

Sizewell C Development Consent Order ('DCO') Application
Woodbridge Town Council (IP20025891) – Deadline 3 Submission
Comments on Deadline 2 Written Representations by Others

1. Introduction

- 1.1. Woodbridge Town Council ('WTC') detail below its comments on certain specific Written Representations ('WRs') where these WRs have:
- a. an impact on previous submitted commentary given by WTC in its previous WRs,
 - b. where the WR by others support the contentions of WTC on aspects of the DCO application, and
 - c. where WR raise matters not previously covered in previous WRs by WTC and to which it wishes to comment.

2. Freight Management Strategy ('FMS')

A. Network Rail

- 2.1. In its WR Network Rail ('NR') states at §2.18 - 2.20 that it objects to the DCO Application because *"Network Rail considers that the Proposed Development, if carried out in relation to the Plots, will have a serious detrimental impact on the operation of the railway and will prevent Network Rail from operating the railway safely and efficiently and in accordance with its Network Licence."*
- 2.2. Network Rail states in its detailed arguments to support this position that:
- *"The Applicant has not been able to provide Network Rail with sufficient information about the Proposed Works and the Freight Use for Network Rail to analyse: (a) the impacts of the Proposed Works and Freight Use on the operational railway; and (b) whether or not the Proposed Works are sufficient and deliverable so as to enable the Freight Use."* §2.9 of NR WR
 - *"Network Rail is unable to support the Freight Use unless a clear programme of mitigation interventions to safeguard the level crossings on the East Suffolk Line is secured. Further work is required to determine the extent of the mitigation interventions required and to secure such mitigation."* §2.11 of NR WR
 - *"Analysing whether or not capacity exists on a particular line(s) and the wider network is complex and requires the specific details on the proposed timing and route of the train movements, and details of the type and weight of the proposed trains. Following receipt of all the necessary information it would take a number of months to conduct the analysis into possible paths and any necessary mitigation works required to support the train movements. However, this timeframe is dependent on the detail of the movements required and the scope of the mitigation works"* §2.14 of NR WR

- *“Network Rail understands that the Applicant is unable to provide this specific information at this stage and will not be able to do so within the Examination timeframe. It is also understood that this information may change during the lifetime of the Proposed Development. It is not yet possible to identify all the specific impacts on the operational railway at this stage, and it is not going to be possible to do so during the course of the Examination.”* §2.15 of NR WR
- 2.3. WTC has grave concerns from this evidence that approval of the DCO submission, if given under current timescales, would proceed without the impact of the use of the East Suffolk Line through Woodbridge being either fully understood or assessed with regard to timetabling, safety and mitigation of impacts both on the operational railway and residents along the line.
 - 2.4. Further our reading is that NR will be unable during the Examination to decide if it is practicable, rather than theoretically possible, to timetable all the required freight trains without impacting on passenger services as the scheduling of freight movements has to take account of other freight movements on the wider network.
 - 2.5. The impact of this goes far beyond the rail aspects of the FMS as it is conceivable that even the Applicant’s now reduced level of freight trains movements from that approved by the ExA for DCO review at Change 1 (up to 9 passages/night to 7 passages/night), may not be feasible. This will thus impact on the other means of freight movement and most probably result in increased HGV movements on the A12.
 - 2.6. The Applicant’s current reduction in train movements from Change 1 reduces rail capacity by 2500 tonnes/day which is equivalent to an additional 125 HGV movements/day on the A12 to that stated for Change 1.
 - 2.7. WTC contend that for all practical purposes the Applicant is demonstrating by its failure to provide details to NR, as well as other IPs, that it has advanced its DCO Application too early and that its FMS is unlikely, at any stage during the Examination, to be sufficiently developed to represent a reasonably accurate representation of the actual strategy it will be capable of adopting.

B. Suffolk County Council (“SCC”)

- 2.8. SCC has also expressed its concerns about the deliverability of the rail-based transport strategy and in §2.19 of its Deadline 2 WR states:
“There is still no certainty that the rail proposals can be delivered in the time suggested and further clarity on this is sought from Network Rail and the Applicant.”

