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

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## Applicant's comment on Written Representations by Landowners

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Planning Act 2008

Infrastructure Planning

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

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## **Introduction**

This document provides the Applicant's responses in respect of selected issues raised by Interested Parties in their Written Representations to the Examining Authority. The Written Representation covers many issues. Some of these have been addressed elsewhere (including the Applicant's comments on Relevant Representations, and the Applicant's comments on other Written Representations). Therefore a limited selection of issues raised have been extracted and comments provided.

The points have been responded to where possible in the order they were raised. Each issue, or in some cases a summary of it, is shown in italics.

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## Applicant's comment on Written Representations

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### 1.1. L Thomson on behalf of Mr & Mrs Arnold dated 27 June 2014

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A of the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5).

#### Representation

*A bridleway is proposed along the northern boundary of the NDR where it severs the Arnolds' holding. The Arnolds are concerned that the bridleway is a source of insecurity; as it improves access to their farm buildings. This is especially the case as for most of its route eastward from Deighton Hills the bridleway is wide enough to take vehicular traffic, owing to the requirement for conjoined access for neighbouring owners.*

*It is submitted that two mitigation measures are required:*

*(i) the bridleway has a padlocked gate, with padlocks available solely to owners having vehicular rights. It is accepted that a smaller open access will be required for bicycles and horses.*

*(ii) more landscaping planting along the northern boundary of the NDR.*

#### Applicant's comment

1.1.1. The applicant accepts the principle of providing a gate, but would need to confirm the detailed arrangements before confirming this is acceptable.

1.1.2. The Applicant is currently considering the additional landscaping request. If the Applicant proposes to take the request forward, it will work up a detailed design for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase

hearing. If the issue is proposed the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

#### Representation

*The bund within Plot 2/5 to the north of the scheme is designated on the General Layout Plan sheet 2 of 12 as “grassland creation”.*

*This is unacceptable to the Arnolds. Landscape planting must be installed in this location to improve environmental mitigation to the retained holding.*

#### Applicant’s comment

- 1.1.3. If the Applicant proposes to take the request forward, it will work up a detailed design for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. If the issue is proposed the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

#### Representation

*The Arnolds see no need for the acquisition of Plot 2/11. The Council is requested to agree to plant this plot with trees.*

#### Applicant’s comment

- 1.1.4. The Applicant is currently considering the request to only take rights over this Plot rather than freehold acquisition. If the Applicant proposes to take the request forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

Representation

*Plot 2/6 is a temporary acquisition to provide temporary ground for the partial relocation of the National Grid gas main.*

*The Council is requested, once National Grid releases its construction proposals, to permit the Arnolds to discuss arrangements to ensure that the temporary land take is minimised.*

Applicant's comment

- 1.1.5. When the information is available from National Grid the Applicant will discuss with the landowner the proposals and if the areas of temporary land take can be reduced. If it is possible then the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

Representation

*Details of the form of construction of the balancing pond, located on Plot 2/13 have not been released. The Arnolds require the area to be a wet land area, with any pond being constructed with matting rather than a concrete structure.*

Applicant's comment

- 1.1.6. Norfolk County Council (NCC) does not intend to construct any lagoons as concrete structures; these will be earth construction with shallow grassed side slopes.
- 1.1.7. The lagoons are split into two different ponds a 'Primary Lagoon' and an 'Attenuation Lagoon'. The Primary lagoon will be lined with a geotextile material, with the purpose of containing accidental spillage from traffic accidents, before discharging to a secondary attenuation lagoon which will be unlined to allow infiltration.
- 1.1.8. Norfolk County Council does not intend to provide any permanent wet areas in any of the primary lined lagoons because they will be used



as pollution containment as required by the Environment Agency. Lining any parts of infiltration lagoons would impede their function and therefore is not considered appropriate.

#### Representation

*The Council's current proposals are for a roundabout junction for Fir Covert Road with the NDR. Appropriate safety measures for young cyclists using Fir Covert Road to attend Taverham High School are required. A pedestrian crossing is present on the A1067 where the speed limit is 30 mph. There is no such provision at the Fir Covert Road roundabout junction where traffic speeds will be far greater.*

#### Applicant's comment

- 1.1.9. NCC's proposed scheme includes the provision of new segregated shared use footway/cycleways around the perimeter of the roundabout with crossing facilities which are at grade and unsignalised.
- 1.1.10. NCC has considered the provision of signalised crossing at this junction. If a signalised crossing was introduced that is not frequently used this can present its own safety problem as drivers who become accustomed to not being stopped at the crossing may begin to ignore its existence (as suggested in Local Transport Note 1/95 Paragraph 4.2.4).
- 1.1.11. This arrangement is considered appropriate provision to cater for the anticipated level of usage. These proposals were subject to a safety audit in November 2013.

## 1.2. Charles Birch on behalf of Mrs Barratt 30 June 2014

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

### Representation

*The private access should be realigned to lead direct from the roundabout, rather than following the restricted byway round the corner.*

### Applicant's comment

- 1.2.1. The Applicant is currently considering this request. The Applicant will discuss its findings further with the landowner with the aim that the matter is resolved at least two weeks prior to the first of the Examination compulsory acquisition hearings. If the change is to be taken forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

### Representation

*The line of acquisition needs to be protected by fencing and hedge planting.*

*The line of the realigned restricted byway needs to be fenced and hedged to give a clear boundary and site security.*

*Fencing will be necessary for the security for future livestock when the land is returned to grassland. We welcome discussion about the specification, but recommend post and rail with stock netting.*

### Applicant's comment

- 1.2.2. The Applicant accepts that boundary fencing and hedging is appropriate and is currently in discussions with the landowner to agree the detailed specifications.

**1.3. Charles Birch behalf of Mr Derek Barrett, Mr Nicholas Waller-Barrett & Mr Carl Waller Barrett - Dated 30 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

Representation

*The application is informed by the theoretical noise maps which show the relative increase in noise emanating from the new road.*

*We agreed that Mott Macdonald would instruct consultants to undertake noise readings to understand better the impact of the road on noise increases.*

*The intention was to ensure that we could debate the noise impact and assess accurately whether changes to the design or the landscaping and banks could reduce the impact of the road.*

*We would urge in addition that the Inspector considers carefully the impact of noise generally and the running surface to be used as well as the long term commitment to maintain the surface. We are advised that the surface will be a quiet surface.*

Applicant's comment

- 1.3.1. The bunds have been designed to provide effective visual and noise mitigation for the scheme as explained in Chapters 7 and 11 of Volume 1 of the Environmental Statement (Document Ref. 6.1).
- 1.3.2. The Applicant is currently undertaking further background noise surveys in response to consultation with landowners. These have been undertaken in May 2014 and are currently being extended during July 2014. The noise monitoring points have been agreed with landowners and their agents.
- 1.3.3. The proposed road surface will be constructed from a material that reduces the generation of tyre noise as explained in Section 11.6 of

Volume 1 of the Environmental Statement (Document Ref 6.1) which supports the DCO application.

Representation

*The boundaries need to be assessed both on the line of severance and due to the changes in the way other local roads will be used, to prevent a recurrence of problems with tipping and travellers taking up residence as they have in the past.*

Applicant's comment

- 1.3.4. The Applicant generally accepts the issues raised and is currently in discussions with the landowner to agree the detailed specifications.

Representation

*There is continuing concern regarding the use of the closed off Holt Road. In our view it remains important to limit the extent to which it can be used for traffic and to consider carefully how to redesign the scheme to restrict against unlawful uses. It is likely to become mis-used and it is likely that the whole length should be planted with a hedge to off-set some of the probable access difficulties expected in future.*

Applicant's comment

- 1.3.5. The Applicant notes the concern raised regarding the proposed closure of the B1149 Holt Road. Prior to 2009 the applicant intended to bring the Holt Road and Cromer Road together at the existing junction, modified to pass over the NDR. However, work at the time showed that the most effective solution would be to link the Holt Road directly to the NDR at Drayton Lane instead of at Cromer Road.
- 1.3.6. The length of Holt Road will remain public highway to serve the existing properties at the southern end. As this road will still remain highway the council will continue to be responsible for its maintenance and management.

- 1.3.7. Norfolk County Council as the highway authority and the police both have powers to deal with unlawful uses of the highway such as obstruction.
- 1.3.8. The Applicant is willing to consider filling in any gaps within the existing boundary screen along this boundary with hedging.

#### Representation

*Our strong preference to avoid or to mitigate the impact of the road, both from visual impact and noise, is to lower the road surface and increase the banks and to plant with more imaginative plant species than is generally used by acquiring authorities. It has been agreed to establish higher banks along the length of the works and for both sides to be planted.*

*With this in mind, the bank height along the full length of road should be maintained to as great a height as possible to protect all the properties on the north side of the road including in the village.*

*In addition the embanked area north-west of the Holt Road roundabout should be raised in level to as great a height as possible to reduce the impact from the roundabout in noise and visual terms.*

*It has been agreed previously and the proposed amendment to the NDR scheme reflects that the southern embankment across Glebe Farm will be planted with trees although this is not shown on all of the most recent plans.*

#### Applicant's comment

- 1.3.9. The bunds have been designed to provide effective visual and noise mitigation for the scheme as explained in Chapters 7 and 11 of Volume 1 of the Environmental Statement (Document Ref. 6.1).
- 1.3.10. The Applicant is currently considering the request for alternative planting. If the Applicant proposes to take the request forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

Representation

*Access across this farm will be impaired.*

*It is imperative that the internal roadways are planned carefully.*

*We are conscious of the need to extend the internal road proposed to link to the eastern-most field on the south of the NDR.*

*The access across the south of the farm will need to be improved to make it suitable for the increased use.*

*Access gates will be required as stated from Reepham Road and Hall Lane, and internal roads will be required to link these access points with the various enclosures. This has been much talked about but agreement is required as a matter of importance.*

Applicant's comment

- 1.3.11. The Applicant generally accepts the issues raised and is currently in discussions with the landowner to agree the detailed specifications.

Representation

*The road scheme will terminate the present irrigation scheme layout.*

*We have obtained prices from specialists to relocate the mains and hydrants. It is necessary to finalise agreement that the internal reorganisation of the irrigation system will be agreed and will be paid for by the acquiring authority.*

Applicant's comment

- 1.3.12. The Applicant acknowledges the need for alterations to the landowner's private irrigation system and the preference for these works to be undertaken prior to the main construction programme. The Applicant will discuss with the landowner and their drainage consultants whether the most appropriate method of delivery is for

the Applicant to undertake the alterations itself or pay the landowner to arrange themselves.

