



Norwich Western Link

Environmental Statement

Chapter 5: Approach to EIA

Appendix 5-2: Environmental Impact Assessment Scoping Opinion 2020

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Contents

1	Introduction	3
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1 Introduction

- 1.1.1 On the 11 June 2020 the County Planning Authority (CPA) received a Scoping Request from Norfolk County Council Infrastructure Delivery Team (the Applicant) under Regulation 15 of the Town and County Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Norwich Western Link (the Proposed Development).
- 1.1.2 This document is the Scoping Opinion (the Opinion) adopted by the CPA in respect of the Proposed Development. It is made on the basis of the information provided in the submitted Scoping Report (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant and the Opinion should be read in conjunction with the Scoping Report and consultation responses received as a result of the consultation process.
- 1.1.3 The Opinion has taken into account the requirements of the relevant EIA Regulations and guidelines regarding the preparation of an ES.
- 1.1.4 The Scoping Report has been carefully considered and the Opinion is based on an Officers' professional judgement. The Opinion is without prejudice subject to the consideration of any subsequent formal planning application relating to the Proposed Development.
- 1.1.5 Regulation 15(2)(a) states that a request for a Scoping Opinion must include:
- (i) a plan sufficient to identify the land;
 - (ii) a brief description of the nature and purpose of the development, including its location and technical capacity;
 - (iii) an explanation of the likely significant effects of the development on the environment; and
 - (iv) such other information or representations as the person making the request may wish to provide or make;
- 1.1.6 The CPA is satisfied that the Scoping Report meets these requirements.
- 1.1.7 We have included a summary of key information shown in this document in an accessible format. However, some users may not be able to access all



technical details. If you require this document in a more accessible format please contact norwichwesternlink@norfolk.gov.uk.

INTRODUCTION

Background

On the 11 June 2020 the County Planning Authority (CPA) received a Scoping Request from Norfolk County Council Infrastructure Delivery Team (the Applicant) under Regulation 15 of the Town and County Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Norwich Western Link (the Proposed Development).

This is the Scoping Opinion (the Opinion) adopted by the CPA in respect of the Proposed Development. It is made on the basis of the information provided in the submitted Scoping Report (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant and the Opinion should be read in conjunction with the Scoping Report and consultation responses received as a result of the consultation process.

In paragraph 1.3.2 of the Scoping Report, the Applicant is of the view the Proposed Development falls within Schedule 2, 10(f) of the EIA Regulations, and in accordance with the EIA Regulations intends to provide an Environmental Statement (ES) in respect of the Proposed Development, to accompany the subsequent planning application. The Proposed Development is considered EIA development by the CPA.

In accordance with Regulation 15(6) before adopting a Scoping Opinion the CPA must take account of:

- (a) any information provided by the applicant about the proposed development;
- (b) the specific characteristics of the particular development;
- (c) the specific characteristics of development of the type concerned; and
- (d) the environmental features likely to be significantly affected by the development.

The Opinion has taken into account the requirements of the relevant EIA Regulations and guidelines regarding the preparation of an ES.

The CPA has consulted on the Scoping Report and the consultation responses received have been taken into account in adopting this Opinion. For your information, the responses are included at the end of this letter and can be found on the County Council's website via the following link <http://eplanning.norfolk.gov.uk/PlanAppDisp.aspx?AppNo=SCO/2020/0001>

The Scoping Report has been carefully considered and the Opinion is based on an Officers' professional judgement. The Opinion is without prejudice subject to the consideration of any subsequent formal planning application relating to the Proposed Development.

Regulation 15(2)(a) states that a request for a Scoping Opinion must include:

- (i) a plan sufficient to identify the land;
- (ii) a brief description of the nature and purpose of the development, including its location and technical capacity;
- (iii) an explanation of the likely significant effects of the development on the environment; and
- (iv) such other information or representations as the person making the request may wish to provide or make;

The CPA is satisfied that the Scoping Report meets this requirement.

In accordance with Regulation 18(4)(a) of the EIA Regulations, the ES that accompanies a planning application must be based on the most recent Scoping Opinion issued, unless the Proposed Development becomes materially different.

The County Planning Authority's Consultation

In accordance with the EIA Regulations the CPA has consulted the consultation bodies before adopting the Opinion. The list of consultation responses received within the statutory timeframe and whose comments have been taken into account in the preparation of the Opinion is provided at the end of this letter, to which you should refer to when preparing the ES.

The submitted ES to accompany the planning application should demonstrate consideration of the points raised by the consultees. For ease, when considering the application, it is recommended that a table is provided in the ES summarising the scoping responses from the consultees and how they are, or are not, addressed in the ES.

Please note that any consultation responses received after the statutory deadline for receipt of comments have not been taken into account within this Opinion. However, any late responses received will be forwarded to you as the Applicant and uploaded to the Council's website under the planning reference: SCO/2020/0001, for consideration when preparing the ES.

The European Union (Withdrawal Agreement) Act 2020

On 31 January 2020, the United Kingdom (UK) left the European Union (EU). A transition period is now in place until 31 December 2020. This provides for the relevant EU legislation relating to Planning and Environmental Assessments to be retained as UK law, until amended by Parliament. This Scoping Opinion is based on the retained law.

