

WRITTEN REPRESENTATION FOR SPR EA1N and EA2 PROJECTS (DEADLINE 1)

FOOTPATHS

Interested Party: SASES PINS Refs: 20024106 & 20024110

Date: 26 October 2020 Issue: 4

Summary

- 1. The proposed substations site will necessitate the **permanent** closure of a well-used footpath. leading north from the village of Friston and forming an essential part of a peaceful circular walk from the village. This path is designated as **FP6** on the Local Authority's Definitive Rights of Way map and marked as **E-354/006/0** on SPR's Permanent Stopping Up of Rights of Way Plan Sheet 7 (APP-014) between points S6 and S8.
- 2. The Friston substation site is the only site of the eight zones considered, which involves extinguishment of Rights of Way. Although the Red Amber Green Assessment (APP-443/Appendix 4.2 of Volume 3), which includes the Broom Covert site at Option 8, states that a PRoW/National Trail is crossed, this is an **error** as SPR have identified a private track as a PRoW and no such public right of way exists. (See Reference 1A: RAG Assessment; 1B: SPR Broom Covert site plan; 1C: Extract from OS Pathfinder map and 1D: Wilfrid George's "Footpath Map around Aldeburgh, Leiston and Thorpeness). This demonstrates the inaccurate and flawed site selection process adopted by SPR.
- 3. **FP6** is the historic Parish Boundary between Friston and Knodishall and also an ancient Hundred Boundary. These matters have not been given proper significance by SPR.
- 4. The creation of the alternative route is only possible post-construction and is proposed within Work No 33 (see Part 1 of Schedule 1 of the dDCO) along with post-construction landscaping and planting. However the existing footpath FP6 cannot be extinguished until the new alternative route has been constructed to the standard expected by the Local Highway Authority. Is it seriously proposed to keep FP6 open during construction and if so how? There is a conflict between the legal position, which requires FP6 to remain open and the practical position whereby it will be virtually impossible for the public to walk through the substation construction site. Due to the constraints of the site, it is not possible to create the new diverted route along Grove Road until the construction is completed and the haul road removed.
- 5. During construction a number of diversions from both FP6 and FP17 are shown <u>within</u> the substations site itself. These are shown on SPR's Temporary Stopping Up of Public Rights of Way Plans Sheet 7 (APP-013) and are also described in the Outline Public Rights of Way Strategy (APP-581) pages 9 and 10. This will mean pedestrians having to walk through a busy construction site, close to the substations themselves, with its known hazards of noise, dust, vibration, smells, falling objects etc. Further the proposed

construction process includes pile-driving with noise levels at 118DB, which is painful to the human ear, let alone to dogs. This would raise significant Health & Safety issues over a long construction period, perhaps up to 10 years.

- 6. In reality it can be expected that FP6 will be closed during construction and the northern side of the village of Friston will therefore effectively cease to exist as an amenity to residents. In consequence people will use their cars to access other places such as Snape Warren SSSI (1.7 miles away) or further afield. This displaces people into a more sensitive location where increased use of footpaths is undesirable.
- 7. In terms of mitigation during construction, an alternative route to FP6 should be identified to enable people to use the PRoW network in a reasonably safe and enjoyable manner and which does not involve crossing the construction site itself or walking on the road. An alternative may prove difficult to find due to the congested nature of the site. A recent suggestion of providing a field for the exercising of dogs misses the point as people want to go for a proper walk of an hour or so, not just remain in a field near a construction site.
- 8. In terms of mitigation during operation, the proposed alternative route for FP6 runs alongside Grove Road and close to the substations. It will not be possible to mitigate the effect of the presence of the substations with regard to visual impact and noise on users of the new footpath. The visual impact will be particularly severe since the mitigation planting will be ineffective for well over a decade. The current peace and tranquillity experienced on FP6 will be lost in perpetuity.
- 9. There are a further **26 Public Rights of Way** throughout the onshore development area, which will be temporarily closed or diverted for unspecified, but likely very lengthy, periods of time.
- 10. The network of footpaths, bridleways and by-ways through peaceful and unspoilt countryside is a major draw to visitors to the area and also a reason why many people have chosen to re-locate to the area. The significant amount of closures will cause harm to the tourist industry. [Ref 2 shows the network of footpaths affected along the cable route and substation sites]
- 11. Residents of Friston and the Suffolk Coastal area, and especially those in villages, do not tend to have access to sports-centres/gyms and mainly rely on the countryside for recreation and in particular its network of Public Rights of Way. SPR have not properly recognised the importance of the footpath network as a recreational facility in their Development and Planning Statement (APP-579 Table 6.16 Land Use Policy Compliance).
- 12. Paragraph 5.10.2 of NPS-EN-1 states: "The Government's policy is to ensure there is adequate provision of high quality open space (including green infrastructure) and sports and recreation facilities to meet the needs of local communities. Open spaces, sports and recreational facilities all help to underpin people's quality of life and have a vital role to play in promoting healthy living. Green infrastructure in particular will also play an increasingly important role in mitigating or adapting to the impacts of climate change."

