

The Planning Inspectorate  
Room 3/13  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Your Ref: EN010087  
Date: 27 April 2020

My Ref: 18/01/0091  
Tel No.: 01603 223231  
Email: john.r.shaw@norfolk.gov.uk

Dear Sir/ Madam

**Application by Norfolk Boreas Limited for the Norfolk Boreas Offshore Windfarm.  
Response to the Examining Authority's third round of written questions and  
requests for information (ExQ3) Issued on 23 March 2020, together with comments  
upon submissions at Deadlines 7 and 8.**

Due to the current COVID-19 crisis and changes to the examination timetable, the Local Highway Authority were unable to provide responses to all documents as submitted at previous deadlines. Responses to your third round questions and our comments on documents submitted at deadlines 7 and 8 are now provided below. We would like to thank the ExA for their understanding in the delay in providing these responses.

We will continue to work with the Applicant towards resolution of outstanding issues and to the provision of a finalised SOCG for Deadline 9 and (if required) a closing statement at Deadline 10.

Rather than provide separate submissions to the ExA's questions; the Applicants responses; and additional submissions at Deadlines 7 & 8, I have attempted to provide a combined response as follows:-

**Q3.5.3.8 - Requirement 16 (13): Trenchless installation techniques**

1. NCC note the applicant now accepts it would be possible to provide a trenchless crossing design capable of being accommodated within the existing order limits [Applicants response to ExA's third round question Q3.3.0.19].

NCC accept the point that accommodating an HDD at this location would constrain the project design prior to detailed design, however we argue that when balanced against the concerns raised by both NCC and Broadland District Council, the Applicants reason is not sound or justifiable.

It is NCC's position that trenchless crossing is the most appropriate method to minimise the overall impacts. NCC also direct the ExA's attention to the fact that subsequent to our Deadline 5 submission, Broadland District Council have also raised concerns with open cut trenching due to impact upon hedgerow.

2. Whilst NCC disagrees with the Applicants overall assessment in relation to trenchless crossings, nevertheless we do agree that should the SoS be minded to accept trenchless crossing of the B1149, then this location will need to be included as an addition at Requirement 16(13), with reciprocal changes in Schedule 6 and Schedule 8 of the dDCO.

### **Q3.12.0.2 B1149 Crossing**

NCC maintains its view that an open cut method of duct installation at this specific point on the B1149 is not appropriate.

NCC note the Applicant now accepts traffic signals would be required 24 hours a day, reducing the carriageway to one-way flows. With this in mind, we note the Applicants reference to paragraph D5.1.6 of Chapter 8: -

“...On roads where flows are very high, overload of the controlled area is possible and exceptional delays may result. This can occur with two-way flows as low as 1300 vehicles per hour (for sites about 50m long)”

However, the Applicants have only quoted part of the text which goes on to say: -

“...and with a one-way flow of 900 vehicles per hour (for longer sites with balanced flows) with signal control.

The B1149 peak hourly traffic flows (Norfolk Boreas; combined with Hornsea3; plus baseline traffic) are forecast to be in the order of 900 movements and signal control is required for in excess of 50m, thereby reducing the road to single flows. Accordingly exceptional delays may result.

Chapter 8 goes on to say – “...If this is likely to occur, the designer will have to consider the implications and possible alternative options, for example, diversions or restrictions on the hours of working”. Neither of these are possible given (i) the route needs to be kept open for the abnormal loads associated with Hornsea 3 and (ii) traffic signals are required 24 hours per day preventing restrictions on the hours of working.

Whilst NCC have not raised an objection relating to driver delay, nevertheless we wish to point out that such an impact lies on the cusp of acceptability and it is not as clear cut as the Applicants indicate.

NCC recognises that Norse laboratory has provided a construction specification, however the issue of long-term maintenance liability remains a significant concern, particularly given the potential for other future large-scale projects and their associated HGV load movements. Rural road structure can vary greatly, and with an increasing volume of base level traffic (notwithstanding the additional loading from these HGV movements) any weakening of the surface construction derived from breaking open the bound and subgrade layers will greatly increase the risk of carriageway failure for years to come.

NCC notes no detailed project timeframe has been provided and whilst the Applicant states a full and detailed construction method statement could be included within the final CoCP, as secured by Requirement 20(2)(g) of the dDCO, that would be too late to make the appropriate assessment. NCC have not seen a breakdown to show how the figure of **up to 72** daily additional HGV movements along the B1149 and The Street at Oulton has been derived - for example is that just for one day? We are not clear what “up to” actually means and are not convinced it would be every day for 8 weeks which seems to be implied.

Whilst the Applicants indicate active construction works would not be required outside of construction hours, that does not address the point we make. NCC’s point is that disruption would take place 24 hours per day as a direct result of the traffic signals, including noise associated with traffic stopping and starting at the signals during night-time hours.

