



The Planning Act 2008

East Anglia One North (EA1N) and East Anglia Two (EA2) Offshore Wind Farms

Planning Inspectorate Reference: EA1N – EN010077, EA2 – EN010078

Deadline 6 – 24 February 2021

Comments of Suffolk County Council as Local Highways Authority

1. Post hearing submissions including written submissions of oral case

1.1 See SCC's composite Summary of Oral Case for ISH9.

2. Responses to ExA's Further Written Questions (ExQ2)

2.18.3.

2.1 The Applicant has indicated that they are willing to enter into a s278 agreement to deliver the traffic signalised option for the A12/A1094 junction at Friday Street. SCC's generic draft s278 has been provided to the Applicant.

2.18.4. b)

2.2 As part of the s278 agreement the Applicant will be required to undertake road safety audits during design and post completion. These will be reviewed by SCC.

2.18.8.a)

2.3 The route from Belvedere wharf (Lowestoft) to Sizewell via the A12 and B1122 is a DfT preferred heavy load route (HR100). There is corresponding route from Felixstowe to Sizewell or Friston.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/360533/High and Heavy Load Grids Map for Abnormal Loads.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/360533/High_and_Heavy_Load_Grids_Map_for_Abnormal_Loads.pdf)

2.18.8.b)

2.4 The HR route has been used by Sizewell B to deliver a 166t load in 2016 and in 2018 a load of 170t was moved between Felixstowe and Leiston (APP-529).

2.18.8.c)

2.5 While the LHA is strongly encouraged by the DfT to keep heavy and high routes available there is no legal duty to do so.

2.18.14.a)

2.6 The LHA would have reservations if HGV traffic were routed through Yoxford, Leiston and Knodishall as this would require them to pass through significantly larger residential areas than using the A1094.

2.18.18.

2.7 The LHA has not been provided with any details of works proposed for Marlesford Bridge other than a reassurance these are not likely to require a full reconstruction. Therefore, the LHA cannot say whether a worst case assessment has been made.

3. Comments on the ExA's preferred dDCO or commentary on the dDCO

- 3.1 See Highway comments made at ISH9 (SCC's composite Summary of Oral Case) but to further elaborate on Part 3 Streets 12 Temporary Stopping up of streets.
- 3.2 Article 12(7) provides as follows: "If a street authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraph (5)(c) that street authority is deemed to have granted consent."
- 3.3 By virtue of article 12(5)(c), the undertaker must not temporarily stop up, alter, divert or use as a temporary working site—any other street without the consent of the street authority, which may attach reasonable conditions to the consent.
- 3.4 The reference to "any other street" is a reference to those streets that are not within Schedule 5 (streets to be temporarily stopped up)
- 3.5 The code of practice for street works part 12.1 road closures and traffic restrictions https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/43578/street-works-code-of-practice.pdf states that:
- 'A temporary traffic order is generally needed for planned street works (except where the order follows a closure notice). If a closure order is needed, the undertaker should notify the traffic authority at least three months in advance. This will allow the authority time to consult, and to obtain approvals and advertise the order. Works that required a temporary traffic order are automatically classed as major works and require at least three months notice and the procedures set out in chapter 8 will apply'*
- 3.6 Thus, without some form of consultation prior to seeking consent from the highway authority a confirmation within 28 days is not achievable.
- 3.7 As stated orally at ISH9 this matter can be resolved through an agreement with the Applicant and discussions have started on this matter.

Arts 2(1) definitions: commence and Pt3 R16 Highway accesses

- 3.8 The LHA notes that the Applicant is considering an Onshore Preparation Work Management Plan to be approved by the Local Planning Authority. The LHA supports this proposal in principle but notes that there is overlap between the CoCP, OAMP and OPWM, for example access routes for HGVs and timing of works are included in both the OAMP and OPWM.
- 3.9 The LHA is of the opinion that the application of the same controls as considered necessary for the CTMP are necessary for the onshore preparation works to ensure that the ES assessment remains valid. Either the onshore preparation

works could be included in the OCTMP or the same controls applied to the OPWMP and OAMP.

Arts 2 missing definition: begin

3.10 The LHA has interpreted this so as to mean that no highway access may begin (commence) until relevant details are submitted and approved and that this is a control on the start of work.

3.11 The term commence could be modified to either remove onshore preparation works from b) or to include an additional part i.e. c) to define commencement with reference to these onshore preparation works.

Arts 36 Certification of plans etc

3.12 Proposal for an Article stating that the documents listed in a schedule submitted to the SoS for certification would be accepted by SCC. The authority would request that the following management documents are included within this schedule

- OCoCP
- OCTMP
- OWTP
- OAMP
- OPTP
- OPWMP

Arts 38 Bodies discharging requirements.

3.13 With the exception of requirement 41 Operational Drainage Management Plan SCC is content with the discharging requirements.

Pt 3 Requirement 22 Code of construction practice

3.14 The LHA notes that the following onshore preparation works may result in significant vehicle movements and construction activities.

- Site clearance.
- Demolition work.
- Remedial work in respect of any contamination or other adverse ground conditions.
- Diversion and laying of services.
- Creation of site accesses.

3.15 The LHA considers that large parts of the CoCP should also in principle apply to such activities, such as part, but not exclusively, 3.1 working hours and timing of works, 5. pollution prevention and response, 11 surface water and drainage management and 12 Sizewell Gap.

