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Department
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Strategic Roads Directorate
Department for Transport
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8 January 2014

Addressee as on envelope

Dear Sir or Madam

HIGHWAYS ACT 1980

A47 TRUNK ROAD, POSTWICK INTERCHANGE IMPROVEMENT

1. We are directed by the Secretary of State for Transport and the Secretary of State for Communities and Local Government ("the Secretaries of State") to refer to the concurrent public inquiries ("the Inquiry") that sat for a total of 14 days between 3 July 2013 and 26 July 2013 before David Wildsmith, BSc(Hons), MSc, CEng, MICE, FCIHT, MRTPI, an independent Inspector appointed by the Secretaries of State, to hear objections to, and representations about, the following draft orders:

**THE A47 TRUNK ROAD (POSTWICK INTERCHANGE SLIP ROADS)
ORDER 201 ("the Slip RO").**

**THE A47 TRUNK ROAD (POSTWICK INTERCHANGE SIDE ROADS)
ORDER 201 ("the SRO").**

2. This letter conveys the decision of the Secretaries of State on whether the above draft orders should be made following their consideration of the Inspectors report.

3. The purpose of the draft orders, if made as published, is to provide an improved interchange between the existing A47 trunk road at Postwick, on the eastern side of Norwich, and the existing A1042 Yarmouth Road (referred to hereafter as the 'published scheme').

THE INSPECTOR'S REPORT

4. A copy of the inspector's report is enclosed. In this letter references to paragraph numbers in the Inspector's report are indicated by the abbreviation "IR".

5. The Inspector recorded at IR 1.7 that there were a total of 132 objections to the draft orders. Two of which were from statutory objectors and one of these was subsequently withdrawn. The main grounds of objection are briefly summarised at IR 1.8.

THE DECISION OF THE SECRETARIES OF STATE

6. The Secretaries of State have carefully considered the Inspector's report together with all the objections, alternative proposals, counter objections, representations and expressions of support made, both orally and in writing. In reaching their decision, they have also considered the requirements of local and national planning, including the requirements of agriculture, as required by section 10(2) in Part II of the Highways Act 1980.

7. The Secretaries of State are satisfied that the Inspector's conclusions cover all material considerations and propose to accept his recommendations, subject to the comments in the following paragraphs.

Decision of the Environmental Statement

8. The Secretary of State for Transport ("the SoSfT") is satisfied that the requirements of European Directive No. 85/337/EEC, as amended by Directive No. 97/11/EC and Directive No. 2003/35/EC, as consolidated in Directive 2011/92/EU, implemented by sections 105A, 105B, 105C AND 105D of the Highways Act 1980, have been complied with fully in respect of the published scheme ("the project" for the purpose of the Directive). The SoSfT is also satisfied that the Environmental Impact Assessment undertaken for the project and the Environmental Statement, have properly identified, assessed and addressed all significant environmental effects, and considered and given reasons for dismissing the main alternatives, as well as assessing the proposed measures to minimise these impacts. The SoSfT is satisfied that members of the public and others concerned have been given reasonable opportunity to express their opinion before deciding whether to proceed with the project to which the assessment relates. Therefore, having considered the Statement and any opinions expressed on it by the public and others, and taking into account the Inspector's conclusion at IR 8.171 the SoSfT has decided to proceed with the project to which the assessment relates. For the purpose of section 105B(6) of the Highways Act 1980, publication of the SoSfT's decision to proceed with the scheme will be given by public notice as set out in 105B(7).

Procedural Matters

9. The Secretaries of State note the Inspector's handling of the various procedural matters that were the subject of submissions at the Inquiry and accept his overall conclusion in IR 8.54.

10. The Secretaries of State are satisfied with the way the Inspector dealt with all these matters and agree with his comments and handling on each of them as set out in his report. They are therefore satisfied, as a result, no one was prejudiced or prevented from putting forward their case at the time, and that the Inspector took into account all relevant evidence and came to a reasonable decision in all the circumstances.

Decision on the Orders

11. The Secretaries of State, in considering the Inspector's report, make the following comments on matters raised in the report:

The Principle of the New Development in the Postwick Area

12. The Secretaries of State note objections concerning the principle of new development in the area. They have considered all the related matters concerning this area of objection and acknowledge that some areas concerning the remitted parts of the Joint Core Strategy at the time of the inquiry were yet to be resolved.

13. The Secretaries of State note however that the report on the examination into the Joint Core Strategy dated 13 November 2013 by David Vickery DipT&CP MRTPI concluded that the Joint Core Strategy with modifications has now been judged to meet the criteria for soundness in the National Planning Framework and also note the conclusions reached by the Inspector on this matter in IR 8.39 that, for the reasons he gives, and not withstanding the non-resolution of Joint Core Strategy matters at the time, the areas of objection indicated in IR 8.38 cannot be supported.

