



Planning and Highways Delegations Committee

Date: **Monday 14 October 2013**
Time: **3 pm**
Venue: **Edwards Room, County Hall, Norwich**

Persons attending the meeting are requested to turn off mobile phones.

Membership

Mr D Harrison

Mr G Nobbs

Panel of Representatives from the Planning (Regulatory) Committee:

Mr B Bremner, Chairman of Planning (Regulatory) Committee
Mr A Dearnley, Green Party Spokesperson
Mr N Dixon, Conservative Spokesperson
Mr A Grey, Vice-Chairman of Planning (Regulatory) Committee
Mr J Joyce, Liberal Democrat Spokesperson

**For further details and general enquiries about this Agenda
please contact the Committee Administrator:**

Julie Mortimer on 01603 222963
or email Julie.mortimer@norfolk.gov.uk

Where the County Council have received letters of objection in respect of any application, these are summarised in the report. If you wish to read them in full, Members can do so either at the meeting itself or beforehand in the Department of Planning and Transportation on the 3rd Floor, County Hall, Martineau Lane, Norwich.

A g e n d a

1 Election of Chairman

2 To receive apologies.

3 Minutes: To receive the Minutes of the last meeting held on 22 January 2010. (Page **3**)

4 Members to Declare any Interests

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

If that is the case then you must declare such an interest but can speak and vote on the matter.

5 Norwich Northern Distributor Road - formal consultation, under Section 42 of the Planning Act 2008. (Page **7**)

Report by the Director of Environment, Transport and Development

Chris Walton
Head of Democratic Services

County Hall
Martineau Lane
Norwich
NR1 2DH

Date Agenda Published: 4 October 2013



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Planning and Highways Delegations Committee
Minutes of the Meeting Held on Friday 22 January
2010

Present: Mr A Gunson

Also Present: Mr D Callaby
Mr D Harrison
Mr J Rogers
Mr J Shrimplin

Officers: Mr S Faulkner – Planning and Transportation

1. Apologies for absence:

There apologies from Mr Hardy and Mr Monson.

2. Minutes

The minutes of the meeting held on 11 September 2009 were confirmed as an accurate record and signed by the Chairman.

4. Declarations of Interest

There were no declarations of interest.

5. Borough of King's Lynn and West Norfolk Council Consultation on Core Strategy – Proposed Submission Document (December 2009)

The annexed report of The Director of Environment, Transport and Development was received.

The following points were noted:

- The Core Strategy was in line with the East of England Adopted Plan.
- Seven thousand houses were being proposed plus provision for at least 3,000 new jobs in existing and new employment areas. Some concern was expressed regarding the apparent imbalance between new housing and employment.
- All reasonable efforts had been made to provide jobs and the policy was considered sound as land had been made available in the area for businesses.
- Out of the 7,000 dwellings to be provided only 4,600 of these were new, 2,400 had already had permission granted.

- The Principal Planner indicated that at this stage (Core Strategy), there were no detailed housing or employment allocations made. This would take place at the Site Specific Proposals stage/consultation.
- Key Services Centres (KSCs) should be sustainable. Some concern was expressed about the number of KSCs identified.
- It was felt that small scale housing was often unsustainable as developer contributions could not be sought. The cumulative impact of such development would place pressure on existing infrastructure and services.
- The Committee was not opposed to the numbers of houses being built overall.

The Committee RESOLVED:

To endorse the comments and recommendations set out in the report and that these be submitted to the Borough Council of King's Lynn and West Norfolk.

Whilst the recommendations set out in the report were agreed by the Committee, the following comments were also agreed:

(a) Whilst supporting the broad Spatial Strategy in Policy CS.1 and the 7,000 dwellings identified within King's Lynn, it was felt that Policy CS.3 (King's Lynn) should potentially indicate/identify a higher level of new jobs commensurate with the level of housing being provided in the town.

(b) Policy CS.9 – Support was given to Policy CS.9 with regard to Affordable Housing, although it was felt that the supporting text to the Policy ought to clarify/justify the reasons why the proportion of affordable housing was below the adopted East of England figure.

In making these comments the County Council did not wish to raise any "soundness objection" to the plan. However, it was felt that the recommendations set out in the attached report and above ought to be considered by the Planning Inspector.