THE PROPOSED DEVELOPMENT

Description of the Proposed Development

The Applicant's description of the Proposed Development, site and its surroundings is set out in Section 2, paragraphs 2.3.1 to 2.4.7 of the Scoping Report. A Location Plan, Constraints plan and Project Layout Plan are included at Appendices A to C of the Scoping Report.

The Proposed Development comprises the construction of a dual carriage way link road from the A1067 Fakenham Road, at its existing junction with the A1270 Broadland Northway, to a new junction with the A47 near Honingham, completing an orbital route around Norwich. To facilitate the Proposed Development associated works include: viaduct crossing of the River Wensum (a Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI)); wildlife crossings in the form of bat and badger underpasses; bridges at interaction with Ringland Lane, Weston Road and Breck Road; Green bridge crossings; and culvert crossing the River Tud.

Passing through arable and agricultural fields and woodland, the Proposed Development is located to the North-West of Norwich A1270 running south to the A47 at its junction with Wood Lane and Berrys Lane.

Whilst in principle the CPA has assumed the description set out in the Scoping Report is an accurate description of the Proposed Development, the potential constraints of the site and receptors. Please note paragraph 2.4.1 states the dual carriageway is 2.8 miles and at paragraph 1.2.4 states 3.9 miles. The correct distance should be set out in the ES.

It is my understanding that at this stage as the detailed design of the Proposed Development is evolving the description of the Proposed Development may not be completely confirmed. However, the Applicant will need to ensure that the description of the Proposed Development in the ES for which the subsequent planning application is made is as accurate as possible, including any proposed works required as ancillary to the Proposed Development, (whether on or off-site),

because this will form the basis of the Environmental Impact Assessment (EIA) and should be assessed as part of an integrated approach to EIA.

Subject to planning approval and all other relevant consents, it is intended to commence construction in early 2022.

Construction

The CPA notes little information has been provided in the Scoping Request regarding the temporary access road and the formation of the construction compounds, paragraph 1.1.3 states these are yet to be confirmed. Nor is any information provided regarding the size and location of construction compounds. Whilst it is appreciated that this information may not be available at this stage in the evolution of the Proposed Development, this information will be required in the ES and the compounds should be encompassed within the application site boundary site. Nor does the Scoping Report make clear how the site will be accessed during construction. The Applicant should consider making this information explicit within the ES.

The CPA considers that information on construction including: construction phasing; construction methods, plant and activities associated with each phase; siting of construction compounds (including on and off site); lighting equipment/requirements; and number, movements and parking of construction vehicles (both HGVs and staff) should be clearly indicated in the ES. It should be made clear whether any materials would be arriving by road, rail or other means.

Alternatives

Regulation 18(d)(c) of the EIA Regulations requires an ES to include a description of the reasonable alternatives which are relevant to the Proposed Development and its specific characteristics, and an indication of the main reasons for the chosen option, taking into account the environmental effects.

In setting out the structure of the Scoping Report, Paragraph 1.5.1 states that the proposed approach for the alternatives considered as part of the design development is set out in Chapter 3. It is not clear from Chapter 3 what the approach is.

The CPA acknowledges that Paragraph 2.1.3 advises that the Applicant has completed assessments and undertaken environmental studies on alternative routes to inform the selection of the preferred road alignment of the Proposed Development. Paragraph 3.3.1 goes on to state the scheme design maybe subject to change due to information from ongoing environmental surveys. The ES should clearly set out the rationale and justification for the Proposed Development, in response to the issues it is seeking to address, taking into account a range of traffic interventions and alternative routes as the possible solution. The ES should also include the reasonable alternative options, the justification for the preferred / chosen option, including a comparison of the environmental effects, and a description of any further issues that may lead to changes to the final alignment of the Proposed Development which the ES will examine in detail.

The Scoping Report refers to the Option Selection Report (OSR) and Strategic Outline Business Case (SOBC) and that an Outline Business Case (OBC) is to be developed alongside the ES for the Proposed Development. If this is where the information regarding the alternatives is to be set out, it should be demonstrated with clear cross referencing.

Flexibility

The CPA notes that a number of elements of the Proposed Development are yet to be finalised, such as the traffic forecasts (Paragraph 6.2.8 states that finalised traffic forecasts were not available at

the time of writing the Scoping Report), detailed design, mitigation measures and whether further water quality analysis is required.

The Applicant's attention is drawn to the Rochdale Envelope principle in dealing with areas of uncertainty when preparing the ES. Case law has established an acceptable way of dealing with uncertainty in preparing and assessing projects, (particularly those prepared in an outline manner). This approach should only be used where exceptional and necessary. It is for the CPA as decision maker to agree the level of flexibility that can be permitted. Whilst this provides for an element of flexibility, the ES should assess the worst case variations, to ensure the likely significant environmental effects have been fully assessed.