13. Paragraph 5.10.24 of NPS-EN-1 states "Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The [IPC] should expect applicants to take appropriate mitigation measures to address adverse affects on coastal access. National Trails and other rights of way."

Accordingly the impacts of Scottish Power's proposals, in particular at the substations site, is contrary to policy both during construction and operation and the mitigation proposed is wholly inadequate.

Extinguishment of FP6

- 14. FP6 is a historic footpath leading north from the village, which links to FP17 to form an attractive circular walk from the village. It is very well used by village residents and also by groups such as the Ramblers and young people undertaking their Duke of Edinburgh award. [Reference 3 is the Blyth definitive footpath map of 1953 showing the still current numbered Public Footpaths in Friston]. The importance of this route to the village is evident from this map as it is the only off-road circular walk available to residents and is a much-valued amenity. The walks to the south of the village involve crossing the A1094 or walking through fields where pigs are kept within low electric fences, where it is not possible to let dogs off lead. The circular route via FP6 has been a very important amenity to the village during the Coronavirus lockdown. The loss of this amenity has not been properly reflected in the RAG Assessment, which only identifies one substation (EN2) as "crossing public footpath", with no reference at all to the extinguishment of the PRoW. Had this been properly accounted for, then a further adverse score would apply to the choice of the Grove Wood location.
- 15. The Blyth map of 1953 [Reference 3] also shows the then Parish Boundary between Friston and Knodishall as a brown line following FP6. These Parish Boundaries were changed in 1970s as a result of Local Government re-organisation and the extinguishment of FP6 would result in the loss of this locally important historic feature (see Written Representation in relation to Cultural Heritage). SPR have not proposed any specific mitigation for this loss. The re-planting of the hedgerow for a short stretch south of the substation site will not reflect the true extent of the Parish Boundary. SPR simply say that the loss of the Historic Parish Boundary is unavoidable but they admit to having been aware of it since the production of the Archaeology and Cultural Heritage Assessment in 2018. The loss of this historic feature is not reflected in the RAG Assessment and would have added another adverse score for the Zone 7 (Friston) location.
- 16. The peace and tranquillity of this route cannot be overstated as is demonstrated by the presence of skylarks, whose song can be regularly heard in this location. The skylark is on the UK "Red List" as its population is in decline and it is known to prefer tranquil fields away from traffic and noise. This peace and tranquillity would be completely lost due to the substations and the area would no longer be a suitable habitat for skylarks.
- 17. Many retired people have chosen to live in Friston and a large number of the population are dog-owners. The circular walk via FP6 and FP17 is by far the most popular walk for residents in the village, with many people making this their daily walk. The walk is therefore beneficial to human health not only through exercise but also for the stress-relieving qualities of peace and tranquillity.