Reasons for Decision

The overall aims and objectives as set out in the Core Strategy were considered to be sustainable and consistent with national guidance. Moreover the levels of housing and spatial strategy were consistent with the adopted East of England Plan (2008). The planning obligations policy was supported as it referred to the need for key County Council infrastructure such as transport and education being provided through developer funding, although the policy would benefit from cross reference in the supporting text to the County Council's Planning Obligations Standards.

However, the Core strategy in its current state did raise a number of issues, which if not addressed ahead of formal submission to the Secretary of State, could give rise to challenges from others on the grounds of soundness. These relate to:

- (1) the need to reduce the number of Key Service Centres identified in the Core Strategy to be consistent with regional advice;
- (2) the need to insert some further criteria for assessing renewable energy proposals more effectively; and
- (3) the need to justify the level of affordable housing and the reasons for departing from the regional target.

Alternative Options Considered

The report set out a number of recommendations. Not pursuing these recommendations would be contrary to the aims of the adopted East of England Plan (2008).

CHAIRMAN

The meeting ended at 10.40am



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Norwich Northern Distributor Road
- formal consultation,
- under Section 42 of the Planning Act 2008.

Report by the Director of Environment, Transport and Development

Summary

This is a response to a formal pre-application consultation under s42 of the Planning 2008 Act, by Norfolk County Council, on the proposed Norwich Northern Distributor Road (NDR)

This report is brought to the Planning and Highways (Delegations) Committee in accordance with the Council's Internal Procedures for dealing with consultations on Nationally Strategic Infrastructure Projects (NSIP).

The proposed NDR is a predominantly dual-carriageway all-purpose strategic road that would link the A1067 Fakenham Road near Attlebridge to the west of Norwich to the A47 Trunk Road at Postwick to the east of Norwich. The proposed NDR is approximately 20.4km in length.

Our consultations reveal no objections to the NDR proposal as outlined in the submitted documentation. However, the Authority's attention is drawn to the comments on the Preliminary Environmental Information Report (PEIR) received from the internal consultees within the Environment, Transport and Development Directorate, (see Appendix), which should be taken into consideration when finalising the submission of the NSIP application for the NDR to the Secretary of State.

It is recommended that Norfolk County Council, as the promoter of the Nationally Strategic Infrastructure Project (NSIP) proposal for the Norwich Northern Distributor Road (NDR), be informed that Norfolk County Council, as the County Planning Authority:

- (i) Raises no objections to the proposed Nationally Strategic Infrastructure Project (NSIP) proposal for the Norwich Northern Distributor Road (NDR);
- (ii) Considers that the Preliminary Environmental Information Report (PEIR) needs to reflect the comments received from the internal consultees within the Environment, Transport and Development Directorate. (see Appendix)

1. Introduction

- 1.1 Members will be aware that the County Council is proposing to construct the Norwich Northern Distributer Road (NDR) and that the proposal falls within the definition of a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008, as amended, (the 2008 Act).
- 1.2 As an NSIP, the NDR application will not be determined by the County Council, but will require the consent of the Secretary of State through the approval of a Development Consent Order (DCO). Although the responsibility for accepting and examining NSIP applications rests with the Secretary of State, the Planning Inspectorate carries out certain functions related to national infrastructure planning on behalf of the Secretary of State.
- 1.3 As an NSIP proposal, the NDR is subject to the consultation process set out in the 2008 Act. Accordingly, the County Council, in its role as the promoter of the scheme, is required to undertake certain pre-application duties prior to the submission of the proposed scheme.
- 1.4 At this stage, the County Council, in its role as the promoter of the scheme, is currently undertaking formal pre-application consultations under s42 of the 2008 Act, which includes the applicant providing information on the proposed project in the form of a Preliminary Environmental Information Report (PEIR). The PEIR will eventually form the basis of an Environmental Impact Assessment (EIA) which will accompany the NDR application for a DCO.
- 1.5 Local authorities are statutory consultees in their own right for any proposed NSIP proposed within their area, the s42 consultation therefore includes, inter alia, consultation with the County Council, in its role as County Planning Authority.

2. The Proposal

- 2.1 The proposed NDR is a predominantly dual-carriageway all-purpose strategic road that would link the A1067 Fakenham Road near Attlebridge to the west of Norwich to the A47 Trunk Road at Postwick to the east of Norwich. The proposed NDR is approximately 20.4km in length.

