

SCOTTISHPOWER
RENEWABLES

East Anglia ONE North and East Anglia TWO Offshore Windfarms

Applicants' Comments Suffolk County Council's Deadline 6 Submissions

Applicant: East Anglia TWO and East Anglia ONE North Limited
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Applicable to **East Anglia ONE North** and **East Anglia TWO**



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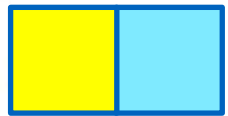
Glossary of Acronyms

DCO	Development Consent Order
dDCO	Draft Development Consent Order
ES	Environmental Statement
ESC	East Suffolk Council
ExA	Examining Authority
HGV	Heavy Goods Vehicle
OAMP	Outline Access Management Plan
OCTMP	Outline Construction Traffic Management Plan
OCoCP	Outline Code of Construction Practice
OODMP	Outline Operational Drainage Management Plan
PRoW	Public Right of Way
SCC	Suffolk County Council



Glossary of Terminology

Applicant	East Anglia TWO Limited / East Anglia ONE North Limited
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia ONE North windfarm site	The offshore area within which wind turbines and offshore platforms will be located.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO windfarm site	The offshore area within which wind turbines and offshore platforms will be located.



1 Introduction

1. This document presents the Applicants' comments on Suffolk County Council's (SSC) Deadline 6 submissions as follows.
 - Comments of Suffolk County Council as Archaeology Authority (REP6-090);
 - Comments of Suffolk County Council as Lead Local Flood Authority (REP6-091);
 - Comments of Suffolk County Council as Local Highways Authority (REP6-092); and
 - Comments of Suffolk County Council as Public Rights of Way (PRoW) Authority (REP6-094).
2. This document is applicable to both the East Anglia TWO and East Anglia ONE North DCO applications, and therefore is endorsed with the yellow and blue icon used to identify materially identical documentation in accordance with the Examining Authority's procedural decisions on document management of 23rd December 2019 (PD-004). Whilst this document has been submitted to both Examinations, if it is read for one project submission there is no need to read it for the other project submission.



2 Comments on Suffolk County Council's Deadline 6 Submissions

2.1 Comments of Suffolk County Council as Archaeology Authority

ID	SCC Comment	Applicants' Comments
Comments on the ExA's preferred dDCO or commentary on the dDCO		
1	Pt 3 Requirement 19 The Applicant has indicated to SCC that they are content with the suggested amended wording of Requirement 19. Once amended, SCC will be in a position to support the wording of this Requirement.	The Applicants have amended Requirement 19 to address SCC's comments and this is reflected in the draft DCO (document reference 3.1) submitted at Deadline 7.



2.2 Comments of Suffolk County Council as Lead Local Flood Authority

ID	SCC Comment	Applicants' Comments
Comments on the ExA's preferred dDCO or commentary on the dDCO		
1	<p>ExA Commentary</p> <p>Arts 16 - Discharge of water Are the Environment Agency and Suffolk County Council as lead local flood authority content with this provision as drafted? If so, can this be added to the Explanatory Memoranda?</p> <p>SCC response</p> <p>No. Article 16 (7) makes specific reference to the Environmental Permitting Regulations 2016 to ensure this is not overridden. A similar statement, affording similar protection should be included for Land Drainage Act 1991, to ensure that Land Drainage Consent, for works to Ordinary Watercourses, is not overridden. At ISH9 the Applicant provided oral confirmation that the DCO did not contain any exclusion of the requirements of the Land Drainage Act 1991. SCC would welcome written confirmation as well as clarification of the reason for the different approach adopted in relation to the Environmental Permitting Regulations 2016.</p>	<p>See Applicants' response at ID3 within section 2.3 of the Applicants' Comments on Suffolk County Council's Deadline 5 Submissions (REP6-027) which provides written confirmation that the DCO does not remove the need for Land Drainage Consent to be obtained as well as clarification for the different approach adopted in relation to the Environmental Permitting Regulations.</p>
2	<p>ExA Commentary</p> <p>Pt 3 R41: Operational drainage management plan</p> <p>Would the provision be improved by the following?</p> <p>a) In para (1) drafting providing that '<u>[t]he operational drainage plan must include a timetable for implementation</u>'; and</p>	<p>a) The Outline Operational Drainage Management Plan (RE6-017) will be updated at Deadline 8 to require a timetable for implementation to be included within the final plan and therefore the Applicants do not consider it necessary to update the requirement itself since the final plan must accord with the Outline Operational Drainage Management Plan.</p> <p>b) As noted in the Applicants' Responses to ExA's Comments on Draft DCO (REP6-080), at Deadline 5, the Applicants updated paragraph (1) to require the Operational Drainage Management Plan to include provision for the</p>



