – Alternatives analysis
AR-007	Tony Clarke – Cyclist Touring Club
AR-008	Denise Carlo
AR-009	Phil Belden
AR-010	Lyng Parish Council – Lyng Village objection
AR-011	Anglian Water – Withdrawal of Objection
AR-012	National Grid – Withdrawal of Objection
AR-013	Network Rail - Withdrawal of Objection

Events

Preliminary Meeting at Blackfriars Hall on Monday 6 July 2014

EV-001 [Note of the Preliminary Meeting](#)

EV-002 [Registered attendees](#)

EV-003 [Part 1 of the audio recording](#)

EV-004 [Part 2 of the audio recording](#)

Open floor hearing at Norwich Assembly House on Tuesday 22 July 2014

EV-005 [Registered attendees](#)

EV-006 [Part 1 of the audio recording](#)

EV-007 [Part 2 of the audio recording](#)

EV-008 [Part 3 of the audio recording](#)

Open floor hearing at Thorpe Saint Andrew on Tuesday 22 July 2014

EV-009 [Registered attendees](#)

EV-010	<u>Audio recording</u>
Accompanied Site Visit on Wednesday 23 July 2014	
EV-011	<u>Route</u>
EV-012	<u>Itinerary</u>
EV-013	<u>Registered attendees</u>
Open floor hearing in Drayton on Wednesday 23 July 2014	
EV-014	<u>Registered attendees</u>
EV-015	<u>Audio recording</u>
Issue specific hearing on the draft DCO Thursday 24 July 2014	
EV-016	<u>Registered attendees</u>
EV-017	<u>Part 1 of audio recording</u>
EV-018	<u>Part 2 of the audio recording</u>
Issue Specific hearing on Need; traffic forecasts; value for money on Tuesday 16 September 2014	
EV-019	<u>Agenda for Issue Specific Hearing on Need; traffic forecasts; value for money - 16 September 2014</u>
EV-020	<u>Part 1 of the audio recording</u>
EV-021	<u>Part 2 of the audio recording</u>
EV-022	<u>Part 3 of the audio recording</u>
EV-023	<u>Part 4 of the audio recording</u>
Issue Specific Hearing into alternative options and alignments, and impacts (Assembly House, Norwich) on 17 September 2014	
EV-024	<u>Agenda for Issue Specific Hearing on Alternative options and alignments; impacts - 17 September 2014</u>
EV-025	<u>AM audio recording Part 1</u>
EV-026	<u>AM audio recording Part 2</u>
EV-027	<u>PM audio recording Part 1</u>
EV-028	<u>PM audio recording Part 2</u>

Issue Specific Hearing into the western termination and minor changes (Assembly House, Norwich) on 18 September 2014	
EV-029	<u>Agenda for Issue Specific Hearing on Western termination; minor changes - 18 September 2014</u>
EV-030	<u>AM audio recording Part 1</u>
EV-031	<u>AM audio recording Part 2</u>
EV-032	<u>PM audio recording</u>
Issue Specific Hearing into the Draft Development Consent Order (Assembly House, Norwich) on 19 September 2014	
EV-033	<u>Agenda for Issue Specific Hearing on draft Development Consent Order - 19 September 2014</u>
EV-034	<u>Audio recording</u>
Compulsory Acquisition Hearing (Assembly House, Norwich) on 30 September 2014	
EV-035	<u>Agenda for first Compulsory Acquisition Hearing - 30 September 2014</u>
EV-036	<u>Part 1 of the audio recording</u>
EV-037	<u>Part 2 of the audio recording</u>
Compulsory Acquisition Hearing (Assembly House, Norwich) on 1 October 2014	
EV-038	<u>Agenda for second compulsory acquisition hearing - 1 October 2014</u>
EV-039	<u>Part 1 of the audio recording</u>
EV-040	<u>Part 2 of the audio recording</u>
Compulsory Acquisition Hearing (Assembly House, Norwich) on 2 October 2014	
EV-041	<u>Agenda for third compulsory acquisition hearing - 2 October 2014</u>
EV-042	<u>Part 1 of the audio recording</u>
EV-043	<u>Part 2 of the audio recording</u>
Compulsory Acquisition Hearing (Assembly House, Norwich) on 3 October 2014	
EV-044	<u>Agenda for fourth compulsory acquisition hearing - 3 October 2014</u>