3. History

- 3.1 It is not proposed to reiterate all the elements and reasoned justification for the NDR as this has been reported, and debated, at length elsewhere, however, Cabinet have considered a number of reports relating to the NDR, some of which are detailed below.
- 3.2 March 2005 Cabinet considered a report by the Director of Planning and Transportation on consultations on the route of the NDR. It was reported that the NDR was included in the Norwich Area Transport Strategy (NATS) and was considered a fundamental element of NATS, and critical to the delivery of a wide range of regional and local objectives.
- 3.3 September 2008 Cabinet considered a report by the Director of Planning and Transportation which set out the further development work and issues arising and sought approval to proceed to the planning application stage. Cabinet resolved, inter alia, to approve the development of the scheme, and agrees that the Director of Planning and Transportation, in consultation with the Cabinet Member for Planning and Transportation, be delegated to approve the final text of the Environmental Statement and Planning Application prior to submission
- 3.4 April 2010 Cabinet considered a report by the Director of Planning and Transportation and adopts the Norwich Area Transportation Strategy Implementation Plan (NATSIP) which provides the transport elements of the Joint Core Strategy (JCS) and outlines schemes that are complementary to the NDR. The analysis to support NATSIP showed that the NDR is very effective in dealing with future congestion on the network.
- 3.5 April 2012 Cabinet considers a report by the Director of Environment, Transport and Development regarding an update on the progress made to deliver NATSIP. The report highlighted the key significance of the NDR to the delivery of the economic growth strategy for Norfolk. Cabinet resolves to confirm delivery of NATSIP and, inter alia, submit a planning application for the NDR.
- 3.6 December 2012 Cabinet considers a report by the Director of Environment, Transport and Development. Cabinet resolves to adopt the NSIP route for the NDR planning process and accepts further enhancements to the NDR
- 3.7 September 2013 Cabinet considers a report by the Director of Environment, Transport and Development on NATSIP and an update on the NDR. Cabinet resolves:
- That the planning application for the NDR continue to be developed and be submitted in November 2013, subject to any changes following the NSIP consultation that will be reported in October to Cabinet.
 - The relocation of airport radar as a compensatory element of the NDR project be part-funded.

- The original Cabinet decision to dual the entire route be confirmed.

4. Planning Policy

- 4.1 The framework for determining an NSIP application is set out in the 2008 Act. In the absence of a Transport Networks National Policy Statement (NPS), which sets out government policy on different types of national infrastructure development, it is considered that the relevant saved policies of the Broadland District Council Local Plan (Replacement) 2006 and the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011) are applicable. In addition, national planning policy in the form of the National Planning Policy Framework (NPPF) (2012) is a material consideration.

5. The s42 Consultation

- 5.1 In accordance with internal procedures, the County Council as County Planning Authority has consulted on this s42 consultation with internal consultees within the Environment, Transport and Development Directorate, and Members where the proposed NDR route passes through their constituency.

The responses received are detailed below:

- 5.2 Natural Environment Team - Comments relate specifically to Chapter 9 of the PEIR, Nature Conservation and Ecology.
- Ecology: The data coverage is considered appropriate and extensive, however, questions are raised regarding impacts on white-clawed crayfish and invasive non-native species. Although the PEIR considers the impacts on the correctly designated sites, Crostwick Marsh SSSI appears to have been missed, and this omission will need to be addressed. The proposed mitigation measures for bats are strongly supported, however detailed comments are made relating to definitions of size of bat populations, the provision of the mitigating landscape/planting proposals, and post monitoring of the effectiveness of such mitigation measures.
- Arboriculture: The Arboricultural Implications Assessment (AIA) and detailed landscape scheme are still being prepared, therefore comments relate to advice on their preparation. A question is raised regarding how, and by whom, the proposed trees and landscaped areas will be maintained, and how sufficient commuted sums will be required to address this issue. A specific comment is made on the necessity for Lagoon 17 in its proposed location due to its potential effect on Lady Carr Woods, a County Wildlife Site.
- Ecological Connectivity: The construction of the NDR will create a significant barrier to the movement of plants and animal species. It is considered that other than ensuring connectivity for bats, the PEIR does not appear to address this matter, and further judgement can only be made once the landscaping scheme is made available. A question is raised regarding the ecological connectivity of populations of Great Crested Newts together with a suggestion that the wider ecological landscape for newts should be assessed.