ID	SCC Comment	Applicants' Comments
	<p>b) In para (2) that '[t]he operational drainage management plan must be implemented <u>and maintained</u> as approved'.</p> <p>c) Having this requirement secure and crossrefer to a newly defined Work consisting of all surface water drainage infrastructure (as suggested by Suffolk County Council). Is Suffolk County Council content that East Suffolk Council as the relevant planning authority should lead on discharge of this required (in consultation with Suffolk County Council and the Environment Agency) to ensure coordinated input on subject matters with a strong bearing overall on design and appearance?</p> <p>SCC response</p> <p>A – This would be expected as part of any construction/operational drainage management plan to ensure there is sufficient crossover between construction and operational phases. Including this proposed wording would only reinforce the need for this document. Therefore, this proposal is supported by SCC LLFA.</p> <p>B – SCC LLFA would suggest the wording is amended to 'implemented, maintained and managed'.</p> <p>C – SCC LLFA support this requirement cross-referring to a newly defined work for all surface water drainage infrastructure.</p> <p>SCC LLFA do not support East Suffolk Council leading on the discharge of this requirement. Whilst we appreciate the desire to co-ordinate subject matters, the surface water drainage infrastructure's primary purpose is to prevent an increase in surface water flood risk. This should not be compromised as part of the planning balance for design, appearance or any other matter. To ensure that there is no compromise on surface water flood risk,</p>	<p>maintenance of measures identified. The final plan must therefore include details of maintenance measures. Paragraph (2) requires the plan to be implemented as approved. This means that the maintenance measures set out within the plan must be implemented as approved. It is therefore not necessary to refer to maintenance within paragraph (2) as this is already secured through the current drafting of paragraphs (1) and (2).</p> <p>c) For the reasons set out at row 5.4 of the Applicants' Responses to ExA's Comments on Draft DCO (REP6-080), the Applicants do not consider it to be appropriate for a newly defined Work No. consisting of drainage infrastructure only to be included within the draft DCO and therefore no cross reference is necessary within this requirement.</p> <p>Drainage will not be compromised as part of the planning balance for design, appearance or any other matter. The Applicants have given careful consideration to drainage matters to ensure that surface water flood risk is adequately managed and this is evidenced through the commitments set out within the Outline Operational Drainage Management Plan (OODMP) (REP6-017) and secured through the Requirements 22(2)(a) and 41 of the draft DCO updated document submitted at Deadline 7, document reference 3.1).</p> <p>With respect to SCC's comments regarding the appropriate discharging authority, the Applicants' consider that this is ultimately a matter for the Local Planning Authorities to agree between themselves. In the absence of agreement between ESC and SCC as to which authority should discharge the requirement, the Applicants consider that the default position in terms of the discharging authority should be the relevant planning authority.</p>



