



Report to the Secretary of State for Transport

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HIGHWAYS ACT 1980

and

ACQUISITION OF LAND ACT 1981

THE NORFOLK COUNTY COUNCIL
(A140 LONG STRATTON BYPASS)

COMPULSORY PURCHASE ORDER 2005

Date of Site Inspection: 28th March 2006

File References: DN5066/55/7/40; DN5066/60/1/87

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CASE DETAILS

- This Order is made under Sections 239, 240, 246 and 250 of the Highways Act 1980, and is known as the Norfolk County Council (A140 Long Stratton Bypass) Compulsory Purchase Order 2005.
- Norfolk County Council submitted the Order to the Secretary of State for Transport for confirmation.
- The Order is dated 22nd September 2005, and there were six objections outstanding at the date of the site inspection.
- The Order would authorise the Norfolk County Council to purchase compulsorily land and rights over land for the purposes of constructing the Bypass; constructing highways, new footpaths and bridleways, and improving existing highways in the vicinity of these routes; providing new means of access to premises; carrying out drainage works and construction of drainage ditches and lagoons; use in connection with the construction and improvement of highways and the provision of new means of access to premises; and mitigating adverse effects of the published Scheme.

Summary of Recommendation: The Norfolk County Council (A140 Long Stratton Bypass) Compulsory Purchase Order 2005 be confirmed as indicated in paragraph 6.51

1. INTRODUCTION

- 1.1 I have been appointed in accordance with the Highways Act 1980 and the Acquisition of Land Act 1981 to conduct a site inspection in connection with the above Compulsory Purchase Order (CPO), and to report to the Secretary of State for Transport (SoST).
- 1.2 The site inspection was conducted under the Compulsory Purchase of Land (Written Representations Procedure) (Ministers) Regulations 2004¹.
- 1.3 I made a formal accompanied site inspection on Tuesday, 28th March 2006, covering the full length of the published Scheme and the area to the west of Long Stratton through which a western alternative would pass.

The published Scheme

- 1.4 The published Scheme, approximately 5 kilometres in length, would form, for the most part, a dual carriageway bypass to the east of Long Stratton, with connections to the existing road network via new roundabouts at either end of the Scheme².

Objections

- 1.5 At the time of the site inspection, there were six Non-Statutory objections to the CPO³.
- 1.6 The gist of the grounds of the objections relate to the view that insufficient regard has been paid to the health and safety implications of the proposed drainage lagoon; the capacity of the existing watercourse to take increased surface run-off from the Scheme; construction traffic using an inappropriate residential highway; funding for the Scheme is not yet approved; the extent of the land to be acquired; and the Scheme is not required and should follow a different alignment on the west side of the settlement.

Statutory formalities

- 1.7 The County Council confirmed that all the statutory formalities had been followed in respect of the published Scheme and draft Orders, and that no agricultural land would be left inaccessible⁴.

Modification to the Order

- 1.8 The SoST proposes one modification to the CPO⁵; the County Council proposes to make no modification to the draft Order.

Accompanying Order

- 1.9 The Norfolk County Council (A140 Long Stratton Bypass) (Classified Road) (Side Roads) Order 2005 accompanies the CPO. The Side Roads Order (SRO) is unopposed. The Secretary of State proposes, in the event of deciding to confirm the Order, to modify the Schedule to the SRO under Site Plan 3 "Highways to be stopped up" in respect of the third highway thereunder so as to reflect the correct geographical description to read:

¹ Statutory Instrument 2004 No. 2594

² Scheme shown in the Environmental Statement Vol 1 Figure 3.2.2

³ Letters of objection (ID/11(a)-(f))

⁴ SID/3

⁵ ID/13

*"Footpath No. 13 for a distance of 29 metres north eastwards from its junction with the stopped up Edge's Lane."*⁶

Format of Report

1.10 This Report contains a brief description of the Scheme (the subject of the Order) and the area through which the proposed Bypass would run, the gist of the cases presented, and my conclusions and recommendations. Lists of documents are appended.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The A140 between Ipswich and Norwich provides a link between Norfolk and London via the A12 and M25, and to the Midlands via the A14, and for local access. The linear village of Long Stratton is located on the A140, approximately 15 kilometres to the south of Norwich⁷.
- 2.2 The landscape to the east of Long Stratton presents a large scale flat topography providing extensive views, gently undulating with large open featureless arable fields, bounded by drainage ditches. There are few hedges and some intermittent woodland blocks. The majority of the built-up area lies to the west of the A140, including housing estate developments from the 1960s onwards and a small light industrial estate.
- 2.3 Running eastwards from the village, at approximately 90° to the A140, are a number of roads giving access to the surrounding countryside; from south to north, these are Parker's Lane, Hall Lane, Edge's Lane and Church Lane.
- 2.4 Star Lane is a cul-de-sac running generally south-eastwards off the A140 in the centre of the village. It is metalled for approximately the first 200 metres from the A140, and then reverts to a well used grass/mud track, known as Footpath No. 15. Star Lane provides access to about a dozen properties and is single carriageway width. A watercourse runs westwards on its southern side, initially open and thence culverted under the A140.
- 2.5 A large modern housing estate, Churchfields, lies to the east of the A140, having an access off the A140. A metalled footpath from this estate connects to Star Lane.
- 2.6 To the east of the A140, on Church Lane, lies the small hamlet of Stratton St. Michael which includes the Church of St Michael. Nearby is located the residential property of The Thatched Cottage.

3. THE CASE FOR THE COUNTY COUNCIL

The material points are:

The published Scheme

- 3.1 The published Scheme would provide, to the east of the village of Long Stratton, a 5.08 kilometre bypass including two new roundabout junctions and two over-bridges for use by vehicles (at Church Lane and Hall Lane) and a foot/cycle bridge for pedestrian access (at Edge's Lane). No specific public transport enhancements are included within the Scheme.

⁶ ID/13

⁷ general location of the Scheme is shown on Environmental Statement Vol 1 Figure 3.2.1

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- 3.2 South of the village, the Scheme would leave the existing A140 north-eastwards off-line as a single 7.3 metre carriageway with verges of 2.5 metres on either side, and would join the proposed southern roundabout. This would give access to the village.
- 3.3 To the north of this roundabout, the Scheme would be constructed as a dual carriageway, comprising two 7.3 metre wide carriageways with 1.0 metre wide hard strips and with verges to either side. A central reserve would separate the two carriageways.
- 3.4 The proposed Bypass would cross four roads accessing Long Stratton from the east; respectively from south to north:
- i. Parker's Lane: proposed to be stopped-up to prevent vehicular access onto/across the Bypass; turning heads would be constructed on Parker's Lane either side of the Bypass; a right of way would be formed to enable pedestrians to cross the new road using an at grade crossing; at this point, the Bypass would be in a 1.8 metre cutting
 - ii. Hall Lane: proposed to be re-aligned to accommodate a new all-purpose over-bridge to carry it across the Bypass; no vehicular or pedestrian access would be possible from Hall Lane onto/from the Bypass; the Bypass at this point would be in a 4.5 metre cutting
 - iii. Edge's Lane: proposed to be stopped-up to prevent vehicular access onto/across the Bypass; turning heads would be constructed on Edge's Lane either side of the Bypass and a new over-bridge would be constructed to maintain a right of way for pedestrians and cyclists across it; the Bypass would be in a 1.5 metre cutting at that point; and
 - iv. Church Lane: proposed to be re-aligned to accommodate a new all-purpose over-bridge to carry it across the Bypass; no vehicular or pedestrian access would be possible from Church Lane onto/from the Bypass which, at that point, would be in a 3.3 metre cutting.
- 3.5 At its northern end, the Bypass would re-join the A140 at a new roundabout on a 2.5 metre high embankment formed at the B1527/C497 junction. The existing A140, B1527 and C497 would be re-aligned to form new junctions with this roundabout. A segregated cycle route would be provided around the outside of this roundabout with links to all arms except the Bypass. Cyclists on the A140 would be encouraged to use the old A140 through the village.
- 3.6 The Scheme would sever a number of footpaths to the east of Long Stratton. New rights of way for pedestrians would be provided to maintain links with existing footpaths:
- i. in the Parker's Lane area (including a new co-existent bridleway) along the western side of the Bypass to link Parker's Lane with Hall Lane
 - ii. on either side of the Bypass between Hall Lane and Edge's Lane; and
 - iii. on either side of the Bypass between Edge's Lane and Church Lane.
- 3.7 Earth-mounding forming a false cutting on the western side of the Bypass (between Chainages 2440 and 4250) would provide a 4.5 metre high screen above the carriageway for the Churchfields housing estate and, at the northern end, for properties fronting the A140. Similarly, earth-
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mounding and a false cutting would be constructed on the eastern side of the Bypass to screen the small settlement of Stratton St. Michael.