2.9. In §2.42 it further states “SCC considers that the Applicant has not fully explored the maximisation of the delivery of materials by modes other than road and is not matching the aspirations of recently examined projects such as the Wylfa New Nuclear Plant (which proposed 80% of materials by sea) nor evidencing that it is matching the aspiration of the NPS EN-1.”

2.10. SCC consider the Applicant has missed the opportunity to improve the East Suffolk line:

“so that freight deliveries could have occurred at day time, significantly reducing the adverse impact on our communities”

“SCC, other stakeholders and the local communities are forced into a position where they are responding to two unpalatable options forced upon them: Night-time trains versus an increase in HGVs on the roads.” §2.15 and 2.16 of SCC WR.

2.11. WTC agree with these comments.

2.12. WTC however disagree with SCC statement in §2.16 that:

“SCC understands from discussions with the Applicant and Network Rail that they consider it impossible at this late point to deliver infrastructure investments to allow for day-time freight trains in the required timescales”.

2.13. NR has demonstrated, when push comes to shove, it can move heaven and earth when issues are in its interest and political pressure is applied for action. NR achieved major complex railway engineering operations such the rebuilding of the line at Dawlish, Devon in under 3 months after the complete failure of the seawall and adjacent track, track bed and founding strata on 4 February 2014 and subsequent controlled landslide south of Dawlish on the cliffs that had been unstable for many decades. This required major structural engineering works, ground strengthening works, and earthworks, all in confined quarters, in weather not conducive to earthwork or structural works, as well as complete reconstruction of destroyed track bed and signalling. The line reopened in April 2014.¹

2.14. Further NR’s work on reopening the Dartmoor line has shown it can react quickly to reinstate track when funding is provided. This year NR laid new track and track bed on 11 miles of line in less than 4 weeks.²

¹ [The Dawlish rail disaster - what happened and where do we stand now? - Plymouth Live \(plymouthherald.co.uk\)](http://plymouthherald.co.uk) and [Dawlish Sea Wall - Network Rail](http://www.networkrail.co.uk)

² [Record breakers! - The Dartmoor Line.](http://www.networkrail.co.uk)

2.15. In the supported September 2020 AECOM report appended to the WR the following statement is made:

“with strong local and national political support, it may be possible to develop a scheme outside the GRIP process, but connected with it at key points, which can lead to more effective delivery. This does require political support as mentioned, along with a proactive and positive relationship with Network Rail.”

2.16. WTC support this argument.

2.17. WTC consider the Applicant was fully aware of the bureaucratic minefield of NR normal procurement process and that rail transport of freight would be a strategically important factor from the time it started working on the project over a decade ago. Despite this the Applicant, in WTC’s view, failed in its project management to advance this crucial aspect of the project with vigour and, as SCC state (see 2.10 above), have thereby forced upon local councils and the residents *“two unpalatable options”*.

2.18. Not only are the options unpalatable but they are so poorly developed that in WTC’s opinion ExA are being presented with a FMS that is incomplete in its details and supporting evidence and is demonstrably not robust.

2.19. In WTC’s view the Applicant may have prevaricated in providing information and studies to NR so that it could force the hand of NR and the local authorities wishing to advance the scheme but who are also seeking to minimise impacts on Suffolk residents and the more global rail network.

2.20. WTC consider this could be deemed an abuse of process. In WTC’s view this aspect of the DCO application is inadequately supported by evidence to be deemed acceptable for approval by ExA. WTC consider that the ExA should require the Applicant to expedite using all its best endeavours (in the strict legal meaning of those words) to examine and develop options to minimise night-time freight use of the line and to bring its FMS to a degree of certainty that can allow ExA to approve.

2.21. In WTC’s view and that of many other Interested Parties in their Deadline 2 submissions including SCC, Melton Parish Council (‘MPC’), Campsea Ashe Parish Council (‘CAPC’) and Saxmundham Town Council (‘STC’), the Applicant should be required to investigate and put a Change forward for dualling of part, or the whole of the single-track section, of the East Suffolk Line.