Pt3 Requirement 28 Traffic

3.16 As the discharging authority SCC does not object to the inclusion of the bodies responsible for decommissioning of SZA or construction of SZC. However, it does notes that the addition of more consultees increases the complexity of discharging the requirement and strengthens SCC's comments regarding the allowance of an appropriate response period.

Schedule 2- Streets Subject to Streetworks

3.17 The B13153 between 5a and 5b on the land plans (onshore) is recorded as Thorpe Road rather than Thorpness Road stated in the schedule.

3.18 The A1094 between points 10a and 10d is recorded as Farnham Road in our records and Aldeburgh Road between 10b and 10d and the B1121 between points 10c and 10d is also recorded as Aldeburgh Road.

3.19 The A1094 between points 11c and 11d is recorded as Friday Street in our records.

3.20 These details can also be found on publicly available web sites such as <https://www.findmystreet.co.uk/map>

3.21 The LHA does not object to inclusion of these streets provided that the applicant agrees to use the Authority's permit system to discharge their duties to co-ordinate works. The LHA notes that temporary signing for roadworks are likely to extend beyond these extents.

Schedule 5- Streets to be temporarily stopped up

3.22 The LHA understands that schedule 5 Stopping up a street infers removal of public rights of access. Details of how these powers are to be applied is of considerable interest to the LHA so it can protect the public and LHA's rights, hence the seeking of protective powers or alternate equivalent measures.

3.23 The length of B1122 Aldeburgh Road to be stopped up is between points 5e and 5f recorded as 23m in the schedule and 92.94m on sheet 5 of the works plans (REP3-006).

3.24 The comments relating to street names made for Schedule 2 also apply to this schedule. This will require the A1094 Aldeburgh Road between points 10a and 10b to be split at 10d on the page 10 of the works plans.

Schedule 6 – Access to Works

3.25 In the joint LIR 21.95 we sought assurances that the access from the B1122 (AC3 / Accesses 5 and 6) would be minimised. The latest version of the AMP submitted at deadline 3 (REP3-035) did not clarify (in paragraph 19) which of the three option for these accessed were to be pursued by the Applicant.

3.26 Further to the LHA comments in the LIR 21.96 regarding access AC4 we noted in our verbal comments at hearing ISH4 that we were concerned that while articulated vehicles had been considered in the swept path analysis larger or less

manoeuvrable AILs expected to access the substation site and cable corridor via the haul road had not.

Land Compensation Act 1961

3.27 The LHA notes that this may also if works such as works 35, 36, 37 are retained as permanent layouts and the permanent access to the substation. The authority will require the applicant to indemnify the authority against any claims made under this Act. This is a matter addressed in Highways Act s278 agreements with the authority.

Schedules missing provision for certified documents

3.28 LHA would recommend that all management plans (ie OCoCP, OCTMP, OWTP, OAMP, OPTP and OPWMP) are certified documents.

Agreements and Obligations

3.29 In the LIR (21.123) the LHA stated that agreements or obligations were required to cover:

- 1) Additional costs for cyclic and routine maintenance: not resolved.
- 2) Structural surveys of highway condition and remedial work as required (included in OCTMP REP3-033 section 4.1.4): No further action required.
- 3) Fees for s278 technical approval and inspection of highway works. Can include any costs associated with speed camera: in discussion with applicant.
- 4) Costs speed limit changes (temporary or permanent): as not included in DCO, powers remain with LHA so applicant will have to follow existing LHA processes. No further action required.
- 5) SCC's costs for monitoring the CTMP and WTP: not resolved.
- 6) Costs associated with AIL movements: The Applicant will have to follow existing LHA processes. No further action required.
- 7) Stratford St Andrew AQMA monitoring: see ESC response but understood to have been resolved by applying proportional controls to EURO classification of HGVs.

3.30 This position was again detailed in the SCC LHA response at deadline 5 (REP5-055). The Applicant states in REP5-011 Part 2.5 Traffic and Transport ID1 that they are discussing a PPA for recovery of cost which would include items 1 and 5 above. The LHA looks forward to progressing this matter with the Applicant.

4. Comments on any additional information/submissions received by Deadline 5

REP5-011 Deadline 5 Submission - EA1N&EA2 Applicants' Comments on Suffolk County Council's Deadline 4 Submissions

4.1 Highways ID17: The LHA maintains its position that some form of control is necessary to prevent HGV movements outside normal working hours and the consequential impact on local residents.

4.2 Highways ID36: The LHA will still require appropriate delivery routes and times for onshore preparation works and that these should not differ significantly from the measures proposed in the OCTMP.

REP5-026 Deadline 5 Submission - EA1N&EA2 Applicants' Responses to Hearing Action Points (ISH3, ISH4, ISH5, OFH6 and ISH6)

4.3 No9 The LHA notes the comments regarding the timescales for articles 12, 13, 14 and 15 and that the Applicant will contact the LHA in advance of submission for approval so that due time is allowed for legal processes such as temporary traffic regulation orders.

5. Notification by the Applicant, existing Interested Parties and Other Persons of wishing to speak at hearings in weeks commencing 8 and 15 March 2021

5.1 See separate SCC submission.

6. Responses to any further information requested by the ExAs for this deadline

6.1 Not applicable.