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

1.1 Introduction to the Application

Planning Act 2008

Infrastructure Planning

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

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INTRODUCTION

This document is submitted in relation to the application for a proposed Development Consent Order by Norfolk County Council to the Secretary of State, under the Planning Act 2008.

The application is for the Norfolk County Council (Norwich Northern Distributor Road (A1067 to A47(T))) Order, to grant development consent for the construction of a new highway running west to east, to south, between the A1067 Fakenham Road and the A47 Trunk Road at Postwick, including improvements to the existing highway network to the north and north east of Norwich.

This document comprises part of the application documents and relates to Regulation 5(2)(q) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.

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1 Introduction

1.1 Introduction to the Applicant and the Application

1.1.1 This document provides information on the Applicant for the Norwich Northern Distributor Road project (the NDR or the Scheme), Norfolk County Council (NCC), on the roles of other planning and highway authorities, and provides an introduction to the form and content of the application for a development consent order (DCO) for the NDR which is made pursuant to section 37 of the Planning Act 2008.

1.1.2 Background information on the DCO application process is also provided.

1.1.3 The Scheme is of national significance pursuant to a direction made by the Secretary of State for Transport under section 35 of the Planning Act 2008 (see further below). NCC is therefore submitting this application for a DCO under the Planning Act 2008. Further information on the DCO consenting process is provided below.

1.2 Scheme Background

1.2.1 As part of the consultation on a revised Norwich Area Transportation Strategy (NATS) undertaken in 2003, the public were asked if they supported a NDR. The consultation indicated strong local support for the NDR with 78% of respondents being in favour.

1.2.2 The overall strategy for the revised NATS was agreed in 2004. It recognised the Norwich Area as a centre where growth would be focussed and therefore the strategy looked to provide the essential infrastructure needed to accommodate this growth, including a Northern Distribution Road.

1.2.3 Further consultations have been carried out on the route and other aspects since the NDR's adoption as a key part of delivering sustainable transport for the Norwich area, including formal pre-application consultation pursuant to the Planning Act 2008. Background to NATS and the NDR consultation is included in the Consultation Report, sections 2.3 and 3 (Document 5.1).

1.3 Proposed Scheme

1.3.1 The Scheme is a dual carriageway all-purpose strategic distributor road, which would link the A1067 Fakenham Road, near Attlebridge, to the A47 Trunk Road at Postwick. This will be over a length of approximately 20.4km. NCC is also seeking consent for other highways improvements and development - a full description of the Scheme can be found in the

Environmental Statement Volume I, Chapter 2 (Document 6.1). Schedule 1 to the Draft Development Consent Order (Document 3.1) sets out the formal description of the Scheme for which consent is sought, which is shown on the plans and drawings submitted with the application, including in particular the Works Plans (Document 2.3).

1.4 Consenting Process

- 1.4.1 Prior to 25 July 2013, the Scheme was within the thresholds in Section 22 of the Planning Act 2008, and was therefore a highways Nationally Significant Infrastructure Project (NSIP) under that section and Section 14(1)(h). On the bringing into force of the Highway and Railway (Nationally Significant Infrastructure Project) Order 2013 on 25 July 2013, the Scheme was no longer a NSIP within the terms of sections 14(1)(h) and 22 of the Planning Act 2008.
- 1.4.2 As noted above in the introduction, the Scheme once again became a scheme for which development consent is required following a direction made by the Secretary of State for Transport under Section 35 of the Planning Act 2008 dated 9 August 2013 (the Section 35 Direction). A copy of NCC's request for a Section 35 direction (dated 25 July 2013) is appended to this document at Appendix B and the Section 35 Direction itself is appended to this document at Appendix C.
- 1.4.3 As the Scheme requires a development consent pursuant to the Planning Act 2008, NCC has carried out pre-application consultation on the Scheme in accordance with Part 5, Chapter 2 of the Planning Act 2008, including the consultation required under Sections 42, 47 and 48 and the notification and other duties under the Planning Act 2008 and applicable Regulations. In addition, NCC had regard to and complied with relevant guidance issued by the Secretary of State and the Planning Inspectorate (PINS) in carrying out its pre-application consultation. The DCO application is accompanied by a Consultation Report (Document 5.1) which fully explains the pre-application consultation carried out, as well as the regard NCC has had to consultation responses in formulating the DCO application for the Scheme.
- 1.4.4 As stated in the Direction, NCC requires a DCO in order to construct the Scheme, and the draft DCO (Document 3.1) also includes powers to operate and maintain it. The Explanatory Memorandum (Document 3.2) sets out further information on the powers and other provisions contained in the draft DCO.