2.22. SCC has supported its WR with a September 2020 report by AECOM but WTC have some concerns with the September 2020 AECOM report in that it incorrectly estimates the time for passage of freight trains along the single line section of track as 40 minutes. WTC believe this may be related to not considering the 10mph zones in the travel time analysis. AECOM’s

assessment of the viability of the number of freight trains that can be run along the line is thus compromised and in WTC's view over-optimistic.

- 2.23. The report however does highlight that at that time the Applicant had not started NR's GRIP 3 process and with no further delays the limited improvements to the East Suffolk Line in the DCO Application, to make it ready for freight use, are unlikely to be ready before March 2026. Thus diversion of rail freight to road at the early stage of the project's construction is inevitable and not covered in the Change 1 revision to the FMS.

C. Felixstowe Town Council ('FTC')

- 2.24. The WR by FTC has pointed out the further deficiencies of the detail that the Applicant has provided and some of the wider issues which NR has to assess. The following quotes are from its WR:

- a. *"Current rail bottlenecks have suffered constant delays in the emergence of improvement plans from Network Rail"*
- b. *"The critical Ely Junction scheme has been under active discussion for at least 10 years, with no firm plans yet in place, but an earliest likely date now of 2028/29."*

- 2.25. It has highlighted in detail the wider issues on impact of the Applicant's use of rail freight on the use of the East Suffolk branch line to Felixstowe notably on the Port of Felixstowe ('PoF'). PoF is a national strategic infrastructure facility and major employer for many with the former Suffolk Coastal Council area including Woodbridge.

- 2.26. WTC support the contentions of FTC regarding all aspects of the FMS and its critical assessment of the limitations and deficiencies of Transport Assessments undertaken by the Applicant.

3. Noise from night-time use of Rail for Freight

- 3.1. The deadline 2 WR submissions of all town and parish councils along the East Suffolk Line – WTC, Melton Parish Council ('MPC'), CAPC and Saxmundham Town Council ('STC') have raised specific concerns in relation to night-time noise by freight trains. East Suffolk Council ('ESC') and SCC have also made considerable mention of this as has Public Health England ('PHE') in their Deadline 2 WR.

- 3.2. Both MPC and CAPC has consulted all residents on the matter and in both instances a majority of the responses have indicated that residents consider there will be a strong adverse impact on the quality of life and /or oppose the use of night-time trains despite many living well outside the bounds of what the Applicant considers the zone of impact requiring mitigation.

3.3. MPC records that its residents consider *“their real-world experience of train noise and vibration is more profound and intrusive (and carries further) than EDF’s interpretation of the technical measurements recorded for its Environmental Statement and more recent studies.”* WTC supports that view which concurs with its own assessment included in its WR to Deadline 2 which MPC supports and the view of its Residents who have communicated with WTC.

3.4. In WTC’s view MPC rightly points out that there is a dichotomy in the Applicant’s approach in that:

“Night movements are banned for all road freight, and for rail freight movements in Leiston, on the grounds the noise and vibration would be an unacceptable disturbance to residents”.

It is unreasonable that such a dichotomy exists and raises the issue of what the Applicant’s QC mentioned, at the first Preliminary Meeting, that there are *“Important Interested Parties”* and by inference *“Unimportant Interested Parties”*.

3.5. The Town and Parish councils mentioned in 3.1 above concur that the Applicant should be required to develop use of daytime trains by upgrading the single- track section of the East Suffolk line to the historic dual track.

3.6. WTC note that unlike the Applicant and ESC, PHE in its Deadline 2 WR, makes extensive use of WHO’s 2018 Environmental Noise Guidelines on Railway Noise, as referenced, and used in WTC submission at Deadline 2. It states that:

“the dose-response relationships derived for the systematic review commissioned by the WHO the most scientifically robust for estimating noise induced physiological sleep disturbance.”

3.7. We support PHE in its views in its WR and response to ExQ1 questions and specifically its recommendations in §4.5.11 of its WR that PHE would:

“recommend that “the use of the quietest trains available” is clarified to mean that a system would be put in place to ensure that the levels specified in Table 4.28 will be relevant in practice.”

