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

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## Response to Local Impact Report

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Planning Act 2008

Infrastructure Planning

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

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## **1 Purpose and Structure of this Document**

- 1.1.1 This document responds to the Local Impact Report (LIR) submitted to the Examination jointly by Broadland District Council (BDC), the Broads Authority (BA), Norfolk County Council (NCCo), Norwich City Council (NCC) and South Norfolk Council (SNC) (together the host authorities).
- 1.1.2 This document is separate from the Applicant's comments on the Written Representations which are provided in a separate document at the same time as this LIR response.
- 1.1.3 This response document is structured principally to align with the structure of the joint LIR, dealing with sites, topics or themes arising from the DCO application.
- 1.1.3 This Response does not seek to respond to every element of the LIR particularly as large parts of the LIR are positive about the Scheme and its benefits and as in many parts the LIR confirms that the host authorities agree with the Applicant's assessment or view. This response focuses on the some key points raised and others where the Applicant considers that a response will assist the Examining Authority. The Response also cross refers to, rather than repeats, matters which are already set out in the DCO application documents.

## 2 Local Transport Issues

- 2.1.1 The Norwich Area Transport Strategy (LIR Section 6.2)
- 2.1.2 Policy 2 – Northern Distributor Road
- 2.1.3 The applicant notes that the LIR highlights that it would be useful to have a complete list of the mitigation measures and off-line improvements designed to reduce traffic impact and improve road safety.
- 2.1.4 The Applicant has supplied a list under Appendix A
- 2.2.1 The areas to the north and east of the NDR (Broadland District Council) (LIR section 6.8)
- 2.2.2 The fourth bullet point in this section reads: "*The A1151 Wroxham Road (site A59) where traffic levels double over current levels and will be 62% above the 'No NDR' scenario (up to 23,800 vpd). A safety improvement at the junction at Green Lane West is likely to be required.*"
- 2.2.3 The applicant has included a safety improvement proposal for this junction as part of the submitted scheme.
- 2.2.4 The fifth bullet point in this section reads: "*The B1150 North Walsham Road, with traffic levels almost double current levels, and 50% above the 'No NDR' levels (to 19,000 vpd). This increase is likely to require capacity enhancements at the Crostwick junction.*"
- 2.2.5 The applicant has carried out an operational assessment at this junction and confirms that the junction has sufficient capacity, and that an improvement is not required.
- 2.3.1 Impacts on Pedestrians and cyclists (LIR section 6.10)

2.3.2 During the April/May/June 2012 public consultations NCC had various requests for improved walking and cycling facilities. As a result a strategy was developed to consider and prioritise these consultation requests. The strategy published as part of the February/March 2013 public consultations identified a network of routes to link areas that generate NMUs (such as villages, employment areas, future development) with each other, the Norwich Cycle Network and the Marriott's Way. Part of these routes utilised narrow country lanes, roads closed to motor vehicles and existing public rights of way. NCC has prioritised NMU improvements on this network. The network as shown during the February/March 2013 public consultations contained in Appendix B)

2.3.3 These improvements have included new grade separated crossings at the following locations:

- Marriott's Way Bridge – which carries Marriott's Way and National Cycle Route 1 over the NDR;
- Bell Farm Bridge – which carries Horsford Restricted Byway No. 5 and a private means of access over the NDR;
- New Cromer Road Bridge – which provides a shared use footway/cycleway adjacent to the A140 Cromer Road over the NDR;
- Buxton Road Bridge - which provides a shared use footway/cycleway adjacent to Buxton Road over the NDR;
- Newman Road Bridge, which provides a combined private means of access and bridleway over the NDR;
- a bridleway adjacent to the Norwich to Sheringham railway line, between Green Lane East and Plumstead Road, which passes under the NDR Bridge (Over Railway Line);

- a shared use footway/cycleway adjacent to Plumstead Road, which passes under the NDR Bridge (Over Plumstead Road);
- Middle Road Bridge, which provides a shared use footway/cycleway adjacent to Middle Road over the NDR;
- Two grade separated crossings of the A47- which provide shared use footway/cycleways over the A47.

2.3.4 The Scheme includes the provision of new segregated shared use footway/cycleways around the perimeter of the roundabouts with crossing facilities which are at grade and un-signalised. The crossings are generally positioned where there are splitter islands or central reserves so that NMUs would not need to cross the dual carriageway or radial routes in a single manoeuvre.

### **3 Biodiversity**

#### 3.1.1 Designated Sites (LIR Section 8.2)

3.1.2 The first paragraph of this section states: "*This area of Norfolk has a high importance for nature conservation. It lies between Natura 2000 sites in the Broads and the River Wensum, the Broads Ramsar Site and Whitlingham Marsh Local Nature Reserve. Fifteen County Wildlife Sites (CWS) are in the Zone of Influence (ZoI), one of which, Ortlan's Grove CWS, will be directly impacted by the scheme.*"

3.1.3 The Applicant assumes that the reference to Ortlan's should be Ortolan's. The Applicant is currently investigating the request to modify the shape of the lagoon to retain the remaining trees within the ancient woodland.