EV-045	<u>Audio recording</u>
Issue Specific Hearing/Open Floor Hearing/Compulsory Acquisition Hearing (Assembly House, Norwich) on 28 November 2014	
EV-046	<u>Agenda for Compulsory Acquisition Hearing - 28 November 2014</u>
EV-047	<u>Audio Recording</u>
Issue Specific Hearing (Assembly House, Norwich) on 28 November 2014	
EV-048	<u>Agenda for Issue Specific Hearing - 28 November 2014</u>
EV-049	<u>Part 1 of the audio recording</u>
EV-050	<u>Part 2 of the audio recording</u>

APPENDIX B - EVENTS IN THE EXAMINATION

1	Issue of notice of Preliminary Meeting (Rule 6 letter) including agenda for Preliminary Meeting, initial assessment of preliminary issues, draft timetable and procedural decisions	Thursday 8 May 2014
2	Preliminary Meeting	Monday 2 June 2014
3	Deadline 1 Deadline for receipt from applicant of: Report on status of negotiations with affected persons in respect of compulsory acquisition for each plot	Thursday 5 June 2014
4	Issue of notice of procedural decisions (Rule 10) including requests for written representations, local impact reports, statements of common ground, comments on scheme changes and suspension of examination timetable.	Friday 6 June 2014
5	Issue of notice of procedural decisions (Rule 8 letter) including appointment of new Examining Authority (ExA), issue of new timetable, notice of hearings and site visits and issue of the ExA's first written questions	Wednesday 25 June 2014
6	Deadline 2 Deadline for receipt of: Comments on revisions to application documents Written representations (WRs) by all interested parties Local impact report (LIR) from any local authorities	Monday 30 June 2014
7	Deadline 3 Deadline for receipt of: Comments on relevant representations (RRs) Notification of wish to speak at the open floor hearings on Tuesday 22 and Wednesday 23 July 2014 Notification of wish to participate in the accompanied site visit on Wednesday 23 July 2014 Notification of wish to make oral representations at the issue specific hearing on Thursday 24 July 2014	Monday 14 July 2014
8	Issue of notice of procedural decisions (Rule 9) regarding non-material change to the application and issue of agenda for hearing.	Wednesday 16 July 2014
9	Deadline 4 Deadline for receipt of: Responses to ExA's first written questions Statements of common ground (SoCG) Comments on WRs Comments on LIRs	Monday 21 July 2014

	<p>Comments on report on status of negotiations with affected persons in respect of compulsory acquisition</p> <p>Revised draft Development Consent Order (DCO) from applicant</p> <p>Notifications from statutory parties of a wish to be considered as interested parties</p> <p>Requests to cross examine at issue specific hearings</p>	
10	Open floor hearing in central Norwich during the day	Tuesday 22 July 2014
11	Open floor hearing in Thorpe Saint Andrew during the evening	Tuesday 22 July 2014
12	Accompanied site visit including the approximate proposed route, nearby villages and the Wensum Valley	Wednesday 23 July 2014
13	Open floor hearing held in Drayton during the evening	Wednesday 23 July 2014
14	Issue specific hearing about the draft DCO	Thursday 24 July 2014
15	<p>Deadline 5</p> <p>Deadline for receipt of:</p> <p>Comments on responses to ExA's first written questions</p> <p>Responses to comments on RRs</p> <p>Post-hearing documents including any written summary of an oral case put at any hearing</p> <p>Any further information requested by the ExA</p> <p>Updates to SoCGs</p> <p>Responses to requests to cross examine at issue specific hearings</p>	Monday 4 August 2014
16	Issue of notification of hearings (Rule 13), agenda for hearings, change to timetable, procedural decision regarding cross examination at issue specific hearings and ExA's second written questions	Friday 15 August 2014
17	<p>Deadline 6</p> <p>Deadline for receipt of:</p> <p>Responses to ExA's second written questions</p> <p>Applicant's revised draft DCO</p> <p>Notification of wish to make oral representations at the issue specific hearings on Tuesday 16 - Friday 19 September 2014</p> <p>Notification of wish to make oral representations at the compulsory acquisition hearings on Tuesday 30 September - Friday 3 October 2014</p>	Monday 8 September 2014
18	Issue specific hearing about need; traffic forecasts; value for money	Tuesday 16 September 2014
19	Issue specific hearing about alternative options and alignments; impacts	Wednesday 17 September