- 1.4.5 Applications for DCOs are made to the Planning Inspectorate, which examines and then reports on the proposals to the relevant Secretary of State. In the case of the NDR, the Planning Inspectorate will examine the Scheme and report to the Secretary of State for Transport, who will then decide whether or not to make the DCO.
- 1.4.6 Further information on the processes that the Planning Inspectorate follows after submission of the DCO application by NCC are provided in section 3 below, and reference should be made to the information available on the Planning Inspectorate's website.

2. The Roles of the Applicant and Other Parties

2.1 Norfolk County Council (the applicant)

2.1.1 The applicant is responsible for operating, maintaining and improving the local highway road network in the County of Norfolk as the local highway authority under the Highways Act 1980 and other relevant statutes. NCC, in its capacity as local highway authority only, is the applicant for this DCO application and throughout this DCO application, the applicant is referred to as either "the applicant" or as "NCC".

2.1.2 The Scheme is managed by the NCC's NNDR project team, whose contact details are:

Northern Distributor Road

Norfolk County Council

Room 321

County Hall

Martineau Lane

Norwich

Norfolk

NR1 2DH

2.1.3 NCC has appointed Mott MacDonald to provide professional services to progress the Scheme. Mott MacDonald's role includes carrying out the Environmental Impact Assessment and traffic modelling, as well as writing various other reports and documents.

2.1.4 NCC has awarded the contract to construct the Scheme to Birse. The contract has been awarded under NCC's Early Contractor Involvement (ECI) initiative, which brings the construction contractor into a project at an early stage of design development to add expertise, value and innovation to on-going design development.

2.2 Other Parties/Authorities

- 2.2.1 The Highways Agency is an Executive Agency of the Department for Transport and is responsible for operating, maintaining and improving the strategic road network in England on behalf of the Secretary of State for Transport. As the A47(T) is a trunk road, the Highways Agency is the highway authority in respect of that highway, not NCC. NCC is however able to seek (and has sought in this application) development consent for works to the A47(T) within the Scheme.
- 2.2.2 As Norfolk County is a 'two tier' local government area, as well as being within NCC's area, the Scheme is also within the administrative area of Broadland District Council, and in respect of very small areas of the Scheme is also within Norwich City Council's administrative area (close to Norwich International Airport) and the Broads Authority's administrative area (at Postwick). These and various other local authorities were involved in NCC's pre-application consultation processes, and will continue to be involved in the examination of the DCO application. Further information on the identity of the relevant local authorities and their involvement in the pre-application consultation processes can be found in the Consultation Report (Document 5.1).

3. The Application

3.1 History to the Scheme's Planning Process

3.1.1 The NDR route is between the A1067 Fakenham Road and the A47(T) at Postwick, and the Scheme includes an altered junction arrangement with the A47(T) and other works and road improvements in this area. NCC has already promoted a scheme which included these works at Postwick. That earlier scheme was the subject of a planning application for a business park along with improvements to the A47/A1042 trunk road junction, for which planning permission was granted by Broadland District Council in October 2011. A further planning permission for an infiltration lagoon and new access track was also granted separately by Broadland District Council.

3.1.2 As the A47 at Postwick is a trunk road, the Highways Agency is responsible for promoting the Side Road and Slip Road Orders relating to the above planning permission. A public inquiry was held in July 2013 to consider the these Orders. It is understood that the Inspector that held the public inquiry has made his recommendations to the Secretary of State for Transport - as yet no decision has been made by the Secretary of State.

3.2 The DCO Application Documents and their Compliance with Legislative Requirements

3.2.1 Table 3.1 below provides a guide to the documents that NCC is submitting as part of this application. As well as providing a list of the main application documents, it also identifies where documents are submitted in order to comply with a relevant legislative or policy requirement.

3.2.2 The legislative requirements for applications for development consent are principally contained in the Planning Act 2008, the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (the Application Regulations) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regulations).

3.2.3 Regulation 5 in the Application Regulations sets out the documents that all development consent applications must include and Regulation 6 sets out the documents that particular types of development consent applications must include – those relating to highways development are relevant to the Scheme. References in Table 3.1 below such as "Reg. 5(2)(b)" are to the Application Regulations and those such as "S.37(3)(c)" are to the Planning Act 2008.