- 5.3 Planning Services :
Assessment of Noise and Dust: Some parts of the PEIR technical guidance refer directly to Minerals Policy Statement (MPS) 2, Controlling and mitigating the environmental effects of mineral extraction in England. This guidance was superseded in March 2012 by the National Planning Policy Framework (NPPF). This is relevant as the NPPF includes at paragraph 29 the requirements for a noise emissions assessment, which is not included in MPS 2 Annex 2. The NPPF paragraph 144 also refers to the need for developers to meet the requirements for noise and dust assessments in the technical guidance when preparing minerals applications. As the PEIR has sought to compare the mineral movements for the project to mineral extraction, it would therefore follow that they should make reference to the technical guidance especially bearing in mind they have made reference to the predecessor document (MPS 2:Annex 2).
- 5.4 Economic and Development Strategy - No comments to make.
- 5.5 Historic Environment Service - The proposals regarding the historic environment are both adequate and appropriate for the proposed development, and have been put together in consultation with the Historic Environment Service. Hence we have no comments to make on the PEIR.
- 5.6 Highways - Developer Services, acting on behalf of the Highway Authority, as advisor to the Planning Authority, has no comments to make on the formal consultation under Section 42 of the Planning Act 2008.
- 5.7 In accordance with the Council's Internal Procedures for dealing with consultation on NSIPs. Members where the proposed NDR route passes through their constituency were consulted. No comments were received at the time of writing this report.
- 5.8 All comments received are attached to this report as Appendix 1.

6. Resource Implications

- 6.1 **Finance:** This consultation under s42 of the 2008 Act and has no financial implications from the Planning Regulatory perspective.
- 6.2 **Staff:** This consultation under s42 of the 2008 Act has no staffing implications from the Planning Regulatory perspective.
- 6.3 **Property:** This consultation under s42 of the 2008 Act has no property implication from the Planning Regulatory perspective.
- 6.4 **IT:** This consultation under s42 of the 2008 Act has no IT implications from the Planning Regulatory perspective.

7. Other Implications

7.1 This is a report on the formal consultation under s42 of the Planning 2008 Act, on the proposed NDR.

The NDR as an NSIP application will not be determined by the County Council, but will require the consent of the Secretary of State through the approval of a Development Consent Order (DCO).

Accordingly, in consideration of the determination of the proposal, the Secretary of State, rather than the Council, will be mindful of the implications of the proposal, including:

- Human rights
- Equality Impact Assessment (EqIA)
- Legal Implications:
- Communications
- Health and Safety Implications:

8. Section 17 – Crime and Disorder Act

8.1 This consultation under s42 of the 2008 Act has not raised any issues of crime and disorder.

9. Risk Implications/Assessment

9.1 This consultation under s42 of the 2008 Act has not raised any risk implications.

10. Conclusion

10.1 This is a response to a formal pre-application consultation, by Norfolk County Council, on the NSIP proposal for the NDR under s42 of the Planning 2008 Act.

Our consultation reveals no objections to the NDR proposal as outlined in the submitted documentation. However, the Authority's attention is drawn to the comments on the PEIR received from the internal consultees within the Environment, Transport and Development Directorate, (see Appendix), which should be taken into consideration when finalising the submission of the NSIP application for the NDR to the Secretary of State.

Recommendation

It is recommended that Norfolk County Council, as the promoter of the NSIP proposal for the NDR, be informed that Norfolk County Council, as the County Planning Authority:

- (i) Raises no objections to the proposed NSIP proposal for the NDR;

- (ii) Considers that the Preliminary Environmental Information Report (PEIR) needs to reflect the comments received from the internal consultees within the Environment, Transport and Development Directorate. (see Appendix)

Background Papers

Norwich Northern Distributor Road: Pre-Application Consultations Scheme information Document, July 2013.

NDR Preliminary Environmental Information Report (PEIR) June 2013.

NDR Preliminary Environmental Information Report (PEIR), Non Technical Summary, July 2013.

Norwich Northern Distributer Road: Non Technical Note on Transport Modelling, July 2013.

Norfolk County Council's Internal Procedures for dealing with consultation on Nationally Strategic Infrastructure Projects (2011)

Broadland District Council Local Plan (Replacement) 2006.