- 18.NPS EN-1 recognises the importance of open space for recreation and physical activity in paragraph 4.13.4. In Table 6.22 Human Health Policy Compliance of their Planning Statement (APP-579), SPR state "Careful site selection has avoided proximity to residential dwellings and minimises impacts to local residents in relation to access to services and road usage, including footpath closures". This cannot be correct as Zone 7 was the only site of the 8 sites under consideration, which would necessitate permanent footpath closures.
- 19.FP6 is a wide track with long sweeping views of the countryside and Friston Church is visible from all points along its route. These views of the countryside and historical setting of the Church have been largely unchanged for centuries and will be lost forever by the construction of the substations. [Reference 4 photographs taken on Footpath 6 towards the Church]
- 20. A comparison between a recent OS map and part of a map published by Bowles in 1785 depicting Hundred boundaries as a dotted line [Reference 5] demonstrates that FP6 was a Hundred boundary. Hundred boundaries date back to the 10th Century. Again this historic feature would be lost by the construction of the substations and SPR offer no mitigation for this.
- 21. There is anecdotal evidence that FP6 was a former 'Pilgrim's Way' and despite requests from stakeholders, including the County Archaeologist, SPR has not made any serious attempt to investigate this.
- 22. The alternative route(s) proposed by SPR is a less direct route along the side of Grove Road and close to the substations. The experience would be more akin to using a pavement rather than a rural footpath. The new route would not be an acceptable alternative to the extinguished footpath, due to the substantial loss of tranquillity, landscape quality and increased noise levels. Parts of the proposed route are close to substations themselves, which would be totally unattractive to walkers and their dogs.
- 23. The proposed "medium length" route south of High House Farm (Moor Farm) passes closely adjacent to the largest of the sealing end compounds. There is no mitigation planting to the north of the substation site between the proposed medium length route and the substations themselves, meaning that walkers on this stretch would have uninterrupted views of industrial development (See Outline Landscape Mitigation Plan Figure 29.11a)
- 24. There would also be a serious loss of amenity to FP17, which would have direct views of the substations and be sited alongside the permanent substation access road. FP17 would also cross this access road but there are no proposals to show how this would be safely achieved without compromising the security of the substations or the amenity of users of the footpath. The footpath must be kept clear and level without any impediment, such as gates, to deter users.
- 25. The Land Plans (APP- 009), Sheet 9 show additional land-take on the western side of FP17, numbered 109 and 114. It is not clear what the purpose of this additional land is, unless to move the right of way/drainage ditch. This should be clarified by the Applicant.
- 26. SPR's proposals include motion-sensitive lighting around the substation, together with a CCTV system. This will be an intrusive presence to those using the new alternative route and discourage people from using the PRoW network north of Friston.

- 27. The alternative route beside Grove Road is proposed to be created post-construction, along with the majority of the landscaping features, including the planting of trees and hedgerows. Even if SPR's optimistic growth rates were achieved, the impact of tree-planting on the visibility of the substation complex would not be experienced until 15 years post-construction. In reality therefore the alternative footpath will take walkers past an industrial energy complex and be in stark contrast to the current situation.
- 28. There is no commitment in the DCO to any standard to which the alternative footpath should be made. For example, parts of the proposed new route cross hollows or pits, which would be challenging for people to negotiate.
- 29. On the Outline Landscape Management Plan (APP-401) there is a gap in the tree-planting on the south-eastern side of the substations, which is shown as grassland. The proposed alternative right of way passes this gap and therefore the substation complex will be evident to pedestrians (particularly those heading north) for a considerable distance, even when the tree-planting has matured.
- 30. In terms of leisure and amenity, Grove Road is shown as a cycle route on Sustrans Cycle Network Map (Reference 6a). Both amateur and professional cyclists are drawn to Suffolk for its gently undulating landscape and quiet roads and many competitive events are held from Spring to Autumn using this route. An example of such an event is the annual Suffolk Coast 100 mile bike ride (Reference 6b), which also has 65 mile and 35 mile options, which starts and finishes at Glemham Hall, six miles away from Friston
- 31. The substations would completely change the character of Grove Road, which is currently quiet, pleasant rural road, to an unattractive and noisy route, depriving cyclists of an enjoyable and useful amenity.

 further industrial intrusion to those using the new routes.