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	<p>SCC LLFA maintain they should be the discharging authority for this requirement. SCC LLFA support the integration of landscaping with SuDS for good overall design, but not at any potential expense of surface water flood risk. If SCC LLFA were discharging authority, we would be willing to work with other stakeholders to achieve good design and the multifunctional benefits associated with SuDS, whilst ensuring that surface water flood risk was adequately managed.</p>	
<p>EA1N&EA2 Applicants' Comments on Suffolk County Council's Deadline 4 Submissions (REP5-011)</p>		
3	<p>Suffolk County Council will await the submission of an updated Outline Operational Drainage Management Plan at Deadline 6.</p> <p>By and large, the Applicants' comments on SCC LLFA's written representations made at Deadline 4 (REP4-064) do not present any new information or any response that has not been made and responded to previously. SCC LLFA maintain the position set out in our written representation made at Deadline 5 (REP5-054). None of the responses provided by the Applicant in this document (REP5-011) change SCC's position stated at Deadline 5 (REP5-054).</p> <p>Direct responses to a few specific points raised by the Applicants are provided below:</p> <p>ID 13 – SCC acknowledge this email and the attachments. This accords with the written submission by SCC LLFA at Deadline 4 (REP4-064), which refers to the minutes from an expert topic group (ETG) dated 19/11/2019 (prior to the date of the email referenced by the Applicants), and which is quoted again here. The accuracy of this data, specifically the return period of the October 2019 rainfall event in Friston, has always been queried, as per ETG minutes dated 19/11/2019, and this should be reflected in the Applicants'</p>	<p>The Applicants incorporated SCC's comments, as the LLFA, from both Deadline 4 (REP4-064) and Deadline 5 (REP5-054) into the updated OODMP submitted at Deadline 6 (REP6-017).</p> <p>In relation to ID13 of REP5-011, the Applicants do not deem paragraphs 68-70 of the OODMP (REP6-017) (previously paragraph 57 in REP4-003) to be misleading and believe what is stated to be true; the BMT (2020) report does not appear to have carried out a detailed rainfall analysis or provided a conclusion on the return period for the October 2019 rainfall event.</p> <p>With regard to ID43 of REP5-011, the Applicants have made a commitment to minimise potential impacts from the construction phase on land, surface water and ground receptors where possible and are confident that the mitigation measures stated in Section 11.1.1 of the OCoCP (document updated at Deadline 7, document reference 8.1) are attainable within the Order limits. As per Requirement 22 of the dDCO (updated version to be submitted at Deadline 7, document reference 3.1), no onshore works may commence, until for that stage a code of construction practice which accords with the OCoCP and which must include a Surface Water and Drainage Management Plan has been submitted to and approved by the relevant planning authority.. The mitigation</p>



ID	SCC Comment	Applicants' Comments
	<p>submission. SCC maintain that the statement contained in the Outline Operation Drainage Management Plan (REP4-003, Para 57) is misleading, as per our representation at Deadline 4 and quoted again in ID 13.</p> <p>ID 43 – As per SCC LLFA submission at Deadline 5, whilst the Applicants state their commitment to implementing the principles set out in the Outline Code of Construction Practice, there has been no demonstration that this mitigation is deliverable within the Order Limits.</p>	<p>measures set out within the OCoCP are therefore secured through Requirement 22.</p> <p>Additionally, at this stage it is too early to confirm how and where these mitigation measures will be implemented, this will be confirmed during detailed design, post consent.</p>



2.3 Comments of Suffolk County Council as Local Highways Authority

ID	SCC Comment	Applicants' Comments
Comments on the ExA's preferred dDCO or commentary on the dDCO		
1	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.	The Applicants discussed this matter with SCC prior to Deadline 6. The Applicants updated the Outline Construction Traffic Management Plan (OCTMP) (REP6-009) and Outline Access Management Plan (OAMP) (REP6-011) to make provision for a reasonable notice period when Article 12(5)(c) is engaged. These updated plans were submitted at Deadline 6 and the Applicants are seeking confirmation from SCC that this matter is now resolved.
2	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	3.3 By virtue of article 12(5)(c), the undertaker must not temporarily stop up, alter, divert or use as a temporary working site— <u>any other street</u> without the consent of the street authority, which may attach reasonable conditions to the consent.	
4	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)	
5	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	