Need for the published Scheme

- 3.8 Long Stratton experiences currently a number of problems associated with the levels of traffic passing through the village. Some 18,000 vehicles per day use the A140, of which 9% are heavy goods vehicles (HGVs). This level of traffic, likely to increase over time, has a detrimental impact on the environment, severance of community facilities and the quality of life for the residents.
- 3.9 The A140 through Long Stratton is substandard in terms of width and alignment. The road through the village reduces to 5.7 metres wide with 1.2 metre wide footways in places, leading to unsatisfactory conditions for pedestrians and cyclists. The two signal controlled junctions within the built-up area, together with the current speed restrictions and the frequency of road junctions, slow down traffic causing delays and congestion, and noise, pollution and safety problems. The centre of Long Stratton along the A140 contains numerous community facilities and shops, Listed Buildings, and is designated a Conservation Area.
- 3.10 At the A140/B1527 junction an accident cluster (5⁺ personal injury accidents occurring over a 3 year period) is recorded.
- 3.11 Some 48 personal injury accidents along the A140 in the vicinity of Long Stratton were recorded over the five year period from January 1999 to December 2003⁸. Over this period, the A140 south of Long Stratton exceeded the national average; the built-up section (30mph limit) and to the north of the village were below the national average.

Objectives of the Scheme

- 3.12 The objectives of the Scheme are to:
- i. remove/reduce through traffic from Long Stratton and reduce traffic congestion
 - ii. improve strategic accessibility to Norfolk by promoting more reliable journey times and removing unpredictable delays especially for commercial vehicles and public transport, and contributing to the prosperity of the wider community
 - iii. improve the economic performance and enhance the vitality of Long Stratton by improving access to local facilities and key services, particularly for pedestrians and cyclists
 - iv. improve safety for all road users
 - v. provide a less threatening environment for travel, especially non-motorised travel in Long Stratton; and
 - vi. improve local air quality and noise pollution.

Alternative options and consultation

Options

- 3.13 Prior to the selection of the published Scheme, a number of alternative options were considered and investigated, including:

⁸ of which none were Fatal, 8 Serious and 40 Slight.

- i. Do Nothing Option: this option was considered to be unacceptable in view of the substandard nature of the A140, the presence of frontage properties and junctions, the current and forecast levels of traffic, and the safety and environmental problems experienced
- ii. Non-road Option: this option was considered to be unable to mitigate the environmental issues since the potential to manage travel demand on the A140 is limited, and likely to place constraints on accessibility to Norwich and other parts of the county. In the context of a rural county, reductions in traffic levels or a modal shift to rail or long distance buses could not bring about sufficient reductions in the numbers of vehicles to achieve the desired environmental improvements. Furthermore, the emerging Regional Spatial Strategy (RSS) is placing more reliance on the A140 as a key sub-regional link to Norwich and beyond
- iii. On-line Improvement Option: prior to the A140 detrunking, a comprehensive traffic management and safety scheme was implemented by the Highways Agency, leaving little scope for added improvements. Further attempts to improve the standards of the existing road would require demolition and land-take, considered to be unacceptable and which would have an adverse impact on the Conservation Area. This option would be unlikely to resolve the issue of slow moving traffic and long traffic queues through the village due to the presence of junctions and property accesses; and
- iv. Bypass Options: a Stage 2 Assessment of five route alternatives (at both single and dual carriageway standards) was undertaken. Two of the routes were to the west of the village and three to the east.

Consultation

- 3.14 The Stage 2 Assessment of five route alternatives was presented at public consultation in November 2002⁹. Approximately 3600 leaflets and questionnaires were distributed, of which over 1600 questionnaires were returned. Letters were received from over 40 organisations and businesses. A series of exhibitions were held together with an open public meeting.
- 3.15 All appropriate statutory bodies were consulted both at the route selection and the planning application stages.
- 3.16 There was very limited public support for Options 2, 3 and 4. Options 1 (to the west of the village) and 5 (to the east) were assessed as offering the greatest relief to the A140 and would enable construction of a roundabout at the B1527 junction to be an integral part of the bypass, thus providing a natural northern terminal for the scheme.
- 3.17 The assessment indicated that the western options would remove more traffic from the centre of the village than the eastern routes. Public consultation suggested that, for a western route to be acceptable, it would require roundabouts at both Forncett Road and Stratton Road. The addition of a roundabout instead of an over-bridge at Stratton Road would reduce the cost of the dual carriageway option but, overall, it would be

⁹ copy of the public consultation leaflet: ID/8 Vol 1 Appendix D

more expensive than an eastern route¹⁰. In addition, the increased length of the route and junction delays would result in a worse cost/benefit ratio (BCR).

- 3.18 A western route would have greater adverse environmental impacts than an eastern route, and would affect the Broads Environmentally Sensitive Area, a tributary stream to the River Tas, the Wacton Conservation Area and a large number of public footpaths. It would also cause greater agricultural severance compared to an eastern route.
- 3.19 Public consultation indicated support for the principle of a bypass with the balance in favour of an eastern route, and with a preference for a dual carriageway. Concerns were expressed regarding the proximity of the eastern routes to the Churchfields housing estate, severance of Church Lane particularly the access to the Church of St Michael, and the proximity to several properties.

Option variations

- 3.20 In January 2003, the Cabinet of the County Council, having considered a report on the public consultation, resolved to undertake a further assessment of four variants to Option 5, including one crossing Church Lane to the east of Stratton St Michael which would increase the distance from residential properties, reduce the severance of Stratton St Michael and the Church of St Michael from Long Stratton, and move the alignment slightly further away from Churchfields housing estate.
- 3.21 A supplementary consultation was undertaken on these variants.
- 3.22 The merits of each variant were finely balanced. The routes would impact on an archaeological site of probable national importance. The original route (Option 5) would be closer to a greater number of properties, in particular, the Churchfields housing estate, and would have an impact on the setting of the Church of St Michael whereas one of the variants would be further to the east of Stratton St Michael. This variant would have a greater impact on farming operations due to the severance of the Bypass. An over-bridge would address community severance issues for the original route but which would have a significant impact on The Thatched Cottage. The variant route would be longer, comparatively more expensive, and would yield a lower benefit/cost ratio (BCR).

Preferred route

- 3.23 In April 2003, the Cabinet of the County Council adopted (the original) Option 5 with the curved alignment to dual carriageway standard and an over-bridge at Church Lane as the preferred route. This was taken forward for more detailed engineering development and a Stage 3 Environmental Assessment together with further consultation with local stakeholders and statutory bodies.
- 3.24 On 19th January 2004, the Cabinet approved the proposed layout for the Bypass.

¹⁰ the respective costs at public consultation (November 2002) were: Option 1: £11.3m (single carriageway), £16.6m (dual); Option 5: £9.4m (single), £12.7m (dual) (November 2001 prices)

Planning permission

- 3.25 In September 2004, a planning application for the Scheme was submitted, supported by an Environmental Statement (ES), and was subject to formal consultation under the planning processes.
- 3.26 On 18th February 2005, the application was approved by Planning (Regulatory) Committee of the County Council.
- 3.27 The application was referred to the Secretary of State as a Departure from the Local Plan. The Secretary of State decided not to intervene, and authorised the County Council to determine the application. The Decision Notice was issued on the 22nd June 2005.

Policy context***Regional Planning***

- 3.28 The draft East of England Regional Plan, incorporating the Regional Transport Strategy (RTS) makes provision for a significant growth in housing and employment in Norfolk between 2001 and 2021. The spatial strategy focuses future development at major urban areas. Within the Norwich Sub-Region, Norwich is identified specifically to accommodate significant amounts of development; elsewhere in the Sub-Region, housing and economic growth will be focused on the market towns, particularly on the A11 corridor.
- 3.29 The Sub-Regional transport strategy identifies the need for high quality radial routes in order to promote easy access to Norwich from the market towns by all categories of vehicle. Improvements to the road infrastructure are to be focused on those locations where persistent congestion is apparent and where high traffic volumes impact adversely on the larger rural communities.
- 3.30 Traffic congestion at Long Stratton is recognised as one of two major bottlenecks having adverse impacts on connections between the ring of market towns, particularly Diss which is likely to accommodate a significant proportion of the growth in South Norfolk, and Norwich.
- 3.31 The A140 is identified in the draft Plan as part of the regional road network connecting the Regional Interchange Centres at Ipswich and Norwich and, at Table 8.3, designated for improvements. Agreement between Norfolk and Suffolk County Councils has been reached on the approach to the A140 between Norwich and the A14 in Suffolk.

Structure Plan

- 3.32 The Norfolk Structure Plan, adopted in 1999, provides the strategic policy framework for accommodating future development, consistent with national and regional policy.
- 3.33 The A140 primary principal road is designated as a strategic route in the County Council's route hierarchy. It is recognised as a key route providing access to Norwich from the towns and villages in South Norfolk.
- 3.34 Structure Plan Policy T9 identifies the A140 through Long Stratton for urgent study and implementation of the findings within the Plan period as the third location within the second priority of future highway schemes.

Local Plan

- 3.35 The extant South Norfolk Local Plan, adopted in March 2003, at Policy TRA9, supports the need for a Long Stratton bypass, subject to minimising the impact upon the landscape and land of nature conservation value. No alignment for the route is indicated on the Proposals Map.

Local Transport Plan

- 3.36 The Local Transport Plan (LTP) supports the draft Regional Plan, recognising the role of the Norwich Sub-Region and, in particular, the Norwich Area Transportation Strategy.
- 3.37 The objectives of the Scheme are consistent with the aims and objectives of the Local Transport Plan (para. 3.12 above).
- 3.38 The Scheme was included in the LTP Annual Progress Reports submitted by the County Council in 2003 and 2004 to the Government Office - East. The Scheme is included in the LTP for 2006/07-2010/11, submitted in July 2005. A Major Scheme Business Case, incorporating an Assessment Summary Table for the published Scheme, was submitted at that time¹¹.