		2014
20	Issue specific hearing about western termination; minor changes	Thursday 18 September 2014
21	Issue specific hearing about the draft DCO	Friday 19 September 2014
22	Deadline 7 Deadline for receipt of: Comments on responses to ExA's second written questions Post-hearing documents including any written summary of an oral case put at any hearing Any further information requested by the ExA	Monday 29 September 2014
23	Compulsory acquisition hearing on general considerations	Tuesday 30 September 2014
24	Compulsory acquisition hearing on specific plots	Wednesday 1 October 2014
25	Compulsory acquisition hearing on specific plots	Thursday 2 October 2014
26	Compulsory acquisition hearing on specific plots	Friday 3 October 2014
27	Deadline 8 Deadline for receipt of: Post-hearing documents including any written summary of an oral case put at any hearing Further information requested by the ExA	Thursday 9 October 2014
28	Issue of changes to examination timetable (Rule 8(3)), request for comments on proposed changes to the scheme and publication by ExA of Report on the Implications for European Sites (RIES)	Friday 10 October 2014
29	Deadline 9 Deadline for receipt of: Comments on proposed changes to the scheme Comments on proposed provision for compulsory acquisition of additional land Comments on the applicant's draft DCO Comments on any post-hearing documents Comments on the RIES Any further information requested by the ExA	Monday 3 November 2014
30	Issue of timetable for examination of proposed provisions (Reg 12), notification of hearings, request for further information and publication of ExA's draft Development Consent Order (DCO)	Wednesday 5 November 2014
31	Deadline 10 Deadline for receipt of: Comments on the ExA's draft DCO Comments on relevant representations Information requested from the applicant Notification of wish to make oral representations	Thursday 20 November 2014

	at the hearings on Friday 28 November 2014 Any further information requested by the ExA	
32	Deadline 11 Deadline for receipt of: Written representations regarding the proposed provision for the compulsory acquisition of additional land Comment on information provided by the applicant	Thursday 27 November 2014
33	Open floor hearing in relation to the proposed provision for additional land (if required)	Friday 28 November 2014
34	Compulsory acquisition hearing	Friday 28 November 2014
35	Issue specific hearing about unresolved matters (if any), then the draft DCO	Friday 28 November 2014
36	Accompanied site visits (ASVs) regarding compulsory acquisition issues (if required)	Friday 28 November 2014
37	Deadline 12 Deadline for receipt of: Post-hearing documents including any written summary of an oral case put at a hearing Comments on written representations Any further information requested by the ExA	Tuesday 2 December 2014
38	The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.	Tuesday 2 December 2014