Rights of Way along the Haul Road/Cable Route and Contractors Compounds

- 32. SPR's choice of the most far western site has resulted in the maximum number of footpath diversions becoming necessary, compared to the other seven sites identified in the RAG Assessment. This should have been factored in to the RAG Assessment and an adverse rating applied.
- 33. There is great concern in the area about the proposed closure of a further 26 Rights of Way associated with the construction of the cable route and haul roads. The length of time proposed for these closures has not been disclosed by SPR, however especially if two projects were to be constructed consecutively then the period is likely to be a very long one as the haul road is to be used for HGVs accessing the substation site. Even when the construction of the Scottish Power projects is completed, there is likely to be further construction after this time with the planned extension to the National Grid substation, to facilitate the Nautilus and Eurolink projects.
- 34.FP2 is a bridleway heading east from Grove Road and will be severely disrupted by the haul road resulting in diversions over a considerable period of time. This bridleway forms part of the "Sandlings Walk", a long distance 58 mile walk from Martlesham, near Ipswich, to Southwold and links to the Suffolk Coast Path near Sizewell. [Ref 7a and 7b- Map of Sandlings Walk and detail]

- 35. Walkers will be deterred by the inconvenience of the diversions and the noise and disruption of the ongoing works and heavy traffic.
- 36.SPR's Works Plans Sheet 6 (APP-011) show FP2 being used as a "Pre-construction Access" [Reference 8] with no proposals to divert pedestrians and other users of this footpath. SPR cannot be allowed to compromise the safety of pedestrians in this way.
- 37. The diversions proposed along the cable route considerably extend the distance of the paths and are mainly sited alongside the haul road, which will inevitably be dusty and noisy, making the route very unattractive to walkers.
- 38. Visitors are drawn to this part of the Suffolk Coast and Heaths for the openness and accessibility of the landscape, together with the network of footpaths and the general sense of tranquillity, which make it ideal walking country. The cable corridor severs this beautiful area in half, making access to and use of the rights of way network difficult and unattractive. This will seriously deter visitors and affect the tourist economy detrimentally. SPR have not properly addressed this and offer no mitigation to the disruption. This is contrary to paragraph 5.12.3 of EN-1 which requires the Applicant to assess the socio-economic impacts on tourism. SPR merely state at Table 6.24 Tourism, Recreation and Socio-economics Policy Compliance in their Planning Statement (APP-579): "Recreational assets such as PRoWs, beaches and common land have a low sensitivity to change because this can be managed through appropriate construction management". In considering the Temporary Stopping Up of Rights of Way plans, the ExA will see the extent of the diversions and the large number of footpaths affected by the proposals, which cannot be described as having a low sensitivity to change or being mitigated by construction management.
- 39. The openness and accessibility of this part of East Suffolk is also an important reason why people have chosen to live in the area and the loss of amenity to local people with regard to footpaths is substantial. The NPPF Policy 98 states: "Planning decisions should protect and enhance public rights of way." SPR's proposals do not accord with this policy.
- 40. In particular there is a by-way open to all traffic (APP-013 Sheet 2 of Temporary Stopping up of Public Rights of Way/SPR Footpath Ref: E-106/025/0) used by motor vehicles, horses, cyclists and walkers, linking the B1353 at Aldringham to Sizewell Beach and also forms part of the Sandlings Walk. It is proposed to close a section of this by-way to accommodate the cable route. This by-way forms an escape route in case of emergency in Sizewell. Two diversions are proposed, which increase the length of the route significantly, but it is not made clear whether these diversions would accommodate motor vehicles or other users as is permitted on the established by-way.
- 41. Appendix 28.6 of Chapter 6.3.28.6 (APP-561) assesses the impact of EA1N and EA2 on users of the Suffolk Coastal Path. The assessment grades the impact on walkers at Southwold, Walberswick, Dunwich and Thorpeness to be **significant**. These are important tourist destinations, whose economies will be inevitably harmed by the development. The report also largely focuses on the offshore permanent construction, which affects views from the path, but does not fully assess the considerable harm which will be caused to users of Suffolk Coastal Path and Sandlings Walk from the works at landfall at Thorpeness nor the network of Public Rights of Way through the AONB and beyond.

42. In comparison with the EA1 cable route to Bramford (37km) there are three times as many diverted footpaths for the cable route to Friston (9km). There were 41 affected footpaths on the route to Bramford compared to 28 to Friston, but of course the Bramford route was much longer. The increased proportion of affected footpaths on the route to Friston reflects the character of the landscape between Thorpeness and Friston, where there is much more open and accessible land. It also further demonstrates the unsuitability of the choice of Friston for the substations site.