Joint Core Strategy for Broadland, Norwich and South Norfolk (2011)

The National Planning Policy Framework, and Technical Guidance (NPPF) (2012)

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

Name	Telephone Number	Email address
Nick Johnson	01603 228940	nick.johnson@norfolk.gov.uk



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Norwich Northern Distributor Road - Formal consultation, under section 42 of the Planning Act 2008

Formal response to consultation from NCC Natural Environment Team:

Heidi Thompson, Countryside Manager (Landscape & Biodiversity)
David White, Senior Green Infrastructure Officer
Anne Crotty, Senior Arboricultural and Woodland Officer
Edward Stocker, Nick Bolton, Ecologists

We are commenting on the Preliminary Environmental Review, specifically Chapter 9 *Nature Conservation and Ecology*. We have previously commented on the Scoping Report and recognise that some of the observations we made at that stage (March 2012) have been addressed. Clearly the PER is preliminary, and we recognise the full ecological surveys and AIA will be contained in the ES, but as such our current comments can only be broad-scale.

Ecology

Data coverage:

- The species and habitats surveyed to inform the ES are appropriate and the emphasis of recent updating of surveys has considered the correct species and taxonomic groups. We are unsure if impacts on white-clawed crayfish were considered.
- The quantity of ecological data collected is extensive. The PER indicates limitation of recent ecological surveys as a result of poor weather. However it is clear from the PER, and following discussions with the ecologists working on the scheme, that the data generated over several years allows an understanding of the spatial and temporal distribution of species and habitats (section 9.1.1.8).
- Were invasive non-native species considered or surveyed? The presence of certain species would require specific management.

Designated sites:

- Clearly the PER considers the impacts on the correct designated sites. However no specific reference is made to the Crostwick Marsh SSSI which is a constituent unit of the Broads Special Area for Conservation (SAC). This site is less than 1000m from the nearest point of the road and is hydrologically linked to the Springs CWS. The stream/valley between the sites is recognised as a Core Biodiversity Area (CBA) in the Green Infrastructure Strategy which is part of the Joint Core Strategy (GNDP, 2007). The Habitat Regulation Assessment that will accompany the application will need to consider impacts on this unit of the European Site.

Proposed mitigation:

- We strongly support the mitigation for bats in terms of the 'safe crossings' and the provision of bat houses. The green bridges are very innovative and we welcome their inclusion.
- It is difficult for us to comment on the appropriateness of the level of mitigation for bats due to the imprecise definition of population sizes. The descriptions used are somewhat unclear. The qualitative references to "...notable barbastelle populations..." (Section 9.5.1.16) and "...fairly major roost sites..." (Section 9.5.1.17) are not terms generally understood by bat

ecologists and should be more clearly defined. Presumably this information will be contained in the ES.

- As part of the mitigation for adverse impacts on barbastelles and other bat species, the PER refers in Table 9.1 to “..extensive areas of habitat creation...”. We question the practicality of this. We would assume there is limited scope to provide suitable habitat within the footprint of the scheme that would not put bats using it in jeopardy being in such close proximity of the road.
- Landscaping and planting should be used to encourage bats to use the safe crossing points and discourage them to other area i.e. planting hedges perpendicular to the road should be avoided unless they lead to a gantry or bridge. We would expect the detailed landscaping/planting scheme to address this.
- We would like to take this opportunity to reiterate our previous concerns that this mitigation within the ‘red-line’ of the development will need to be supplemented with landscape-scale mitigation to ensure the long-term favourable conservation status of bat populations post-construction. Our understanding is that Natural England has previously expressed similar concerns. This may require landscape enhancements in areas outside the control of NCC and we confirm that the Natural Environment Team has the experience and ability to support or deliver such mitigation.
- The loss of part of Heath Wood is recognised but it is not clear if potential impacts on the feeding or commuting of bat populations has been assessed.
- We also believe strongly that post-monitoring of the effectiveness of the bat gantries and other mitigation is essential. We are aware that this is the intention but we would suggest that this commitment should be referred to directly in the ES.

Arboriculture

There are limitations to how we can comment with regards to arboriculture as the Arboricultural Implications Assessment (AIA) and detailed landscape scheme are still being prepared. However we would state that

- The Environmental Statement and Arboricultural Implications Assessment must ensure that as well as the proposed new woodland planting, that standard and extra heavy standard trees are incorporated into the design to replace and enhance the new layout. Street trees should be provided where appropriate alongside new slip roads and roundabouts. It is desirable that standard trees are also incorporated into new hedge lines outside the red line to act as wildlife corridors.
- Section 8.8.1.2 states that “careful site planning would minimise the loss of existing trees and shrubs”. I would like to re-iterate that the Arboricultural Implications Assessment must specifically detail tree protection to ensure that trees that are retained are protected for the duration of the construction process.
- It is stated that Lagoon 17 has been located so that it does not impact on Lady Carr Wood CWS – or at least the parts of the woods that are within the designation boundary. It is not clear however, if any woodland is being lost here that is not part of the CWS designation or if there will be impacts on the edge trees and woodland edge ecotone habitats. In our response to the scoping report we had asked if there options to relocate this lagoon to reduce potential impact on the woodland edge.