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	automatically classed as major works and require at least three months notice and the procedures set out in chapter 8 will apply'	
6	3.6 Thus, without some form of consultation prior to seeking consent from the highway authority a confirmation within 28 days is not achievable.	
7	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.	
<i>Arts 2(1) definitions: commence and Pt3 R16 Highway accesses</i>		
8	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.	The Onshore Preparation Works Management Plan will secure the various controls to be applied to onshore preparation works and is not directly linked to the CoCP which provides controls from the point of commencement or OAMP which has to be in place prior to construction of any access. The Onshore Preparation Works Management Plan will require approval of the relevant planning authority prior to the specified works being undertaken, and where there is an overlap, this will be consistent with the OAMP.
9	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.	An updated OCoCP (REP6-003) was submitted at Deadline 6 and details the information to be presented within the Onshore Preparation Works Management Plan(s). The Applicants consider that, alongside the OAMP, which is to be in place prior to construction of the accesses, appropriate and sufficient controls are in place to ensure all relevant matters are considered at the relevant time.
<i>Arts 2 missing definition: begin</i>		
10	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.	The use of the term "begin" is intentional to ensure that onshore preparation works are not excluded, as would be the case if the term "commence" was used.



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11	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.	The definition of commence already excludes the onshore preparation works from part (b) and this is why the term "begin" has been used instead of "commence" in requirement 16. The Applicants consider the definition of commence to be appropriate as currently drafted and in line with existing DCO precedent.
<i>Arts 36 Certification of plans etc</i>		
12	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 <ul style="list-style-type: none"> • OCoCP • OCTMP • OWTP • OAMP • OTP • OPWMP 	<p>The Applicants have included a new Schedule in the draft DCO (Schedule 17) at Deadline 7 (document reference 3.1) which lists all of the documents to be certified.</p> <p>The Applicants can confirm that all outline documents referred to in the draft DCO (document updated at Deadline 7, document reference 3.1) have been included within Schedule 17.</p>
<i>Arts 38 Bodies discharging requirements</i>		
13	3.13 With the exception of requirement 41 Operational Drainage Management Plan SCC is content with the discharging requirements.	Noted.
<i>Pt 3 Requirement 22 Code of construction practice</i>		
14	3.14 The LHA notes that the following onshore preparation works may result in significant vehicle movements and construction activities. <ul style="list-style-type: none"> • Site clearance. 	The Applicants have included a new requirement in the draft DCO (Requirement 26) at Deadline 7 (document reference 3.1) which requires the approval of an onshore preparation works management plan which will ensure that relevant onshore preparation works are



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	<ul style="list-style-type: none"> • Demolition work. • Remedial work in respect of any contamination or other adverse ground conditions. • Diversion and laying of services. • Creation of site accesses. 	subject to approval. An outline of the information that will be included within the onshore preparation works management plan has been included in Appendix 1 of the OCoCP (updated version submitted at Deadline 7, document reference 8.1).
15	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.	Please see response to ID14 above.
<i>Pt3 Requirement 28 Traffic</i>		
16	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.	The Applicants have agreed to consult with Sizewell B and Sizewell C during the preparation of the construction traffic management plan, and this will be secured through protective provisions. The Applicants therefore do not consider it necessary for reference to consultation with Sizewell B or Sizewell C to be included within the requirement.
<i>Schedule 2- Streets Subject to Streetworks</i>		
17	3.17 The B13153 between 5a and 5b on the land plans (onshore) is recorded as Thorpe Road rather than Thorpeness Road stated in the schedule.	The Applicants note that Schedule 2 of the dDCO (document reference 3.1) refers to the Works Plans (Onshore) (REP3-006) rather than the Land Plans (Onshore) as cited by SCC in their comment (REP1-004). The Works Plans (Onshore) (REP3-006) do not present road names and Schedule 2 has been amended within the updated draft DCO submitted at Deadline 7 (document reference 3.1) to refer to 'Thorpe Road' instead of 'Thorpeness Road' in relation to points 5a and 5b on Sheet 5 of 12 of the Works Plans (Onshore) (REP3-006).