Conclusion

- 43. SPR have not assigned the true significance of the loss and disruption to footpaths in the onshore development area. This consideration was not fully taken into account when assessing the merits/demerits of site selection. Had they had done so it would have been apparent that the choice of the Friston location would result in the maximum harm to footpath amenity by the need to extinguish two PRoWs on the substation site and disrupt the maximum number of PRoWs along the extended cable route.
- 44. There has been no attempt to introduce meaningful mitigation. The proposed alternative route to FP6 around the substation site is a vastly inferior substitute to the existing arrangement.
- 45. Residents of Friston and the Suffolk Coastal area, and especially those in villages, do not tend to have access to sports-centres/gyms and mainly rely on the countryside for recreation and in particular its network of Public Rights of Way. SPR have not properly recognised the importance of the footpath network as a recreational facility in their Development and Planning Statement (APP-579 Table 6.16 Land Use Policy Compliance).
- 46. Paragraph 5.10.2 of NPS-EN-1 states: "The Government's policy is to ensure there is adequate provision of high quality open space (including green infrastructure) and sports and recreation facilities to meet the needs of local communities. Open spaces, sports and recreational facilities all help to underpin people's quality of life and have a vital role to play in promoting healthy living. Green infrastructure in particular will also play an increasingly important role in mitigating or adapting to the impacts of climate change."
- 47. Paragraph 5.10.24 of NPS-EN-1 states "Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The [IPC] should expect applicants to take appropriate mitigation measures to address adverse affects on coastal access, National Trails and other rights of way."
- 48. Accordingly the impacts of Scottish Power's proposals, in particular at the substations site, is contrary to policy both during construction and operation and the mitigation proposed is wholly inadequate.

FOOTPATHS - APPENDICES

REFERENCE 1A: Red Amber Green Assessment; 1B: SPR Indicative Broom Covert Masterplan; 1C: OS Pathfinder Map; 1D: Wilfrid George Footpath Map

REFERENCE 2: Footpath map showing paths liable to closure

REFERENCE 3: Part of the Blyth footpath map of 1953 showing numbering of footpaths in Friston as still currently exist.

REFERENCE 4: Photograph of Friston Parish Church from FP6

REFERENCE 5: Detail of Bowles' map of 1785 compared with modern Ordnance Survey map showing Hundred Boundary along FP6.

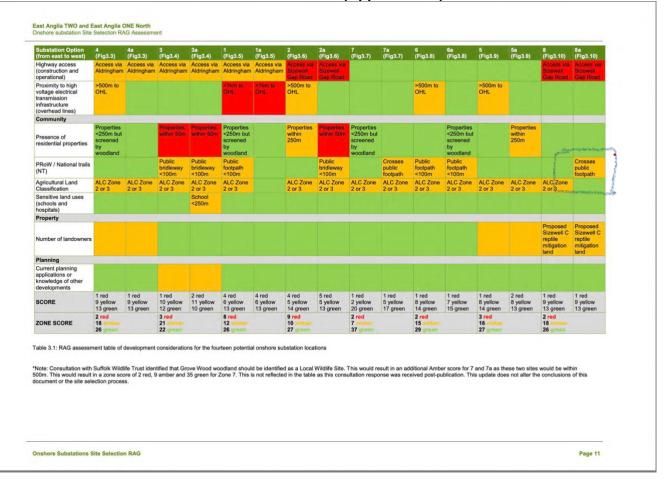
REFERENCE 6A: Detail from Sustrans Cycle Network Map showing Grove Road

REFERENCE 6B: Suffolk 100 Annual Bike Ride

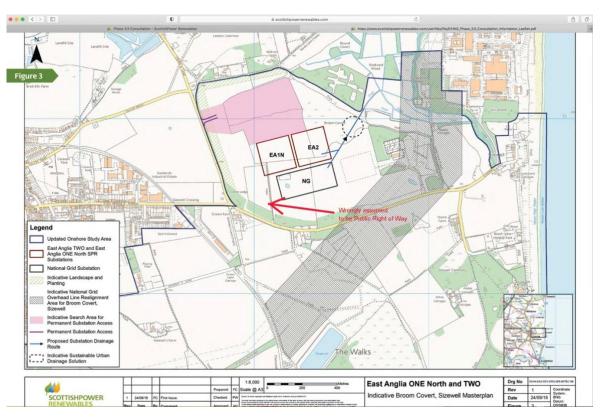
REFERENCE 7a & 7b: Map of the Sandlings Walk & Snape to Sizewell section (detail)

REFERENCE 8: SPR's Works Plans Sheet 6 showing FP2 used as pre-construction access.