During the preparation of the planning application every attempt should be made to narrow the elements of the Proposed Development to be finalised. Where this is not possible, the ES should clearly explain which elements of the Proposed Development have yet to be finalised and provide reason justification. At the time of application, any proposed scheme parameters should not be so wide-ranging as to represent effectively different schemes from that in the accompanying ES. In preparing the ES, the Applicant will need to consider whether it is possible to robustly assess a range of impacts resulting from a number of undecided parameters.

It should be clear in the application submission what is being applied for. If the Proposed Development changes substantially during the EIA process, prior to the submission of the planning application you may wish to consider the need to request a new Scoping Opinion.

Mitigation / Monitoring

The CPA notes that a Construction Environmental Management Plan (CEMP), Construction Traffic Management Plan (CTMP), Materials Management Plan (MMP) and Site Waste Management Plan (SWMP) are to be produced.

The ES should identify specific mitigation measures to be delivered (rather than an outline of the measures). Where the ES relies upon mitigation measures which would be secured through management plans, it should be demonstrated (with clear cross-referencing) where each measure is set out in the management plan. Full copies of the relevant management plans should be included or appended to the submitted ES and the Applicant should also demonstrate how the measures will be secured. Where full copies are not included in the subsequent planning application, clear justification must be provided stating the reason for such approach.

The ES should identify and describe any proposed monitoring. It is suggested the Applicant agrees methods, any necessary mitigation and or/compensatory measures and monitoring regimes with the relevant consultees.

Planning Policy context

In developing the Proposed Development and preparing the EIA Report, regard should be given to the relevant provisions of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and good practice guidance. The Planning Application should demonstrate compliance with the adopted Development Plan, unless materials considerations, such as Emerging Plans (depending on the stage of the plan process), National Planning Policy Guidance, and Transport Plans, indicate otherwise.

Topics proposed to be scoped out of the Environmental Statement

Table 4-1 of the Scoping Report provides a list of the topic areas to be scoped out. The Applicant should seek agreement of such matters with the CPA and / or the relevant consultee(s).

To ensure topic areas haven't been overlooked during the EIA process, justification should be provided for the topic to be scoped out and why this particular approach has been taken.

Confidential Information

It may be appropriate for information relating to rare / protected species or commercially sensitive information, to be kept confidential. Where documents are intended to be confidential, separate copies should be provided, clearly marked confidential, together with a statement setting out the reason the Applicant considers the information to be of a confidential nature. The CPA may be obliged to disclose information under the Freedom of Information Act 2000 and / or Environmental Information Regulations 2004. If such a request is received by the County Council, consideration will be given to the reasons provided why the information should not be disclosed.

In accordance with the General Data Protection Regulations (GDPR), the CPA will seek to minimise the publication of personal details.

CORONAVIRUS (COVID – 19) Survey work and data collection

In response to the current issues relating to the Coronavirus outbreak, the CPA understands that Central Government and/or Local Authority enforced restrictions may have consequences for the ability to conduct certain surveys and obtain relevant data required for the purposes of the ES.

In determining a planning application accompanied by an ES, the CPA must in examining the environmental information, reach a reasoned conclusion on the significant effects of the Proposed Development on the environment. The CPA will also consider the advice received from consultees during the planning process.

Given the current circumstances, I strongly advise you to continue the dialogue with the relevant consultees and agree approaches/methodologies to data collection and how it is to be presented in the ES.

EIA Scope and Topics

Following consultation with the statutory consultation bodies, the scope and level of detail of the information to be provided in the ES using the factors listed in Regulation 4(2) of the EIA Regulations, is set out below:

Chapter 5 Air Quality

In Table 5-5 - Elements Scoped In or Out of Further Assessment, proposes to scope out emissions from plant and machinery during the construction phase. The Environmental Health Officer is content that this is scoped out, however, advised that all plant and machinery used should be maintained to ensure that emissions are minimised, with particular care taken with semi static plant.

Within the scope of Air Quality, the ES should consider the impacts of the Proposed Development on Public Health and take account of the risks of air pollution, road and dust and emissions and how these can be managed or reduced during the operation of the project.

The scope of Air Quality also falls within other Chapters of the Scoping Report, information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System www.apis.ac.uk

Chapter 6 Noise and Vibration

According to Paragraph 6.8.1 a study area is yet to be determined. The ES should clearly state and justify the study area selected.

The Scoping Report does not appear to include any baseline monitoring for the Proposed Development (complete road scheme). The ES should include noise monitoring to validate modelling and establish background levels. In addition, given the traffic noise can affect bat activity and feeding behaviour, animals such as bats should be identified as noise sensitive receptors in the ES.

Chapter 7 Cultural Heritage (Archaeology and Heritage)

Justification should be provided for the extent of the study area used to assess the baseline conditions in the Scoping Report. This includes the 500m study area proposed for non-designated heritage assets, as no justification for this area is given. The study area should be the appropriate to ensure that all heritage assets likely to be affected by the Proposed Development have been included and can be properly assessed.