3.2.4 Regulation 5 of the Application Regulations includes a category described as "any other documents considered necessary to support the application" (Reg. 5(2)(q)). Similarly Regulation 5 also allows NCC to submit other plans, drawings and sections which are necessary to describe the Scheme (Reg. 5(2)(o)). The documents provided by NCC and marked as relating to those two paragraphs of the Application Regulations are therefore not statutorily required but are those which NCC considers necessary to support the application for a DCO.

3.2.5 The DCO application submitted for the Scheme complies with the requirements of the Planning Act 2008, the Application Regulations, the EIA Regulations and applicable Secretary of State and PINS guidance including in particular PINS Advice Note 6 (Preparation and submission of application documents, June 2012).

Table 3.1, Guide to the DCO Application Documents

Application Document Reference	Application Document Name	Statutory / Other Requirement for Document
Category 1	Application Form	
1.1	Introduction to the Applicant and the Application (<i>this document</i>)	Reg. 5(2)(q)
1.2	Application form	S.37(3)(b) and Reg. 5(1)
1.3	Copies of newspaper notices	Reg. 5(2)(q) and PINS Advice Note 6
Category 2	Plans / Drawings / Sections	
2.1	Location plan	Reg. 5(2)(o)
2.2	Land plans	Reg. 5(2)(i)
2.3	Works plans	Reg. 5(2)(j)
2.4	Street plans	Reg. 5(2)(k)
2.5	Speed limit orders and proposed clearways	Reg. 5(2)(o)

Application Document Reference	Application Document Name	Statutory / Other Requirement for Document
2.6	General arrangement plans	Reg. 5(2)(o)
2.7	Bridge plans and elevations	Reg. 5(2)(o)
2.8	Detailed landscape planting plans	Reg. 5(2)(o)
2.9	Indicative sections	Reg. 5(2)(o)
2.10	Section plans	Reg. 5(2)(o), Reg. 5(2)(p) and Reg.6(2)(a)
2.11	Drainage and surface water management plans	Reg. 5(2)(o), Reg. 5(2)(p) and Reg.6(2)(a)
2.12	Crown land plan	Reg. 5(2)(n)
2.13	Classification of highways plan	Reg. 5(2)(o)
Category 3	<i>Draft Development Consent Order</i>	
3.1	Draft development consent order	Reg. 5(2)(b)
3.2	Explanatory memorandum	Reg. 5(2)(c)
Category 4	<i>Compulsory Acquisition Information</i>	
4.1	Statement of reasons	Reg. 5(2)(h) This also includes information to accompany the Crown land plan (Reg. 5(2)(n))
4.2	Funding statement	Reg. 5(2)(h)
4.3	Book of reference	Reg. 5(2)(d) and Reg. 7
Category 5	<i>Reports / Statements</i>	
5.1	Consultation report	S.37(3)(c)

Application Document Reference	Application Document Name	Statutory / Other Requirement for Document
5.2	Flood risk assessment	Reg. 5(2)(e)
5.3	Environmental Protection Act statement	Reg. 5(2)(f)
5.4	Details of other consents and licences	Reg. 5(2)(q) and PINS Advice Note 6
5.5	Transport assessment	Reg. 5(2)(q)
5.6	Traffic forecasting report	Reg. 5(2)(q)
5.7	Economic appraisal report	Reg. 5(2)(q)
5.8	Report of surveys (traffic)	Reg. 5(2)(q)
5.9	Highway Local Model Validation Report	Reg. 5(2)(q)
5.10	Public Transport Local Model Validation Report	Reg. 5(2)(q)
Category 6	<i>Environmental impact assessment and habitats regulations information</i>	
6.1	Environmental statement	<p>Reg. 5(2)(a) and Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.</p> <p>Document 6.1 includes within it the following:</p> <p>(i) Environmental impact scoping report and scoping opinion at ES Vol 1, Appendix 4 and Appendix 5 (Reg.5(2)(a));</p> <p>(ii) Assessment of any effects</p>