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18	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.	The Applicants have submitted an updated dDCO at Deadline 7 (document reference 3.1) with the road names in Schedule 2 amended in line with SCC's comment.
19	3.19 The A1094 between points 11c and 11d is recorded as Friday Street in our records.	The Applicants have submitted an updated dDCO at Deadline 7 (document reference 3.1) with the road names in Schedule 2 amended in line with SCC's comment.
20	3.20 These details can also be found on publicly available web sites such as https://www.findmystreet.co.uk/map	Noted.
21	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 coordinate works. The LHA notes that temporary signing for roadworks are likely to extend beyond these extents.	The Applicants consider that significant controls are in place within the draft DCO (document updated at Deadline 7, document reference 3.1). It is noted that SCC only recently introduced a permit system for roadworks (2020), further information is required in order for the Applicants to fully consider this matter but this is perhaps a level of detail that can best be discussed at plan discharge stage.
<i>Schedule 5- Streets to be temporarily stopped up</i>		
22	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.	Article 12 makes provision for the temporary stopping up, alteration or diversion of streets specified in Schedule 5. Article 12 obliges the undertaker to provide reasonable access for pedestrians going to or from premises abutting a street affected by the temporary stopping up, alteration or diversion of a street if there would otherwise be no such access. The Applicants note that this is a standard article that is based on the Model Provisions and can be found in numerous other DCOs including the recent Horsea Three Order.



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23	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).	The Applicants can confirm that the distance of 92.94m is correct. The Applicants have updated the length between 5e and 5f in Schedule 5 of the dDCO (document updated at Deadline 7, document reference 3.1) from 23m to approximately 93m to reflect the length stated on Sheet 5 of the Works Plans (Onshore) (REP3-006).
24	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.	The Applicants have submitted an updated dDCO at Deadline 7 (document reference 3.1) with the road names, Aldeburgh Road, Farnham Road and Friday Street, in Schedule 5 amended. These updates will also be reflected in the updated Works Plans (Onshore) submitted at Deadline 7 (document reference 2.3.2).
<i>Schedule 6 – Access to Works</i>		
25	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.	The Applicants refer to their response to Written Question 2.18.16 submitted at Deadline 6 in the Applicants' Responses to Written Question 2 Volume 8 2.18 Transportation and Traffic (REP6-065). All three options are available for use. It is noted that direct access off the B1122 Aldeburgh Road at access 5 and 6 (shown on Figure 26.2 - Access Locations and Associated Onshore Infrastructure (APP-307)), is estimated to comprise up to 10 two way HGV vehicle movements per day.
26	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.	The OAMP, Annex 2, Drawing DR012/DR013 details standard compliant accesses for articulated HGVs (REP6-011) Traffic and Transport Clarification Note (REP1-048).clarifies that the abnormal loads accessing the cable corridor will be typically transported by 'standard' HGVs with limited 'overhang'. This means that the abnormal loads can be accommodated within the turning movements assessed for AC4.



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		There is adequate space within the order limits on the western side of the B1069 to accommodate turning movements to ensure no vehicle has to reverse out onto the public highway.
<i>Land Compensation Act 1961</i>		
27	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.	Noted. This is a matter that will be discussed in due course with the local authority.
<i>Schedules missing provision for certified documents</i>		
28	3.28 LHA would recommend that all management plans (ie OCoCP, OCTMP, OWTP, OAMP, OPTP and OPWMP) are certified documents.	The Applicants have included a new Schedule in the draft DCO (Schedule 17) at Deadline 7 (document reference 3.1) which lists all of the documents to be certified. The Applicants can confirm that all outline documents referred to in the draft DCO (document updated at Deadline 7, document reference 3.1) have been included within Schedule 17.
<i>Agreements and Obligations</i>		
29	3.29 In the LIR (21.123) the LHA stated that agreements or obligations were required to cover: <ul style="list-style-type: none"> 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 	The Applicants discussed this matter with SCC prior to Deadline 6. The Applicants updated the OCTMP (REP6-009) and OAMP (REP6-011) to provide SCC with additional comfort. These updated plans were submitted at Deadline 6 and the Applicants are seeking confirmation from SCC that this matter is now resolved.