The Proposed Development could impact on a number of designated heritage assets that are situated within the vicinity of the Proposed Development, and their settings. Therefore, Historic England would expect an assessment of the likely effects of the Proposed Development on the elements which contribute to the significance of the heritage assets and their settings, such as the potential impacts on any Conservation Areas and Grade I, II* and II Listed Buildings and non-designated features of historic, architectural, archaeological or artistic interest. In addition, the assessment should take account of the potential impacts of associated activities and the alteration to drainage patterns. To assist in understanding the impacts of the Proposed Development, section drawings and photomontages would be useful.

Whilst the County Council's Norfolk Historic Environment Service are satisfied with information provided in the submitted Scoping Report, Historic England strongly recommend that the Applicant involves the Council's Historic Environment Team (Conservation and Archaeology Officers) and welcomes the opportunity to comment on further details of the Proposed Development.

Whilst it is noted that consultation has taken place with the County Council's Historic Environment Officer, please note that Broadland District Council wish to assess the impacts of the Proposed Development on the above ground heritage assets, their settings and proposed mitigation.

Chapter 8 Landscape and Visual

The proposed methodology for this topic area is appropriate and in line with GLVIA3. The baseline work undertaken and proposed is considered acceptable. Both should inform the assessment of the landscape and visual impacts, including mitigation measures and where they are to be situated.

The Scoping Report states that the study area will be agreed with the LPA. The CPA welcomes this, as does the Broadland District Council Landscape Architect, of which justification should be set out in the ES, and viewpoint locations agreed. Photomontages / visualisations to be taken from agreed viewpoint locations should be provided to demonstrate the possible visual impacts of the Proposed Development. These should show visual effects (at various intervals) on completion of the Proposed Development through to after the establishment of the landscaping scheme. The Applicant should seek to agree the methodology for, and number of required photomontages / visualisations and the intervals the photomontages / visualisation should illustrate, with the relevant consultees.

The Scoping Report proposes to scope out artificial lighting on the basis that no operational lighting is proposed other than for signage and at the junction with the A47, therefore it is recommended that construction lighting is considered as part of the overall impacts and operation lighting be kept to a minimum.

I draw the Applicants attention to Paragraph 8.8.1 which appears to be unfinished.

Whilst the Proposed Development does not fall within Breckland Council area, it maybe visible from within the boundary. I draw your attention to the comments received from the County Council's Natural Environment Team, Broadland District Council and Breckland Council, and advise the Applicant to continue the pre-application dialogue with relevant Officers.

Chapter 9 Biodiversity

The approach to the Biodiversity Assessment is considered acceptable. According to Natural England the Proposed Development passes over Internationally, Nationally and Local Non-Statutory designated sites, therefore the potential impacts on the sites should be addressed, as well as on county level habitats. It is noted that the protected species and habitat surveys has been agreed with Natural England.

In relation to lighting, the impacts of lighting from vehicles on bats should be assessed. In Table 8-1, it is not clear whether the lighting impact on biodiversity (namely bats) will be assessed in the ES. Consideration should be given to other bat trapping locations and the structures to be considered for hibernation surveys for bats listed in Paragraph 9.2.60, should also include underground structures including ice houses. The duration of the Vantage Point survey referred to in paragraph 9.2.64 should be clarified in the ES and the length of the survey justified. To take account of bat behaviour, consideration should be given to surveying during night and sub-optimal periods. Surveyors should be positioned to allow for comparison post construction monitoring. Generally, with regards to monitoring, the Applicant should consider how pre and post construction survey results are effectively compared.

Based on the results of the White Clawed Crayfish Survey, the EA notes that in Table 9-9 - Biodiversity Scoped in or Out of Further Assessment, of the Scoping Report it proposed to scope out this type of species. The CPA are content with this approach.

The Scoping Report should make reference to the need for good biosecurity practices to avoid the spread of non-native species during construction. Ecological Surveys should identify any invasive non-native species already present, which should then help to inform appropriate preventive measures. Given the proximity of the proposed works to the River Wensum this is important and should to be included in the ES.

Norfolk County Council adopted its Environmental Policy on 25 November 2019. Although it doesn't form part of the Development Plan, it is a material consideration when determining Planning Applications for County Council development. The Applicant is encouraged to demonstrate how the Policy has informed the Proposed Development, whether it is compliant, and a minimum of 10% Net Biodiversity Gain, inline with the pending Environment Bill. It is noted that as part of the Biodiversity Net Gain and mitigation measures additional land is likely to be required. Once the extent of the off-site mitigation and compensation measures are known, the scope of the ES should be reviewed. The additional land should be included in the application site boundary and the scope of the ES.

It is noted a number of studies are still to be completed, which will inform the baseline.

Given the current Covid-19 pandemic, officers are currently working remotely, therefore it recommended that data is also submitted as shape files and all relevant biodiversity data, including absences be submitted to Norfolk Biodiversity Information Service (NBIS).

The Applicant's attention is drawn to the consultation responses from the Councils Natural Environment Team and Natural England.

Chapter 10 Road Drainage and the Water Environment

Paragraph 10.7.26 states that a standalone Flood Risk Assessment (FRA) will be prepared to support the ES. Please note this should cover **all sources of flooding**. Highways England note that the drainage system from the Proposed Development is separate to the A47 and expect the Applicant to consider the effects of flooding on the A47.