#### 3.2.1 Trees (LIR section 8.3)

3.2.2 The first paragraph reads: "*if there is scope at the detailed design phase, it may be prudent to consider the alterations to the lagoon design to minimise impact on the Ortlan's Grove*"

*ancient woodland*". This change has been suggested and the Applicant is currently investigating as stated above.

3.2.3 The second paragraph reads

*"A landscaping and ecological management plan should be produced for the scheme. The long-term management of the landscaping should be carefully considered, allowing for efficient and achievable maintenance and an opportunity for review as the landscaping matures. It would be prudent to consider if newly-planted trees should include a range of ages/sizes to provide immediate reduction to the sudden impact of loss of trees. Similarly the resilience of tree species should be considered in terms of climate change, and a mix of species and genera may be needed to allow for resilience from diseases. Planting in close proximity to the Airport will need to be carefully considered to avoid Airport operational issues within this area."*

3.2.4 These issues have been addressed within the Arboricultural Impact Assessment (6.2 Environmental Statement Volume 2 Chapter 20), the Landscape Chapter of the ES (6.1 Environmental Statement Volume 1 chapter 7) and the ES Chapter on Nature Conservation (6.1 Environmental Statement Volume 1 chapter 8)

3.2.5 A Landscape and Ecological Management Plan (LEMP) is to be produced, which includes construction phase and operation phase management requirements. This will be annexed to the Construction Environmental Management Plan (CEMP), having been approved by the relevant Planning Authority, in conjunction with Natural England. A Draft LEMP is to be provided to the Planning Inspectorate by 4<sup>th</sup> August 2014.

3.2.6 Out of necessity to provide viable flight routes for bats from the very earliest stages, some of the proposed landscaping/habitat



creation will include the planting of more established trees and shrubs to recreate existing flight routes.

3.2.7 The proposed woodland and scrub species mixes are considered to be sufficiently varied as to allow resilience from disease. The landscaping has been designed to replicate those already present in the wider setting to ensure that the scheme beds into the landscape well. The soils locally are often fairly sandy and free draining, meaning that those semi-natural habitats that the landscaping will mimic are accustomed to dry conditions, which are likely to become more prevalent in the future due to climate change.

3.3.1 Bats (LIR section 8.4)

3.3.2 Paragraph four of this section states: "*The scheme has limited scope within its 'tight to the road' footprint to provide suitable compensatory habitat for bats that is away from the Zol and does not put bats in jeopardy. Therefore the landscaping scheme will be unable to provide compensation for direct loss of bat foraging habitat. This is recognised in the ES (paragraph 5.4.4). An 'offset' scheme, targeted to an ecologically appropriate zone around the road corridor as suggested in the ES would seem a suitable mechanism for compensating for the residual adverse impact of the proposed development.*"

3.3.3 NCC is confident that the measures within proposed Scheme are sufficient to mitigate for the impacts on bats. Once established, the landscaping/habitat creation, in conjunction with other features such as bat gantries, green bridges and an underpass will serve to mitigate as far as possible the severance and fragmentation that, unmitigated, the proposed Scheme may cause.

- 3.3.4 The issues associated with potential severance of bat flight routes have been an inherent part of the design and assessment processes, and as such mitigation measures have been designed to address this.
- 3.3.5 It is felt that additional allowance for habitats, which may be some distance from the footprint of the proposed Scheme, would be unlikely to address the issues of severance any more than the landscaping, habitat creation and other mitigation measures already proposed.
- 3.3.6 Feedback from Natural England on the mitigation proposals, included in the ES to address the impacts of severance on protected species, has been good. The Statement of Common Ground and Relevant Representations have included statements indicating that they welcome the proposed mitigation measures described for the addressed protected species.
- 3.3.7 As a means of addressing concerns about connectivity to the wider landscape, Norfolk County Council has committed a sum of £30,000 a year for three years (starting in 2014 and a payment has already been made) to Farm Conservation Limited's Connecting Nature Fund, a collaborative entity with involvement from Norfolk County Council's Biodiversity and Countryside Team, Natural England and Wild Anglia. The funds will be used to secure the improvement and enhancement of hedgerows. As linear features that already exist, this should be an effective means of mitigating in the wider landscape.

3.4.1 Badgers (LIR Section 8.5)

3.4.2 The LIR states ; "*As badgers occur in the construction zone and are prone to collisions with traffic, fencing will need to be installed where necessary to ensure that badgers do not enter onto the carriageway. The badger report in the ES recommends grassland is provided adjacent to foraging areas to increase habitat although it is assumed there is limited scope to provide this within the footprint of the scheme that would not put animals using it in jeopardy.*"

3.4.3 The proposed Scheme includes provision for the installation of badger fencing at locations where populations exist close to the road, to ensure that badgers are unlikely to stray onto the carriageway where they would be at risk of death or injury due to collisions with vehicles. Surveys have continued since production of the ES to ensure that the locations of individual badger populations remains understood. Any changes in their locations would results in alterations to the location and extents of badger fencing.