NCC note the Applicant’s contractor will be expected to use their best endeavours to programme the works to avoid the cumulative AIL scenario and this is welcomed. It would need to be captured in the final CTMP, if the ExA agrees with the Applicants that open cut trenching is appropriate.

NCC note the Applicants comment that: -

“...NCC’s current position can be interpreted as contradictory; effectively advocating an access with associated traffic management and environmental impact in the same location that the lesser impacts of an open cut trench are objected to.

However, the Applicants are not comparing like with like. NCC’s assessment is that whilst not ideal, trenchless crossing for this location is preferable to open cut trenching. Similarly, whilst an access for a haul road at this location is also far from ideal, nevertheless it is preferable to the alternative of taking the construction traffic through Cawston village.

In conclusion, NCC can see nothing to change the view we have previously expressed and still wish to see a trenchless crossing method employed. NCC believe this to be reasonable, especially given the Applicants acknowledge it is within their ability to provide.

#### **Q3.12.0.4 - B1149 Crossing**

In direct response to the ExA’s questions raised during ISH3, the Applicants indicated their sole reasoning for conducting open cut trenching was on environmental grounds. The point NCC makes is the additional loss of hedgerow has only very recently come to light due to amendments to the Applicants traffic management measures. Accordingly it needs to be considered as part of the overall environmental impact.

#### **Q3.12.0.6 Church Road, Colby (open cut trench/ trenchless crossing)**

NCC note the Applicants concerns in relation to visibility splay lengths and the duration of the works but remain satisfied that during construction, safety at the temporary accesses could be controlled and managed via appropriate traffic management measures. The exact details can be confirmed within the CTMP post consent. Accordingly, NCC reaffirm that we have no objection to the amendments proposed by NNDC.

### **Q3.14.0.1 Outline Traffic Management Plan**

There remains a possible driver compliance issue with the highway intervention scheme for link 34 at Cawston. Whilst the Applicants have incorporated possible solutions within the Outline CTMP, NCC would like to see the list of solutions expanded with a commitment to reduce the volume of traffic downwards from 239 HGV movements per day until a point is reached where (via on site monitoring) there is no longer a compliance issue - where this proves necessary.

The CTMP still needs to be updated to include the following: -

- Explanation of how condition surveys will be undertaken and monitored.
- A method for undertaking the technical vetting for the detailed design of all off-site highway works.
- Acceptance of responsibility for any part 1 claims under the Land Compensation Act that are directly attributable to the Applicants off-site highway works.

### **Q3.14.1.2 Highway Intervention Scheme for Link 34 (B1145 through Cawston)**

Whilst we have no objection to the Applicants highway intervention scheme (Option 1), nevertheless we have identified a driver compliance issue. This was also identified within the Applicants Road Safety Audit which recommended a review of "...the compliance of drivers following the introduction of the reduced speed limits and introduce further measures if necessary"

If parking occurs outside the designated parking areas; traffic fails to yield at the correct points; or if traffic speeds are much higher than 20mph, the proposed intervention scheme could fail.

Whilst the RSA did not indicate what "further measures" can be introduced, it is NCC's position that the options are limited in the main to: -

- (i) Reducing the volume of traffic passing through Cawston from 239 HGV movements per day until a point is reached where there is no longer a compliance issue. However, we fully understand this would lengthen the duration of the project and impact upon the contractor.

Or

- (ii) Introduce a one-way system with the HGV traffic entering the village but exiting via Option 5. We do not support this option as it has several significant safety problems – see our response to Q3.14.1.8 below.

In response to our concern, the Applicant has agreed to intensify the monitoring regime to facilitate early warning of issues. Whilst this is welcome and would help identify the exact nature of the problem, it does not in itself provide the solution.

The Applicants solution is: -

- Rectify any breach of requirements. We fully accept this may be necessary if the problem is limited to a breach of the requirements, but that is not the issue we have identified.

- Introduce warning hazard signs. However, we have already identified the points at which poor compliance is likely to occur and there is no realistic prospect of introducing additional signs at those points.
- Introduce mandatory give-way. This does not form part of the current scheme as it could make matters worse.
- Increased parking enforcement. We agree this may be beneficial and necessary but offers only a partial solution.
- A reduction in the cumulative HGV cap (239 HGV movements) by ensuring Norfolk Boreas and Hornsea3 traffic demand does not overlap. We agree this may go some way to addressing the problem but NCC would like to see a commitment to reducing the volume of traffic downwards from 239 HGV movements per day until a point is reached where (via on site monitoring) there is no longer a compliance issue - which is slightly different to the Applicants proposal.