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	<p>DCO, powers remain with LHA so applicant will have to follow existing LHA processes. No further action required.</p> <p>5) SCC's costs for monitoring the CTMP and WTP: not resolved.</p> <p>6) Costs associated with AIL movements: The Applicant will have to follow existing LHA processes. No further action required.</p> <p>7) Stratford St Andrew AQMA monitoring: see ESC response but understood to have been resolved by applying proportional controls to EURO classification of HGVs.</p>	
30	<p>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.</p>	<p>See response to ID29 above.</p>
<p>Comments on any additional information/submissions received by Deadline 5</p>		
<p><i>REP5-011 EA1N&EA2 Applicants' Comments on Suffolk County Council's Deadline 4 Submissions</i></p>		
31	<p>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.</p>	<p>The Applicants do not consider this a proportionate measure given the nature and scale of the Projects' onshore construction. Such a constraint will remove two hours from the permitted delivery periods which could very easily reduce the effective working hours on the Projects, leading to prolonged construction duration and a delay to the delivery of these nationally significant infrastructure projects.</p> <p>The OCTMP submitted at Deadline 6 (REP6-009) makes a firm commitment to the following working hours:</p> <ul style="list-style-type: none"> • 07:00 – 19:00 Monday to Friday; and



ID	SCC Comment	Applicants' Comments
		<ul style="list-style-type: none"> 07:00 – 13:00 on Saturday. <p>Deliveries outside of these periods will not be permitted unless prior agreement had been reached with the ESC in consultation with SCC, or in the event of an emergency.</p> <p>Section 54 of the OCTMP (REP6-009) contains a detailed measures to control to control HGV movements outside of normal working hours summarised as follows:</p> <ul style="list-style-type: none"> A booking system to ensure deliveries are planned in advance not to arrive prior to 07:00 or after 19:00 (Monday to Friday) or 13:00 on Saturdays; The delivery instructions provided to drivers will include details of the delivery time restrictions and provide drivers with locations where they can wait or park up if required; The delivery instructions will include advice that drivers will not be permitted to wait overnight unless at a licenced location; and Accesses to the CCS will be opened prior to 07:00 in advance of the first delivery to allow drivers to pull off the highway should they arrive early. Any drivers arriving early will be required to wait until 07:00 before being unloaded. <p>In addition, Section 121 of the OCTMP (REP6-009) secures the commitment that that where suppliers' HGVs are fitted with a monitoring system (GPS tracker), that these are activated, and records are made available.</p>
32	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.	The OAMP, Section 3.3 (REP6-011) contains identical commitments to delivery timings as those of the OCTMP (REP6-009) and discussed in the Applicants' response to ID30. The section also contains provision for delivery routes to be agreed with SCC pre



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		<p>commencement. Similar to the construction phase, these routes will utilise the Suffolk Lorry Route Network.</p> <p>Refer to Applicants response to ID9.</p>
<i>REP5-026 Deadline 5 Submission - EA1N&EA2 Applicants' Responses to Hearing Action Points (ISH3, ISH4, ISH5, OFH6 and ISH6)</i>		
33	<p>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.</p>	Noted.