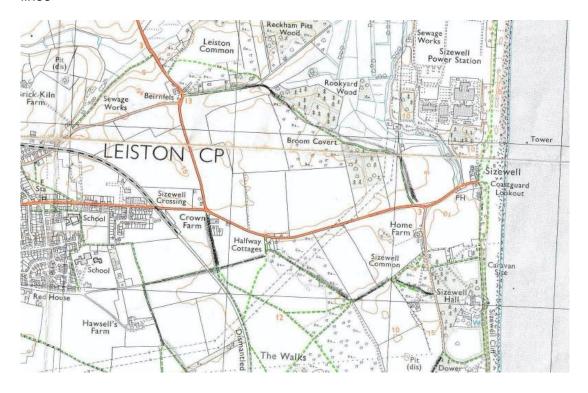
REFERENCE 1A - Red Amber Green Assessment (Appendix 4.2)



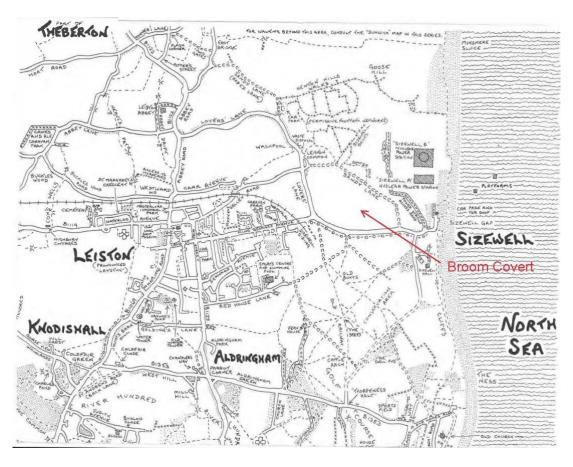
REFERENCE 1B – Broom Covert Indicative Substation Masterplan



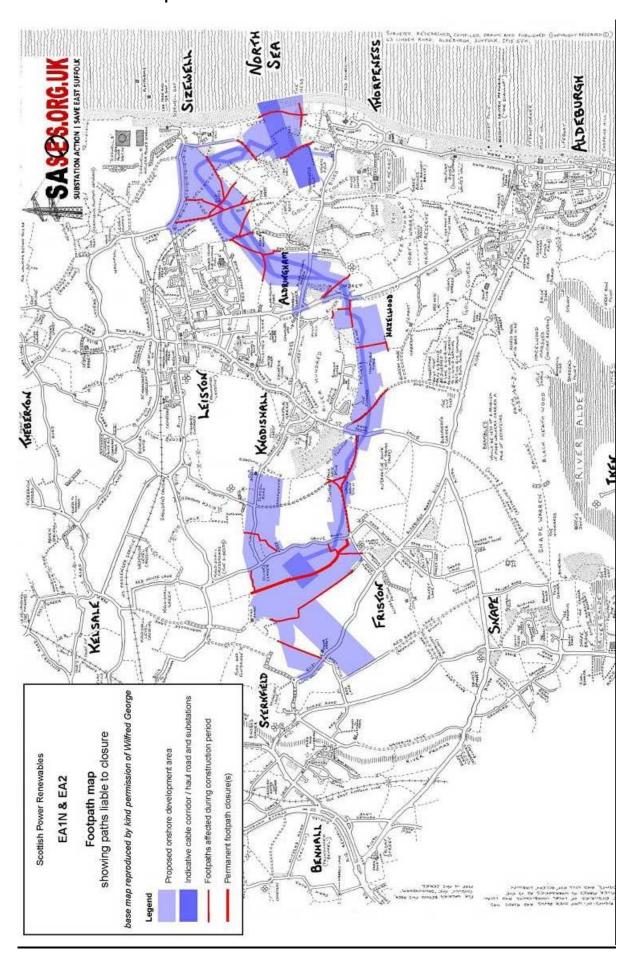
REFERENCE 1C – **OS Pathfinder Map (detail)** Note: Public Rights of Way are shown as green dotted lines



