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

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## 10.4 Consent from the Highways Agency to include Crown Land in the Development Consent Order

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Planning Act 2008

Infrastructure Planning

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

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## Table of Contents

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1	Key Summary.....	3
2	Introduction .....	4
3	Consent from the Highways Agency .....	5
4	Appendices .....	7
	Appendix A – Letter from Highways Agency dated 3 December 2013 .....	8

## 1 Key Summary

### 1.1 Consent has been obtained from the Highways Agency (HA):

- 1.1.1 to include Crown Land, comprising part of the existing A47 trunk road, in the proposed Development Consent Order for the Norwich Northern Distributor Road (NDR) in order to acquire any third party interests in such land;
- 1.1.2 to use Crown land temporarily, pursuant to an Agreement between the HA and Norfolk County Council (NCC) under Section 6 of the Highways Act 1980, to enable NCC to carry out works to connect the NDR to the A47(T) at Postwick, including:-
  - a) construction and maintenance of the proposed new Postwick bridge over the A47(T);
  - b) improving the existing Postwick bridge crossing the A47(T);
  - c) improving and signalling the existing Postwick Park and Ride junction on the south side of the A47(T);
  - d) carrying out works to close the existing eastbound merge and diverge A47(T) slip roads and subsequently re-opening part of the existing eastbound diverge A47(T) slip road to provide access for non-motorised users between the A47(T) and the A1042 Yarmouth Road (at the Postwick North West roundabout); and
  - e) constructing new replacement eastbound merge and diverge A47(T) slip roads.

## 2 Introduction

- 2.1 This document is submitted in relation to the application for a Development Consent Order by Norfolk County Council to the Secretary of State, under the Planning Act 2008.
- 2.2 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.
- 2.3 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.
- 2.4 Norfolk County Council (NCC) has included this document in the application as evidence that the Highways Agency (HA) has granted agreement in principle to NCC to use Crown land for the purposes described in section 3 below, in order to facilitate delivery of the proposed NDR.

### 3 Consent from the Highways Agency

- 3.1 Where the use of land within and adjacent to the existing trunk road highway boundary is necessary for the delivery of the proposed NDR scheme, the areas of land in question have been included within the Development Consent Order. The purpose of this approach is to provide NCC with the opportunity to acquire any existing third party interests that need to be acquired to enable the NDR to be delivered. NCC does not intend to acquire the Secretary of State's interests in such land (which is categorised as Crown land for the purposes of the Planning Act 2008), but only the interests that others may have in such land.
- 3.2 The Highways Agency (HA) has been consulted on this approach and has confirmed that it has no objection in principle to the inclusion in the Development Consent Order for the NDR of land in the ownership of the Secretary of State for Transport, on the basis that NCC does not intend to acquire the Secretary of State's interest in such land.
- 3.3 The HA has also stated that it has no objection in principle to the use by NCC of Crown land to enable NCC to carry out works to connect the NDR to the A47(T) at Postwick. Such works, which are proposed to be carried out pursuant to an Agreement between the HA and NCC under section 6 of the Highways Act 1980, will comprise:
- a) the construction and maintenance of the proposed new Postwick bridge over the A47(T), such bridge to run from the proposed new Postwick North East Roundabout (on the north side of the A47(T)) to the existing Postwick Park and Ride Junction (which will be signalised as part of the works to which the Development Consent Order relates);
  - b) proposed improvements to be made to the existing Postwick bridge which currently crosses the A47(T) (and which runs from the existing Postwick North West Roundabout on the north side of the A47(T) to the existing Park and Ride Junction on the south side of the A47(T));
  - c) proposed signalisation and improvements to be made to the existing Postwick Park and Ride Junction on the south side of the A47(T);
  - d) the carrying out of works to close the existing eastbound merge and diverge A47(T) slip roads and subsequently re-opening part of the eastbound diverge slip road to provide access for non-motorised users between the

A47(T) and the A1042 Yarmouth Road where it joins the Postwick North West Roundabout; and

- e) proposed construction of new merge and diverge eastbound slip roads running from the proposed new Postwick North East Roundabout to the A47(T).

3.4 A letter from the Highways Agency confirming its agreement to the above is contained in Appendix A of this document.

## 4 Appendices





**Appendix A – Letter from Highways Agency dated 3 December 2013**



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3 December 2013

**For the attention of Mr Mark Kemp**

Dear Mr Kemp

**Norwich Northern Distributor Road – Application by Norfolk County Council for a Development Consent Order under the Planning Act 2008**

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

1. Further to previous discussions in relation to the above, I can confirm that the Highways Agency has no objections in principle to:
  - (i) the inclusion of land, known and/or assumed to be in the ownership of the Secretary of State for Transport and categorised for the purposes of the Planning Act 2008 as 'Crown land', within the above mentioned Development Consent Order (DCO), on the basis that Norfolk County Council (NCC) does not intend to acquire the Secretary of State's interests but only the interests that others may have; and
  - (ii) permitting NCC to use Crown land temporarily to enable NCC to carry out the works which are described below:
    - a) construction and maintenance of the proposed new Postwick bridge over the A47, such bridge to run from the proposed new Postwick North East Roundabout (on the north side of the A47(T)) to the existing Postwick Park and Ride Junction (which will be signalised as part of the works to which the Order relates);
    - b) proposed improvements to be made to the existing Postwick bridge which currently crosses the A47(T) (and which runs from the existing Postwick North West Roundabout on the north side of the A47(T) to the existing Park and Ride Junction on the south side of the A47(T));

- c) proposed signalisation and improvements to be made to the existing Postwick Park and Ride Junction on the south side of the A47(T);
  - d) carrying out works to close the existing eastbound merge and diverge A47(T) slip roads and subsequently re-opening part of the eastbound diverge slip road to provide access for non-motorised users between the A47(T) and the A1042 Yarmouth Road where it joins the Postwick North West Roundabout; and
  - e) proposed construction of new merge and diverge eastbound slip roads running from the proposed new Postwick North East Roundabout to the A47(T).
- 2. The Agency acknowledges that the works described in paragraph 1(ii) above will be carried out by NCC pursuant to the terms of an Agreement between the Agency and NCC under Section 6 of the Highways Act 1980.
  - 3. In addition to the above, the Agency confirms that it has no objections in principle to the proposed future transfer of land from NCC to the Secretary of State for Transport, in connection with the works described in paragraph 1(ii)(e) above, such land being land on which the proposed new (replacement) eastbound merge and diverge A47(T) slip roads are to be constructed. The Agency acknowledges that the proposed future transfer of such land would only take effect once the land was in the ownership of NCC and the proposed new slip roads had been constructed thereon.
  - 4. The Agency would expect to be kept fully informed of the detail of any of the requirements mentioned above prior to and following the granting by the Secretary of State of any Development Consent Order in respect of the Norwich Northern Distributor Road.

Yours sincerely



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