The Design and Layout of the Scheme

14. The Secretaries of State note that a number of objectors were concerned that the scheme is over-designed, too complex and complicated. The Secretaries of State in considering this matter note the Inspector's conclusions in IR 8.57 to IR 8.67. They particularly note the Inspector's acceptance of the Highways Agency's position that, once the many constraints indicated at IR 3.48 and IR 7.25 to IR 7.26 are taken into account in relation to the proposed layout; there is no significantly reduced scale of improvement that would be workable. They also note that the Inspector in IR 8.66 does not consider the layout would be unduly difficult or confusing to negotiate in practice. The Secretaries of State, after considering all the evidence, accept the Inspector's overall conclusion at IR 8.68.

15. The Secretaries of State note that a number of objectors were concerned about the safety of the published scheme. Particular concerns were that the greater complexity of the published scheme and the likelihood of higher traffic speeds would lead to more accidents and that the proposed signal-controlled Park and Ride junction would become an accident hotspot. The Secretaries of State in considering this matter note the Inspectors conclusions in IR 8.69 to IR 8.71. They particularly note his conclusion in IR 8.70 that the scheme has been designed in accordance with standards set out in the Department of Transport's Design Manual for Roads and Bridges and road safety audits have been conducted. The Secretaries of State, after considering all the evidence, accept the Inspector's conclusions at IR 8.69 to IR 8.71.

16. The Secretaries of State note the concerns of Mr A R Williams at IR 5.98 and Mr E Newbery at IR 5.103 that there could be significant tailbacks if the proposed traffic signal-controlled Park and Ride junction were to fail. The Secretaries of State in considering this matter note the Inspectors comments in IR 8.73 to IR 8.75 and the comments from the Highways Agency at IR 7.120. They particularly note the Inspectors conclusion that there is no clear evidence of the likelihood of future traffic problem and that other signal-controlled junction in the area have not incurred any insurmountable problems. The Secretaries of State, after considering all the evidence, accept the Inspector's conclusion at IR 8.75, and agree with the reasoning and findings, that there is no clear evidence of the likelihood of future traffic problems and the objections should not be supported.

17. The Secretaries of State note that a number of objectors were concerned that the published scheme would take too much agricultural land with a detrimental effect on the countryside. The Secretaries of State in considering these concerns have decided, for the reasons the Inspector has given at IR 8.77, to agree with the Inspector's conclusion at IR 8.78 that the loss of agricultural land has little significance in the overall assessment of the published scheme. In relation to pedestrians and cyclists the Secretaries of State agree with the inspector's comments and conclusions in IR 8.83 that those objections on the grounds that the published scheme would not make proper provision for cyclists and pedestrians cannot be supported.

18. The Secretaries of State note that a number of objectors were concerned with aspects of the published scheme's relationship with the proposed Norwich Northern Distributor Road. The Secretaries of State in considering this matter note the Inspectors comments in IR 8.91 to IR 8.98 and the comments from the Highways Agency at IR 3.68 to IR 3.69 and at IR 7.105 to IR 7.108. They particularly note the Inspectors conclusion that the published scheme does not pre-empt or prejudice the planning process for the Norwich Northern Distributor Road but minimises the disruption to the A47 trunk road and the Postwick hub junction in the event that the Norwich Northern Distributor Road be approved. The Secretaries of State, after considering all the evidence, accept the Inspector's conclusion at IR 8.99, and agree with the reasoning and findings, that there is no clear evidence or

reason for its relationship to the proposed Norwich Northern Distributor Road to prevent the Orders from being made.

The Operational Performance of the Scheme

19. The Secretaries of State note that a number of objectors were concerned that the closure of the eastbound diverge slip road would seriously inconvenience local businesses and residents with increased journey times and travel distances. The Secretaries of State in considering this matter note the Inspectors comments in IR 8.100 to IR 8.109 and the comments from the Highways Agency at IR 3.71 and IR 7.18 to IR 7.19. The Secretaries of State note that the Highways Agency indicates in IR 7.18 that the average commuting journey time into Norwich is 33 minutes and that this was not disputed by the objectors. The Secretaries of State accept that the maximum increase in journey time of just over two minutes in 2030 has been clearly demonstrated by the Highways Agency and agree with the Inspector that this increase should not be seen as significant. Nevertheless the Secretaries of State acknowledge that the published scheme, insofar as existing users are concerned, would lead to transport user dis-benefits. However the Secretaries of State note that the Inspector concludes that the published scheme benefits of releasing economic potential and the high national priority of promoting sustainable economic growth and jobs should be considered when assessing the published schemes value for money. The Secretaries of State, after considering all the evidence, accept the Inspector's conclusion at IR 8.110, and agree with the reasoning and findings, that the potential economic benefits should be taken into account when assessing value for money.