#### Representation

*If this area is to be used for temporary storage, it must be fenced prior to access, and it is essential that reinstatement is properly overseen and undertaken in suitable conditions included in a full approved method statement. We have asked to discuss this, but no feedback has been received.*

#### Applicant's comment

- 1.3.13. As set out in paragraph 3.2.5, Section A, Agricultural Impact Assessment, Chapter 13 Community and Private Assets & Drawings (Document Ref 6.2) the Applicant will be obliged to return land used to accommodate construction workings – that is, land considered under “temporary land-take” – to its baseline condition. Agricultural land temporarily taken out of production will therefore be returned to its original land grade throughout the scheme. The Applicant will adopt the best practice as outlined in DEFRA’s “Construction Code of Practice for the Sustainable Use of Soils on Construction Sites”. A copy of which is included in Appendix [A].
- 1.3.14. The Applicant can confirm that the area will be fenced and will liaise with the landowner to ensure the reinstatement works are carried out their reasonable satisfaction.

Representation

*On plan reference MMD-233906-DT0578, drainage attenuation lagoon 6 is to the west of Drayton Lane.*

*The Barretts are dismayed to find that attenuation lagoon 6 has been relocated on the east of the lane which will impact even further on the retained holding.*

*Drainage attenuation lagoon 6 will fit better on the west of the junction than the east.*

*The impact of this lagoon is no exception, the shape could be made to fit better either on the east or and especially on the western side where it could be tucked into the area affected by the junction.*

Applicant's comment

- 1.3.15. The Applicant will investigate a redesign for this lagoon for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. It should be noted that any change could not be accommodated within the red line boundary. However the request has come from the relevant affected landowner and no other landowners would be affected by the change, if taken forward.



**1.4. Charles Birch behalf of Mr Karl Basey - Dated 30 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

Representation

*We have tentatively agreed that there will be a new close boarded fence to partly deaden the sound, as the road is very close on two sides.*

Applicant's comment

- 1.4.1. The Applicant accepts that boundary fencing of this nature is appropriate and is in discussions with the landowner to agree the extent and detailed specification.

Representation

*We have tentatively agreed that a private access will be taken from the roundabout into the property.*

Applicant's comment

- 1.4.2. The Applicant is working up a detailed design for a new private access for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. If the Applicant proposes to take the issue forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

Representation

*We believe that the bridleway crossing situated immediately adjacent the present access to the house and the cottage in family ownership conflicts with the access. We have requested that the access be closed and replaced with a revised simple access nearby.*

Applicant's comment

- 1.4.3. The Applicant will consider this as part of the detailed design but does not accept that use of the existing access would be compromised by the new equestrian crossing. The applicant is also currently investigating the new access mentioned in Para. 1.4.2 above, which could become the main access location to the property.

**1.5. Charles Birch on behalf of Hilary Barratt and Michael Dewing on behalf of the Trustees of the Beeston Estate - Dated 30 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

Representation

*Carry out the noise investigations offered and assess the alterations that can be made to mitigate noise in the area, particularly as it relates to Beeston Hall and Red Hall. In our view it is also within the areas owned by the trustees that any solution or mitigation to the noise impact on the adjoining estate, The Wroxham estate will be provided.*

*We envisage on site discussions about the level of the road surface and height of embankments as well as some deliberation about the relative benefit of planting.*

Applicant's comment

- 1.5.1. The Applicant has agreed to undertake further background noise surveys in response to consultation with landowners. These will commence during July 2014 and noise monitoring points will be agreed with the landowners and their agents.
- 1.5.2. The bunds have been designed to provide effective visual and noise mitigation for the scheme as explained in Chapters 7 and 11 of Volume 1 of the Environmental Statement (Document Ref. 6.1).
- 1.5.3. The proposed road surface will be constructed from a material that reduces the generation of tyre noise as explained in Section 11.6 of Volume 1 of the Environmental Statement (Document Ref 6.1) which supports the DCO application.

- 1.5.4. If as a result of the further site specific noise investigation the parties consider that minor amendments to the mitigation proposals would be beneficial, the Applicant would consider such modifications.
- 1.5.5. If the Applicant proposes to take any modifications forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

Representation

*Gate and set back the access shared with attenuation lagoon 14.*

Applicant's comment

- 1.5.6. The Applicant accepts the issues raised about the access and is currently in discussions with the landowner to agree the detailed specifications.

Representation

*Hedge and fence the line of severance on the new Buxton Road alignment and hedge and fence the drainage lagoon and the line of severance along whole length on the north and south side.*

*Set back and gate the shared field access with the drainage attenuation lagoon 14A.*

*Hedge and fence the attenuation lagoon and realign 14A to utilize the space adjacent NDR to optimise retained land.*

*Secure the boundary with the bridleway with a hedge using a temporary fence if necessary to ensure establishment.*

Applicant's comment

- 1.5.7. The Applicant generally accepts the issues raised and is currently in discussions with the landowner to agree the detailed specifications.

## Representation

*Agree terms for the bridge compound and for the temporary storage area. Agree the method statement and reinstatement terms and conditions for this and other land expected to be handed back to avoid long term crop losses expected.*

*Agree terms for use and for reinstatement with a method statement for the site compound on the north side of NDR. Discussions are required to clarify the proposals for future ownership and management presumptions of this and the landscaping land expected to be retained to establish what is required and how and whether it can be provided.*

## Applicant's comment

- 1.5.8. As set out in paragraph 3.2.5, Section A, Agricultural Impact Assessment, Chapter 13 Community and Private Assets & Drawings (Document Ref 6.2) the Applicant will be obliged to return land used to accommodate construction workings – that is, land considered under “temporary land-take” – to its baseline condition. Agricultural land temporarily taken out of production will therefore be returned to its original land grade throughout the scheme. The Applicant will adopt the best practice as outlined in DEFRA’s “Construction Code of Practice for the Sustainable Use of Soils on Construction Sites”. A copy of which is included in Appendix [A].
- 1.5.9. The Applicant will liaise with the landowner to ensure the reinstatement works are carried out their reasonable satisfaction.

Representation

*Reconsider and reduce as far as possible the land taken for the landscaping area on north side of road which has a marked and negative impact on the farm. If this is required for environmental mitigation, it can be better located on the south side nearby.*

Applicant's comment

- 1.5.10. The proposed Scheme incorporates measures to prevent, reduce and where possible offset environmental impacts from the earliest stage of the project. Specific details of the proposed mitigation measures are included in the individual topic sections of this ES. The proposed measures were designed according to statutory and non-statutory guidance and the DMRB to provide proposals that are proportionate to the significance of the relevant effect. Such mitigation measures are set out in the requirements in the applied for Development Consent Order and NCC is committed to delivering them as an integral part of the proposed Scheme.

Representation

*Provide further banking and landscaping to the south of NDR near Red Hall to protect the various properties in this location and the equestrian yard from noise. Construct further banks with landscaping to protect property to the north and the adjoining estate depending upon the outcome of promised deliberations about noise studies in the area with the noise consultants.*

Applicant's comment

- 1.5.11. Chapter 11 of Vol. 1 of the ES (Doc Ref 6.1) explains the noise impacts of the scheme on sensitive receptors including this area.
- 1.5.12. There are no proposals to provide any additional bunding in this location.

Representation

*Construct a new concrete pad in a location to be approved on the north side of the works. This is necessary due to the severance of the current pad from the main block of arable land and because the owners requests for a crossing have been refused. The scope and scale has been discussed previously but it is not yet clear whether the requirement has yet been adopted.*

Applicants comment

- 1.5.13. The Applicant acknowledges the need for a new concrete pad and has requested from the landowner proposals regarding their preferred location and dimensions. These are currently awaited. Upon receipt the Applicant will discuss with the landowner whether the most appropriate method of delivery is for the Applicant to construct the new facility itself or pay the landowner to construct their own

Representation

*Relocate underground irrigation mains as quoted. We believe this has been agreed, but has not been confirmed. It is clear that the works need to be undertaken before the construction works take place as it will be less expensive and will avoid the problem of working under the finished scheme and not being able to use the irrigation during the period of works. We recommend a meeting with the construction contractors and the irrigation contractors as a matter of importance.*

Applicants comment

- 1.5.14. The Applicant acknowledges the need for alterations to the landowner's private irrigation system and the preference for these works to be undertaken prior to the main construction programme. The Applicant will discuss with the landowner and their drainage consultants whether the most appropriate method of delivery is for the Applicant to undertake the alterations itself or pay the landowner to arrange themselves.

Representation

*Consider carefully the off-site bridleway which will pass along Beeston Lane. The crossing on the North Walsham Road near Red Hall is very dangerous. It would be better to realign the access for improved safety.*

Applicant's comment

- 1.5.15. The planning application for development at North Sprowston and Old Catton by Beyond Green Developments Ltd, which has planning authority resolution to grant permission subject to agreeing details of the S106 agreement, includes proposals to re-align this junction.

Representation

*Maintain accesses during and after the scheme for the estate and farm and in addition for the avoidance of doubt to the Farm Shop and Garden Centre.*

Applicant's comment

- 1.5.16. Access to the landowner's retained land, the Farm Shop and Garden Centre will be maintained at all times during and after the construction works.
- 1.5.17. Any temporary exceptions to this will be agreed with individual affected landowners in advance.

Representation

*Provide a set-back gated access from the North Walsham Road to the landscaped area west of road to the north of NDR for management purposes.*

Applicant's comment

- 1.5.18. No access for the landowner is currently shown to this area as the land is identified as permanent acquisition by the Applicant. If the landowner wishes to retain ownership, and only grant the Applicant



rights to carry out the landscaping, proposals for an access will be drawn up and discussed with the landowner. If the change is to be taken forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

#### Representation

*Ensure drainage from the road is traced, planned and managed to prevent pollution in lakes.*

#### Applicant's comment

- 1.5.19. The proposed Scheme incorporates measures to prevent, reduce and where possible offset environmental impacts from the earliest stage of the project.
- 1.5.20. Specific details of the proposed mitigation measures for the protection of surface water are included in Volume 1 Chapter 14 of the NDR ES. The proposed measures were designed according to statutory and non-statutory guidance and the DMRB to provide proposals that are proportionate to the significance of the relevant effect. Such mitigation measures are set out in the requirements in the applied for Development Consent Order and NCC is committed to delivering them as an integral part of the proposed Scheme.
- 1.5.21. In addition the Habitats Regulations Assessment has considered any potential effects on protected sites and species. This has been undertaken in consultation with Natural England and the Environment Agency who have the responsibility for the protection of the Wensum SAC and surface and groundwater.

## Representation

*There are concerns that environmental issues take priority over local residents and property interests and that the impact of noise has not been fully considered. Certainly it has not been discussed with owners and they remain in need of further work on this topic. Ensure current and predicted noise is considered fully and openly to assist the parties to finalise landscaping proposals.*

*With noise in mind and given the proximity of the road to a number of owned and un-owned properties, the acquiring authority should ensure use of a quiet road surface to limit the loss of value as far as possible.*

## Applicants comment

- 1.5.22. The environmental impacts of the scheme have been assessed in accordance with DMRB Vol. 11 HA 201/10 and the results including mitigation measures are set out in Environmental Statement (Document Ref 6.1).
- 1.5.23. The proposed road surface will be constructed from a material that reduces the generation of tyre noise as explained in Section 11.6 of Volume 1 of the Environmental Statement (Document Ref 6.1) which supports the DCO application.

