



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 5 – 3 February 2021

Comments of Suffolk County Council as PRoW Authority

1. Post hearing submissions including written submissions of oral case (if required) and submissions if there are any outstanding matters requiring to be heard

- 1.1 The County Council accepts the principles proposed for managing temporary closures of public rights of way as described in the Outline Public Rights of Way Strategy (REP-024). However, as there is no information provided as to the duration and timing of these closures, we are concerned that this could lead to areas that have a dense network of public rights of way (PRoW) becoming difficult to navigate and uninviting for users.
- 1.2 This particularly applies to the PRoW within Works no 9,11,12, 13 and 14, and to the PRoW network affected by the substation site.
- 1.3 Works no 26, construction access road to the substation site, is directly adjacent to the public bridleway from Friston to Coldfair Green for approximately 700m before the bridleway crosses the site entrance. The temporary closure and alternative route will be in operation for the duration of the construction period affecting horse riders, cyclists and walkers, including those on the Sandlings Walk, for many years. The county council will expect SPR to provide additional amelioration measures to ensure that these users are not deterred from using this bridleway due to the proximity of the works.
- 1.4 The County Councils case on PRoW as set out at Issue Specific Hearing 4 is detailed in the separate ISH 4 Summary of Oral Case document.

2. Comments of Representations in relation to the additional land sought by the Applicant

- 2.1 Not applicable.

3. The Applicants revised draft Development Consent Order

Article 11: Temporary Stopping up of PRoW

- 3.1 This article allows for the temporary stopping up of PRoW in connection with the authorised project, and thus excludes the onshore preparation works such as site clearance and archaeological investigations which could have a direct impact.
- 3.2 As it stands, the County Council expects the Applicant to comply with the Highways Act 1980 in that all PRoW are kept open to the public, safe and fit to use and physically undisturbed during onshore preparation works. The Applicant can also apply to the Highway Authority for a temporary closure (Road Traffic Regulation Act 1984) if the provisions of that Act are met.

Requirement 32: Public Rights of Way

- 3.3 The County Council agrees the change of discharging authority from the Planning Authority to the Highway Authority.
- 3.4 As Requirement 32 relates solely to the affected PRow specified in the authorised development and not the onshore preparation works, the council will expect the Applicant to comply with the provisions of the Highways Act 1980 as described in point 3.1.

Schedule 7: Land in which only new rights etc. may be acquired

- 3.5 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 PRow for which the County Council has a duty to maintain and powers to improve, and the proposed restrictive covenant could fetter the County 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.

Schedule 10: Protective provisions

- 3.6 The LHA considers that protective provisions are necessary to protect the authority's power to undertake future improvements within the highway including public rights of way. This matter is covered in detail in Deadline 5 Suffolk County Council comments as Highway Authority

Contributions

- 3.7 As noted in the draft SOCG (REP1-072 - LA15-13)), there are a number of PRow matters for which contributions are required, namely for officer time relating to the preparation of the PRow Strategy (Requirement 32) and including inspections and approvals of:-
- Alternative routes for temporarily closed PRow
 - The new permanent PRow at the substation site
 - Post construction restoration of PRow

4. Any revised/updated Statements of Common Ground (if any)

- 4.1 Not applicable.

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

5.1 Not applicable.

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

6.1 Not applicable.