Traffic and economics**Traffic effects**

- 3.39 At 2007 with the Do Minimum scenario some 15,400-17,300 vehicles average annual daily total (AADT) would use the southern section of the A140 within the village, and some 18,700-22,100 vehicles AADT on the middle and northern sections¹².
- 3.40 On opening (2007), the published Scheme would reduce traffic flows through the village by between 60-80%, and that some 12,700-13,700 vehicles would use the Bypass¹³. As a consequence, traffic flows in the centre of the village would be in the range 5630-6260 vehicles. At 2022, the Bypass is forecast to carry between 14,500-15,600 vehicles AADT¹⁴.
- 3.41 The proposed Scheme would not have any significant effects on traffic patterns within Long Stratton though, with the relief of traffic congestion, some minor redistribution of flows within the village and suppressed short trips may occur. The removal of through traffic would provide opportunities to improve walking and cycling within the centre of the village and may improve the reliability of bus services.
- 3.42 The reduction of traffic flows through the village may increase vehicular speeds within the built-up area. Traffic calming measures are proposed along the existing road through the village, to be implemented once the Bypass is opened¹⁵.

Induced traffic

- 3.43 Induced long distance traffic is unlikely to be generated, having low elasticities of demand with respect to travel costs and/or times.

¹¹ ID/10

¹² ID/10 Figure G1

¹³ ID/10 Figure G2

¹⁴ ID/10 Figure G2

¹⁵ provision of £269,100 is included within the Scheme costs (ID/10, Table 3.10)

Constraints on the A140 to the north and south of the Scheme militate against drawing in such traffic not currently using this road¹⁶.

Cost and benefits

- 3.44 The cost of the published Scheme is estimated to be £22.44 million (2005 prices) including a 15% value for contingencies/risk (£2.3 million)¹⁷; with an 18% Optimism Bias, the total cost is estimated to be £26.48 million (2005 prices).
- 3.45 COBA indicates the following results¹⁸:
- Present Value of Benefits (PVB) £77.852m
 - Present Value of Costs (PVC) £19.562m
 - Net Present Value (NPV) £58.290m
 - Benefit/Cost ratio (BCR) 3.98
- 3.46 It is estimated that the Scheme would make a saving of 269 personal injury accidents, equating to a cost saving of £14.4 million.
- 3.47 The economic analysis indicates that the published Scheme would represent high value for money.

LTP Acceptance/Funding

- 3.48 A decision on funding for the Scheme in response to the LTP 2006/07-2010-11 submission was not issued by the Department for Transport in February 2006; instead a decision is awaited later this year after regional advice has been obtained¹⁹.
- 3.49 There is no potential for contributions to be made from developers towards the cost of the scheme.

Environmental impacts

- 3.50 An Environmental Statement (ES) in accordance with EC Directive 85/337 as amended by Directive 97/11/EC as applied by Section 105A of the Highways Act 1980 has been prepared for the published Scheme²⁰. It covers a number of relevant environmental topics and provides an assessment of the impacts which would arise through construction and operation of the Scheme together with the proposed mitigation strategy²¹. It also describes the alternative options that have been considered.
- 3.51 The ES was circulated to consultees, and their comments included²². No significant comment from any statutory consultee remains unaddressed.
- 3.52 Lands identified within the CPO involve more land-take than that required for the construction of the proposed Scheme. These lands are included within the mitigation strategy in order to off-set the effects of the Scheme.

¹⁶ ID/10 Appendix G Section 5.0

¹⁷ ID/10 Table 3.10; excludes the cost of The Thatched Cottage (not directly affected by the Scheme)

¹⁸ aggregate benefits over a 60 year period with 2002 prices, discounted to 2002

¹⁹ SID/6

²⁰ ID/8 Volumes 1, 2 and 3

²¹ landscape planting strategy: ID/8 Volume 1, Figures 9.5.1-9.5.3; for great crested newts: ID/8 Volume 1, Figures 8.5.1-8.5.3; public rights of way: ID/8 Volume 1, Figure 12.4.1

²² responses from the Statutory consultees: ID/10, Appendix J

Cultural heritage

Archaeology

- 3.53 Within the land-take for the Bypass, principally at the northern and southern ends of the Scheme, five archaeological sites of regional/county importance, variously comprising sections of Roman Road, a Romano-British settlement with Iron Age, Middle Saxon and Mediaeval finds, Romano-British and Mediaeval pottery, and a Mediaeval cropmark site, are located²³.
- 3.54 The Scheme would have a severe impact upon these archaeological remains. Construction would destroy all these remains and features, and severely compromise the integrity of the sites by the loss of associated deposits. The most severe impact would be on the remains of the Romano-British settlement and on the Mediaeval cropmark and pottery findspot sites. Such impacts would conflict with local authority policies²⁴.
- 3.55 Proposed mitigation measures would include the preservation by record in advance of their destruction. The Romano-British site would require the excavation of two areas in advance of construction. The Mediaeval cropmark and pottery sites would require a watching brief during construction for the salvage recording of any archaeological features exposed by the works. In addition to these mitigation measures, an archaeological watching brief would be required to allow for the identification and salvage recording elsewhere of any unknown archaeological remains exposed by construction works.
- 3.56 The impact of the Scheme upon archaeological resources is assessed as moderate adverse on the basis that known archaeological remains would be affected.

Built heritage

- 3.57 Long Stratton contains some 38 Listed Buildings, principally fronting onto the A140 within the Long Stratton Conservation Area in the centre of the village²⁵.
- 3.58 The Bypass would benefit these buildings and the Conservation Area within the village. Sixteen Listed Buildings would be located close to the Scheme. Although a number of these properties to the east of the village would become closer to the road, the distance from the proposed road would result in a minor adverse impact.
- 3.59 The Bypass would affect the settings of a cluster of Listed Buildings located near to Stratton St Michael²⁶ which are all within 250 metres of the Scheme, and would have a major adverse impact both during construction and in the longer term. The road would be less than 40 metres away from The Thatched Cottage, a Grade Two Listed Building, and would significantly affect its setting²⁷. The Scheme would be in cutting at this location, thereby minimising the impact and allowing the apparent height of the over-bridge to be reduced, but nevertheless intruding visually on the historic setting and character of these buildings. Planting is proposed

²³ ID/10 figure 3.9

²⁴ Norfolk Structure Plan Policy ENV13; South Norfolk Local Plan Policy ENV 9

²⁵ ID/8 Figure 6.10.1

²⁶ including The Thatched Cottage, the Church of St. Michael, the Old Rectory, the Old Rectory Barn

²⁷ the property is owned by the County Council

to screen these properties from the Bypass, from traffic, and the over-bridge.

- 3.60 Overall, the impact of the Scheme upon the townscape of Long Stratton is assessed as moderate beneficial.

Landscape and visual

- 3.61 The Scheme is assessed as having a moderate adverse effect initially on the landscape and visual aspects, but reducing with the maturation of the planting.

Landscape

- 3.62 The Scheme would cross a number of distinctive landscapes²⁸. It has been aligned to minimise adverse effects upon the landscape as far as possible.
- 3.63 The presence of the Scheme could be accommodated generally within the large scale farmed landscape to the east of Long Stratton, and viewed within the context of the village. This would not be possible within the smaller scale landscape around Stratton St Michael. Here the Scheme would have a significant adverse effect on the landscape character, mitigated to some extent by extensive tree planting and earth-mounding which would help to screen the affected properties and blend the road into the surrounding landscape. Properties on the eastern edge of the Churchfields housing estate would be near to the Scheme. Extensive mitigation measures in the form of mounding and tree planting would reduce its impact, particularly over time as the planting matures.
- 3.64 Landscaping measures, including six new ponds and associated terrestrial habitat, have been developed to satisfy the requirements of English Nature in order to mitigate the impacts on small metapopulations of the great crested newt²⁹.

Visual

- 3.65 The visual envelope surrounding the proposed Scheme in the vicinity of Long Stratton is limited to the west by the built-up edge of the village; to the east, there are extensive views across the open farmland, curtailed by the topography and vegetation features.
- 3.66 Approximately 228 properties would benefit in visual terms due to the reduction of traffic along the A140. The Bypass would be accommodated within the large scale arable landscape, although where the route passes near to houses on the Churchfields estate some visual intrusion would occur. Proposals for earth-mounding and tree/shrub planting would mitigate and minimise these adverse effects.

Land use

- 3.67 Development land, as allocated in the Local Plan, and land used by the community would not be affected by the Scheme.
- 3.68 No Common Land, Town or Village Green, Fuel and Field Garden Allotments, or Public Open Space would be required by the Scheme.
- 3.69 There would be no Sites of Special Scientific Interest (SSSI) or Regionally Important Geological Sites (RIGS) affected by the Scheme.

²⁸ comprising open arable, undulating arable, river valley, and wooded urban fringe; shown on ID/8 Vol 1 Figure 9.3.1

²⁹ ID/8 Figures 9.5.1-9.5.3.