**1.6. Charles Birch on behalf of Mr & Mrs Black - Dated 26 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

Representation

*There are currently two access points into the field on the north side of what will be the furthest extremity of the Northern Distributor Road. It is vital that these remain passable during and after construction.*

Applicant's comment

- 1.6.1. The Applicant has confirmed to the landowner that these two access points will remain passable both during and after construction.

Representation

*There is currently a fence demarking the boundary of the land alongside the road. It will be necessary to replace the current fence with an appropriate alternative and to fence the eastern boundary at the time of the realignment.*

*There is currently a hedge alongside the road. It will be necessary to replace the current one with an appropriate alternative at the time of the realignment.*

Applicant's comment

- 1.6.2. The Applicant accepts that boundary fencing and hedging is appropriate and is currently in discussions with the landowner to agree the detailed specifications.

Representation

*As the landscaping layout on the adjacent land has not been finalised questions remain to be examined and agreed as to whether the boundary on the eastern side of the land taken should also be planted with a hedge as a long term screen.*

Applicant's comment

- 1.6.3. The Applicant is willing to consider filling in any gaps within the existing boundary screen along this boundary with hedging.

**1.7. L Thomson on behalf of Blanmar 1 and Blanmar 2 – Dated 26 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

Representation

*Objections relating to:-*

*A public bridleway's routing on the new track and over bridge is an imposition on existing private users of Newman Road in terms of maintenance.*

*Blanmar requires confirmation from the Council that the new track and over bridge will be adopted (i.e. a public highway maintainable at the public expense), receipt of a plan indicating the linear length of adoption, and assurance that maintenance will be to the standard commensurate to the initial specification of track constructed.*

*A public bridleway's routing on the new track and over bridge is an interference with the enjoyment of private access rights.*

Applicant's comment

- 1.7.1. The length of new adoptable highway is detailed in Part 1 to Schedule 6 of the DCO (Document Ref 3.1) and shown on Sheet 10

(of 12) of the Street Plans (Document Ref 2.4) as Reference II. It extends from the junction of Newman Road and Long's Crescent, south westwards for a distance of 180 metres, across the Newman Track Overbridge to its intersection with the proposed bridleway which runs along the western side of the NDR.

- 1.7.2. As the Applicant will be responsible for maintenance of this length there will be no imposition of maintenance rights to existing private users.
- 1.7.3. All existing private rights will remain along the realigned track as detailed in Part 2 to Schedule 6 of the DCO (Document Ref 3.1) and shown on Sheet 10 (of 12) of the Street Plans (Document Ref 2.4) as References PMA 47 and X47 (a-j).

#### Representation

*It is submitted that the track and link track to Blanmar's eastern retained land is not constructed to a suitable specification. Blanmar requires construction to the specification contained within the Council's document entitled; Planning & Transportation Estate Design Guide for Industrial Estate Roads. In this way Blanmar can be assured that the new access arrangements will be acceptable in terms of both a) safe access for pedestrians, horse riders and cyclists as public users, and b) all landowners and businesses exercising their private rights of access along the revised Newman Road, and c) safe junctions.*

#### Applicant's comment

- 1.7.4. The landowner's retained land to the east of the NDR is currently grassland/amenity land and not industrial. The Applicant therefore does not consider that the landowner's request for an Industrial Estate Road design is appropriate or necessary.

Representation

*The Council's proposals for the junction of the link road to Blanmar's eastern land with Newman Road is on the eastern ramp of the over bridge. Blanmar has not been presented with an engineering drawing so it can be satisfied in terms of levels and tracking, that the junction is appropriate for safe movements of a large articulated lorry.*

Applicant's comment

- 1.7.5. The applicant has noted the landowners concerns and is currently investigating this matter. It will discuss its findings with the landowner.

Representation

*A public bridleway's routing conjoined with private vehicular access rights is poor public policy in terms of users' safety.*

*Blanmar has not seen an independent Safety Audit supportive of the Council's proposals in this regard. The Council's proposals do not indicate the construction specification for the running surface of Newman Road or the link road. It is currently a concrete road. The Council's proposals are for a 6 metre wide Newman Road and 3 metre wide link road. Neither track complies with the existing width running strip of 6.1m for Newman Road.*

Applicant's comment

- 1.7.6. The existing track is identified as providing legal documented private rights of access to a maximum of 8 properties. NCC is satisfied that given anticipated types and levels of traffic movements along Newman Road its design proposals for a shared use facility are appropriate in this location.
- 1.7.7. The design proposals for the Newman Road track are for it to be 6m wide with a minimum of 1m verges on either side. The PMA has been designed at a reduced 3m width with a minimum of 1m verges on either side.

- 1.7.8. This design width for Newman Road track is equivalent to the NCC route hierarchy standard for an HGV access route and is considered appropriate in this case.
- 1.7.9. At this stage it is anticipated that the realigned track will be constructed using an asphalt/macadam surface and base course laid on a granular sub-base. The exact specification will be determined as part of the detailed design process.

#### Representation

##### *OBJECTION TO PLOTS 10/17 AND 10/18*

*The Council's Application for Development Consent Order, Document Reference: 2.2, Land Plans identifies land to be compulsorily acquired from Blanmar on sheets 9 and 10 of 12.*

*The Book of Reference records no owner of plots 10/17 and 10/18.*

*As well as the 1950 conveyance providing a right of way between points marked G and Hon the transfer plan, it also provided a right of way between points E – D – C (which is that section of the base's estate road contiguous to the west boundary of the pink coloured portion of Blanmar's title NK378711) and between C - B - A which is the continuation of this estate road northward.*

*A right of way between points G and E are not specified.*

*It is submitted that the exclusion of rights between points G and E indicate ownership of Newman Road between points G and E came with Lot 13 in 1950.*

*The Book of Reference correctly places plot 10/16 in Blanmar's ownership.*

*It is submitted that the Book of Reference incorrectly records no owner of plots 10/17 and 10/18. These plots are owned by Blanmar.*

Applicant's comment

- 1.7.10. The Applicant notes the representation made by the landowner. Without further clear evidence of ownership of these plots the Applicant does not consider it necessary to amend the current entries within the Book of Reference (Document Ref 4.3).
- 1.7.11. The matter will be considered further should additional proof be provided or if a compensation claim submitted in respect of these plots if the DCO is confirmed and implemented.

Representation

*Plot 9/34 has an area of 5,366 square metres (1.33 acres). Permanent acquisition rights are sought by the Council owing to this small area being severed by the NDR. It is assumed that the provision of reasonable alternative access is uneconomic.*

*The relevant General Arrangement Plan specifies this area as useable for a Proposed Temporary Topsoil Storage area.*

*Blanmar rejects the requirement of the Council to purchase this plot, notwithstanding that access will not be provided.*

*Blanmar will consider an offer from the Council to store topsoil temporarily.*

Applicant's comment

- 1.7.12. Freehold acquisition is sought for Plot 9/34 as, in addition to the mentioned use for temporary topsoil storage, the land is also required for new woodland creation. This landscaping forms part of an integrated landscape and ecological mitigation strategy for the scheme and is considered essential in this location for both habitat creation and visual amenity purposes



**1.8. Charles Birch on behalf of Mrs S Bransom - Dated 26 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

Representation

*The application is informed by the theoretical noise maps which show the relative increase in noise emanating from the new road.*

*We agreed that Mott Macdonald would instruct consultants to undertake noise readings to understand better the impact of the road on increased noise.*

*The intention was to ensure that we could debate the noise impact and assess accurately whether changes to the design or the landscaping banks could reduce the impact of the road.*

*No further work or communication has been forthcoming so we are unable to address the real change impact caused by the road.*

*We request that the noise research be accelerated with an agreement that if there are reasonable changes to the design of landscaping banks or the level of the road surface that can be justified, that they will be accommodated.*

*We would urge in addition that the Inspector considers carefully the impact of noise generally and the running surface to be used as well as the long term commitment to maintain the surface. We are advised that the surface will be a quiet surface, but no details have been made available about the relative merits of the proposed specification.*

Applicant's comment

- 1.8.1. The first site meeting with the landowners for a number of years was held in June 2014 despite seeking to arrange discussions with the landowner and their representative on many occasions.

- 1.8.2. The Applicant has agreed to undertake further background noise surveys in response to consultation with landowners. These will commence during July 2014 and noise monitoring points will be agreed with the landowners and their agents. If, as a result of the further site specific noise investigation, the parties consider that minor amendments to the mitigation proposals would be beneficial, the Applicant would consider such modifications.
- 1.8.3. If the Applicant proposes to take any modifications forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

#### Representation

*The proposal is to stop up the current private access from the Reepham Road. Access will be provided along an improved new access to the east which will pass over a new vehicular bridge. We suggest this has been selected so the public right of way does not have to be realigned.*

*The access would be better if it is to be retained along the current alignment with the new bridge being built in this location slightly further west than as proposed.*

*The access internally on the adjacent owners land will work better with the current access retained, the impact of noise and visual intrusion will be reduced and the roadway in place now is very good and will become entirely redundant. It will be less expensive to re-site the over-bridge on this site.*

#### Applicant's comment

- 1.8.4. The Applicant wished to retain the existing Horsford Restricted Byway No 5 along its current line and therefore provided the Bell Farm Overbridge at this location. Maintaining the current private access track would have resulted in a further bridge being provided in very close proximity.

Representation

*The historic and current uses of the land served by the current access includes amongst other uses; car boot sales, a fishing club, stables and housing.*

*If the plan is to stop up the access as per the current design, the replacement must be suitable for a full vehicular use of the same width including for the over bridge to enable access for all purposes including heavy goods vehicles.*

*The access needs to be wider than currently designed so it is of sufficient width and specification to enable two cars to pass and a passing bay will be required either side of the crossing point for large vehicles to be able to allow others to pass if the track is insufficient.*

*The alignment at the northern end of the new access road, where it meets Dog Lane will need to be redesigned to enable vehicles to pass in either way. It would be more sensible to relocate the over-bridge to the current access road as the width allows ample manoeuvrability, so much less land will be lost, the access will be better and the neighbours will be less affected by noise.*

*The Dog Lane extension between the current and new roads will need to be improved to ensure vehicle access from the current internal track network to the revised layout.*

Applicant's comment

1.8.5. Following the recent site meeting between the parties which provided details of additional types of vehicle movements along the PMA the Applicant has agreed to investigate potential design modifications, including , for example, the provision of passing bays. The Applicant will discuss it proposals with the landowners.