How will the landscaped areas and trees be maintained? Who will be responsible for managing the new landscape areas, trees and woodlands? Commuted sums for maintenance of landscaped areas must be provided and should take account of the additional costs of watering and maintenance required for standard and extra heavy standard trees.

Ecological connectivity

- We feel the PER does not quite make clear what consideration has been given to the impact of the NDR on causing breaks in ecological connectivity. The NPPF requires consideration to ecological networks and the Joint Core Strategy contains an ecological network map for Norfolk. Within the scheme, the emphasis has largely been on ensuring connectivity for bats, but clearly the road will create significant barriers, for example where the road passes between the Springs CWS and the blocks of ancient woodland immediately to the south. This will restrict the movement of plants and animal species across the landscape fragmenting and isolating the woodland blocks. The PER does not appear to recognise, for example, the potential genetic isolation of woodland ground flora as a result of restriction of pollen movement and seed dispersal. It is easy to say that new planting/landscaping will improve connectivity (9.7.1.4) but this will only be the case if the wider ecological landscape has been assessed. Without a landscaping scheme available, we are unable to make a judgement on whether mitigation for loss of ecological connectivity is appropriate.
- The section on great crested newts (paragraphs 9.5.1.20 – 21) refers both to the “loss of one population” of newts and to “populations some distance (away)”. Again, has the ecological connectivity been assessed? It seems likely that all these sub-populations are part of the same metapopulation (especially in the southern Rackheath area). As such, the loss of a contributing pond and/or the loss of connecting and foraging terrestrial habitat could have an impact on this European Protected Species. The wider ecological landscape for newts should be assessed. The work will require a licence from Natural England but population level effects upon Great Crested Newts should still be addressed. The provision of permanent newt fencing and possibly another culvert may be required.
- There is a need to ensure that the mitigation for the NDR ties in with the Area Action Plan for the North-east Norwich Growth Triangle currently being consulted on by Broadland District Council and we are pleased to see this recognised in paragraph 9.7.1.4.

Thank you for consulting the Natural Environment Team.

From: [Lambert, Angelina](#)
To: [Planning Services](#)
Subject: FW: Norwich Northern Distributor Road - Formal consultation, under section 42 of the Planning Act 2008
Date: 02 October 2013 10:58:40

From: Drake, Richard
Sent: 23 September 2013 17:00
To: Johnson, Nick; Lambert, Angelina
Subject: RE: Norwich Northern Distributor Road - Formal consultation, under section 42 of the Planning Act 2008

Hi Nick

Noise: The general stance is similar, some parts of the technical guidance are lifted directly from MPS 2, obviously the technical guidance is more up to date in some places. MPS 2 Annex 2 refers to 'Best Available Techniques (BAT)'. The quote included in the PEIR (in section 12.3.3.8) allegedly from MPS 2 Annex 2 does not seem to actually be a quote in Annex 2 of MPS 2. I have searched for it and can't find it in MPS 2 or MPS 2 Annex 2 (it would have been helpful if a citation had been included). The technical guidance to the NPPF includes at paragraph 29 the requirements for a noise emissions assessment, which is not included in MPS 2 Annex 2. The NPPF paragraph 144 refers to the need for developers to meet the requirements for noise and dust assessments in the technical guidance when preparing minerals applications. As the PEIR has sought to compare the mineral movements for the project to mineral extraction, it would therefore follow that they should make reference to the technical guidance especially bearing in mind they have made reference to the predecessor document (MPS 2:Annex 2).

Dust: Section 6.3.2.2 refers to construction dust associated from the movement and handling of minerals. This section then goes on to state that the primary dust issues relate to loss of amenity and nuisance and that "There is no formally recognised methodology for determining these effects..." ; I consider that this disregards the technical guidance for the NPPF which contains at paragraphs 23-27 details of dust assessment requirements and methodology.