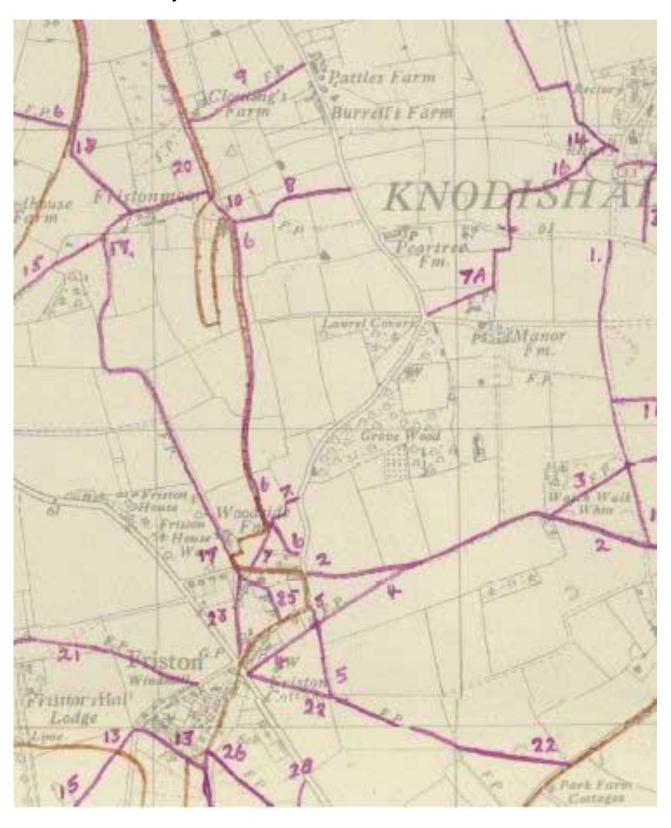
REFERENCE 1D - Wilfrid George Footpath Map of Aldeburgh, Leiston and Thorpeness



REFERENCE 2: Footpaths liable to closure

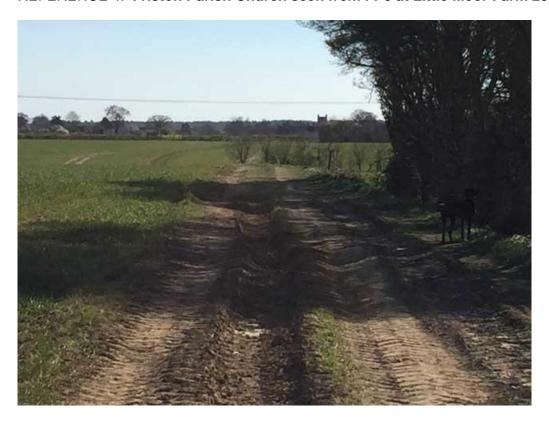


REFERENCE 3: Part of the Blyth footpath map of 1953 showing numbering of footpaths in Friston as still currently exist.



Note: Footpaths shown in purple and Parish Boundary between Friston and Knodishall in brown

REFERENCE 4: Friston Parish Church seen from FP6 at Little Moor Farm 2020



Friston Parish Church from proposed substation site on FP6

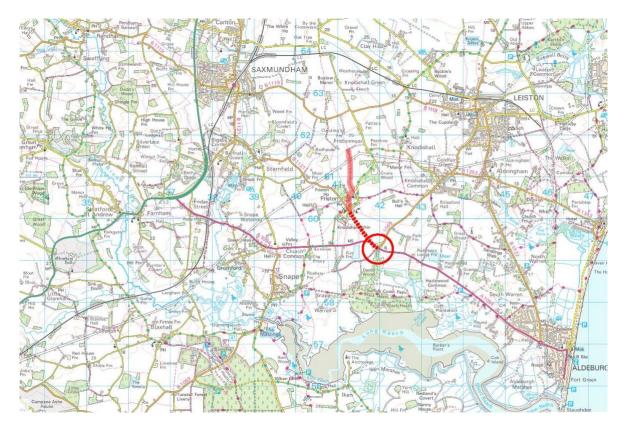


REFERENCE 5: Detail of Bowles' map of 1785 compared with modern Ordnance Survey showing Hundred Boundary along FP6.