1.8.6. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. If the Applicant proposes to take any modifications forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA

Representation

*The improvement is likely to lead to more traffic and users of the byways. Gates, fencing and hedging will be necessary in the wider area to prevent a proliferation of trespass.*

*We are concerned that a gate will be necessary near the Reepham Road due to trespass, even if it is not locked often to enable access for the byway.*

Applicant's comment

- 1.8.7. The Applicant notes the comments made and will investigate the issues raised. If the Applicant proposes to take the request forward, it will work up a detailed design for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. If the issue is proposed the necessary amendments to the appropriate plans and documents will be submitted to the ExA

Representation

*Once boundaries have been established it is important that hedging and fencing are agreed for the line of severance for security and livestock safety. We recommend post and rail fences with stock netting and a hedge.*

Applicant's comment

- 1.8.8. The Applicant accepts that boundary fencing and hedging is appropriate and is currently in discussions with the landowner to agree the detailed specifications.

**1.9. Charles Birch on behalf of Mr B Bransom dated 26 June 2014**

Representation

*The application is informed by the theoretical noise maps which show the relative increase in noise emanating from the new road.*

*We agreed that Mott Macdonald would instruct consultants to undertake noise readings to understand better the impact of the road on increased noise.*

*The intention was to ensure that we could debate the noise impact and assess accurately whether changes to the design or the landscaping banks etc could reduce the impact of the road.*

*No further work or communication has been forthcoming so we are unable to address the real change impact caused by the road.*

*We request that the noise research be accelerated with an agreement that if there are reasonable changes to the design of landscaping banks or the level of the road surface that can be justified, that they will be accommodated.*

*We would urge in addition that the Inspector considers carefully the impact of noise generally and the running surface to be used as well as the long term commitment to maintain the surface. We are advised that the surface will be a quiet surface, but no details have been made available about the relative merits of the proposed specification.*

Applicant's comment

1.9.1. The first site meeting with the landowners for a number of years was held in June 2014 despite seeking to arrange discussions with the landowner and their representative on many occasions.

1.9.2. The Applicant has agreed to undertake further background noise surveys in response to consultation with landowners. These will commence during July 2014 and noise monitoring points will be agreed with the landowners and their agents. If, as a result of the further site specific noise investigation, the parties consider that minor

amendments to the mitigation proposals would be beneficial, the Applicant would consider such modifications.

- 1.9.3. If the Applicant proposes to take any modifications forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

#### Representation

*The proposal is to stop up the current private access owned by Mr Bransom's mother from the Reepham Road. Access will be provided along an improved new access on Mr Bransom's land which will pass over a new vehicular bridge.*

*The access would be better to be retained along the current alignment with the new bridge being built in this location slightly further west than the proposal.*

*The access internally on the adjacent owners land will work better with access retained, the impact of noise and visual intrusion will be reduced and the roadway in place now is very good and will become entirely redundant. It will be less expensive to re-site the over- bridge.*

#### Applicant's comment

- 1.9.4. The Applicant wished to retain the existing Horsford Restricted Byway No 5 along its current line and therefore provided the Bell Farm Overbridge at this location. Maintaining the current private access track would have resulted in a further bridge being provided in very close proximity.

Representation

*The historic and current uses of the land served by the current access includes amongst other uses; car boot sales, a fishing club, stables and housing.*

*If the plan is to stop up the access as per the current design, the replacement must be suitable for a full vehicular use of the same width including for the over bridge to enable access for all purposes including heavy goods vehicles.*

*The access needs to be wider than currently designed so it is of sufficient width and specification to enable two cars to pass and a passing bay will be required either side of the crossing point for large vehicles to be able to allow others to pass if the track is insufficient.*

*The alignment at the northern end of the new access road, where it meets Dog Lane will need to be redesigned to enable vehicles to pass in either way. It would be more sensible to relocate the over-bridge to the current access road as the width allows ample manoeuvrability, so much less land will be lost, the access will be better and the neighbours will be less affected by noise.*

*The Dog Lane extension between the current and new roads will need to be improved to ensure vehicle access from the current internal track network to the revised layout.*

Applicant's comment

- 1.9.5. Following the recent site meeting between the parties which provided details of additional types of vehicle movements along the PMA the Applicant has agreed to investigate potential design modifications, including , for example, the provision of passing bays. The Applicant will discuss it proposals with the landowners.
- 1.9.6. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. If the Applicant proposes to take any modifications forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA

Representation

*The improvement is likely to lead to more traffic and users of the byways. Gates, fencing and hedging will be necessary in the wider area to prevent a proliferation of trespass.*

*We are concerned that a gate will be necessary near the Reepham Road due to trespass, even if it is not locked often to enable access for the byway.*

Applicant's comment

- 1.9.7. The Applicant notes the comments made and will investigate the issues raised. If the Applicant proposes to take the request forward, it will work up a detailed design for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. If the issue is proposed the necessary amendments to the appropriate plans and documents will be submitted to the ExA

Representation

*Once boundaries have been established it is important that hedging and fencing are agreed for the line of severance for security and livestock safety. We recommend post and rail fences with stock netting and a hedge.*

Applicant's comment

- 1.9.8. The Applicant accepts that boundary fencing and hedging is appropriate and is currently in discussions with the landowner to agree the detailed specifications.



**1.10. Charles Birch on behalf of Mrs June Brooks - Dated 30 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

Representation

*On the line of severance from the eventual retained land, construct and maintain a fence whilst establishing a hedge and further embanked planting as a future boundary.*

*Acquisition of the northern portion of the enclosure is accepted for landscaping and woodland creation for protection of property adjacent.*

Applicant's comment

- 1.10.1. The Applicant accepts that boundary fencing and hedging is appropriate and is currently in discussions with the landowner to agree the detailed specifications.

Representation

*The acquiring authority needs to be aware of a right of access from Lady's Carr to Beeston Lane and to allow for a discussion post advice from solicitors to allow time deal with this. The right should be accommodated or the right acquired from the Trustees of the Beeston Estate whom it benefits.*

Applicant's comment

- 1.10.2. The Applicant is aware of the right of way as it is included under Plot 9/4 in Part 3 to the Book of Reference (Document 4.3). The further information is awaited so that the Applicant can consider and agree with the Landowner and beneficiary of the right how best it is dealt with.

## Representation

*Allow to raise the banks on both sides of the road and to plant trees on the north side between NOR and The Springs for protection of adjacent houses and the natural heritage area known as the Springs fishery.*

*Allow to plant trees on the temporary topsoil storage area after reinstatement to protect Lady's Carr fishing lakes from the obvious noise interference rather than scrub and grassland creation which is unlikely to be managed in the long term.*

## Applicant's comment

- 1.10.3. The bunds have been designed to provide effective visual and noise mitigation for the scheme as explained in Chapters 7 and 11 of Volume 1 of the Environmental Statement (Document Ref. 6.1).
- 1.10.4. Both these areas are identified as Indicative Woodland Creation on Sheet 9 (of 12) of the General Arrangement Plans (Document Ref 2.6).

**1.11. Charles Birch on behalf Mr C Bunn - Dated 26 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

Representation

*On the northern side, the owner wishes the landscaping to be reduced to a hedge along the line of acquisition and for the drainage attenuation lagoon to be realigned or removed to enable as much of the property to be retained as a sensible useable compartment*

Applicant's comment

- 1.11.1. This landscaping forms part of an integrated landscape and ecological mitigation strategy for the scheme and is considered essential in this location for both habitat creation and visual amenity purposes. The lagoon has been designed to be in its optimum location given a number of factors including the carriageway alignment, topography and geology.

Representation

*On the southern side, the owner's preference is to relocate the drainage attenuation lagoon onto the adjacent land to the east with the current private means of access retained from the main road. In any case, access is required to the severed portion.*

Applicant's comment

- 1.11.2. The lagoon has been designed to be in its optimum location given a number of factors including the carriageway alignment, topography and geology.

- 1.11.3. Access to the southern area of land would remain available from the existing access on the Fakenham Road.

Representation

*Depending upon the outcome, the very small area of retained land to the south will have to be acquired as being of no future use.*

*The line of severance will need boundary treatment albeit to be agreed, our recommendation is later for temporary fencing with hedge planting.*

Applicant's comment

- 1.11.4. The Applicant has confirmed to the landowner that they would be willing to acquire their entire landholding if requested
- 1.11.5. If only part of the landholding is acquired the Applicant accepts the issues raised regarding boundary treatment and will discuss with the landowner the detailed specifications.

Representation

*The plans refer to a temporary topsoil storage area on the north side. We are concerned that although this land may be no longer available for acquisition, it is suitable for this use and well located.*

Applicant's comment

- 1.1.1. This area is shown as permanent acquisition for both woodland and grassland creation and the reinstatement undertaken will be suitable for this use.

**1.12. Charles Birch on behalf of Michael Dewing on behalf of E F and E M Dewing Settlement – Dated 30 June**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

Representation

*The impact on this enclosure is significant. The owners wish to ensure recent discussions feed in to final decisions*

*PMA to the substation and the field access is to be gated and set back.*

*The NOR should be fenced and have a hedge planted on the boundary to prevent trespass from the bridleway and cycle track.*

*Ensure field access to the north side is set back and gated.*

Applicant's comment

- 1.12.1. The Applicant accepts the principle of these issues and is currently in discussions with the landowner to agree the detailed specifications.

Representation

*The reinstatement of areas to be handed back after works whether after top soil storage or landscaping need careful consideration and agreement. The owners need to agree reinstatement provisions for the temporary topsoil storage and for NCC to recognise the impact on the usefulness of this portion of field during the works.*

Applicant's comment

- 1.12.2. As set out in paragraph 3.2.5, Section A, Agricultural Impact Assessment, Chapter 13 Community and Private Assets & Drawings (Document Ref 6.2) the Applicant will be obliged to return land used to accommodate construction workings – that is, land considered

under “temporary land-take” – to its baseline condition. Agricultural land temporarily taken out of production will therefore be returned to its original land grade throughout the scheme. The Applicant will adopt the best practice as outlined in DEFRA’s “Construction Code of Practice for the Sustainable Use of Soils on Construction Sites”, a copy of which is included As Appendix [A]

- 1.12.3. The Applicant will liaise with the landowner to ensure the reinstatement works are carried out their reasonable satisfaction.

**1.13. Charles Birch on behalf of Rachel Foley – Dated 30 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's Responses to the Examining Authority's (ExA's) First Written Questions (Document Ref NCC/Ex/5)

Representation

*The application is informed by the theoretical noise maps which show the relative increase in noise emanating from the new road.*

*We agreed that Mott Macdonald would instruct consultants to undertake noise readings to understand better the impact of the road on noise increases.*

*The intention was to ensure that we could debate the noise impact and assess accurately whether changes to the design or the landscaping and banks could reduce the impact of the road.*

*We would urge in addition that the Inspector considers carefully the impact of noise generally and the running surface to be used as well as the long term commitment to maintain the surface. We are advised that the surface will be a quiet surface.*

Applicant's comment

- 1.13.1. The bunds have been designed to provide effective visual and noise mitigation for the scheme as explained in Chapters 7 and 11 of Volume 1 of the Environmental Statement (Document Ref. 6.1).
- 1.13.2. The Applicant is currently undertaking further background noise surveys in response to consultation with landowners. These have been undertaken in May 2014 and are currently being extended during July 2014. The noise monitoring points have been agreed with landowners and their agents.
- 1.13.3. The proposed road surface will be constructed from a material that reduces the generation of tyre noise as explained in Section 11.6 of

Volume 1 of the Environmental Statement (Document Ref 6.1) which supports the DCO application.