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- 3.70 The Scheme would not have any significant hydro-geological impact on the regional aquifer water table.
- 3.71 No lowering of the local ground water table due to the construction of the Scheme is anticipated. No significant lowering of water levels is expected in any of the existing ponds where they would not be directly affected by the Scheme or by modifications to the existing ditch system.
- 3.72 No recorded areas of contaminated land would be affected by the Scheme.
- 3.73 No special category land is included in the CPO.

Impact on properties

- 3.74 No private properties would require demolition for the Scheme; part of a residential garden is included within the CPO³⁰.
- 3.75 A number of properties have direct access on to the A140. In these instances, new access provision would be provided by the Scheme.

Agricultural land-take

- 3.76 Approximately 39 hectares of agricultural land would be lost to the Scheme, of which just over four fifths is classified as Grade 2 or 3, being the best and most versatile agricultural land. This loss is considered to be a moderate impact of minor significance.

Impact on agriculture

- 3.77 Land for the Scheme would be required from four farms and a private developer but tenanted to one of the farming units. All farms would be able to continue to operate since only a small amount of land would be lost.
- 3.78 Land severance would occur along the proposed route. Where this would lead to uneconomic field sizes, areas of land have either been incorporated into the landscaping scheme or field boundaries removed as part of the proposals. The construction of the over-bridges at Church Lane and Hall Lane would reduce the impacts of land severance. Overall, there would be minor to negligible adverse affects upon local agricultural practices.

Ecology and nature conservation

- 3.79 The Scheme would be instrumental in causing negative impacts on ecology and nature conservation, primarily through the loss and fragmentation of habitat, disturbance, and potential mortality arising through the construction and operation of the Bypass.
- 3.80 The Scheme for the majority of its length would pass through arable land, assessed to be of low ecological value, and would cause minor ecological impacts. A small number of hedgerows and trees would be lost. The impact on the habitat contained within the ditches and areas of grassland would be minor. Two ponds would be lost due to the alignment of the road. A small population of great crested newts is present in each of the ponds.
- 3.81 Ecological surveys have sought to reduce the impacts on species, and the mitigation measures would enhance the wider biodiversity of the area. Proposed mitigation measures would include planting new hedgerows,

³⁰ at The Cedars

shrubs and trees, and the creation of six new ponds and three tunnels within the Scheme.

- 3.82 With the mitigation measures in place, the predicted impacts on the great crested newt are considered to be neutral. The impacts on bats, barn owls and grass snakes have also been mitigated against and would be neutral.
- 3.83 The Bypass would cause no impacts on the Wood Green County Wildlife Site, lying approximately 600 metres to the east.
- 3.84 The impact on biodiversity is assessed as slight adverse.

Air quality

- 3.85 Air quality is good in the vicinity of Long Stratton with concentrations well below the accepted Air Quality Standards Limits. There are no major industrial sources of air pollution in the area. No Air Quality Management Areas (AQMA) have been declared by the local authority.
- 3.86 On opening (2007) for both the Do Minimum and Do Something scenarios, levels of pollutants would reduce to less than the baseline conditions in 2001. For 2010 (compliance year), the objective levels for both NO₂ and PM₁₀ would be met.
- 3.87 With the Scheme in place, greenhouse gases (CO₂) in 2022 would be 27% higher than those for the Do Minimum in the Opening Year (2007) and 15% higher than the Do Minimum in 2022³¹.
- 3.88 Future contribution to greenhouse gas emissions (CO₂ levels) is predicted, in the case of the Do Minimum, to increase by 10% between the 2007 and 2022. With the proposed Scheme in place, the increase would be 6% over the same period which is comparable to the projected national increase from the transport sector. The Scheme would perform less well than the Do Minimum at 2007 and 2022 in respect of NO₂, CO₂ and PM₁₀ (in terms of kg per year), but better in respect of CO and benzene.
- 3.89 Removal of traffic from Long Stratton would lead to an improvement in local air quality, particularly for the properties within 200 metres of the A140. Some 980 properties would experience an improvement in air quality, 2 properties would experience no change, and 56 properties would experience a reduction in air quality.
- 3.90 In terms of health effects on the residents of Long Stratton, the impacts would generally be moderately beneficial. None of the air quality regulations would be exceeded.

Noise

- 3.91 The A140 currently affects a large number of properties in the village. Noise levels vary from between 70-80 decibels (dB) on the western edge of the road to 40dB further away to the east and to the west (including the housing estates).
- 3.92 The Scheme would be surfaced with a noise reducing thin wearing course.
- 3.93 Properties adjacent to the A140 would experience the greatest noise benefits due to lower traffic volumes. Removal of through traffic onto the Bypass would lead to some 639 properties experiencing a perceptible reduction in noise levels, when comparing the Do Minimum 2007 with the Scheme 2022. Of those properties experiencing a reduction in noise levels,

³¹ ID/10 Worksheet D4

289 would experience a slight reduction (3-5dB), 49 a moderate reduction (5-10dB), and 4 would experience a substantial reduction (10-15dB).

- 3.94 However, the Scheme would be instrumental in causing an increase in noise levels in certain locations. Some 357 properties would experience an increase, of which 111 properties would experience a slight increase, 159 a moderate increase and 4 a substantial increase.
- 3.95 The number of people likely to be annoyed by noise at 2022 would decline by 49% with the published Scheme in place compared to the Do Minimum scenario (from 221 to 113 persons). This is assessed as a moderate beneficial improvement.

Footpaths

- 3.96 The Scheme would sever a number of existing lanes and public footpaths³².
- 3.97 All-purpose over-bridges at Hall Lane and Church Lane and a pedestrian/cycle over-bridge at Edge's Lane would mitigate these impacts. At Parker's Lane, an at-grade crossing provision would be provided via a stagger in the central reserve safety fence. Current and anticipated use at this location is expected to be low. Elsewhere the footpath network would be diverted and strengthened. Overall, the effect on public rights of way is assessed as neutral.
- 3.98 The proposals do not affect any bridleways or future strategies for provision of bridleway routes. A new bridleway link is included as part of the Scheme between Parker's Lane and Hall Lane to allow for possible future development of an east-west equestrian route.

Drainage

- 3.99 The drainage for the proposed Scheme would incorporate an arrangement of Sustainable Drainage Systems (SuDS) so that the hydrology and environment in the area would not be affected adversely. Increased surface water run-off would be retained on-site and released at a rate agreed by the Environment Agency. Run-off from the Bypass would be filtered through gravel and vegetation in drains and ponds in order to remove sediments, suspended solids and pollutants, thereby ensuring that the wider environment would not be affected. Overall, the impact of the Scheme would be neutral.

Environmental Statement

- 3.100 There are no direct challenges to the evidence contained in the ES or to the judgements made in the Appraisal Summary Table (AST).
- 3.101 The AST indicates that there would be beneficial impacts on the Listed Buildings and the Conservation Area in Long Stratton, and on the economy and safety; moderate beneficial impacts in respect of accessibility, noise, local air quality, townscape, and community severance; neutral impacts on the water environment, land use policies, and transport interchange; a negative impact on greenhouse gases (compared to the Do Minimum), slight adverse impacts in respect of biodiversity, and moderate adverse impacts on the landscape (but reducing with the maturation of the planting), on visual aspects, and in respect of archaeological resources.

³² ID/10 Figure 3.10

The Order: proposed modification

3.102 The Secretary of State proposes, in the event of deciding to confirm the Order, to modify Article 1(i) of the Compulsory Purchase Order so as to reflect the proposed improvement of the classified road as embodied in the purpose of the SRO to read:

“(i) the construction and improvement of a highway to bypass the A140 in the parish of Long Stratton in the County of Norfolk from a point on the A140 Ipswich Road 1,300 metres south of the junction with the unclassified road known as Parker’s Lane northwards for a distance of 5,080 metres to a point on the A140 Norwich Road 170 metres north of its junction with the B1527 (the “Bypass”).”³³

Statutory tests and other requirements

3.103 In respect of the Compulsory Purchase Order, the statutory criteria particularly the provisions of Article 8 of the European Convention on Human Rights, would be met since no private property would be required to be demolished for the published Scheme.

3.104 The published Scheme outlines the intended use of land to be compulsorily acquired, and a Major Scheme Business Case submission has been made for funds.

3.105 The published Scheme would address recognized problems and needs, and there is a compelling need for acquisition in the public interest.

3.106 The Scheme has been the subject of a full and detailed ES. There is no remaining objection from any environmental interest or lobby group (whether statutory or not). The proposed Modification would not affect the severity of the residual impacts or the quantum of essential mitigation. No change would result to the AST.

4. THE CASE FOR THE OBJECTORS

The material points are:

Non-Statutory objectors

D C Bickmore; Mr I & Mrs R Black; Mr G A & Mrs V A Bull; Ms R Evans & Mr R Moralee; and Mr J E & Mrs P J Hubbard

4.1 The grounds of objection of the Non-Statutory objectors are set out in a letter, dated 10th October 2005, from Mr T and Mrs V Chandler³⁴.

4.2 Subsequently by letter, Mr and Mrs Chandler offered to withdraw their objections should the County Council give certain Undertakings regarding the safety of the drainage lagoon, maintenance of the ditch alongside Star Lane, and use of Star Lane by construction traffic³⁵.