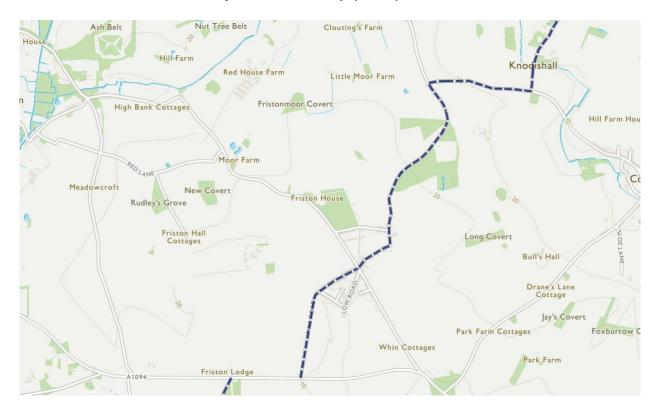


Note: Hundred Boundary shown as dotted line on Bowles 1785 map.

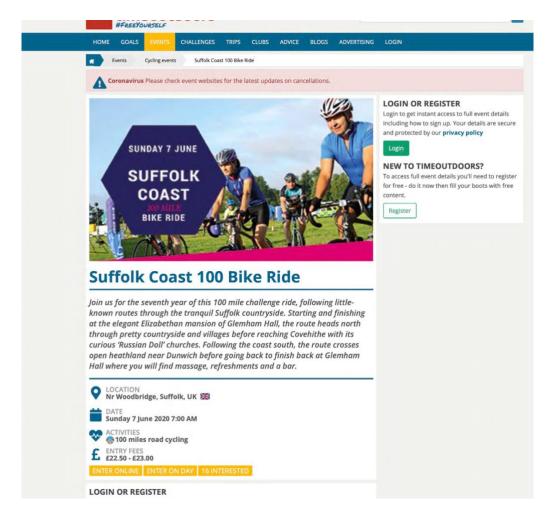
Compare with Ordnance Survey map below, both maps highlighting the Blackheath Corner junction of the A1094 with the B1121 and B1069 for reference



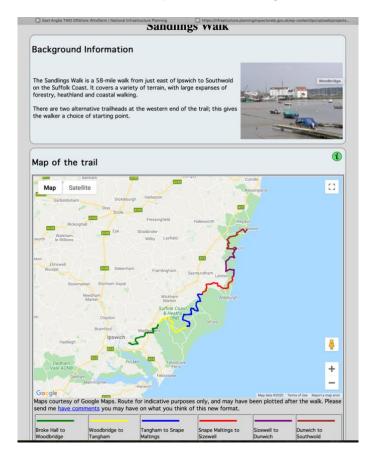
REFERENCE 6a - Sustrans Cycle Network Map (detail)



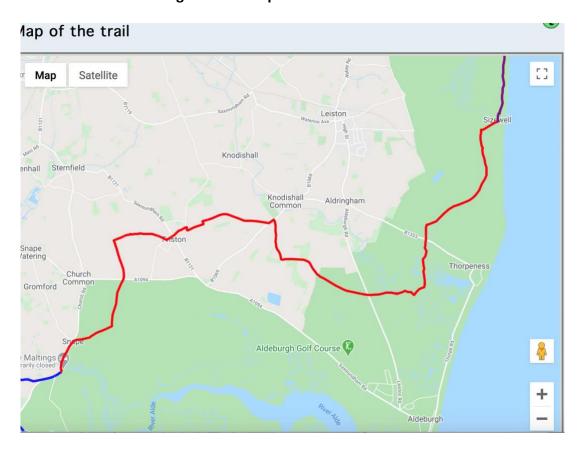
REFERENCE 6B: Suffolk 100 Bike Ride



REFERENCE 7a: Map of the Sandlings Walk



REFERENCE 7b: Sandlings Walk – Snape to Sizewell section



REFERENCE 8: SPR's Works Plans, Sheet 6 (east of Grove Road) showing pre-construction access along Footpath 2.