#### Representation

*The boundaries need to be assessed both on the line of severance and due to the changes in the way other local roads will be used, to prevent a recurrence of problems with tipping and travellers taking up residence as they have in the past.*

#### Applicant's comment

- 1.13.4. The Applicant generally accepts the issues raised and is currently in discussions with the landowner to agree the detailed specifications.

#### Representation

*There is continuing concern regarding the use of the closed off Holt Road. In our view it remains important to limit the extent to which it can be used for traffic and to consider carefully how to redesign the scheme to restrict against unlawful uses. It is likely to become mis-used and it is likely that the whole length should be planted with a hedge to off-set some of the probable access difficulties expected in future.*

#### Applicant's comment

- 1.13.5. The Applicant notes the concern raised regarding the proposed closure of the B1149 Holt Road. Prior to 2009 the applicant intended to bring the Holt Road and Cromer Road together at the existing junction, modified to pass over the NDR. However, work at the time showed that the most effective solution would be to link the Holt Road directly to the NDR at Drayton Lane instead of at Cromer Road.
- 1.13.6. The length of Holt Road will remain public highway to serve the existing properties at the southern end. As this road will still remain highway the council will continue to be responsible for its maintenance and management.



- 1.13.7. Norfolk County Council as the highway authority and the police both have powers to deal with unlawful uses of the highway such as obstruction.
- 1.13.8. The Applicant is willing to consider filling in any gaps within the existing boundary screen along this boundary with hedging.

#### Representation

*Our strong preference to avoid or to mitigate the impact of the road, both from visual impact and noise, is to lower the road surface and increase the banks and to plant with more imaginative plant species than is generally used by acquiring authorities. It has been agreed to establish higher banks along the length of the works and for both sides to be planted.*

*With this in mind, the bank height along the full length of road should be maintained to as great a height as possible to protect all the properties on the north side of the road including in the village.*

*In addition the embanked area north-west of the Holt Road roundabout should be raised in level to as great a height as possible to reduce the impact from the roundabout in noise and visual terms.*

*It has been agreed previously and the proposed amendment to the NDR scheme reflects that the southern embankment across Glebe Farm will be planted with trees although this is not shown on all of the most recent plans.*

#### Applicant's comment

- 1.13.9. The bunds have been designed to provide effective visual and noise mitigation for the scheme as explained in Chapters 7 and 11 of Volume 1 of the Environmental Statement (Document Ref. 6.1).
- 1.13.10. The Applicant is currently considering the request for alternative planting. If the Applicant proposes to take the request forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

Representation

*Access across this farm will be impaired.*

*It is imperative that the internal roadways are planned carefully.*

*We are conscious of the need to extend the internal road proposed to link to the eastern-most field on the south of the NDR.*

*The access across the south of the farm will need to be improved to make it suitable for the increased use.*

*Access gates will be required as stated from Reepham Road and Hall Lane, and internal roads will be required to link these access points with the various enclosures. This has been much talked about but agreement is required as a matter of importance.*

Applicant's comment

- 1.13.11. The Applicant generally accepts the issues raised and is currently in discussions with the landowner to agree the detailed specifications.

Representation

*The road scheme will terminate the present irrigation scheme layout.*

*We have obtained prices from specialists to relocate the mains and hydrants. It is necessary to finalise agreement that the internal reorganisation of the irrigation system will be agreed and will be paid for by the acquiring authority.*

Applicant's comment

- 1.13.12. The Applicant acknowledges the need for alterations to the landowner's private irrigation system and the preference for these works to be undertaken prior to the main construction programme. The Applicant will discuss with the landowner and their drainage consultants whether the most appropriate method of delivery is for

the Applicant to undertake the alterations itself or pay the landowner to arrange themselves.

#### Representation

*If this area is to be used for temporary storage, it must be fenced prior to access, and it is essential that reinstatement is properly overseen and undertaken in suitable conditions included in a full approved method statement. We have asked to discuss this, but no feedback has been received.*

#### Applicant's comment

- 1.13.13. As set out in paragraph 3.2.5, Section A, Agricultural Impact Assessment, Chapter 13 Community and Private Assets & Drawings (Document Ref 6.2) the Applicant will be obliged to return land used to accommodate construction workings – that is, land considered under “temporary land-take” – to its baseline condition. Agricultural land temporarily taken out of production will therefore be returned to its original land grade throughout the scheme. The Applicant will adopt the best practice as outlined in DEFRA’s “Construction Code of Practice for the Sustainable Use of Soils on Construction Sites”. A copy of which is included in Appendix [A].
- 1.13.14. The Applicant can confirm that the area will be fenced and will liaise with the landowner to ensure the reinstatement works are carried out their reasonable satisfaction.

Representation

*On plan reference MMD-233906-DT0578, drainage attenuation lagoon 6 is to the west of Drayton Lane.*

*The Barretts are dismayed to find that attenuation lagoon 6 has been relocated on the east of the lane which will impact even further on the retained holding.*

*Drainage attenuation lagoon 6 will fit better on the west of the junction than the east.*

*The impact of this lagoon is no exception, the shape could be made to fit better either on the east or and especially on the western side where it could be tucked into the area affected by the junction.*

Applicant's comment

- 1.13.15. The Applicant will investigate a redesign for this lagoon for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. It should be noted that any change could not be accommodated within the red line boundary. However the request has come from the relevant affected landowner and no other landowners would be affected by the change, if taken forward.

**1.14. Charles Birch behalf of the Trustees of the Gurloque Settlement -  
Dated 30 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's response to the Examining Authority's First Round of Questions (Document Ref NCC/Ex/5)

Representation

*We have had discussions about the health and safety and long term management considerations for the combined private means of access and public rights of way. The shared agricultural private means of access with a right of way is a bad design flaw. Agricultural machinery is very large and awkward to manoeuvre. Sharing accesses for any significant distance will lead to an increased specification than the agricultural user requires, increased maintenance for NCC as the farm traffic disrupts the surface and a very unsafe combination of users.*

We request that this design is remodelled to provide specific and separate accesses for these two distinct types of user.

The planning application includes an access from the Reepham Road across Marriott's Way and to connect with Breck Farm Lane, which is acceptable as discussed with the Acquiring Authority.

However, the design includes for this private means of access to be combined with a public right of way as referred to previously.

In our opinion combining large agricultural vehicles including 38 tonne articulated lorries with public rights of way can only lead to difficulties with the various categories of user.

*It may be less expensive to combine the roads, but in our view a public right of way needs be less wide than the private means of access, the specification of the right of way is likely to be higher and the agricultural user is likely to cause significant*

*deterioration in the surface leading to an increased liability for maintenance on the Acquiring Authority than if the two are separated.*

*In our view the land to be acquired may be reduced slightly by removing the private means of access from the acquired land and having an agricultural private means of access on the owners retained land which they can maintain in future by separate responsibility from the Acquiring Authority.*

#### Applicant's comment

- 1.14.1. The Scheme has been the subject of a number of road safety audits carried out by independent audit teams in accordance with the Applicant's procedures and the DMRB HD 19/03 Road Safety Audit. The audits are scheduled on pages 3 and 4 of Road Safety Audits and Briefs (Document Ref 10.1).
- 1.14.2. The audits comprise an evaluation of all works that involve construction of new highways or permanent change to the existing highway layout or features in accordance with the guidance in paragraph 1.15 and 1.17 of HD19/03 and this includes the junctions of radial routes with the Scheme and any off-line improvements proposed on these radial routes. Road safety audit is an ongoing process and further audits will be carried out as the scheme progresses through detailed design, completion of construction and post construction monitoring.
- 1.14.3. Numbers of cyclist and equestrians using the routes are not expected to be expected to be high. The Design Manual for Roads and Bridges TA90/05 sets out that "*unsegregated shared facilities have operated satisfactorily down to 2.0m wide with combined pedestrian and cycle use of up to 200 per hour*". The cross section of the proposed bridleways for the NDR scheme generally consists of a 3m bridleway with 1m verge either side.

- 1.14.4. The applicant considers that the proposal for unsegregated bridleways is appropriate for the predicted level of use expected to be below 200 per hour.

Representation

*We are concerned that detail relating to the road surface should be clearer. We are advised that a low noise surface will be provided. It is important that we can establish the lowest possible noise emanates from this scheme due to the proximity of dwellings current and future.*

- 1.14.5. The proposed road surface will be constructed from a material that reduces the generation of tyre noise as explained in Section 11.6 of Volume 1 of the Environmental Statement (Document Ref 6.1) which supports the DCO application.

Representation

The design of the junction on Fir Covert Road has changed periodically over the life of the scheme. The planning application is for a roundabout and access to the Gurloque Trustees' land by a separate setback gated access point south of the NDR direct from Fir Covert Road.

This has been included in the planning application, but as we understand now under review.

The landowners concern about this access is whether traffic will be emanating from the roundabout at relative speeds that make an imminent agricultural access less than ideal.

The owners would prefer access directly from the roundabout but we await clarification of the Acquiring Authority's proposals before the impact can be assessed and approved.

Applicant's comment

- 1.14.6. The Applicant is working up a detailed design showing the access direct from the Fir Covert Road roundabout for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. If the issue is proposed the necessary amendments to the appropriate plans and documents will be submitted to the ExA

#### Representation

The junction with the Reepham road is we believe serviceable, but a detailed plan will be necessary to demonstrate serviceability from both directions of approach and to inform gating and fencing strategy.

#### Applicant's comment

- 1.14.7. The Applicant generally accepts the issues raised and these issues will be investigated as part of the detailed design.

#### Representation

Shared access to the severed land by means of the entrance to the attenuation lagoon is accepted. It would be sensible to have a more detailed design to inform serviceability for agricultural and other vehicles and the fencing and gate strategy.

#### Applicant's comment

- 1.14.8. The Applicant generally accepts the issues raised and these issues will be investigated as part of the detailed design.



## Representation

The planning application does not allow for an internal private means of access from Fir Covert Road to Breck Farm Lane. Internal access is required so agricultural traffic can travel from the eastern edge of the farm to the south of Marriott's Way and the western land to reach Fir Covert Road entrance as it is not sensible or in many cases depending upon the vehicle, possible to access the southern land through Thorpe Marriott housing estate at the southern end of Breck Farm Lane.