3.8. WTC consider the ESC is taking a strong supportive position to the DCO Application which is contrary to almost all Town and Parish Councils in its area and SCC. WTC consider SACC is taking a more balanced view. However, WTC note the following comments in ESC Deadline 2 submission

“We consider that the current extent of rail noise and vibration mitigation would not adequately protect residents along the route to the site, and that the strategy does not achieve policy requirements in respect of mitigating and minimising adverse effects. We would expect mitigation and minimisation to occur at LOAEL as per policy, avoidance at SOAEL as per policy but also expect that the Rail Noise

Mitigation Scheme should be available at a level lower than SOAEL in order to adequately protect residents.” §18.65 of ESC Deadline 2 WR

“the current application of the rail noise mitigation scheme at exceedance of SOAEL is not accepted as meeting the policy requirement to mitigate and minimise adverse impacts through all other available means prior to considering noise insulation. Indeed, the Councils maintain that a lower criterion for the provision of mitigation under the scheme is required in order to adequately address impact and protect residents from rail noise and vibration and satisfy relevant noise policy” §18.67 of ESC Deadline 2 WR

“The rail noise impact assessment relies heavily on engineering and operational measures to reduce impact, including but not restricted to upgrading the rail line to continuous welded track, speed restrictions, the use of lower noise engines, and ballast mats where necessary. The Councils are concerned about the uncertainty in the ability and timescale to deliver these measures, which if unachievable will mean an increased impact. The Councils maintain that a robust rail noise mitigation scheme is required based on justifiable significance criteria in order to address and balance this uncertainty” §18.68 of ESC Deadline 2 WR

- 3.9. WTC concur with the general sentiment of these views although it considers the intervention level that ESC specifically proposes, as referred to in WTC Deadline 2 WR and in ESC answers to ExQ1 questions, remain too high.

4. Issues with use of the A12 for road freight

- 4.1. The Deadline 2 WR submissions of the SCC, Aldeburgh Town Council ('ATC'), Great Glemham Parish Council ('GGPC'), Pettistree Parish Council ('PPC') Combined Parishes of Butley, Capel St Andrew et al, all mention issues with capacity of the A12 around Woodbridge with ATC saying sections around Woodbridge are *“in dire need of capacity increases”* reflecting users of those sections who live north of Woodbridge being particularly aware of the rapidly developing issue with queuing at roundabouts and specifically between the A12/B1438 roundabout and the A12/A1152 roundabout.
- 4.2. SCC, acknowledging the issues, has proposed works along the A12 at all roundabouts between the A12/A14 junction and the A12/ A1152 junction and also dualling of the single lane section between the A12/B1438 roundabout and the A12/B1078 roundabout. However, funding has not been secured for these works and in its response to ExQ1 TT1.82 has highlighted the need for the Applicant to contribute to the mitigation so that road improvements are completed before Sizewell C construction starts.
- 4.3. WTC's understanding however is that these improvements are unlikely to be completed until 2026 in any event and that early years Sizewell C freight and other traffic will have to contend with road improvement work during the construction periods.

- 4.4. This combined with the likely diversion of rail freight to road during early years, see 2.23 above, means congestion and elective diversion of the A12 onto the B1438 in those early years is likely to be severe.
- 4.5. The SCC proposals that ExA has asked the Applicant to comment upon are all road improvements which will necessitate extensive traffic management and possible occasional closures. Whilst the latter might be feasible during night-time periods when Sizewell C Road freight traffic is prohibited, traffic management will be in place for extended periods of time when that freight is traversing the A12. It is inevitable these will impose speed restrictions of 30mph or locally less for temporary carriageway crossovers, and restricted entry widths to roundabouts. This will inevitably reduce capacity and increase TMI (Traffic Management Incidents') which will all contribute to greater diversion of traffic to the B1438.
- 4.6. WTC reiterates its view that the Applicant and SCC are failing to adequately consider the impact of such 'rat running' along the B1438 or the impact of Suffolk Constabulary managed diversions and to undertake measures to mitigate the impact in Woodbridge. WTC continues to consider that no diversion of HGV traffic should be permitted to occur via the B1438 during TMIs, northern HGV traffic being directed back to the FMP at Seven Hills or to a facility allowing for this at the current Martlesham Park & Ride and southbound HGV traffic to the Southern Park & Ride.