APPENDIX C - LIST OF ABBREVIATIONS

AADT	Annual average daily traffic
AAP	Broadland Area Action Plan
AONB	Area of Outstanding Natural Beauty
AP	Affected Person
AQMA	Air Quality Management Area
BAFB	Best and Final Funding Bid
BCR	Benefit Cost Ratio
BRT	Bus Rapid Transit
CA	Compulsory Acquisition
CA	Conservation Area
CEMP	Construction Environment Management Plan
CfBT	Campaign for Better Transport
CIF	Community Infrastructure Fund
CIL	Community Infrastructure Levy
CPRE	Campaign to Protect Rural England
CWS	County Wildlife Site
DaSTS	Delivering a Sustainable Transport System whitepaper
dB(A)	Decibels (A weighted)
DCLG	Department for Communities and Local Government
DCO	Development Consent Order
DfT	Department for Transport
DM	Do minimum
DMRB	Design Manual for Roads and Bridges
DoE	Department of the Environment
DS	Do something0
EA	Environment Agency
EFT	Emissions Factor Toolkit
EIA	Environmental Impact Assessment
EIA Regulations	Infrastructure Planning (Environmental Impact Assessment) Regulations 2009
EP	Environmental Permit
EPS	European Protected Species
ES	Environmental Statement
ExA	Examining Authority
FRA	Flood Risk Assessment
GCN	Great Crested Newt
GHG	Greenhouse gas
GLVIA	Guidelines for Landscape and Visual Impact Assessment
HB	Home based
HGV	Heavy Goods Vehicle
HRA	Habitats Regulation Assessment
IAQM	Institute of Air Quality Management
ILS	Instrument Landing System
IP	Interested Party
ISH	Issue Specific Hearing
JCS	Joint Core Strategy
JTR	Journey Time Reliability
LAeq	Equivalent sound level (A weighted)

LC	Level crossing
LEP	Local Enterprise Partnership
LGF	Local Growth Fund
LGV	Light goods vehicle
LIR	Local Impact Report
LNR	Local Nature Reserve
LP	Local Plan
m	Metres
MMAP	Mitigation measures action plan
MSBC	Major Scheme Business Case
NATS	Norwich Area Transportation Strategy
NATSIP	Norwich Area Transportation Strategy Implementation Plan
NCC	Norfolk County Council
NDR	Northern Distributor Road
NE	Natural England
NEGT	North-East Growth Triangle
NGP	Norwich Green Party
NMU	Non-motorised users
NN NPS	National Policy Statement for National Networks
NNR	National Nature Reserve
NNTAG	Norwich and Norfolk Transport Action Group
NO ₂	nitrogen dioxide
NO _x	nitrogen oxides
NPA	Norwich Policy Area
NPPF	National Planning Policy Framework
NPV	Net Present Value
NSIP	Nationally Significant Infrastructure Project
NTEM	National Trip End Model
OGV	Other goods vehicle
PA2008	Planning Act 2008
PM ₁₀	Particulate matter less than 10 microns diameter
PM _{2.5}	Particulate matter less than 2.5 microns diameter
PMA	Private means of access
PT	Public Transport
PVB	Present Value of Benefits
PVC	Present Value of Costs
QCS	Quality Contracts Scheme
RIES	Report on the Implications for European Sites
RNR	Roadside Nature Reserve
RTF	Road Transport Forecasts
SAC	Special Area of Conservation
SI	Statutory Instrument
SNUB	Stop Norwich Urbanisation
SoCG	Statement of Common Ground
SoS	Secretary of State
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
SuDS	Sustainable urban drainage system
SWMP	Site Waste Management Plan

TCPA 1990	Town and Country Planning Act 1990
TEE	Transport Economic Efficiency
TEN-T	Trans European Network - Transport
TPO	Tree Preservation Order
UEA	University of East Anglia
ULEV	Ultra-low emission vehicles
VDM	Variable demand model
VfM	Value for Money
WEB	Wider economic benefit
WebTAG	Web-based Transport Appraisal Guidance
WR	Written Representation

APPENDIX D - REPORT ON IMPLICATIONS FOR EUROPEAN SITES

This document is provided separately.

APPENDIX E - RECOMMENDED DEVELOPMENT CONSENT ORDER

This document is provided separately.

**APPENDIX F – RECOMMENDED DCO SHOWING TRACKED
CHANGES FROM THE APPLICANT’S VERSION OF 2
DECEMBER 2014**

This document is provided separately.