20. The Secretaries of State note that a number of objectors believe that the published scheme should not go ahead due to a negative benefit cost ratio and a belief that other economic benefits have been overstated. The Secretaries of State when considering this matter note the Inspector's comments in IR 8.111 to IR 8.128 and the comments from the Highways Agency at IR 3.16, IR 3.21, IR 3.31 to IR 3.34, IR 3.70, IR 3.75 to IR 3.77, IR 7.22, IR 7.37 to IR 7.40, IR 7.42 to IR 7.45 and IR 7.47. The Secretaries of State note that the Highways Agency acknowledges that the published scheme has a negative benefit cost ratio but also note that this is not unprecedented.

21. The Secretaries of State note that the Norfolk and Norwich Transport Action Group at IR 5.18 maintain that it would be setting a dangerous precedent to use the draft guidance in WebTAG Unit 3.16 to calculate Transport Externality Cost and Gross Value Added and use them against negative benefit cost ratio. The Secretaries of State note the Highways Agency's response to this matter in IR 7.42 and IR 7.45, and for the reasons given, agree with the Inspector's conclusion at IR 8.117 that the use of WebTAG Unit 16 is appropriate in this case.

22. The Secretaries of State note that the main queries regarding the Transport Externality Costs were from the Norfolk and Norwich Transport Action Group who raised points concerning the modelling process and were

keen to identify in which parts of the network the Transport Externality Costs were being generated. The Secretaries of State note that the Highways Agency provided information on this matter at IR 7.43 and agree with the Inspector's reasons and conclusion at IR 8.122 that there are no grounds to question the calculation of the Transport Externality Cost benefits.

23. The Secretaries of State note that Mr Radford on behalf of Lothbury Property Trust in IR 5.33 and IR 5.106 to IR 5.110 and the Norwich Green Party in IR 5.56 questioned the number of jobs in the Gross Value Added assessment and the growth assumptions used for the development of the Broadland Gate Business Park site and the viability of office development. The Secretaries of State also note that the Highways Agency have provided evidence to support the case that the timescale for delivery of economic benefits is realistic at IR 7.38 to IR 7.41 and supported the case that there are limited opportunities for large scale employment growth elsewhere in Norwich at IR 3.33 to IR 3.34. The Secretaries of State also note the point made by the Norwich Green Party at IR 5.19 and IR 5.55 that whereas the Gross Value Added calculation assumes that the jobs would not occur elsewhere in the area, the National Trip End Model constraints used in the calculation of the Transport Externality Costs means that they would. The Secretaries of State, after considering all the evidence, accept the Inspector's conclusion at IR 8.129, and agree with the reasoning and findings, that the calculation of Transport Externality Costs and Gross Value Added are acceptable and should be taken into account in the overall assessment of benefits.

24. The Secretaries of State note the concerns of Mr Cawdron recorded at IR 5.147 that the loss of crop production should be included in the economic assessment calculations. The Secretaries of State when considering this matter note the Inspector's comments at IR 8.130 and the comments from the Highways Agency at IR 3.82 to IR 3.84. They further note that the Inspector asserted that the figure of the loss of 95 ha of agricultural land used by Mr Cawdron is far in excess of the 9.8 ha agreed and recorded at IR 3.84 that the monetary loss suggested by Mr Cawdron should be significantly reduced. The Secretaries of State, after considering all the evidence, accept the Inspector's conclusion at IR 8.131, and agree with the reasoning and findings, that the cost details raised by Mr Cawdron are not significant enough to prevent the making of the Orders.

Alternative routes

25. The Secretaries of State note that there were 13 alternative routes proposed, nine of which were pursued at the inquiry – Alternatives 1, 2, 4, 5, 6, 6a, 9, 10 and 11, with a further two put forward at the inquiry 12 and 14. The case for those who supported these, either individually or generally, are recorded in inquiry document number HA/35. It is also noted that those who made counter-objections against these alternatives are reported in inquiry document number HA/35 and the Highways Agency response is at IR 7.49 to IR 7.89.

26. The Secretaries of State note that each of the 11 alternative routes was considered by the Inspector who reached conclusions on each of them in IR 8.151 to IR 8.160. The Inspector reached a conclusion in IR 8.153 that neither AR9 or AR11 would offer any advantages over the published scheme and in IR 8.151 that they do not propose any alterations to the existing Postwick junction and would therefore not fulfil the scheme objectives. With reference to the remaining alternatives the Inspector acknowledged that (with the exception of the second phases of AR6 and AR14) they would cost less than the published scheme but concluded that they would not be able to deliver under the published draft Orders and would give rise to operational problems and difficulties which would mean they would be unable to deliver the objectives of the scheme.