Additionally the land immediately adjacent Fir Covert Road is occupied on a grazing agreement by a neighbour, so a separate agricultural access towards the centre of the property is necessary and this portion should at least be boundary fenced for livestock.

## Applicant's comment

- 1.14.9. Existing field access points exist on both Fir Covert Road and Breck Farm Lane with no internal farm track between them. A new access from Fir Covert Road is being provided (see above) and those on Breck Farm Lane will remain. As a result the Applicant does not consider that there is a need to provide a PMA as part of the Scheme.
- 1.14.10. The Applicant accepts that boundary fencing appropriate to land use should be provided and will continue its discussions with the landowner to agree the detailed specifications. The Applicant does not accept the need for an additional access point.

## Representation

The intention is to stop up Breck Farm Lane and the Breck Farm buildings. The mechanism for stopping up and meanwhile allowing access as a public right of way for farm traffic has been discussed at some length, but whilst recommendations have been made, a final plan has not been agreed.

Further detail of the means of stopping up and allowing for the various accesses required needs to be attended to.

## Applicant's comment

- 1.14.11. The Applicant will agree the precise gating arrangements with the landowner during the detailed design process.

## Representation

*We understand the Acquiring Authority will construct a temporary post and wire fence on the line of acquisition. On completion, we have agreed with the Acquiring Authority that the temporary fence will be improved to leave it in good condition and that a hedge will be planted on the Trustees' land to provide a permanent manageable long term boundary.*

*We have referred to gates and access points before. We are not particularly concerned that these cannot be agreed but it would be sensible for detail to be agreed to avoid surprises. This is partly because recommendations made by the Acquiring Authority's agents do not seem to be adopted and it is difficult to know whether this is the contractor not wanting to bother with detail or a higher level of authority within the Acquiring Authority attending to other matters considered to be more important.*

*If a private means of access is to be used as a right of way, it should be boundary fenced and protected by a hedge.*

*One area of concern is between Marriott's Way and Breck Farm Lane. Both sides need to be separated from the retained agricultural land by temporary fences and*

*hedges because it will become a public way. In this case gates will be required in appropriate places for agricultural purposes.*

*These principles have been approved by the Acquiring Authority's agent but as for anything else with the NOR no detail has been cemented.*

Applicant's comment

- 1.14.12. The Applicant generally accepts the issues raised and is currently in discussions with the landowner to agree the detailed specifications.

**1.15.Ifields on behalf of Jon Holmes - Dated 3 June 2014**

Representation

*Land Plot 12/30 (Plan 3) – This land is located within the Postwick Hub proposal which has full Planning Permission and the construction of which has now commenced. This land is subject to a specific agreement entered into between Ifield Estates, the freehold land owners, and Norfolk County Council in respect of this proposal and, therefore, the CPO procedures within the NDR DCO should not take precedence over that binding agreement. The permanent acquisition of this land to provide a temporary access to existing residential properties is not necessary nor appropriate.*

Applicant's comment

- 1.15.1. As stated in its response to Relevant Representations (Document Ref NCC/Ex/4) the Applicant acknowledges that there is a legal agreement in place which gives it access to areas of land but does not agree that it can take precedence over the DCO. At the time the application was submitted the parcels of land affected remained in the freehold title of the current landowner, not the Applicant. This remains the case even though works on the Postwick Hub have now commenced since the land transfer to the Applicant will not occur until the construction works are completed. Until such time as the

legal transfer is completed the powers to acquire the plots must remain within the DCO.

- 1.15.2. The DCO application had to assume the scenario of the legal agreement between NCC and landowner/option holder not be completed. Appropriate rights of acquisition were therefore sought. If, through the completion of the Postwick Hub scheme and land transfers under the legal agreement applicable to that scheme, land is no longer required then it will not be acquired under the DCO.

#### Representation

*Land plot 12/7 We object to the compulsory acquisition of this small area of land as we have not been advised as to the purpose of the acquisition.*

#### Applicant's comment

- 1.15.3. The purpose of acquisition of all plots is set out in Appendix 1 to the Statement of Reasons (Document Ref 4.1). This particular plot is required to provide a turning head on the south side of Smee Lane immediately before the road is stopped up.

#### Representation

*Land plot 12/5 – We object to the acquisition of Smee Lane by NCC. This is considered unnecessary for the purposes of the NDR. This land should either remain as public highway or returned to the adjoining land owners if not required for public access purposes*

#### Applicant's comment

- 1.15.4. It is proposed that the highway rights on this plot will be stopped up. The land will become a Private Means of Access to provide maintenance access to Bat Gantry No 7. Part will have bridleway rights along it to link to Great and Little Plumstead FP5. The Applicant

will discuss with the landowner the taking of rights of access and dedication as bridleway west of the NDR as an alternative to freehold acquisition. If agreed the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

#### Representation

*Land plot 12/55 Strip of land north of Yarmouth Road. We object to this land acquisition in the absence of the proposed roundabout access that we have been led to believe is to be constructed to access the Postwick Park & Ride and to give access to the land north of Yarmouth Road.*

#### Applicant's comment

- 1.15.5. It is proposed to acquire this plot to facilitate construction of a shared use footway/cycletrack along the northern side of the A1042 Yarmouth Road. The roundabout is part of a separate scheme currently under construction to provide improved access to the park and ride site to facilitate a future 500 parking space extension to the existing facility.

#### Representation

*Negotiations in respect of these matters are currently ongoing with Norfolk County Council and it is hoped that agreement will be reached in due course.*

#### Applicant's comment

- 1.15.6. The Applicant confirms that discussions are ongoing and shares the belief that agreement on these issues can be reached. The aim is that these matters are resolved at least two weeks prior to the first of the Examination compulsory acquisition hearings.

**1.16. Bidwells on behalf of the Howe Family - Dated 27 June 2014**

Representation

*Having considered the representation submitted by Sidney Cowell on behalf of Scrone Limited we write to support the revised access as proposed from his property under the current NDR proposals.*

Applicant's comment

- 1.16.1. The Applicant acknowledges the support to its proposals for access to land owned by Mr Sidney Cowell as set out within the DCO application.

**1.17. Charles Birch on behalf of Mr and Mrs Howe and Mr N Howe - Dated 30 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's response to the Examining Authority's First Round of Questions (Document Ref NCC/Ex/5)

Representation

*We request that the noise research be accelerated with an agreement that if there are reasonable changes to the design of landscaping banks or the level of the road surface that can be justified, that they will be accommodated.*

*We would urge in addition that the Inspector considers carefully the impact of noise generally and the running surface to be used as well as the long term commitment to maintain the surface. We are advised that the surface will be a quiet surface, but no details have been made available about the relative merits of the proposed specification.*

Applicant's comment

- 1.17.1. The Applicant has agreed to undertake further background noise surveys in response to consultation with landowners. These will commence during July 2014 and noise monitoring points will be agreed with the landowners and their agents
- 1.17.2. If as a result of the further site specific noise investigation the parties consider that minor amendments to the mitigation proposals would be beneficial, the Applicant would consider such modifications.
- 1.17.3. If the Applicant proposes to take any modifications forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.
- 1.17.4. The proposed road surface will be constructed from a material that reduces the generation of tyre noise as explained in Section 11.6 of Volume 1 of the Environmental Statement (Document Ref 6.1) which supports the DCO application.

Representation

*Ensure the bank height is maintained near West Farm at 5.5m high or greater and that the bunding is constructed at the very start of the occupation of the site to protect the neighbours to the north.*

*The alignment of the bank might be improved in relation to noise protection for immediate neighbours and which may also lead to less land being acquired from the other adjacent landowner for the purpose.*

Applicant's comment

- 1.17.5. The proposed bunding will be constructed and maintained in accordance with the DCO application documents.

- 1.17.6. The applicant notes the comment re the construction timing of the bund and will investigate if the request can be accommodated during the early stages of construction.
- 1.17.7. If as a result of the further site specific noise investigation the parties consider that minor amendments to the mitigation proposals would be beneficial, the Applicant would consider such modifications.
- 1.17.8. If the Applicant proposes to take any modifications forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

#### Representation

*The main embankment behind the farmyard should ideally be extended to the east on adjacent land, but we are advised this is not possible as it is expected that the Museum will remain and expand. This means that the Old Norwich Road will remain open but be less used. The museum also wishes to be open to view from the road and to be in visual contact with the airport, so noise mitigation around the road edge is difficult.*

#### Applicant's comment

- 1.17.9. The bunds have been designed to provide effective visual and noise mitigation for the scheme as explained in Chapters 7 and 11 of Volume 1 of the Environmental Statement (Document Ref. 6.1).



Representation

*Access points need to be assessed for future use and those not used need to be fenced and hedged to ensure security. We have provided a plan to show changes and gates in the locality that will reduce trespass.*

*It would be sensible to enable the Old Norwich Road to be temporarily closed off during the museum's closed season.*

Applicant's comment

- 1.17.10. The information and plan provided recently by the landowner regarding access points is being considered and discussions with landowner over these will continue to agree requirements and specifications.
- 1.17.11. Old Norwich Road will remain as public highway to the Museum and so closing it off temporarily during their closed season is not appropriate.
- 1.17.12. Norfolk County Council as the highway authority and Norfolk Constabulary both have powers to deal with unlawful uses of the highway such as obstruction.

Representation

*The severance of the parcel of land is of significant concern. It is the owners wish that access should be maintained. If as we are advised, this is absolutely not possible, we would like formal confirmation of the tentative agreement that part of the land severed and acquired has commercial land value for acquisition purposes.*

Applicant's comment

- 1.17.13. Technically there is no severed land as the acquisition extends up to the eastern site boundary. Whilst compensation is not strictly a matter for the examination process the parties have agreed that some of the land acquired will be treated as having an alternative appropriate use as commercial development land, albeit for a use related to the adjacent property owner.

Representation

*There remains concern about drainage as the owners expect the drains from the road to exacerbate a difficult area near the line of the road. The engineer has indicated he will consider this and whether the swales could be lined in this location. If there is any doubt, it would be sensible to do so.*

Applicant's comment

- 1.17.14. The Applicant notes the comments made regarding the concerns of drainage. The effects on Flood Risk are presented within the Environmental Statement (ES) (Document Ref. 6.2, Chapter 21).
- 1.17.15. Given that the drainage proposals have been designed in line with the CIRIA SUDS Manual C697, and are capable of managing the 1 in 100-year storm event plus 30% allowance for climate change, it is considered that the risk of surface water flooding to the in this area is negligible. It is therefore at present not intended to line the swales in this location.

**1.18. Charles Birch on behalf of Mr and Miss Keeler – Dated 30 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's response to the Examining Authority's First Round of Questions (Document Ref NCC/Ex/5)

Representation

*The owners will continue to farm the land and there are concerns that access must be available throughout the works.*

Applicant's comment

- 1.18.1. Access to the landowner's retained land to ensure that agricultural operations can continue will be maintained at all times during and after the construction works.
- 1.18.2. Any temporary exceptions to this will be agreed with the landowner in advance.