**4 Landscape and Visual (LIR section 11)**

4.1.1 Paragraph 11.5 states: "*Additional planting as part of the NDR within the area should have regard to Civil Aviation Authority guidance on landscaping and localised impacts within the area resulting from the NDR.*"

4.1.2 The tree planting around the airport has been designed in consultation with Norwich Airport to ensure that impacts on the operation of the Airport are minimised.

4.2.1 Drainage of the NDR (LIR section 12.2)

4.2.2 The LIR states: "*All infiltration basin lagoons have been sized*

*to accommodate a 100 year return period storm event with an additional allowance of 30% for anticipated climate change plus a minimum 300mm freeboard and discharges from lagoons to surface water will be restricted to the greenfield runoff rate. The lagoons within areas with poor infiltration rates, where some infiltration rates are particularly low, require permeability testing to BRE Digest 365 standards and investigation of modifications to the designs and management of the lagoons in order to increase drainage rates."*

4.2.3 Permeability testing to BRE Digest 365 has been undertaken and design solutions are being discussed with the Environment Agency.

4.2.4 Considerations of the provisions and requirements within the draft order (LIR Section 15)

## **5 Response to comments on Local Impact Report in relation to Schedule 2 of the draft DCO**

### **5.1.1**

1. Paragraph 15.2, first bullet point: The Applicant does not consider it appropriate that the local highway authority is a consultee for any of the plans and schemes that have to be approved under the Requirements. The NDR is being promoted by the local highway authority and there may be confusion if it is seen to be consulting itself. The County Council as local planning authority is the body approving plans and schemes under the Requirements and it can itself consult with highway officers if it considers it appropriate.
2. Paragraph 15.2, second bullet point: The first part of Requirement 4 refers to the development being carried out in accordance with specific plans. The second part refers to the development being carried out in accordance with plans, documents, etc approved in accordance with the Requirements.

There is therefore no need to include the word “documents” in the first part of the Requirement as it just relates to the listed plans.

3. Paragraph 15.2, third bullet point: The Applicant agrees that the replanting period for trees and shrubs should be extended to 5 years in Requirement 5.
4. Paragraph 15.2, fourth point: The Applicant agrees to include the additional wording referring to BS5837 (2012) in Requirement 6.
5. Paragraph 15.2, fifth bullet point: The Applicant agrees that the replanting period for trees and shrubs should be extended to 5 years in Requirement 6.
6. Paragraph 15.2, sixth bullet point: The environmental statement, submitted with the DCO application contains the contaminated land risk assessment. There is no need therefore for further testing as provided for in the host authorities' suggested Requirement. The Applicant considers that its proposed Requirement 8 is suitable and secures the necessary mitigation. It also considers that the Applicant's requirement 8 is clearer than that suggested by the host authorities. The Applicant's requirement provides for: a remediation scheme to be approved and implemented; unexpected contamination to be reported to the relevant planning authority and for a risk assessment to be provided; and for a remediation scheme to be approved and complied with, if necessary.
7. Paragraph 15.2, seventh bullet point: The Applicant considers that separate requirements for noise and vibration (during construction), noise attenuation and maintenance (during operation) and hours of working are easier to understand, discharge, monitor and enforce. It does not agree that they should be amalgamated.

8. Paragraph 15.2, eighth bullet point: The Applicant agrees to amend the wording of Requirement 10 to refer to “Construction Workers Travel Plan”.
9. Paragraph 15.2, eleventh bullet point: The Applicant agrees to the inclusion of the additional wording to ensure that the measures to minimise dust and windblown materials are complied with.

## **6 Conclusions (LIR Section 16)**

- 6.1.1 The Applicant notes that 16.5 What is also clear from the considerations in the preceding sections is that there will be some impacts that could be considered not to be beneficial. Certain impacts such as air pollution, noise pollution, road closures and landscape impacts are clearly going to arise with a scheme such as this. All of which is tied together by the impacts that the development will have on the people residents of and visitors to the districts. However, the submission documents show that these matters have been carefully considered and provisions for appropriately mitigating against them have been proposed to the satisfaction of the authorities.
- 6.1.2 16.6 Overall the route of the NDR is of particular relevance to the authorities who have prepared this Local Impact Report as well as their residents and business users. It is needed (as part of the NATS) to service current transport requirements and is a pre-requisite for development of housing and employment opportunities within the Growth Triangle to the north east of Norwich and as part of the NPA (as identified in the JCS), as it will enable significantly enhanced public transport, cycling and walking networks and will allow for a Bus Rapid Transit network to serve key destinations. Given this each authority has indicated its support for the NDR. “