Fluvial Flood Risk

The Environment Agency (EA) will continue to work with the Applicant on the FRA, which should assess the flood risk of the Proposed Development; and support the proposal to submit a 1D-2D hydraulic model which will assess the current flood risk, take account of climate change and demonstrate that the Proposed Development will not increase flood risk extents or depths elsewhere.

Surface Water Drainage

The Scoping Report acknowledges that the Proposed Development lies within the Internal Drainage District (IDD) of the Norfolk Rivers Internal Drainage Board (IDB). Any works as part of the Proposed Development that fall within the IDD will require separate consent from the IDB. Works that effect the flow of an ordinary watercourse (outside of the IDB remit) will require consent from the Lead Local Flood Authority (LLFA). The Applicant should seek to obtain the relevant drainage consents at the earliest opportunity. This process will be separate and in addition to the planning process.

The FRA to accompany the ES should include a surface water drainage strategy to address local sources of flood risk (e.g from ordinary watercourses, surface water flow, including impacts to overland flow paths), identify how surface water drainage will be managed on site, compliance with the SuDS hierarchy, any required mitigation measures and maintenance and management plan.

It is noted from the Scoping Report that a Water Vole Survey has been carried out, on the River Wensum, but it is not clear whether other watercourses have been surveyed. The IDB recommend that a Water Vole Survey is carried out in the Boards adopted water course, and on other riparian watercourses likely to be impacted by the Proposed Development.

Surface Water quality

Whilst the Scoping Report covers the Surface Water Quality impacts of the Proposed Development during both construction and operation, in the assessment methodology there is no mention of containment or contingency for a road traffic accident leading to a spillage. Given the reference in other parts of the Chapter, it is wondered whether the omission in Paragraph 10.4 is an error. This will need to be clarified in the ES.

The Water Framework Directive (WFD) assessment referred to in the Scoping Report should include the River Tud and highlight the two key objectives of no deterioration in waterbody status and ultimate aim of improving all waterbodies to Good status. To ensure no adverse effects on the water quality of the Wensum, The Habitats Directive assessment for the River Wensum SAC needs to include consideration of the tighter water quality targets.

Surface Water resources

Regarding surface water resources the Scoping Report doesn't make reference to the use of water as resource during construction or operation therefore, it is presumed that no local water will be used or abstracted. This needs to be clarified in the ES and consideration should be given to the impact of water abstraction licenses, particularly abstraction points within close proximity to the Proposed Development.

Measures to deliver Biodiversity Net Gain are supported. Regarding the reference to the River Wensum Restoration Strategy (in particular at 10.3.34), the EA highlight opportunities to address changes to the River should not be overlooked, because it does not necessarily mean that there are not potential improvements to be made to the morphology of the River.

Groundwater

The scope for groundwater resources is generally considered appropriate and the Applicant is drawn to specific comment in the consultation response received from the EA. Paragraph 10.3.20 states that “A data request to determine any nearby licensed and unlicensed groundwater abstractions will be completed moving to ES Stage” The Broadland District Council Environmental Health Officer has requested to be consulted on this in order to assist in identifying private drinking water supplies in the vicinity.

The EA advise that shallow groundwater is likely to be present in many places along the route of the Proposed Development, which could affect the viability of using simple infiltration features, SuDS features should be in accordance with CIRIA SuDS Manual and that direct discharge of potentially hazardous substances is not permitted.

Detailed comments received from the LLFA, EA, Highways England and AW can be found in the consultation responses at the end of this letter. It is suggested that the Applicant liaises with the relevant water bodies to ensure an appropriate drainage strategy is proposed.

Anglian Water (AW) suggest the Applicant checks for AW assets in the area, using asset maps which can be found via www.digdat.co.uk

Chapter 11 Geology and Soils

Paragraph 12.3.6 seems to suggest that the assessment of safeguarded material resources and use of minerals in construction is included in Chapter 11 of the Scoping Report. This does not appear to be case, as the assessment appears to be included in Chapter 12 – Materials Assets and Waste.

Further to the comments received from the EA, set out in Table 11-1 - Consultation Undertaken to Date, there is a safeguarded waste management facility (former Attlebridge Landfill) close to the site boundary for the Proposed Development, which has a 250m consultation zone around it that intersects part of the Northern site boundary for the Proposed Development. As a result, there is the potential for indirect impacts to the aftercare of the former waste facility that need to be assessed.

It is not clear whether paragraphs 11.3.5 and 11.3.7 of the Scoping Report are referring to licensed abstractions or all abstractions? This needs to be clearly set out in the ES.

Paragraph 11.4.2 regarding mitigation should also include validation (if required) and monitoring (if required).

Paragraphs 11.7.3 and 11.7.4 should note that CLR11 is being superseded. The most up to date guidance to follow is Land contamination: risk management guidance, see: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>

In light of planning policy for the protection of the best and most versatile agricultural land, it is recommended that soils should be considered in the context of the sustainable use of land and the ecosystem services they provide as a natural resource.

Chapter 12 Material Assets and Waste

The site covered by the Scoping Report is mostly underlain by a Mineral Safeguarding Area (sand and gravel).