2.4 Comments of Suffolk County Council as PRow Authority

ID	SCC Comment	Applicants' Comments
Comments on the ExA's preferred dDCO or commentary on the dDCO		
1	Schedule 3 - Public Rights of Way to be temporarily stopped up 3.1 From Pages 52: SCC confirms that the public rights of way, the extent of the proposed temporary stopping up and any substituted public rights of way are in correct locations and correctly described.	Noted.
2	Schedule 4 - Footpaths to be stopped up 3.2 From Pages 66: SCC confirms that the footpaths, the extent of the proposed stopping up and any substituted footpaths are correctly described and in the correct locations, but a query has arisen over the location of the substituted footpath - Footpath Reference 36 as a result of submissions by the Applicant at Deadline 5. See point 4 below.	Please see response to ID4.
Comments on any additional information/submissions received by Deadline 5		
<i>Permanent Stopping up of PRow</i>		
3	4.1 SCC has previously accepted the Permanent Stopping up of PRow Plan (REP3-009 & REP 4-066), but submissions at Deadline 4 & 5 by the Applicant raise concerns and give rise to a possible objection by SCC to this Plan.	Please see response to ID4.
4	4.2 SCC seeks urgent clarification as to the proposed location for the new permanent public footpath provided under Article 11, Schedule 4 (REP5-004). SCC is very concerned that the Applicant has described the permanent diversion of Public Footpath no 6 at the substation site, as using a short section of Grove Road. This is	The Applicants can confirm that Figure 3, Appendix 1 – Clarification Note Noise Modelling (REP4-043) shows the proposed permanent diversion along the field boundary, within the field adjacent to Grove Road, not on the public highway. The definitive plan for PRow diversions is the Permanent Stopping up of Public Right of Way Plan (REP3-009) which the Applicant can confirm



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	<p>stated by the Applicant in REP5-017 ID4 – Applicants' Comments on SASES D4 Submission and shown as such on the Figure 3, Appendix 1 – Clarification Note Noise Modelling REP4-043. It is unacceptable and unsafe to place walkers in the road and this further diminishes the value of this alternative footpath.</p>	<p>shows the proposed permanent diversion along the field boundary, within the field adjacent to Grove Road, not on the public highway. The final PRoW Strategy will be produced in line with Requirement 32 of the dDCO (document updated at Deadline 7, document reference 3.1) and will detail the exact footpath location along the grass headland on the inside of the existing hedgerow. As per Requirement 32, this requires to be approved by the relevant highway authority in consultation with the relevant planning authority.</p>
5	<p>4.3 This contradicts the layout shown on the Permanent Stopping up of PRoW Plan sheet 7 of 12 (REP3-009) which depicts the new footpath as within the red line, adjacent, but not within the highway boundary of Grove Road. The description of the new PROW in the road does not accord with the SOCG LA 15.10 (REP1-072) in that the Applicant and Councils were considering amendments to the PRoW arrangements including 'amendment of the permanent PROW diversion route away from the edge of Grove Road and incorporation further within the proposed landscape planting', i.e. the diversion route was not described as being in the road.</p>	<p>The scale of the Permanent Stopping up of Public Right of Way Plan (REP3-009) does not make which side of the hedge the footpath is on easily discernible. However, the Applicants can confirm that that the footpath will not be directed along Grove Road itself.</p> <p>Please see response to ID4.</p>
6	<p>4.4 The fact that Permanent Stopping up of PROW plan (App-014) depicted the diversion route as adjacent to Grove Road for much of its length was the subject of discussions with the Applicant in the SOCG meeting on the 18th March 2020. SCC made it clear that the diversion route appeared to map the new footpath in the roadside hedge and ditch which was unacceptable in terms of amenity and also had landscaping and drainage management implications. SCC also asked for the footpath to be screened from the road. The Applicant did not contradict SCC's conclusion.</p>	<p>As noted from the Permanent Stopping up of Public Right of Way Plan (REP3-009), a significant length of the diverted PRoW between S-1 and S-13 has been moved further west to be distant from Grove Road in response to SCC's previous representations and screening has been provided between the PRoW and Grove Road.</p> <p>The Applicants do not consider it appropriate to relocate the southern third of this PRoW as it would encroach into an agricultural field and remove a strip of arable land. Final micro-siting of the permanent PRoW will take place post consent.</p>



ID	SCC Comment	Applicants' Comments
		It is noted that users must currently use Grove Road for connectivity between existing PRoW and the Applicants PRoW proposal will resolve this current situation.
7	4.5 The depiction of the diversion route where alongside Grove Road is the same on APP014 as on REP 3 – 009 and at no point has this been shown or described as being in the road.	Please see response to ID4.