27. The Secretaries of State, after considering all the evidence, accept the Inspector's overall conclusion in IR 8.161 to IR 8.162, and agreeing with his reasoning and findings, that none of the alternative routes can be supported and that all alternative routes were properly considered.

Other Matters

28. The Secretaries of State note the other matters raised by Mr Bowell in IR 5.73 to IR 5.74, Mr Heard in IR 5.130, IR 5.133 and IR 5.135, and Norfolk and Norwich Transport Action Group (NNTAG) in IR 5.32 to IR 5.34 where these have not been addressed above. The Secretaries of State also note that some objectors argued that there was no sense in extending the Postwick Park and Ride site, there would be a negative impact of the published scheme on the economy of Great Yarmouth, and that the published scheme would be expensive and a waste of money. In considering these matters, the Secretaries of State further note that the Inspector considered each of them in IR 8.172 to IR 8.182 and, for reasons he gives, they accept his conclusions in IR 8.183 on each one of them.

Modifications

29. The Secretaries of State note the Inspector's conclusions in IR 8.184 and IR 8.189 to IR 8.192 on the modifications proposed by the Highways Agency to the published draft Orders described in inquiry document numbers HA/58, HA/59 and HA/60. They note the Inspector's findings that all but Modification 7 are simply to address minor drafting errors or to add clarity and ensure consistency between the Orders, the Schedule and the Plan. They also note the Inspector's findings that Modification 7 is necessary to ensure that cyclists would not be disadvantaged by the stopping up of the eastbound diverge slip road. The Secretaries of State therefore accept the Inspector's overall conclusions in IR 8.188 and IR 8.194 and agree, for the reasons he gives in IR 8.185 to IR 8.187 and IR 8.190 to IR 8.193, that they are justified and should be made.

The Secretaries of State Decision on the Draft Orders

The Slip RO

30. The Secretaries of State agree with the Inspector's overall conclusions on the Slip RO at IR 8.184 to IR 8.188 and, for the reasons he has given, together with those of the Secretaries of State above, accept his recommendation in IR 9.1 that the Slip RO be modified as set out in Inquiry document HA/60 and that the order so modified be made. The Secretaries of State are satisfied that this modification does not, in their opinion, make a substantial change to the draft SSRO for the purposes of the provisions in paragraph 8(3) of schedule 1 to the Highways Act 1980.

The SRO

31. The Secretaries of State agree with the Inspector's overall conclusions on the SRO at IR 8.189 to IR 8.194 and, for the reasons he has given, together with those of the Secretaries of State above, accept his recommendation in IR 9.2 that the SRO be modified as set out in Inquiry documents HA/58 and HA/59 and that the order so modified be made. The Secretaries of State are satisfied that this modification does not, in their opinion, make a substantial change to the draft SSRO for the purposes of the provisions in paragraph 8(3) of schedule 1 to the Highways Act 1980.

ORDERS AND SCHEME TO BE MADE

32. In the light of the decision taken above, the Secretary of State for Transport will make shortly the published Orders listed in paragraph 1 above subject to the modifications, as recommended by the inspector.

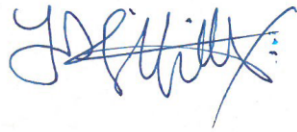
33. Public notice will be given when the Orders referred to in this letter are made. Any person who wishes to question their validity, or any particular provision contained in them, on the grounds that the Secretary of State for Transport has exceeded his powers, or has not complied with the relevant statutory requirements may, under the provisions of schedule 2 of the Highways Act 1980 and section 23 of the Acquisition of Land Act 1981, do so by application to the High Court. Such application must be made within six weeks of publication of notice that the Orders have been made.

Availability of the Inspector's Report

34. A copy of this letter and the Inspector's report has been sent to all statutory objectors and to any other person who, having appeared at the Inquiry, has asked to be notified of the decision of the Secretaries of State. Any person who is entitled to be supplied with a copy of the Inspector's report may apply to the Secretary of State for Transport within six weeks of receipt of this letter, to inspect any document appended to the report. Any such application should be made to David Tate (telephone number 0207 944 2797) at the Department for Transport. Applicants should indicate the date and time

(within normal office hours) when they propose to make the inspection. At least three days' notice should be given, if possible.

Yours faithfully



Jon Griffiths
On behalf of the Secretary of State for Transport



Ranuka Jagpal
On behalf of the Secretary of State for Communities and Local Government