4.3 In response, the County Council gave the following Undertakings to the effect that it would:

³³ ID/13

³⁴ SID/4

³⁵ ID/12(a)

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- i. carry out a comprehensive post-construction safety audit review of the Scheme including the lagoons and address any unanticipated safety issues as part of that process
 - ii. clean out the Star Lane ditch at the same time as constructing the Bypass and prior to its opening. Post construction, the County Council will monitor the condition of the ditch and, if needed, undertake maintenance works. This maintenance would be carried out using powers available in Section 100 of the Highways Act, 1980; and
 - iii. prohibit access to the construction site from Star Lane for heavy construction traffic during the works³⁶.
- 4.4 The objections by Mr and Mrs Chandler were subsequently withdrawn³⁷.
- 4.5 The grounds of objection, as set out by Mr and Mrs Chandler, remain in respect of the above Non-Statutory objectors.
- 4.6 Whilst generally welcoming the proposals for the Bypass, objections are made on grounds comprising:

Health and safety

- i. no consideration has been given, and no proposals made to assuage the risks to public health and safety occasioned by the size and location of the drainage lagoon which would be near to the Churchfields housing estate, home to many children
- ii. the lagoon would probably always contain water, thereby attracting wildlife and people, especially children; the lagoon should be located much further away and fenced off to prevent access by children

Rainwater run-off and flooding

- iii. no evaluation has been made of the ability of the existing watercourse running alongside Footpath No. 15 and Star Lane to cope with the additional volumes of water resulting from the increased rates of rainwater run-off from the Bypass
- iv. the ditch alongside the metalled part of Star Lane often runs full and overflows from the run-off from the arable land adjacent to Footpath No. 15, without consideration of the proposed Bypass
- v. Star Lane would be below the level of the proposed drainage lagoon, and would thus be susceptible to flooding from heavy and/or prolonged rainfall
- vi. any future flooding of the metalled part of Star Lane and/or existing A140 and/or adjacent properties will be held to be the result of the Bypass and its associated planned means of rainwater disposal
- vii. rainwater run-off from the proposed road should not be directed to such a drainage lagoon, when it could be run in ditches/piped northwards (with the possible use of "sump pumps") to discharge as planned for the northern end of the A140 Bypass

Access

- viii. Star Lane is a narrow cul-de-sac used by residents and pedestrians from the Churchfields estate, and service vehicles are required to

³⁶ ID/12(b)

³⁷ ID/12(c)

reverse into/out of it; it is unsuitable for vehicular construction and maintenance traffic

- ix. no commitment has been made to prohibit the use by construction traffic of the metalled part of Star Lane, over which rights would be compulsorily acquired under the CPO to enter on and use for all purposes in connection with the construction and maintenance of a drainage lagoon; and
- x. access to the drainage lagoon for construction, for maintenance purposes, and for emergency vehicles should be via a permanent and readily accessible metalled road, for example, the proposed Bypass and not from Star Lane.

Rebuttal

Health and safety

- 4.7 *The construction and operation of the proposed drainage lagoon for the Scheme, adjacent to Star Lane, would be similar to the existing drainage lagoon constructed as part of the Churchfields housing estate also adjacent to Star Lane/Footpath No. 15.*
- 4.8 *The proposed lagoon would have shallow side slopes, landscaping, and would be dry for most of the time. The lagoon would be utilised on a temporary/occasional basis when flow in the surface water drainage pipes would exceed the agreed greenfield run-off rate. Surplus water would flow into the lagoon and then released back slowly into the drainage pipe/ditch following the storm.*
- 4.9 *The existing drainage lagoon for Churchfields is not fenced off and pedestrian access is currently permitted to the area surrounding the lagoon with no apparent safety problems. Similarly, it is not proposed to fence the Bypass lagoon, though the Scheme would include barrier vegetation planting to discourage access to the lagoon area from the footpath.*
- 4.10 *The lagoon would be subject to a comprehensive post-construction safety audit review, and any unanticipated safety issues would be addressed as part of that process.*

Rainwater run-off and flooding

- 4.11 *The ditch alongside Star Lane appears to be riparian owned by the four adjoining landowners. However, it is understood from the Flood Defence Officer at South Norfolk District Council that these owners dispute riparian responsibilities. The ditch is currently not the responsibility of the Local Highway Authority to maintain.*
- 4.12 *The section of the ditch adjoining the agricultural land has been reasonably well maintained in the past but the short section at the western end of the lane is overgrown and silted up. The ditch discharges into a 750mm diameter surface water sewer, which then passes under the existing A140.*
- 4.13 *It is proposed, with the lagoon in place, the rate of surface water discharge into this ditch from the Bypass would be no greater than that expected from the area of arable land lost to the proposed road. The drainage lagoon, in conjunction with a control gate mechanism, is designed to hold back the surface water run-off from the new road and then release it at a controlled rate into the ditch during and after the*

- storm. The peak discharge following construction of the Bypass would be no greater than the present situation and less in severe storm situations.*
- 4.14 *The rate of discharge into the existing ditch, agreed with the Environment Agency, would be equivalent to a green field run-off rate for a 1 in 1 year storm return period (100% annual probability of exceedance) of 4 litres per hectare, calculated for the existing catchment area. For storm return periods greater than 1 in 1 year and up to 1 in 100 year, the surface water discharge into the existing ditch from the new road would be restricted to the calculated green field run-off rate for a 1 in 1 year storm return period.*
- 4.15 *The drainage lagoon is designed to contain a storm event likely to occur only once in a 100 year period (1% annual probability of exceedance) and would include an allowance for increases in storm intensity due to climate change. In the event of the design capacity being exceeded, the engineering integrity of the lagoon would be protected by a spillway (or overflow) to direct surface water discharge to the existing watercourse.*
- 4.16 *The storage capacity of the lagoon would provide protection to the downstream watercourse in that it would be the overflow that is directed to the watercourse, and the discharge from the retained volume in the lagoon would be discharged at the controlled greenfield run-off rate.*
- 4.17 *The control gate mechanism would involve no mechanical parts and therefore continued operation would be ensured. However, blockages may occur. Maintenance would be the responsibility of the Local Highway Authority. The drainage lagoon would be inspected regularly and debris removed.*
- 4.18 *The drainage proposals for the Scheme have been designed to take into account the latest advice on sustainable drainage systems. The drainage system would incorporate filter strips and filter drains to return some of the run-off from the Scheme to the natural drainage system, in this case groundwater, as near to the source as possible. The use of filter strips and filter drains would also slow down the discharge of surface water runoff from the road into the drainage lagoon.*
- 4.19 *A Flood Risk Assessment was prepared to support the planning application for the scheme to demonstrate that the risk of flooding has been fully mitigated³⁸. The Flood Risk Assessment was considered to be acceptable by the Environment Agency.*
- 4.20 *It is accepted that the discharge from a small section of the Bypass would be reliant on the effectiveness of the downstream watercourse, which includes in part the Star Lane ditch. Therefore, the County Council would clean out the ditch at the same time as constructing the Bypass.*

Access

- 4.21 *No heavy plant would be allowed to access the construction site from Star Lane. During construction, it is anticipated that only very occasional access from Star Lane by the contractor using light vehicles would be necessary and this should not generate any disruption to residents.*
- 4.22 *The use of Star Lane, beyond the adopted metalled section, for access is included in the CPO to allow grass cutting, other minor maintenance work*

³⁸ ID/8 Volume 2 Section 6 (Appendix A)

and inspections to be carried out more safely from Star Lane rather than from the proposed Bypass. Should there be a pollution event requiring clean up of the drainage lagoon there would be the options of either access from Star Lane or the Bypass.

Mr C L Merriott.

4.23 In addition to the original letter of objection³⁹, two subsequent letters were received from Mr Merriott⁴⁰.

4.24 The grounds of objection include:

- i. funding for Scheme has yet to be approved, therefore, the issue of the Bypass (and land for housing) is premature
- ii. the extent of land to be acquired east of the village would allow housing development (for which permission has not yet been given) on a "greenfield site"; such development would cause environmental damage and generate noise and light pollution over a wide area, and would increase council tax income
- iii. the Scheme is not required, would not be a solution to traffic congestion, and would never fulfil its purpose
- iv. the Scheme should be on the western side of the village since it would meet local traffic needs more as the majority of the settlement lies to the west and would not require all traffic (including HGVs) with destinations in Norwich and the north to cross the village causing environmental, congestion and safety problems; furthermore the western scheme would cause less environmental damage than an eastern route which has increased in costs since public consultation (from £12m to over £20m).

Rebuttal

Funding for Scheme has yet to be approved, therefore, the issue of the Bypass (and land for housing) is premature

4.25 *The County Council has set out its proposals in the LTP 2001/06, and has identified the A140 Long Stratton Bypass for construction in the early part of the next LTP period i.e. after April 2006. In order to achieve this programme the Scheme has been taken through the stages of public consultation, preferred route selection, environmental and technical assessment, planning application and currently the Orders. The funding approval process required the submission, in July 2005, of a Major Scheme Business Case. A decision in respect of this submission is expected. The CPO is a step in the overall process, and by proceeding the County Council is demonstrating its commitment to achieving the Bypass, and to be in a position to deliver the Scheme broadly in line with the LTP programme.*

The extent of land to be acquired east of the village would allow housing development (for which permission has not yet been given) on a greenfield site

4.26 *The County Council has carefully considered the land it requires for the published Scheme. It is only acquiring the land it needs for the construction, maintenance and mitigation of adverse effects of the proposed Bypass. No land is being acquired for other non-highway*

³⁹ ID/11(f)

⁴⁰ SID/5

purposes. The County Council is not a housing authority. The current South Norfolk District Council Local Plan does not identify any further allocation of land for housing on the east side of Long Stratton.