Representation

*Discussions have been underway to ensure the provision of an estate road access from the roundabout to link with New House Lane. This is to enable a revised access for agricultural use and to allow for future developments.*

*This land has been allocated for employment use in the Joint Core Strategy. The NDR is part of the Joint Core Strategy and is being planned in the light of emerging policy.*

*The emerging policy can only be delivered if allowance is made for the access to enable the development of this land for employment use.*

*We request that the scheme is prepared to enable this access to be incorporated rather than ignored.*

*We understand further land will be required for such changes, but we understand the landowners will agree to a variation in the land take and a variation of the planning application.*

Applicant's comment

- 1.18.3. The issues are covered in a Statement of Common Ground between The Applicant and Building Partnerships Limited (NCC/EX/6) The Applicant is aware that the landowner has seen this Statement and is agreeable to its contents.

Representation

*The boundary treatments have not been addressed in this area. It is important that there is provision of a suitable boundary fence and the planting of a new hedge on the line of severance.*

Applicant's comment

- 1.18.4. The Applicant generally accepts the issues raised and is currently in discussions with the landowner to agree the detailed specifications.

Representation

*The owners have concerns about the main site compound being adjacent their land on Legislator's property. There should be a method statement for the establishment and management of the use of the works and materials especially the crushing and recycling plant and plant yard which will have noise and dust implications.*

Applicant's comment

- 1.18.5. These matters will be addressed within the Construction Environmental Management Plan (CEMP) which can be found in the ES Vol. 2 Chapter 19.
- 1.18.6. The CEMP contains all the information required for the appropriate management of environmental effects during construction of the project.

**1.19. Legislator 1657 Ltd – Dated 27 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's response to the Examining Authority's First Round of Questions (Document Ref NCC/Ex/5)

Representation

*The NDR will significantly impact this land by severing the holding. This in itself is not problematic provided that, adequate and appropriate level of access to the severed land is provided as part of the Scheme.*

Applicant's comment

- 1.19.1. Access to the land south of the NDR will remain from the existing access point south of the Cromer Road Roundabout South.
- 1.19.2. Access to the land north of the NDR is provided, as the route for the contractors main site compound, and will be available for use by the landowner after this temporary use has ceased.

Representation

*The NDR will significantly impact this land by severing the holding. This in itself is not problematic provided that the Aviation Museum can continue to operate effectively after land has been taken.*

Applicant's comment

- 1.19.3. Access to the Museum will continue to be available direct from the public highway along Old Norwich Road. Discussions have been held with the Museum regarding minimising the impact on their operations during and after construction.

**1.20. Peter Wilkinson of behalf of Lothbury – Dated 30 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's response to the Examining Authority's First Round of Questions (Document Ref NCC/Ex/5)

## Representation

*The acquisition of land by NCC for the NDR as marked on Plan 1 will thwart the construction of the necessary link road so that the consented and necessary Lothbury Development will be prevented.*

## Applicant's comment

- 1.20.1. Should the Development Consent Order (DCO) be confirmed by the Secretary of State the Applicant would only exercise its powers to compulsorily acquire the land once it is in a position to proceed with construction of the NDR scheme. The Applicant has provided a undertaking in writing to Lothbury that if the proposed development roundabout on Middle Road has not been constructed at the time the Applicant acquires the land included in the DCO the Applicant will allow Lothbury at no charge, in relation to the use of this land, to construct a roundabout on Middle Road as part of the proposed development. This would be subject to all the usual technical approvals and agreements.
- 1.20.2. In the scenario where both schemes are programmed to be constructed at the same time Norfolk County Council (NCC) as the Highway Authority would enter into the necessary agreements as soon as is reasonably practicable to enable the prompt and safe construction of the Lothbury works and their subsequent adoption. The details of these agreements would have to be finalised at the time.

## Representation

The development of the NDR at the point at which a roundabout is necessary for the link road's connection with Middle Road will impose extra unnecessary and unforeseen costs on the Lothbury Development. This is principally because the construction of accommodation works for Middle Road to cross the NDR by the County Council will raise the land to which the roundabout to the Link Road will have to be built to tie into the NDR. This in turn will raise the costs for the consented Lothbury Development (para. 2.3 of the Written Representation), as substantial earthworks will be required for the roundabout junction of the Link Road with Middle Road (see Plan 1).

## Applicant's comments

- 1.20.3. Discussions have been held between representatives of Lothbury and representatives from the Applicant to discuss how the two schemes may proceed. These discussions, which are on-going, include the exchange of outline highway designs indicates that the Lothbury development and the NDR could co-exist.
- 1.20.4. The horizontal design for the roundabout would be similar for both a Lothbury optimum solution without an NDR and the scenarios which accommodated the NDR. The actual extents of any adjustment of levels required to the design of the roundabout for both the Lothbury and NCC proposals can only be fully determined during detail design of the link road. The draft design of the roundabout which shows a tie-in in with the existing Middle Road and the NDR vertical design proposal is shown on the attached plan.
- 1.20.5. Different scenarios have been identified which were found to be dependent on which scheme proceeds first or both schemes at the same time:
- Link Road built first, NDR built second. The Lothbury consented development improvement for Middle Road and roundabout would be constructed before the NDR. This proposal requires



the roundabout to be constructed with a rise in levels across it, east to west, as the levels of Middle Road are raised for the approach to the new railway bridge. When the NDR is constructed the eastern half of the roundabout will then require reconstruction to raise the eastern side of the roundabout by about 0.5m to tie the roundabout into the NDR proposal for Middle Road.

- NDR built first, Link Road second. The NDR Middle Road would be constructed by NCC before the Lothbury Link Road. When the Lothbury Link Road is constructed the levels of the eastern side of the roundabout would be constructed about 1.0m above the original levels that the roundabout would have been initially constructed at prior to the NDR in Scenario 1 above. The Western end of Middle Road, having been previously constructed under the NDR, would then require raising and reconstruction for the new approach to the replacement railway bridge.
- Link Road and NDR built at same time. In this scenario the Lothbury Link Road roundabout and NDR are constructed at the same time which would avoid the reconstruction of a section of recently constructed Middle Road in Scenarios 1 and 2 above. There may be cost savings to both parties if both projects are constructed as one project.

1.20.6. The matter of cost is addressed in section below.

## Representation

The written representation states that further agreement is needed on the following matters:

That Lothbury can secure detailed consent for the design of the link road junction with Middle Road without having to bear the extra costs of incorporating the preferred design solution of the County Council for the over bridge at Middle Road to the NDR;

That once Lothbury has secured detailed consent for the link road in the vicinity of Middle Road it can proceed immediately and not be delayed by awaiting the construction of the NDR.

Until a final agreement has been reached and all the design work has been concluded, Lothbury considers that it must remain a objector to the proposed NDR and the linked compulsory purchase as it affects Middle Road to the east of the Lothbury Development.

It is hoped that by 21 July, when Statements of Common Ground are due to be submitted, further significant progress will have been made in negotiations.

The intention is that NCC will have reviewed the design solutions for the link road at its intersection with Middle Road and it is hoped that NCC will agree a design solution for the Middle Road over bridge accommodation works for the NDR in a way which does not compromise either the design, cost, timing or ability to deliver the link road.

If this is the case Lothbury would be prepared to withdraw its objections to the proposed NDR and the linked compulsory purchase as it affects Middle Road to the east of the Lothbury Development.

## Applicant's comment

- 1.20.7. It is the Applicants view that the implications on the vertical design in cost terms between the Lothbury optimum solution and a scenario which accommodated the NDR would not be significant.

- 1.20.8. The detailed cost implications, if any, would require a fully worked up detailed design for the Lothbury Link Road which is not available at this stage.
- 1.20.9. The holder of an option to purchase land to be acquired under the DCO may be entitled to claim compensation, as would a directly affected landowner.
- 1.20.10. Compensation would be assessed on the reduction of the market value of Lothbury's interest in the land rather than being based, for example, on the difference in cost of the various roundabout designs. In valuation terms, cost does not necessarily equal value.
- 1.20.11. The Applicant does not believe that meaningful compensation negotiations can be progressed at this time. In the Applicants opinion the more appropriate time would be when detailed design has been completed, all necessary consents obtained, land interest (landowner or option holder) are crystallised and works are about to start.
- 1.20.12. The Applicant understands that the link road from Plumstead Road East to Peachman Way is agreed in principal only and the outline permission still requires reserved matters applications. At the time of writing a reserved matter planning application for the link road has not been submitted to or approved by the Local Planning Authority.
- 1.20.13. Whilst Lothbury's highway consultants have had discussions with NCC Development Control, as the Highway Authority, on the initial outline design of the Lothbury proposal for the link road, construction of the Link Road and Roundabout by Lothbury will require an Agreement between Lothbury and NCC under section 38 of the Highways Act 1980 for the adoption of new road as public highway and also under 278 for alterations to existing public highway
- 1.20.14. A Works Agreement with Network Rail would also be required for the bridge over the Norwich - Sheringham railway line.

- 1.20.15. The Applicants view is that a start on site in January 2015 for the link road as suggested in the written representations is optimistic given the above processes that still need to be concluded. Once on site it is the Applicants view that it would be necessary for Lothbury to construct the bridge over the railway before the Link Road would be open for use. The timetable for the construction of the bridge and the programme for completion of the link road are currently not known. A construction programme of 12 months is however not considered to be unreasonable by the Applicant. Should the Development Consent Order (DCO) be confirmed by the Secretary of State during 2015 and the Lothbury development is underway on site it is the Applicants view that it would be possible to coordinate both works to minimise abortive costs for either parties. The Applicant would be willing to consider joint working with Lothbury to achieve this outcome.

**1.21. Charles Birch on behalf of Mr Andrew Medler - Dated 30 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's response to the Examining Authority's First Round of Questions (Document Ref NCC/Ex/5)

Representation

*Remove the drainage lagoon and relocate it on other land of a more appropriate size and shape that will have a lesser impact on the affected holding. If this is absolutely not possible, then*

*Realign the drainage lagoon to leave a sensible portion and shape of retained land. We presume this will be situated alongside the NDR towards the roundabout with the bridleway located between the NDR and the drainage lagoons.*

Applicant's comment

- 1.21.1. The Applicant will investigate a redesign for this lagoon for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. It should be noted that any change could not be accommodated within the red line boundary. However the request has come from the relevant affected landowner and no other landowners would be affected by the change, if taken forward.

Representation

*Bullock Hill will reduce in intensity of use and the requirements for access will reduce accordingly. Sensibly the lane should be managed to limit mis-use in the future, and the suggestion is to gate the entrances from Bullock Hill to minimise trespass.*

Applicant's comment

- 1.21.2. Norfolk County Council as the highway authority and Norfolk Constabulary both have powers to deal with unlawful uses of the highway such as obstruction.