Paragraph 12.1.2 states that Defra have been consulted and stated that Construction Demolition & Excavation (CDE) waste arisings data is only available at national level for England. Whilst this is correct in terms of waste arisings, other information on CD&E waste is available that would be relevant to the ES.

Paragraph 12.2.2 lists the Minerals and Waste Planning Authorities (WPA) in the East of England. However, for clarity and completeness it does not include the unitary authorities. These should be included in the ES

Paragraph 12.3.6 acknowledges that the Proposed Development passes through both sand and gravel and silica sand deposits and states that the scheme will not sterilise resources. However, this statement is incorrect because any location of safeguarded mineral that is built upon without prior extraction of the underlying mineral will sterilise the underlying mineral as it cannot be extracted in the future. Whilst there are other locations of that mineral in the County, the quantity of mineral that underlies the development will have been sterilised by the Proposed Development being located upon it. This paragraph refers both to safeguarded sand and gravel, and silica sand deposits. Please note that safeguarded silica sand deposits only occur close to the western boundary of Norfolk. Paragraph 12.3.6 goes on to state "...the importance of these resources and impact of the Scheme will be reported in the Geology and Soils chapter of the ES." On review of the Scoping Report it appears that Chapter 11 Geology and Soils focusses on ground contamination and does not currently refer to mineral resources either in terms of use or safeguarding or use in the project.

It is not clear from Paragraph 12.3.10 what the quantity of materials required for the construction of the Proposed Development scheme will be, or that this will be set out in the ES. Although it is noted that the Paragraph states that the sensitivity of materials needed for the Proposed Development is low. Table 12-5 - Potential design, mitigation and enhancement measures, makes reference to a Materials Management plan (MMP); this should include information on the quantity of materials (including minerals) to be used in the project.

Paragraph 12.3.12 states that there is not data available for CD&E production or recovery rates in the East of England. However, it is possible to get figures for the quantities of CD&E waste that have been recovered in the East of England (and in the individual WPA areas) from the EA's Waste Data Interrogator (WDI). Table 12-1 includes all types of waste (hazardous, non-hazardous and inert) arising from all sectors and therefore is not necessarily directly comparable to any trends in CD&E waste recovery. This information should therefore be replaced with data specifically for CD&E waste recovery from the EA's WDI.

Table 12-3 - Permitted waste recovery management sites in East of England (2018), lists the number of waste management facilities in the East of England. It does not include their capacity, the types of waste that they can accept, or whether there is sufficient capacity available arising from the construction of the Proposed Development. The EA's WDI may provide more information surrounding this particular issue.

For information, Norfolk County Council publishes annual monitoring reports which include data on waste management which may be relevant for the ES (see: <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance->

[andpartnerships/policies-and-strategies/minerals-and-waste-planning-policies/annual-monitoringreports](https://www.norfolk.gov.uk/media/norfolk/downloads/what-we-do-and-how-we-work/policy-performance-andpartnerships/policies-and-strategies/minerals-and-waste-planning-policies/annual-monitoringreports)).

Norfolk County Council has also published a Waste Management Capacity Assessment which contains information on waste arisings, waste movements and the capacity at waste management facilities in Norfolk (see:

<https://www.norfolk.gov.uk//media/norfolk/downloads/what-we-do-and-how-we-work/policy-performance-andpartnerships/policies-and-strategies/minerals-and-waste-planning/preferred-optionsconsultation/waste-management-capacity-assessment-2017.pdf?la=en&hash=E85C21869C051D2E044DD52D7A57B4F83B2549F8>).

The other WPA's in the East of England are likely to publish similar information.

The Scoping Report does not appear to include information regarding the quantities of waste that are likely to arise from the project, or regarding the quantity of minerals that are likely to be needed in the project, or the quantity of minerals that are likely to be extracted as part of the project. Therefore, a Site Waster Management Plan and Material Management Plan – Minerals should be included in the ES.

With regard to Table 12-8 – Significant Criteria, please note the project area is not located on a Peat resource and safeguarding mineral resources are shown as area on maps, therefore it is not appropriate to measure the impact on mineral safeguarding in terms of sites.

Mineral Planning Authority has published standing advice on mineral safeguarding, which can be found on the Norfolk County Council website at www.norfolk.gov.uk/nmwdf on the 'Adopted Policy Documents' page, and welcomes discussion, if there are any queries regarding the preparation of a Mineral Resource Assessment.

The EA advise that an appropriate waste exemption or an Environmental Permit will be required for any use of waste in the works.

Included in this Scoping Opinion is a full consultation response from the Mineral and Waste Planning Authority, and relevant contact details should you have any queries.

Chapter 13 Climate

Whilst it is noted that the Applicant has not undertaken any consultation relating to Greenhouse Gases emission or Climate Resilience, the CPA welcomes that discussions have been held with the Norfolk County Council Sustainability Manager.

The England Biodiversity Strategy published by Defra establishes principles for the consideration of the effects of climate change. The ES should reflect these principles and identify how the Proposed Development effects on the natural environment will be influenced by climate change, the impacts greenhouse gases, climate resilience both during construction and when in operation.