The Scheme is not required and would never fulfil its purpose

4.27 *The consultation processes have demonstrated local support from the public and local stakeholders, as evidenced by the absence of any other objections against the principles of the Scheme. An economic assessment has been carried out. The Scheme would offer high value for money in accordance with guidance published by the Department of Transport.*

The Scheme should be on the western side of the village

4.28 *Alternative scheme and route options for a bypass, including a western route and on-line improvements have been considered previously and been subject to public consultation. This view by Mr Merriott has been put forward as part of those processes, and has been taken into account.*

4.29 *The published Scheme crosses mainly open arable land, limiting the loss of existing landscape features. The proposals include extensive landscape planting which, in time, would lead to a net gain in wildlife habitat. The western route would cross a more varied and ecologically sensitive landscape affecting the Broads Environmentally Sensitive Area, a tributary stream to the River Tas, and the close environs of the Wacton Common Conservation Area. It would cross a large number of public footpaths and cause greater agricultural severance than an eastern route. These issues together with the greater cost of a western route outweigh possible additional traffic benefits.*

There is a lack of soundness in the processes followed

4.30 *The scheme was identified in the LTP 2001/06 and its development began with extensive local consultation on route options. Route selection, detailed investigation and design, planning application and approval, and the Orders processes have followed. The County Council has acted in an open and proper manner throughout the development and promotion of this Scheme, and has broadly based support for its proposals from the local community and stakeholders.*

5. WRITTEN REPRESENTATION

The material points are:

Non-Statutory objectors

Mr T and Mrs V Chandler

5.1 The letter by Mr and Mrs Chandler indicating the offer of withdrawal of objections should the County Council make certain Undertakings⁴¹ included a comment on the authority's "Supplementary Statement of Reasons" in respect of the provisions of the extant Local Plan not identifying "any further allocation of land for housing on the east side of Long Stratton"⁴².

5.2 Mr and Mrs Chandler draw attention to the fact that, whilst the current Plan may not include such allocation(s), the "Sites Proposed by Owners and Developers" for the South Norfolk Local Development Framework

⁴¹ ID/12(a)

⁴² ID/7

(LDF) shows, in the Parish of Long Stratton, *inter alia* Site No. 542, as an eastwards extension of the Churchfields housing estate i.e. towards the proposed A140 Bypass, as a possible development of approximately 250 additional houses. The South Norfolk LDF is due to be finalised later this year – on a similar timescale to the Orders/Bypass.

Response⁴³

- 5.3 *Site No. 542 is one of some 750 sites suggested to South Norfolk Council as potential development sites by a variety of land owners, agents and developers who are aware of the proposed review of the South Norfolk Local Plan i.e. the new Local Development Framework (LDF). These sites have no new development status other than that provided for by the policies of the current South Norfolk Local Plan (2003).*
- 5.4 *Further consultation and assessment will be necessary by South Norfolk Council before producing a final version of the LDF for submission to the Secretary of State (currently expected in 2007). This will be followed by more consultation and possibly the need for a public examination before the LDF is adopted by the Council, currently anticipated to be about mid-2008.*

⁴³ ID/12(d)

6. CONCLUSIONS

6.1 Having regard to the submissions and representations I have reported, I have reached the following conclusions, reference being given in square brackets to earlier paragraphs of this Report, where appropriate.

Introduction

6.2 If I am to recommend that the Compulsory Purchase Order be confirmed, I need to be satisfied that:

- i. there is a compelling case for acquisition in the public interest
- ii. this justifies interfering with the human rights of those with an interest in the land affected, having regard, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, to Article 8 of the Convention
- iii. the acquiring authority has a clear idea of how it is intending to use the land it seeks to acquire
- iv. the acquiring authority can show that all necessary resources to carry out its plans are likely to be available within a reasonable timescale; and
- v. the scheme is unlikely to be blocked by any impediment to implementation.

6.3 In addition, I need to be satisfied that there is a need for the Scheme and, as proposed, it would meet that need; that the Scheme would be compatible with Government policy and with the local Councils' policies and plans; that the impact of the published Scheme on the local environment would be acceptable; that the Scheme would represent the best of the available options, and that any alternative proposal has sufficient merit to warrant further investigation.

Need for the Scheme

6.4 Long Stratton experiences currently a number of problems associated with the high volumes of traffic that pass daily through the village (18,000 vehicles per day), and which have an adverse impact on the environment and quality of life for the residents. Such problems include the levels of noise and pollution, severance from community facilities, and road safety problems. The setting of a large number of Listed Buildings and the Conservation Area in the village are also affected adversely. The objectives of the published Scheme would address these problems. [3.8-3.12]

6.5 On opening (2007), the published Scheme would reduce traffic flows through Long Stratton by between 60-80% with some 12,700-13,700 vehicles per day forecast to use the Bypass, and which would increase to 14,500-15,600 at 2022. [3.40] Traffic speeds through the village may increase with the abstraction of vehicles onto the Bypass. Traffic calming measures to counter such a trend are proposed along the existing road through the village, to be implemented once the Bypass is opened. [3.42]

6.6 The Scheme has the benefit of planning permission. Notwithstanding the fact that the alignment of the Scheme is not identified within the extant Local Plan, the application was not "called-in" for determination by the Secretary of State. [3.25-3.27; 3.35]

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- 6.7 I note the assessment by the County Council regarding the extent to which traffic would be induced or generated by the published Scheme would be low and would be unlikely to affect the standard of the Bypass or the economic analysis, a view with which I agree. [3.43]
- 6.8 I conclude that there is a compelling need for the published Scheme to proceed in the public interest in order to address the current problems in Long Stratton and improve the environment and quality of life for residents, to support local businesses and the local economy, and pursue the land use/transportation strategy and policies of the Norwich Sub-Region. I further conclude that the Scheme as proposed would meet that need.

Policies and plans

- 6.9 The Sub-Regional transport strategy identifies the need for high quality radial routes in order to promote easy access to Norwich from the surrounding market towns. Improvements to the road infrastructure are to be focused on those locations where persistent congestion is apparent and where high traffic volumes impact adversely on the larger rural communities. The published Scheme is compatible with this strategy. Traffic congestion at Long Stratton is recognised as a particular location having adverse impacts on accessibility to/from Norwich. The A140 is identified in the draft East of England Regional Plan as part of the regional road network connecting the Regional Interchange Centres at Ipswich and Norwich. [3.28-3.31]
- 6.10 The current Structure Plan, adopted in 1999, at Policy T9, identifies the A140 through Long Stratton for urgent study and implementation of the findings within the Plan period. The A140 primary principal road is designated as a strategic route in the County Council's route hierarchy. [3.32-3.34]
- 6.11 The extant South Norfolk Local Plan, adopted in March 2003, at Policy TRA9, supports the need for a Long Stratton bypass, subject to minimising the impact upon the landscape and land of nature conservation value. Whilst no alignment for the route is indicated on the Proposals Map, the Secretary of State did not call-in the planning application for determination. [3.35; 3.27]
- 6.12 The Scheme is included in the Local Transport Plan (LTP) for 2006/07-2010/11, submitted to the Government Office-East in July 2005, together with a Major Scheme Business Case. [3.36-3.38]
- 6.13 The Scheme for Long Stratton seeks to address local problems caused by substantial movements of through traffic. Whilst construction and operation of the published Scheme would impact upon a number of policies, notably on the protection of the best and most versatile agricultural land, archaeological resources, and on ecology and landscape, on balance, I conclude these adverse impacts are more than compensated by the community benefits arising from reduction in noise and pollution levels, and improvements in road safety, accessibility, and quality of life for the residents of Long Stratton. I conclude that the proposal for the published Scheme is compatible with national, regional, and local government policies, and that there is a strong policy basis supporting this Scheme.

Funding

- 6.14 The Scheme was included in the LTP Annual Progress Reports submitted to the Government Office – East in 2003 and 2004. [3.38]
- 6.15 The Scheme is included in the LTP for 2006/07-2010/11, submitted in July 2005; the County Council has agreed the Major Scheme Business Case to accompany the LTP submission. [3.38]
- 6.16 The cost of the published Scheme is estimated to be £22.44 million (2005 prices). [3.44] I note the cost of the published Scheme has increased since the time of public consultation in November 2002 from £12.7m (November 2001 prices) to the current estimate. [3.17] The published Scheme does incorporate further modifications to meet public comments.
- 6.17 There is no potential for contributions to be made from developers towards the cost of the scheme. [3.49]
- 6.18 On the basis of the traffic model used and the assumptions therein, the published Scheme would have a Benefit/Cost ratio of 3.98, representing high value for money, a view with which I concur. [3.45; 3.47]
- 6.19 It is estimated that the Scheme would make a saving of 269 personal injury accidents, equating to a cost saving of £14.4 million. [3.46]
- 6.20 A decision on funding was expected earlier this year in respect of the LTP 2006/07-2010/11 submission; however, the outcome of that submission is not yet known, and a decision on the funding of the Scheme is awaited following the receipt of regional advice later this year. [3.48]
- 6.21 I conclude that the Scheme as proposed would represent good value for money. I note that the County Council has submitted to the Department for Transport a Local Transport Plan and a Major Scheme Business Case in respect of the published Scheme for funds, the outcome of which is awaited.