Best regards
Richard

Richard Drake
Acting Principal Policy and Planning Officer
Minerals and Waste Policy (Planning Services)
Public Protection
Environment, Transport and Development
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Norfolk County Council
General enquiries: 0344 800 8020 or information@norfolk.gov.uk
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From: [Faulkner, Stephen](#)
To: [Planning Services](#)
Cc: [Eastaugh, Sandra](#)
Subject: RE: Norwich Northern Distributor Road - Formal consultation, under section 42 of the Planning Act 2008
Date: 27 September 2013 12:53:22

Nick

Thanks for your email.

I have no comments to make to the S.42 consultation.

Stephen

Stephen Faulkner BA (Hons) MSc DipTP MRTPI
Principal Planner - Economic Development and Strategy
Environment, Transport and Development
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From: [Hamilton, Ken](#)
To: [Johnson, Nick](#); [Planning Services](#)
Subject: RE: Norwich Northern Distributor Road - Formal consultation, under section 42 of the Planning Act 2008
Date: 27 September 2013 12:13:41

Dear Nick,

Thank you for consulting us on this S42 Consultation.

The proposals regarding the historic environment are both adequate and appropriate for the proposed development, and have been put together in consultation with the Historic Environment Service.

Hence we have no comments to make on the Preliminary Environmental Impact Report.

Yours aye

Ken

Ken Hamilton PhD MIfA
Senior Historic Environment Officer (Planning)
Historic Environment Service
Environment, Transport and Development

Norfolk County Council
Direct dial telephone number: 01362 869275
Mobile telephone number: 07748 761354
E-mail: ken.hamilton@norfolk.gov.uk
General enquiries: 0344 800 8020 or information@norfolk.gov.uk
www.norfolk.gov.uk

From: [Lambert, Angelina](#)
To: [Planning Services](#)
Subject: FW: Norwich Northern Distributor Road - Formal consultation, under section 42 of the Planning Act 2008 - H/5/2013/5014
Date: 02 October 2013 10:07:09

From: Higgins, David
Sent: 02 October 2013 08:11
To: Lambert, Angelina
Cc: Tracey, Matt; Rudkin, Paul
Subject: FW: Norwich Northern Distributor Road - Formal consultation, under section 42 of the Planning Act 2008

