

ExQ4: Issues Tuesday 28 April 2020
Norfolk County Council Responses
Identification reference: 20022890

ExQ 4	Question	Response
5.7 SCHEDULE 16: PROCEDURE FOR DISCHARGE OF REQUIREMENTS		
<p>Q4.5.7.2</p>	<p>Table of requirements, discharge authorities and consultees and discharge process map: Provide any final comments on NNDC's Timetable of requirements, discharge authorities and consultees and the Discharge process map [REP6-043, Appendix B and Appendix C].</p>	<p>The DCO requirements set out in NNDC's Submission (5 March 2020) Appendix B, relating to who needs to be involved in the Discharge of Requirements seems reasonable.</p> <p>In addition, the Process Map in Appendix C of the above NNDC submission seems sensible / pragmatic.</p> <p>Notwithstanding the above comments, the County Council will need to work closely with the respective Discharging Authorities to ensure those Requirements set out in the Development Consent Order (DCO), relating to County Council matters, are properly / sufficiently addressed.</p>
<p>Q4.5.7.3</p>	<p>Schedule 16: Parties to submit any additional information to assist the ExA in reaching its recommendation to the SoS.</p>	<p>Norfolk County Council has no further comments to make.</p>
<p>Q4.5.7.4</p>	<p>Planning Performance Agreements: Provide final views from all parties since the response to responses to further written questions provided by the Applicant [REP6-014, responses to ExQ2.5.7.1].</p>	<p>The position of Local Authorities in Norfolk has, it is felt, been correctly summed up in the applicant's response above (REP6-014) i.e. <i>"that the RPAs wish to maintain the authority to discharge plans for their administrative area, rather than delegate function to a lead local discharge authority such as Norfolk County Council."</i></p> <p>On this basis it is felt appropriate that the applicant should put forward, <i>inter alia</i>, :</p> <p>"individual PPAs for each respective discharging authority...." As set out in the above representation.</p>

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		It felt that further discussion with the applicant, possibly/probably post DCO, will be necessary / appropriate in order to ensure that any PPA prepared is efficient and consistent between all the respective RPAs.

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

NCC contact number: 0344 800 8020
Text Relay - 18001 0344 800 8020

Your Ref: EN010087
Date: 5 May 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
The Examining Authority's fourth round of written questions and requests for
information (ExQ4) Issued on 28 April 2020**

Please accept this letter as Norfolk County Councils written submissions in its capacity as local highway authority in response the ExA's fourth round of written questions and requests for information.

Q4.12.0.1 B1149 Crossing

- A) 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. Whilst accommodating an HDD at this location may constrain the project design prior to detailed design, nevertheless 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 also raised concerns with open cut trenching, due to impact upon hedgerow.

Whilst NCC still 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.

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

B) 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.

Q4.12.0.2 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.

Q4.14.0.1 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 possible solutions expanded with a commitment to reduce the volume of traffic downwards from 239 HGV's per day until a point is reached where (via on site monitoring) there is no longer a compliance issue.

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.

Q4.14.1.1 Highway Intervention Scheme for Link 34 (B1145 through Cawston)

- a) Whilst we have no objection to the Applicants highway intervention scheme (Option 1), nevertheless we have identified a diver 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's 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.

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 set out 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 a solution 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 signage 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. This may go some way to addressing the problem.

NCC would like to see the list of possible solutions expanded with a commitment to reduce the volume of traffic downwards from 239 HGV's per day until a point is reached where (via on site monitoring) there is no longer a compliance issue.

- b) NCC notes there are existing narrow sections of footway throughout Cawston village centre and we are aware of Cawston Parish Council's concerns. The Applicant's response to the RSA, including the specific point in relation to the narrowness of the footways was considered by NCC's development team at its sitting on Monday 9th March 2020. By way of explanation, the team comprised officers from all parts of the Highway Authority including various development management engineers; an area manager for highway maintenance; the growth and infrastructure manager; as well as an internal road safety auditor. The conclusion of the team was that it agreed with the Applicant's response and had no further comment to add.

Q4.14.1.2 Highway Intervention Scheme and recommendations of the RSA

Please see response to Q4.14.1.1 above. Whilst we have no objection to the Applicant's highway intervention scheme (Option 1), nevertheless we have identified a driver compliance issue. This was also identified within the Applicant's 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" and this point still needs to be addressed within the Outline Traffic Management Plan.

Q4.14.1.3 Highway Intervention Scheme – additional information

We have no additional points to raise.

Q4.14.1.4 Road Safety Audit

- a) NCC agree with the Applicant's proposed cutting specification for visibility splays, namely five cuts during the growing season (May to September) applied to the overhanging vegetation.
- b) 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 Q4.14.1.1.

Q4.14.1.7 Alternative traffic movement through Cawston (option 5)

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 Applicant's proposal would involve infilling a drainage ditch which (apart from the obvious drainage implications) does not form part of the public highway and lies outside the Applicant's order limits.

Q4.14.2.1 Cable Logistics Area (CLA) along Link 68 in Oulton - Cycle Routes

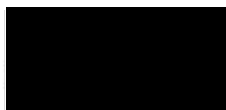
Whilst the location has no national, regional or local designation as a cycle route/walking route, nevertheless NCC recognise there will inevitably be some use by NMU's. The only difference being in the level of demand.

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 and thus is applicable for Norfolk Boreas.

Q4.14.4.2 Types of accesses – AC11

It is NCC's understanding that AC11 was intended to be an access from the B1159, but it will now be used as a haul road crossing instead. We have no objection to this change however the OAMP/OTMP will need to be updated accordingly.

Your faithfully



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