



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 4 – 13 January 2021

Comments of Suffolk County Council as Public Rights of Way Authority

1. Comments on the Applicant's revised draft Development Consent Order

- 1.1 Schedule 7- There are a large number of parcels shown on the land plans to which there is a restrictive covenant preventing any sort of hard surfacing material to be laid without the consent of the undertaker. These parcels include public rights of way for which the County Council has a duty to maintain and powers to improve, and the proposed restrictive covenant could fetter the Council's ability to implement its statutory duty. Public highways, which includes public rights of way should be excluded from this restrictive covenant. The County Council carries out surfacing work to create a more resilient surface or to enable a wider range of users, including those who may be mobility impaired. This type of work would typically involve laying down a compacted crushed stone topped with a compacted layer of finer material to give a smooth surface but could also include providing a tarmac surface.

2. Comments on any revised/updated Statement of Common Ground (if any)

- 2.1 Draft SoCG Human Health (REP3-081) section LA11.18 refers to the assessment of recreation impacts including the councils concern that there is a lack of information in ES Chapter 27, Human Health, as to whether closures on Public Rights of Way are temporary or permanent and the adequacy of mitigation. The Council accepts that this information is described in the Outline Public Rights of Way Strategy (REP3-024), the Temporary Stopping up of Public Rights of Way Plans (REP3-008) and the Permanent Stopping up of Public Rights of Way Plans (REP3-009). The Council acknowledges that the Applicant will provide an alternative route for all public rights of way that are temporarily stopped up and that the Outline PRoW Strategy (REP3-024) makes a commitment to minimising the durations of disruption (2.2.para 8). However, the council considers that it is not possible to reach an informed view on the cumulative impact, or the worst case scenario as there is insufficient information regarding the timing and duration of the closures. The Council remains concerned that some geographical areas such as to the north of the substation site, could become both difficult to navigate and unattractive to use due to the construction and the closure regime, effectively removing the amenity provision.
- 2.2 LA-11-21 Mitigation – The Council acknowledges that the articles 10 and 11 in the draft DCO (REP-011) will ensure that no public right of way is closed until an alternative is provided.

3. Comments on any additional information/submissions received by Deadline 3

- 3.1 The revised Outline Public Rights of Way Strategy (REP3-024) and the revised Temporary Stopping up of Public Rights of Way Plans (REP3-008) are acceptable to the Council. The Permanent Stopping up of Public Rights of Way

Plans (REP3-009) is acceptable to the Council in what it depicts, notwithstanding the Council's comments regarding the acceptability of the impact assessment in relation to Recreation - Public Rights of Way.

4. Responses to any further information requested by the Examining Authority for this deadline

4.1 Not applicable.