Angelina,
Developer Services acting on behalf of the Highway Authority as advisor to the Planning Authority has no comments to make on the formal consultation under Section 42 of the planning Act 2008.
Regards
David

~~~~~  
**David Higgins B.Sc.(Hons), C.Eng, MICE**  
**Principal Engineer**  
**Major and Estate Developments Team**  
Developer Services Section  
Environment, Transport and Development  
Direct dial telephone number: 01603 222789  
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General enquiries: 0344 800 8020 or [information@norfolk.gov.uk](mailto:information@norfolk.gov.uk)  
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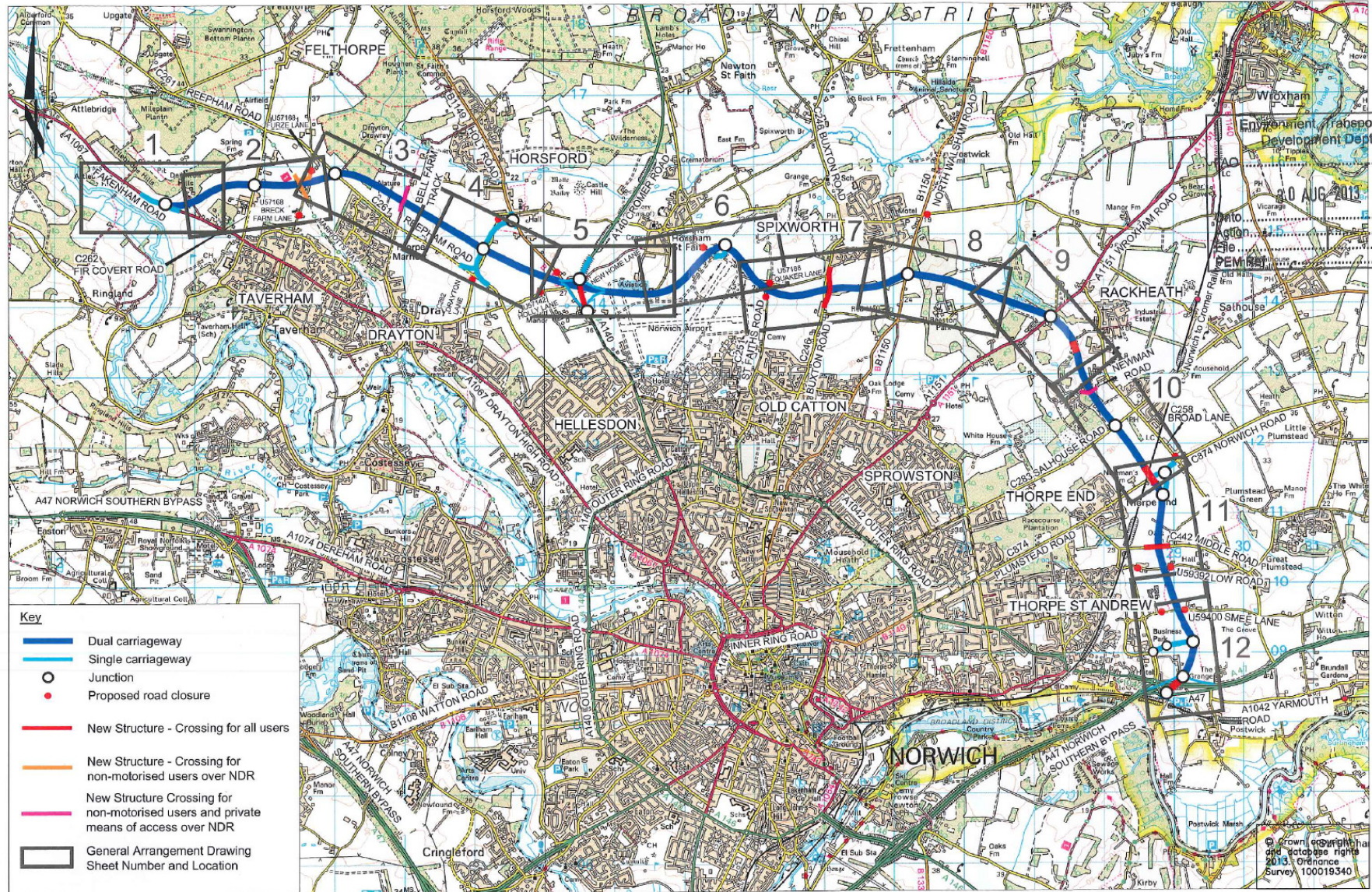


**Mike Jackson**  
 Director of Environment,  
 Transport and Development  
 Norfolk County Council  
 County Hall, Martineau Lane  
 Norwich NR1 2SB

DRAWING TITLE  
 NORWICH NORTHERN DISTRIBUTOR ROAD  
 LOCATION PLAN

| REV | DESCRIPTION | CHECKED | DATE |
|-----|-------------|---------|------|
|     |             |         |      |
|     |             |         |      |
|     |             |         |      |

| INITIALS       | DATE  | DRAWING No.                       |
|----------------|-------|-----------------------------------|
| SURVEYED BY DB | 06/13 | PROJECT TITLE                     |
| DESIGNED BY KW | 06/13 | Norwich Northern Distributor Road |
| DRAWN BY KW    | 06/13 | SCALE                             |
| CHECKED BY JE  | 06/13 | 1:80000                           |
|                |       | FILE No.                          |



**Key**

- Dual carriageway
- Single carriageway
- Junction
- Proposed road closure
- New Structure - Crossing for all users
- New Structure - Crossing for non-motorised users over NDR
- New Structure Crossing for non-motorised users and private means of access over NDR
- ▭ General Arrangement Drawing Sheet Number and Location





**Mike Jackson**  
 Director of Environment,  
 Transport and Development  
 Norfolk County Council  
 County Hall, Martineau Lane  
 Norwich NR1 2BG

**DRAWING TITLE**  
 NORWICH NORTHERN DISTRIBUTOR ROAD  
 GENERAL ARRANGEMENT DRAWING LOCATION PLAN

| REV | DESCRIPTION | CHECKED | DATE |
|-----|-------------|---------|------|
|     |             |         |      |
|     |             |         |      |
|     |             |         |      |

| SURVEYED BY | INITIALS | DATE  | DRAWING No.                       |
|-------------|----------|-------|-----------------------------------|
| OS          | OS       | 08/13 | RT C093-R1-4285                   |
| DESIGNED BY | DN       | 08/13 | PROJECT TITLE                     |
| DRAWN BY    | DN       | 08/13 | Norwich Northern Distributor Road |
| CHECKED BY  | GD       | 08/13 | SCALE                             |
|             |          |       | 1:50000                           |
|             |          |       | FILE No.                          |
|             |          |       | R1C093                            |

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