Chapter 14 Population and Health

It is noted that the Applicant has not undertaken any consultation relating to this Chapter of the Scoping Report. However, the Scoping Report states "Consultation with the Norfolk County Council and Broadland District Council may be required for the ES." The CPA welcomes the Applicant consulting with the relevant Authorities relating to this topic area, to ensure detailed assessment of the Population and Health impacts are included in the ES.

It maybe that the Applicant addresses Public Health within the Air Quality Chapter. The assessment of the impacts of the Proposed Development on Public Health should include risks of air pollution, road and dust and emissions and how these can be managed or reduced during construction and in operation.

Whilst there does not appear to be any historical or cultural Gypsy Roma Traveller Sites that would be affected by the Proposed Development. It is suggested that the when developing the final design, the Applicant considers the potential for areas to create stopping places that may become vulnerable to use, resulting in Unauthorised Encampments.

Chapter 15 Arboriculture

Broadland District Council Arboricultural Officer wishes to be consulted on the production of this Chapter of the ES. Paragraph 15.7.2 suggested that tree renewal and replacement would be on a county-wide basis. However, it considered that tree renewal and replacement should take place within the vicinity of the Proposed Development rather than county wide.

From an arboricultural perspective the County Council's Senior Arboriculture and Woodland Officer considers that the information provided in the Scoping Report appears to be in line with national guidelines.

The Proposed Development will result in ancient and veteran trees loss, therefore the ES should include an Arboricultural Impact Assessment (AIA), site specific Arboricultural Method Statement (AMS) including monitoring regime and Tree Protection Plan (TPP). Due to the level of tree loss the ES should include a 30 year compensation strategy based on a calculation of habitat loss and demonstrating net gain. It is recommended the Applicant considers a package of mitigation and compensatory measures.

Chapter 16 Major Accidents and Disasters

Based on the information provided in the Scoping Report and the consultation response received from the Health and Safety Executive (HSE), the CPA is content that the proposed development is not of a type that would use or store hazardous substances in quantities relevant to the potential for major accident hazards, and therefore the topic area of major accidents related to such hazardous substances can be scoped out.

No justification is given for the extent of the study area used to assess the baseline conditions in the Scoping Report, this should be included in the ES.

The proposed development appears to cross the route of a major accident hazard pipeline and lies within the HSE Consultation Zone for National Grid's 3 Feeder Bacton/Roudham Heath gas pipeline (Transco ref 1709), and therefore could be vulnerable to harmful effects from a major accident at the major hazard pipeline. The ES should consider the significant effects of relevant major accident scenarios at the identified major accident hazard pipeline that could affect people who will be at the Proposed Development, and also give consideration to the potential to initiate a major accident that could affect people who will be at the Proposed Development. I draw your attention to the full consultation received from HSE.

In preparing the Scoping Report the Applicant has used the HSE's LUP web app, however it is noted that this process has not been completed, as the entries have not yet been 'continued' (past the zones identification stage) to the advice stage. Please contact HSE's Land-use-planning Advice team lupenquiries@hsl.gsi.gov.uk if you require further assistance.

HSE advise the Applicant to liaise with the pipeline operator National Grid, and to undertake a risk assessment as early as possible to ensure the design and operations meet the requirements of relevant Health and Safety Regulations.

There is a high-pressure gas pipeline – feeder within close proximity to the Proposed Development. For information a location plan identifying the location of National Grid high pressure gas pipelines is included in the consultation response from National Grid, enclosed in this Scoping Opinion. As the design for the section of the road at the junction with the A47 is developed further National Grid recommend they be consulted.

The EA advise that to scope out the transport and pollution accidents and flood risk is acceptable providing the issues are fully addressed within Chapter 10.

Fire

To assess the impact of the Proposed Development on emergency response times NFRS advise that Highways notify NFRS of planned or emergency road closures.

Chapter 17 Traffic and Transport

The ES should clearly state and justify the study area selected for both the construction and operational phase in respect of traffic and transport.

A full Transport Assessment (detailing the impact of the proposed development on the local road network and Walking, Cycling and Horse-Riding (WCH) routes) will form part of the subsequent planning application, the detailed scope of which should be discussed with the Highway Authority and the Public Right Of Way (PROW) team. It is recommended that the ES should clearly set out the impacts of the proposed development on the footpaths and any PROWs including bridleways and byways within the vicinity and adjacent / nearby National Trails. To support the ES it is recommended a Non- Motorised User (NMU) Strategy be developed identifying opportunities for new and alternative NMU routes.

The proposed development will connect to the A47 at the junction with Wood Lane, which forms part of the A47 North Tuddenham to Easton duelling scheme currently being developed by Highways England through the NSIP regime. Highways England agree with the methodology set out in the submitted Scoping Report and advise the Transport Assessment will need to take account of the impacts of their scheme and any necessary mitigation measures.

The Assessment should be in accordance with DfT Circular 02/2013 – The Strategic Road Network and the Delivery of Sustainable Development and be informed by the Walking Cycling and Horse-Riding Assessment Report (WCHAR).