Application Document Reference	Application Document Name	Statutory / Other Requirement for Document
		<p>on sites or features of nature conservation (etc), at ES Volume 1, Chapter 8 (Reg.5(2)(l)); and</p> <p>(iii) Assessment of any effects on sites or features of the historic environment, at ES Volume 1, Chapter 6 (Reg.(5)(2)(m)).</p>
6.2	Environmental statement appendices	<p>Reg. 5(2)(a) and Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.</p> <p>Document 6.2 includes within it the following:</p> <p>(i) Habitats Regulations Assessment at ES Volume II, Chapter 17 (Reg.5(2)(g));</p> <p>(ii) Plans showing sites or features of nature conservation (etc) at ES Volume II, Chapter 8 (Reg.5(2)(l)); and</p> <p>(iii) Plans showing sites or features of the historic environment at ES Volume II, Chapter 6 (Reg.5(2)(m)).</p>
6.3	Environmental statement non-technical summary	<p>Reg. 5(2)(a) and Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.</p>

Application Document Reference	Application Document Name	Statutory / Other Requirement for Document
Category 7	Photographs	
7.1	Photographs and photomontages	Reg.5(2)(q)
7.2	Plans identifying locations and directions of photographs	Reg. 5(2)(q)
7.3	Index of photographs	Reg. 5(2)(q)
Categories 8 and 9	Not Used	
-	Documents were removed from categories 8 and 9 and redistributed within the other categories.	-
Category 10	Other Documents	
10.1	Road safety audits and briefs	Reg. 5(2)(q)
10.2	Departures report	Reg. 5(2)(q)
10.3	Land use and economic development report	Reg. 5(2)(q)
10.4	Consent from the HA to include Crown Land in the DCO	Reg. 5(2)(q)

3.3 The DCO Application and Examination Process

- 3.3.1 After NCC has submitted this DCO application, the outline process considering it is as follows.
- 3.3.2 The Planning Inspectorate has 28 days from the date that the application is submitted in which to decide whether to accept it for examination.
- 3.3.3 Following acceptance by the Planning Inspectorate, NCC will carry out its post-acceptance consultation and notification duties. This includes site notice and advertisements in a local newspaper, a national newspaper and the

London Gazette, all confirming certain details including that the DCO application has been accepted and how representations can be made about it, as well as notices to various statutory consultees.

- 3.3.4 The Planning Inspectorate will then appoint one or more 'examining inspectors' (known as the examining authority) to examine the application. The examining authority will consider the application documents and the representations and invite all parties to attend a 'preliminary meeting', setting out what the examining authority considers to be the principal issues relating to the Scheme, and a draft timetable for examining it;
- 3.3.5 At or before the preliminary meeting, participants may make submissions about how the application should be examined. The preliminary meeting does not consider issues of substance relating to the application;
- 3.3.6 Following the preliminary meeting, the examining authority will issue an examination timetable and it is also likely to issue an initial set of written questions. The timetable will give details of deadlines for submitting written representations, commenting on others' representations, answering the examining authorities' questions and commenting on others' answers. Hearings may be scheduled at this point, or these may be programmed at a later time, and further questions and requests for information may be issued by the examining authority. Further information on participating in the examination of the application can be found on the Planning Inspectorate's website including in the Advice Notes it has issued;
- 3.3.7 The examination period (which includes the submission of all written material as well as holding hearings and site visits) starts from the date of the preliminary meeting and must take no more than six months. This can only be extended with the authorisation of the Secretary of State.
- 3.3.8 Following the end of the six month examination period, the examining authority must submit a report to the Secretary of State for Transport within three months, who then has a further three months to determine the application.
- 3.3.9 NCC welcomes correspondence from interested parties in relation to the Scheme - questions relating to the examination process should be directed to the Planning Inspectorate.

Appendices

4.1 Appendix A – Location Plan

4.2 Appendix B – S35 Application

4.3 Appendix C S35 Direction

5. Glossary

DCLG	Department for Communities and Local Government
DfT	Department for Transport
DMRB	Design manual for Roads and Bridges
EA	Environment Agency
GNDP	Greater Norwich Development Partnership
HA	Highways Agency
JCS	Joint Core Strategy
LTP	Local Transport Plan
NATS	Norwich Area Transportation Strategy
NCC	Norfolk County Council
NIP	National Infrastructure Plan
NDR	Norwich Northern Distributor Road
NPPF	National Planning Policy Framework
NPS	National Policy Statement
TEN-T Routes	Trans-European Network of transport routes
WebTAG	Web-based Transport Appraisal Guidance produced by the Department for Transport