Environmental impacts

- 6.22 An Environmental Statement (ES) in accordance with EC Directive 85/337 as amended by Directive 97/11/EC as applied by Section 105A of the Highways Act 1980 has been prepared for the published Scheme. It covers a number of relevant environmental topics and provides an assessment of the impacts which would arise through construction and operation of the Scheme together with the proposed mitigation strategy. It also describes the alternative options that have been considered. [3.50]
- 6.23 I have considered the ES and all the opinions expressed in relation to that Statement, and consider that it meets the relevant requirements. I note that the ES was circulated to consultees and no significant comment from any statutory consultee remains unaddressed. [3.51] I note also that the Assessment Summary Table for the published Scheme was not challenged. [3.38]
- 6.24 Currently, there are particular environmental problems caused by traffic passing through Long Stratton. [3.8-3.11] These problems, to a great extent, would be off-set and/or reduced by the implementation of the Bypass proposal. However, the construction and operation of the published Scheme would be instrumental in causing some adverse impacts, the most significant of which would be on the archaeological remains at the site of the Romano-British settlement and the site of Medieval cropmarks, upon the habitat of small metapopulations of great crested newts, on the

- landscape character in the vicinity of Stratton St. Michael, and in terms of proximity and visual intrusion at The Thatched Cottage. [3.53-3.54; 3.79-3.80; 3.62-3.63; 3.59]
- 6.25 The design of the Scheme and the mitigation strategy I find, in the main, would off-set these adverse impacts and offer potential beneficial effects. [3.55; 3.59; 3.63-3.64; 3.78; 3.81; 3.97-3.98] There would be beneficial impacts on the Listed Buildings and the Conservation Area in Long Stratton [3.57-3.58]; moderate beneficial impacts in respect of noise with a greater number of properties and people experiencing reductions in the levels of noise and annoyance [3.91-3.95]; moderate beneficial impacts on the local air quality, townscape, and community severance [3.85-3.90; 3.8; 3.41]; and neutral impacts on the water environment. [3.99] There would be negative impacts on greenhouse gases (compared to the Do Minimum) but at much reduced levels than experienced currently [3.88-3.89] and in terms of the visual impact at Churchfields housing estate [3.66]; slight adverse impacts in respect of biodiversity [3.81-3.84]; and moderate adverse impacts on the landscape (but reducing with the maturation of the planting) [3.61] and in respect of archaeological resources. [3.56]
- 6.26 Whilst these negative impacts are to be regretted, particularly the impacts upon the hamlet of Stratton St. Michael, on the archaeological resources, and on biodiversity, they would be more than off-set, in my view, by benefits gained by the wider community by implementing the published Scheme, as well as bringing forward environmental gains.
- 6.27 I conclude, for these reasons, that the potential overall impact of the published Scheme on the local environment with the mitigation measures as outlined in the ES in place, would be acceptable.

Impacts on property and land use

- 6.28 The Scheme would require some 39 hectares of land to be lost permanently from agriculture, just over four fifths of which is classified as Grades 2 or 3, being the best and most versatile agricultural land. This loss is considered to be of a minor significance. [3.76] Four farms and a private developer would be affected, though able to continue to operate. With the construction of the over-bridges at Church Lane and Hall Lane, the impacts of land severance would be reduced. Overall, there would be minor to negligible adverse affects upon local agricultural practices. [3.77-3.78]
- 6.29 No land would be left unable to be farmed. [1.7] No objections have been sustained in respect of the loss of agricultural land. I take the view that this loss would be small comparatively in national terms and should be set against the other benefits of the Scheme which, to my mind, would outweigh its loss.
- 6.30 Land allocated for development in the Local Plan and land used by the community would not be affected by the Scheme. No Common Land, Town or Village Green, Fuel and Field Garden Allotments, or Public Open Space would be required by the Scheme. No Sites of Special Scientific Interest (SSSI) or Regionally Important Geological Sites (RIGS) would be affected by the Scheme. There would be no impacts on the Wood Green County Wildlife Site. The Scheme would not have any significant hydro-geological impacts on the regional aquifer water table or on the local ground water-

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- table. There are no recorded areas of contaminated land affected by the Scheme, and no special category land is included in the CPO. [3.67-3.73; 3.83]
- 6.31 No private properties would require demolition for the Scheme, though part of a residential garden is included within the CPO. A number of properties currently have direct access onto the A140. Where appropriate, new access provision would be provided by the Scheme. [3.74-3.75]
- 6.32 Whilst the Scheme would sever a number of existing lanes and public footpaths, the provision of all-purpose over-bridges at Hall Lane and Church Lane and a pedestrian/cycle over-bridge at Edge's Lane would mitigate these impacts. At Parker's Lane, an at-grade crossing provision would be provided. Elsewhere the footpath network would be diverted and strengthened including the provision of a new bridleway link between Parker's Lane and Hall Lane. Overall, the effect on public rights of way is assessed as neutral, a view with which I agree. [3.97-3.98]
- 6.33 I note that the published Scheme would have little or no impact on land with planning designations and private properties for which access provision within the Scheme, where affected, would be made. I conclude that such impacts on land use and property would be satisfactory and acceptable.

Alternative options

- 6.34 Throughout the evolution and promotion of the published Scheme, it has been the subject of public consultation. All appropriate statutory bodies were consulted both at the route selection and the planning application stages.
- 6.35 Alternative options for managing travel demand on the A140 or achieving a shift to other modes of transport, in the context of a rural county, are limited, and the Do Nothing option is not supportable in the face of local and regional policies, and increasing volumes of traffic. [3.13; 3.39-3.40] At the Stage 2 Assessment in 2002, Option 1 (to the west of the village) and Option 5 (to the east) were assessed as able to offer the greatest relief to the A140 through the village. [3.16]
- 6.36 Whilst this assessment indicated that Option 1 would remove more traffic from the centre of the village, it would have a more pronounced impact on the landscape and environment, would be longer and more expensive, and would have a lower Benefit/Cost ratio than Option 5. [3.17-3.18]
- 6.37 Further refinements to Option 5 were undertaken, before the County Council approved a modified version of the original Option 5 as the preferred route. Whilst the assessment between a western and eastern route was finely balanced, the selection of Option 5 progressed through the proper democratic processes, and in these circumstances and with no fresh evidence produced, I see no good reason to consider further a western alignment for the A140 Long Stratton Bypass. [3.20-3.22] I conclude that, on the evidence before me, the published Scheme represents the best of the available options, and that there are no alternative proposals having sufficient merit to warrant further investigation.

Objections to the Compulsory Purchase Order

6.38 I turn now to consider the grounds of objection to the CPO by the Non-Statutory Objectors.

D C Bickmore; Mr I & Mrs R Black; Mr G A & Mrs V A Bull; Ms R Evans & Mr R Moralee; and Mr J E & Mrs P J Hubbard

- 6.39 The grounds of objection relate to the health and safety implications especially for children of the proposed drainage lagoon, the capacity of the existing watercourse alongside Star Lane/Footpath No. 15 to take increased surface water run-off from the Scheme and so worsen the current situation, and construction traffic using Star Lane which would be an inappropriate residential highway, causing inconvenience to the residents. [4.6]
- 6.40 The watercourse in its present state is silted up and, reputedly, prone to overflowing. The County Council has undertaken to clean it out prior to opening the Bypass and to monitor and maintain it thereafter. [4.3ii]
- 6.41 The County Council states the proposed lagoon would be dry for most of the time and would be similar to the existing lagoon constructed as part of the Churchfields housing estate. This is not currently fenced off, allowing pedestrian access with no reported safety problems. The County Council has undertaken to conduct a comprehensive post-construction safety audit review on the lagoon for the Bypass and would address any safety issues revealed. [4.7-4.10; 4.3i]
- 6.42 The Scheme, with the lagoon in place, would discharge into the watercourse surface water run-off at a rate no greater than that expected from the area of arable land lost to the proposed road. The control gate mechanism of the drainage lagoon is designed to hold back the run-off and release it at a controlled rate into the ditch during and after the storm. The peak discharge following construction of the Bypass would be no greater than the present situation and less in severe storm situations. The rate of discharge into the existing watercourse has been agreed with the Environment Agency, as has the Flood Risk Assessment. The lagoon is designed to contain a storm event likely to occur only once in a 100 year period. [4.13-4.19]
- 6.43 The County Council has undertaken also to prohibit heavy plant from accessing the construction site from Star Lane, but anticipate that occasional access for light vehicles would be required. [4.21-4.22; 4.3iii] The authority has included in the CPO the right to enter and use Star Lane for the purposes of grass cutting, other minor maintenance work and inspections in preference to using the Bypass. In addition, should there be a pollution event requiring clean up of the drainage lagoon, there would be the options of either access from Star Lane or from the Bypass.
- 6.44 I note that, whilst the objectors object to the CPO on three specific issues, they generally welcomed the proposals for the Bypass. The grounds of objection were set out initially by Mr T and Mrs V Chandler who, upon receiving specific Undertakings from the County Council, subsequently withdrew their objections. [4.1-4.2; 4.4] This, I find significant, in the context of the remaining identical objections, in that the authors of the original objection letter were content with the Undertakings made by the County Council, sufficiently so to withdraw their objections. On all three counts i.e. concerns regarding health and safety issues in respect of the

drainage lagoon, surface water run-off and access along Star Lane, I consider the Undertakings made by the County Council appropriate and reasonable, and which, to my mind, meet fully the concerns of the objectors, particularly as the riparian responsibilities are not clearly identified and the ditch is currently not the responsibility of the Local Highway Authority to maintain. [4.11] From observation at the site inspection, I come to the conclusion that it would be inappropriate for construction traffic to use Star Lane. Therefore, for the avoidance of doubt and clarity in implementing the terms of CPO in respect of prohibiting heavy construction plant from using Star Lane to access the construction site, I recommend that No. 7 on Schedule 1 to the CPO be modified to exclude construction purposes and to read: "... *private access track/Footpath No. 15 known as Star Lane for purposes of maintenance of a drainage lagoon on adjacent land.*"