Representation

*The boundary with NDR and for the avoidance of doubt the lagoons should be fenced for security and with a hedge planted for long term ease of management.*

Applicant's comment

- 1.21.3. The Applicant accepts that boundary fencing and hedging is appropriate and is currently in discussions with the landowner to agree the detailed specifications.

Representation

*The scheme appears to be drawn to avoid access to a telecoms mast on the family's land. It is imperative that this site remains operable with full access granted for the owners and the occupiers and with sufficient space allowed for reinstatement of the site after the termination of the lease.*

Applicant's comment

- 1.21.4. No land acquisition is required from the telecom mast site. Access is provided, via new public highway, along the new link from the Airport roundabout.

**1.22. Jason Cantrill on behalf of Mr & Mrs Savage dated 9 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's response to the Examining Authority's First Round of Questions (Document Ref NCC/Ex/5)

Representation

*Having reviewed the plans provided to our clients we ask that the tree planting highlighted under land parcel 1/20 be removed from this scheme. My clients have no wish to lose land in their view unnecessarily and are happy with the existing tree planting that forms part of the immediate grounds to their property.*

Applicant's comment

- 1.22.1. As set out in its response to the Examining Authority's (ExA's) First Written Questions Q3.11 (Document Ref NCC/Ex/5) the Applicant is currently considering the overall scheme environmental impacts of this request. The Applicant will discuss its findings further with the landowner with the aim that the matter is resolved at least two weeks prior to the first of the Examination compulsory acquisition hearings. If removal of the Plot is proposed the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

**1.23.Charles Birch on behalf The Trustees of the Thorpe and Felthorpe Trust  
dated 26 June 2014**

The parties have agreed a joint statement covering the current position with negotiations which can be found in Appendix A to the Applicant's response to the Examining Authority's First Round of Questions (Document Ref NCC/Ex/5)

Representation

*The detailed boundary treatment and management of accesses is important both along the line of acquisition and also in the wider area to ensure against increased access from the road and more likely from the restricted byway with the woodland adjacent.*

Applicant's comment

- 1.23.1. The Applicant accepts the principle of boundary treatment along the line of acquisition and is currently in discussions with the landowner to agree the detailed specifications.
- 1.23.2. The Applicant notes the comments made regarding the wider area and will investigate the issues raised. If the Applicant proposes to take the request forward, it will work up a detailed design for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining Authority at least two weeks prior to the first compulsory purchase hearing. If the issue is proposed the necessary amendments to the appropriate plans and documents will be submitted to the ExA



Representation

*We recommend planting is considered carefully alongside the road to enable a sustainable long term barrier. We have concerns about the forestry land being opened up by the scheme, and would like to agree management prescriptions for the woodland edge. We need to ensure that any increased wind-blow does not risk trees falling near the carriageway.*

Applicant's comment

- 1.23.3. The Arboricultural Implications Assessment (AIA) (Vol 2 of the Environmental Statement, Chapter 20 (Document Ref 6.2) includes reference to the remaining woodland edge and the impacts on trees that have not previously been exposed. The AIA has allowed for additional tree removal in this area to minimise the risk of trees falling

**1.24.Charles Birch on behalf of Trafford Trust Estate, Birketts on behalf of Phillip Kratz and Wroxham House Farm on behalf of Trafford Estate of Wroxham – Dated 30 June 2014**

Representation

*We request that the noise research be accelerated with an agreement that if there are reasonable changes to the design of landscaping banks or the level of the road surface that can be justified, that they will be accommodated .*

Applicant's comment

- 1.24.1. The Applicant has agreed to undertake further background noise surveys in response to consultation with landowners. These will commence during July 2014 and noise monitoring points will be agreed with the landowners and their agents. If, as a result of the further site specific noise investigation, the parties consider that minor amendments to the mitigation proposals would be beneficial, the Applicant would consider such modifications.
- 1.24.2. If the Applicant proposes to take any modifications forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

Representation

*We presume that native broadleaved species will be used, but we have requested input where the use of more diverse species may give a better sound or more likely visual screening.*

Applicant's comment

- 1.24.3. The Applicant is currently considering the additional landscaping request. If the Applicant proposes to take the request forward, it will work up a detailed design for discussion with the landowner. The Applicant proposes to submit a position statement to the Examining

Authority at least two weeks prior to the first compulsory purchase hearing. If the issue is proposed the necessary amendments to the appropriate plans and documents will be submitted to the ExA.

Representation

*It is agreed but not confirmed that the land between the NDR and The Springs will be bunded as high as possible and planted with trees. Ideally this land severed from the adjacent holding will be transferred to the estate for optimum management.*

Applicant's comment

- 1.24.4. The bunds have been designed to provide effective visual and noise mitigation for the scheme as explained in Chapters 7 and 11 of Volume 1 of the Environmental Statement (Document Ref. 6.1).
- 1.24.5. The area is identified as Indicative Woodland Creation on Sheet 9 (of 12) of the General Arrangement Plans (Document Ref 2.6).
- 1.24.6. The Applicant notes the request for the landscaping area to be transferred to the Estate. It will consider this and discuss further with both the Estate and current owner. If a transfer is pursued then appropriate covenants will be imposed to ensure future management is in accordance with the DCO requirements.

Representation

*Set back the gated access along the concrete roadway to The Springs.  
Maintain PMA into the silt trap in The Springs but ensure this access is gated.  
Ensure boundary is fenced and hedged for future security*

Applicant's comment

- 1.24.7. The Applicant accepts the principle of these issues and is currently in discussions with the landowner to agree the detailed specifications

Representation

*The drainage catchment is very complex and changes are being made that we were to be given more detail of. We have been promised a copy of the Environment Agency consent and schemed detail, but this has not been received.*

*Maintain strict pollution and drainage control measures further to the site inspection undertaken recently to assess the area generally*

Application's comment

- 1.24.8. The Applicant notes the comment regarding a report on the scheme drainage detail in The Springs area. This Document will shortly be published as document NCC/EX/43 which is an Addendum to Environmental Statement: Volume I: Chapter 14 and Volume II: Chapter X Flood Risk Assessment.
- 1.24.9. During construction the overall effect of the Scheme during construction on surface water quality is predicted to be slight adverse at worst (not significant). During a major storm event there is the potential for sediment laden runoff to overwhelm site protective measures at locations protecting nearby watercourses and alter overland flows, however this impact would be temporary and localised.
- 1.24.10. During operation the overall effect on surface water quality is considered to be neutral to slight beneficial. A slight beneficial effect will result from the improvement of treatment to existing runoff from the A1151. Runoff from the A1151 currently discharges into the CWS without any form of treatment.
- 1.24.11. The overall effect of the Scheme on flood risk is predicted to be neutral to slight beneficial. The Scheme provides a new flow path between the Scheme and Dobbs Beck, along the dry valley, to

convey flood flows. With the mitigation measures in place, no increase in flood risk is predicted.

- 1.24.12. With the appropriate mitigation measures for construction and operation (including maintenance) discussed in this chapter, there are a limited number of slight adverse effects and slight beneficial effects (i.e. not significant effects). As all the other effects are considered neutral, the overall effect of the Scheme on water resources and flood risk is concluded to be not significant.

#### Representation

*As one of a number of options it is vital to ensure that a quiet road surface is used to protect the Springs and the remainder estate.*

#### Applicant's comment

- 1.24.13. The proposed road surface will be constructed from a material that reduces the generation of tyre noise as explained in Section 11.6 of Volume 1 of the Environmental Statement (Document Ref 6.1) which supports the DCO application.

Representation

*Also in March it was agreed that the engineers would meet on site to deliberate the junction closure at Crostwick Lane and Spixworth which will have such a marked impact on this and on other property in the vicinity. No meeting has taken place.*

*Crostwick/Rackheath Lane junction closure: -*

*The Estate owns significant land and also farms for others land to the east, west, north and south of this junction.*

*Closing it will mean a round trip not only for the occupiers of the estate houses of several miles each way, but it will have an enormous impact on how the Trafford family farms their land.*

*The farming of the Beeston Estate on either side of the North Walsham Road carried out in large part through this junction is likely to become untenable due to increased journey times and poor access to the severed holding.*

*Closing the junction will encourage a rat-run through Dow Lane. There are both safety and road vehicle capacity issues generally which will affect the general public and all of the Beeston, Wroxham and Heggatt estates. The bridge to the north that will have to be used by the farm traffic if the junction is closed is not of a sufficient specification or capacity for the vehicles that would have to use it. Future traffic cannot be managed by calming and persuasion, as the road is a single carriageway, not suitable for use by larger vehicles or for intensification of use.*

*This closure needs to be reconsidered and rejected as it will have a significant detrimental impact upon the business of Wrexham Home Farms and others.*

Applicant's comment

- 1.24.14. Following comment received from the April/May/June 2012 consultations NCC agreed to examine the operation of this junction. Assessment of the existing junction layout showed that it would operate within its desirable capacity in 2017 and 2032 with the NDR in place. Operational

assessment of this junction is contained in Chapter 8.7 on pages 107 to 109 of the Transport Assessment (Document Ref 5.5).

- 1.24.15. As part of the statutory pre application consultation the Parish Council commented that by a narrow majority it supported the proposal for the Crostwick Lane/Rackheath Lane/B1150 junction (Refer to PC033 on page 45 of Appendix T of the Pre-application Consultation Report (Document Ref 5.1). The reason for the closure is primarily to improve highway safety at the junction as closure of Rackheath Lane will simplify turning movements allowing drivers waiting at the Crostwick Lane arm to concentrate on the vehicle movements on the main road.
- 1.24.16. The Applicant acknowledges the need for a site meeting and this will be arranged with the landowner's representation to discuss possible mitigation measures that could be accommodated within the Scheme.

#### Representation

*Noise*

*Assess the ground levels/contours and the existing noise contours.*

*Clarify and show the expected noise profile with existing and increased noise levels at the date of build plus 5, 10 and 20 years to assess the best way to minimise the impact on the remainder estate land and property.*

*Bearing in mind the value of the estate and the impact on the natural heritage, the impact on wildlife sites and the quiet enjoyment that is so important to this landowner and others, the impact needs to be minimised with a lowered road surface, a very quiet road surface, heightened embankments along certain sections of NDR as well as any relevant off-site and on-site planting along the edge of roadway/NOR planting and more bunding recommended by the noise surveys.*

#### Applicant's comment

- 1.24.17. The Applicant has agreed to undertake further background noise surveys in response to consultation with landowners. These will

commence during July 2014 and noise monitoring points will be agreed with the landowners and their agents. If, as a result of the further site specific noise investigation, the parties consider that minor amendments to the mitigation proposals would be beneficial, the Applicant would consider such modifications.

- 1.24.18. If the Applicant proposes to take any modifications forward the necessary amendments to the appropriate plans and documents will be submitted to the ExA.