#### **Q3.14.1.4 Highway Intervention Scheme – additional information**

NCC have no additional issues to raise

#### **Q3.14.1.5 Road Safety Audit**

- (i) NCC agree with the Applicants proposed cutting specification for visibility splays, namely five cuts during the growing season (May to September) applied to the overhanging vegetation.
- (ii) The objective of the road safety audit is to identify aspects of engineering interventions that could give rise to road safety problems and to suggest modifications that could improve road safety. It is important to note that road safety audit is not intended to be a technical check of compliance with design requirements. Whilst the scheme passed the RSA, nevertheless NCC have raised a potential concern regarding driver compliance, namely that drivers may fail to yield at pinch points. See also our response at Q3.14.1.4.

#### **Q3.14.1.7 Cumulative traffic effects in Cawston**

NCC have no comments to add.

#### **Q3.14.1.8 Alternative traffic movement through Cawston**

At the end of the Vanguard examination, no agreement was reached regarding the acceptability of the Cawston highway intervention scheme. As we indicated within our response to the ExA's first round of written questions for the Boreas hearing (Q1.2.3) submitted on 3 December 2019: -

“The applicants have not submitted any further details to us since the closure of the Norfolk Vanguard hearings. At ISH6 to the Vanguard hearing the County Council indicated the following documents were due to be received from Orstead by 3 May 2019: -

- Topographical Survey
- New ATC speed survey
- Update of the design through Cawston based on the safety audit and NCC comments
- Vehicle traffic through Cawston based on the topographical survey
- Update of the safety audit
- Update of the Caswton report.

The above was not received prior to the opening of the Boreas examination and the Applicants instead sought to progress the Cawston intervention scheme **during** the examination itself. The ExA will be aware we have only recently received the essential RSA.

It is inevitable views on all sides may change due to receipt of additional information not previously made available and it would be inappropriate to dig our heels in and defend a previous position come what may. Having now received the relevant information, whilst we have no objection to the Applicants highway intervention scheme, which involves directing traffic along Cawston High Street (Option 1), that is no longer our preferred solution.

In highway terms the Applicants Option 2 is preferred as it has the potential to remove all construction traffic from Cawston. Failing that, NCC would also support Options 4; 3; and then Option 1 (listed in order of preference due to traffic impact).

NCC does not support Option 5 as the highway network is not suitable to cater for the traffic proposed due to poor junction alignment; forward visibility issues and unsuitable narrow rural lanes. In addition, the fabric of the road is insufficient to support the volume of HGV use proposed.

The Applicant provided updated drawings for Option 5 during a meeting on the 16th March 2020, however apart from providing 4 additional passing places the updated drawings do not address the concerns we have raised. In addition, it is now evident the Applicants proposal would involve filling in a drainage ditch which (apart from the obvious drainage implications) does not form part of the public highway and lies outside the Applicants order limits.

Whilst not objecting to the Applicants highway intervention scheme (Option 1), nevertheless we have identified a driver compliance issue and we have advised the Applicants they need to look at solutions in advance. We believe there are two possible options – either

- (i) reduce the volume of HGV traffic passing through Cawston down from the capped 239 HGV movements per day (which would lengthen the duration of the project).

Or

- (ii) Introduce a one-way system with HGV's entering the village but exiting via Option 5. As indicated above, we do not support this as it has several significant safety problems and also the fabric of the road is not sufficient to cater for that volume of traffic.

Whilst the Applicants indicate that "...Ultimately, Option 5 is not required to mitigate the impacts on Cawston", nevertheless there is still a driver compliance issue and we do not wish to see the Applicant seek to revert to Option 5 as a means of trying to rectify that issue.

NCC fully accept that traffic management measures potentially lasting 24 months are of a different magnitude to the measures required during a trenched crossing, however our concern related to whether safe traffic management could be provided at all, rather than the duration of the works.

#### **14.2 Cable Logistics Area (CLA) along Link 68 in Oulton - Cycle Routes**

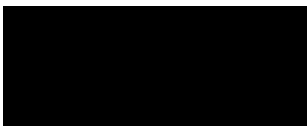
Whilst the location has no national, regional or local designation as a cycle route/walking route, nevertheless NCC recognise there will inevitably be some use by NMU's. The only difference being in the level of demand is less.

We note the ExA's observations at USI on 20 January 2020 [EV2-003], and Oulton PC's submission [REP6- 044] but our view remains - the Highway Mitigation Scheme for Link 68 [REP5-026] [REP5- 045] is adequate. The Highway Mitigation Scheme was assessed as part of the RSA conducted by Hornsea3 which included an assessment of suitability for NMU's. The RSA covered the cumulative scenario for all three wind farms.

#### **Q3.14.4.9 Outline Access Management Plan and Access to Works plan**

NCC have no issues to raise.

Your faithfully



Senior Engineer - Highways Development Manager  
for Executive Director for Community and Environmental Services