Mr C L Merriott

- 6.45 Mr Merriott objects to the CPO on a number of grounds including the fact that consideration of the Scheme is premature since funding has yet to be approved, the extent of the land to be acquired would allow housing development on a "greenfield" site causing environmental damage, the Scheme is not required on the basis that road construction cannot relieve traffic congestion and, should a bypass be required, it should be located to the west of Long Stratton. [4.24]
- 6.46 I note that the County Council considers the Scheme not to be premature, citing the various stages through which the Scheme has progressed, including public consultation, preferred route selection, environmental and technical assessment, planning application and currently, the Orders. [4.25] These stages have been undertaken over a number of years and demonstrate, to my mind, that the authority is committed to implementing the Bypass and pursuing regional and local planning policies. Furthermore, I consider the County Council has acted in an open and proper manner throughout the development and promotion of this Scheme, and has broadly based support for its proposals from the local community and stakeholders. [3.19; 4.27] However, I am aware that a decision on funding is awaited.
- 6.47 I have carefully considered the lands included in the CPO and support the County Council in its view that the CPO only includes those lands required for the construction, maintenance and mitigation of adverse effects of the proposed Bypass and for no other (housing) purposes. [4.26] In terms of meeting current problems experienced in Long Stratton, in my opinion, the Scheme is needed and required, and from the traffic assessment would be extensively used, diverting some 60-80% of traffic away from the village centre. [3.40]
- 6.48 I note the comment proffered by Mr and Mrs Chandler regarding the lands between the proposed Bypass and the eastern limit of Long Stratton together with the County Council's response. [5.2-5.4] I am aware, under the national Planning regime, the current Local Plan will, at some future point, be subject to review, however, it is not part of this Report to speculate on the outcome regarding these particular lands. The provisions of the extant Local Plan prevail, and so provide the relevant planning framework. I conclude, therefore, it is proper to consider the current

proposal to construct the Bypass, unrelated to matters germane to a future review of the Local Plan concerning housing land at the village.

- 6.49 I have reached conclusions previously regarding an alternative route to the west of Long Stratton. [6.34-6.36]

The Norfolk County Council (A140 Long Stratton Bypass) Compulsory Purchase Order 2005

- 6.50 I am satisfied that there is a compelling case for acquisition in the public interest for the reasons given in support of my earlier conclusion, notwithstanding the objections to the Order. [6.8] I find the strength of that case justifies interfering with the human rights of those with an interest in the land affected, having regard in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights. I am satisfied from my examination of the Order and the County Council's exposition of the Scheme that the acquiring authority has a clear idea of how it is intending to use the land it seeks to acquire. I am satisfied that the Scheme conforms to national and local planning policies. [6.13] I note the County Council has submitted a Local Transport Plan and a Major Scheme Business Case to the Department for Transport for funds.. [6.21] I recommend a modification to the Order at paragraph 6.44 which would improve the Order and would not constitute a substantial change.
- 6.51 Bearing all these factors in mind, I conclude the Order should be confirmed with the recommended modification (as indicated in paragraph 6.50 above) and so modified would meet the statutory criteria - provided a satisfactory outcome of the funding decision on available financial resources to implement the published Scheme is forthcoming within a reasonable period of time. I conclude, therefore, that in that modified form, the Order should be confirmed.

SUMMARY OF CONCLUSIONS

- 6.52 The residents of Long Stratton experience currently a variety of problems due to high volumes of traffic passing through the built-up area. The principal objective of the Scheme would be to remove/reduce through traffic from Long Stratton. The proposed Bypass would relieve the village of up to 80% of this traffic. This reduction in traffic would offer benefits to pedestrians, cyclists and the community at large. Traffic calming measures and improved facilities for pedestrians and cyclists in the village would further enhance the environment once the proposed Bypass would be opened to traffic. The Scheme would have benefits for the Listed Buildings and the Conservation Area in the centre of the village.
- 6.53 The cost of the scheme is estimated to be £22.44 million (2005 prices) and would represent high value for money.
- 6.54 Construction and operation of the Scheme, whilst bringing forward a variety of benefits, would be instrumental in causing adverse impacts principally upon archaeological remains, on the habitat of small metapopulations of great crested newts and, through its proximity and visibility, in the vicinity of Stratton St. Michael, particularly on The Thatched Cottage. Overall, these adverse impacts would be off-set by

benefits gained by the wider community as well as bringing forward environmental gains.

- 6.55 In coming to all my conclusions, including specific conclusions on the Order, I have taken into account the Environmental Statement and other environmental information before me. That information includes comments and representations made by statutory consultees and members of the public. I conclude overall that the impact of the Scheme with the proposed mitigation measures in place on the local environment would be acceptable. [6.27] and that the Scheme represents the best of available options. [6.37]
- 6.56 In my view, the overall net benefits which the proposed Bypass would provide and the absence of disproportionate adverse impacts amount to compelling reasons why its construction should proceed, and therefore the Order should be confirmed.
- 6.57 I have had regard to these and all other matters before me at the site inspection and in the written representation, but they do not alter, singly or together, the conclusions I have reached above. I therefore propose to recommend that the Order be confirmed as indicated in paragraph 6.51.

7. RECOMMENDATION

I recommend that:

**THE NORFOLK COUNTY COUNCIL (A140 LONG STRATTON BYPASS)
COMPULSORY PURCHASE ORDER 2005**

be confirmed as indicated in paragraph 6.51.

(Signed)



R. Owen-Smith

INSPECTOR

APPENDIX A**ORDERS DOCUMENTS****Inspector's Dossier (ID/-)**

- ID/1. The Norfolk County Council (A140 Long Stratton Bypass) (Classified Road) (Side Roads) Order 2005
- ID/2. The Norfolk County Council (A140 Long Stratton Bypass) Compulsory Purchase Order 2005
- ID/3. Scheme Plans (Drawing No. R2C091-R2-080A and 081A)
- ID/4. Note re: the position regarding the Planning Permission
- ID/5. Side Roads Order: Statement of Reasons
- ID/6. Compulsory Purchase Order: Statement of Reasons
- ID/7. Supplementary Statement of Reasons
- ID/8. Environmental Statement Volumes 1, 2 (2 parts) and 3, September 2004 [CD]
- ID/9. Stage 3 Technical Assessment Report, September 2004 [CD]
- ID/10. Major Scheme Business Case, July 2005 [CD]
- ID/11. Copies of outstanding Non-Statutory objections:
 - (a) D C Bickmore
 - (b) Mr I & Mrs R Black
 - (c) Mr G A & Mrs V A Bull
 - (d) Ms R Evans & Mr R Moralee
 - (e) Mr J E & Mrs P J Hubbard
 - (f) Mr C L Merriott
- ID/12. Copies of subsequent correspondence from the Objectors and the County Council:
 - (a) Mr T & Mrs V Chandler; letter (9th January 2006) Re: offer of withdrawal of objections
 - (b) Norfolk County Council; letter (6th February 2006) Re: Undertakings in respect of Star Lane
 - (c) Mr T & Mrs V Chandler; letter (9th February 2006) Re: withdrawal of objections
 - (d) Norfolk County Council; letter (2nd February 2006) Re: response to Mr T & Mrs V Chandler's letter of 9th January 2006
- ID/13. Proposed Modifications to the Side Roads and Compulsory Purchase Orders

Site Inspection Documents (SID/-)

- SID/1. Site Inspection Attendance List
- SID/2. Mr R R Farrow; letter (undated) Re: attendance at site inspection
- SID/3. Norfolk County Council; letter (30th March 2006) Re: written confirmation of compliance with statutory formalities/requirements
- SID/4. Mr T & Mrs V Chandler; letter (10th October 2005) Re: objections to the Norfolk County Council (A140 Long Stratton Bypass) Compulsory Purchase Order 2005
- SID/5. bundle of correspondence including Mr C L Merriott; two letters (13th February 2006) Re: objections to the published Scheme; and Norfolk County Council; letter (3rd April 2006)
- SID/6. Government Office – East; letter (14th December 2005) Re: Local Transport Capital Settlement 2006/07