Highways England also advise that where there is interaction between the Proposed Development and the A47, the design should be in accordance with the requirements of the Design Manual for Roads and Bridges (DMRB). In addition, other requirements to be referenced on the ES include the appropriate Stage One Road Safety Audit for the junction design with the A47, and A47 collision analysis (without the dualling scheme). As the proposed timescales for delivery of the Proposed Development is similar to that of the proposed dualling of the A47 promoted by Highways England, the ES should clearly set out how the schemes can be delivered in tandem with an appropriate mitigation strategy.

It is noted from the submitted Scoping Report and consultation responses that pre-application discussions have taken place with the Highway Authority and Highways England. The CPA welcomes this and expects on-going discussions and agreement, where possible.

I draw the Applicants attention to the comments from the Highway Authority, Highways England and the Norfolk Council Projects Manager.

Chapter 18 Cumulative Effects

The Scoping Report does not appear to identify a study area for this assessment and nor have any specific projects been identified for consideration in this Chapter of the Scoping Report.

The ES should clearly state and justify the selected study area. The Applicant should consult and/or agree with the relevant Planning Authorities the projects to be included / excluded from the cumulative effects assessment. It is recommended that the list of projects is updated as appropriate during the preparation of the Planning Application.

The Applicant may wish to provide a plan identifying the locations of the projects to be considered in the ES.

Chapter 17 (Traffic and Transport) Paragraph 17.7.30 advises that the A47 dualling being promoted by Highway England and the Food Enterprise Zone at Easton will form part of the baseline in the updated NATS model. It is suggested that these developments are included in the Chapter 18. Depending on when they are to be developed, the ES needs to fully assess how they interact and the cumulative effects of this.

The list is not exhaustive but a development to include when assessing the cumulative effect is the Hornsea Project Three, the underground cable is intended to cross the Proposed Development. Details of the National Infrastructure Project (NSIP) can be found on the Planning Inspectorate (PINS) website. A decision by the Secretary of State of Business, Energy and Industrial Strategy (BEIS) is expected later this year.

Consideration should be given to site specific allocations within the vicinity of the Proposed Development, that are identified in the emerging Greater Norwich Local Plan (GNLP), particularly the site allocations that have not been challenged. Depending on the stage of the plan process, at the time of submitting the Planning Application, appropriate weight should be afforded to the allocated sites that maybe included in the Cumulative Effects Assessment.

Socio Economic

The Scoping Report appears to be deficient in information regarding the impacts of the Proposed Development on Economic Development. A study area should be identified and justified in the ES.

Given the potential for job creations during the construction phase and the number of businesses located closed to the Proposed Development and the businesses located further afield that would benefit from improved access to the Northern and Western areas of Norwich, the ES should include an assessment of the following:

- How the Proposed Development will support job creation and Gross Value Added (GVA) growth – this should include a breakdown of personnel that would be employed / number of jobs that would be created during construction phase and whether full or part time
- Opportunities for existing businesses parks and allocated employment sites
- Opportunities during the construction phase to support local supply chains development, also providing direct and indirect jobs created as a result

- How the Proposed Development will contribute to local skills
- Risk of construction delays as a result of the current Coronavirus pandemic
- Potential economic impacts of coronavirus pandemic considered– sectors impacted (e.g. Hospitality, Tourism).

I draw you attend to the comments provided by the Councils Business Development Manager.

Aerodrome Safeguarding

Whilst consulted on the Scoping Report, unfortunately Norwich Airport were unable to provide comments relating to aerodrome safeguarding. It is recommended that as the design of the road evolves and the mitigation measures are identified, the Applicant liaises with the Airport to assess the impacts of the Proposed Development, particularly if proposed SuDS features within the vicinity of the Airport are likely to attract birds.

Non-Technical Summary

A non-technical summary of the ES should be provided as part of the application submission. The content of which should be in accordance with Regulation 18 (3)(e) of the EIA Regulations 2017 and best practice.

Other issues

The CPA received a third party representation which raises issues relating to the consideration of cycle users and the assumptions of traffic volumes given the current COVID-19 situation. For information, the response is included at the end of this letter.

Schedule 4 Information

In addition to the above information, please ensure that the ES includes all information specified in Schedule 4: Information for Inclusion in Environmental Statements of the EIA Regulations which, in addition to a description of the Proposed Development covering points 1(a)-1(d), which includes (but isn't limited to), a description of reasonable alternatives, a description of the relevant aspects of the current state of the environment and an outline of the likely evolution thereof without implementation of the development, a non-technical summary of the information, and a reference list detailing sources used for the descriptions and assessments included.

Conclusion

This letter should be taken as the County Planning Authority's Scoping Opinion under the Town and County Planning (Environmental Impact Assessment) Regulations.

If you have any queries about the content of the Opinion, do not hesitate to contact me. Please let me know if anything is incorrect. As aforementioned, in accordance with Regulation 18(4)(a) of the EIA Regulations, the ES must be based on the most recent Scoping Opinion issued, unless the Proposed Development becomes materially different, in which case you may wish to consider the need to request a new Scoping Opinion.