

# Riverside Energy Park

---

## Applicant's response to Landsul Ltd and Munster Joinery Ltd Deadline 3 Submission

---

VOLUME NUMBER:

**08**

PLANNING INSPECTORATE REFERENCE NUMBER:

**EN010093**

---

DOCUMENT REFERENCE:

**8.02.38**

---

July 2019 | Revision 0 (Deadline 4)

---

Planning Act 2008 | Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

**Contents**

**1** Applicant’s Response to Landsul Limited and Munster Joinery Limited’s Deadline 3 submission ..... 2

    1.1 Introduction ..... 2

    1.2 Applicant's Response ..... 2

# 1 Applicant's Response to Landsul Limited and Munster Joinery Limited's Deadline 3 submission

## 1.1 Introduction

- 1.1.1 Landsul Limited and Munster Joinery Limited ('the respondents') have made a submission at Deadline 3.
- 1.1.2 The respondents acknowledge that the Applicant has removed their land from the Order land and that accordingly the Applicant no longer seeks powers to temporarily use the land for the Proposed Development.
- 1.1.3 The respondents' only remaining objection is related to a concern over the possible closure of Norman Road and the effect as a consequence on access to their operational site, particularly between the hours of 5am-7pm Monday to Saturday, and in respect of notification outside these times. The respondents state that the access must be maintained 24 hours a day during the period of works to Norman Road.
- 1.1.4 The above matters are addressed in order below.

## 1.2 Applicant's Response

### Closure of Norman Road

- 1.2.1 The Applicant confirmed in **Paragraph 5.9.10** of the **Applicant's Responses to Relevant Representations (8.02.03, REP2-054)** submitted at Deadline 2, that vehicle and pedestrian access along Norman Road would not be closed.
- 1.2.2 The temporary Electrical Connection works may require a single lane closure to facilitate proposed duct and cable installation but access to all premises along Norman Road would be retained using the other lane (if a single lane is closed temporarily) facilitated through a traffic management system.

### Effect on the respondent's access

- 1.2.3 Norman Road is an adopted highway, maintained and operated by the London Borough of Bexley (LBB) as highway authority and abuts the respondents' private gateway. Works within the highway by any relevant statutory undertaker are governed by the process set out within the New Roads and Streetworks Act 1991 ('NRSWA'), being 'streetworks legislation'. The **draft Development Consent Order (dDCO) (3.1, REP3-003)** addresses works related to REP in the context of existing streetworks legislation. **Part 3, Article 11(3)** of the **dDCO (3.1, REP3-003)** states that "*Where the undertaker is not the street authority, the provisions of sections 54 to 106 of the [NRSWA] 1991 Act apply to any street works carried out under paragraph (1).*"

- 1.2.4 The application of the NRSWA provisions ensures that all normal procedures in respect of notification, coordination and expediting streetworks would still apply, as they would to any other statutory undertaker who seeks to install, maintain or remove apparatus in the public highway from time to time. The works proposed by the Applicant comprise a single trench (0.5m or less in width), typical of other cabling, pipework or ducting installation permissible and controlled under NRSWA. The effect on the respondents' operation is not therefore anticipated to materially differ from that which could already occur under existing legislation.
- 1.2.5 In respect of the respondent's specific concerns regarding access and notification, sections 54 to 106 of NRSWA include, amongst others:
- Advance notice (54);
  - The power of direction by the street authority (LBB) in respect of timing (56);
  - A general duty to coordinate with any other works (59 and 60);
  - Avoidance of unnecessary delay or obstruction (66);
  - Duty to reinstate (70); and
  - Charge for occupation where works are unreasonably prolonged (74).
- 1.2.6 The NRSWA applies to all typical statutory undertaker works on Norman Road whether under the REP dDCO or not.
- 1.2.7 In addition, Article 13(3) requires the Applicant to provide vehicle access going to or from premises abutting a street or public right of way affected by any temporary closure.
- 1.2.8 The Applicant considers that the above provisions placed upon the Applicant provide adequate procedural controls to ensure that the potential effect on the respondents' access is minimised and that access is maintained throughout.
- 1.2.9 Notwithstanding the above, the Applicant considers that adequate arrangements can also be made at construction stage, to minimise disruption to the existing entrance to the respondents' site in light of the width of entrance and the two lane (comparably lightly trafficked) approach to the entrance which would generally allow larger vehicles to swing into a narrower entrance via the opposing lane during works if required. The works would be short term when passing the entrance such that any potential disruption would be expected for no more than 1-2 days within a stretch achieved at the typical rate of 200m per 7 working days. In accordance with UKPN's normal approach to NRSWA works, engagement prior to commencement of construction would be undertaken to understand the likely nature of access that is required and to minimise effects as a matter of course where practicable. In recognition of this standard procedure the Applicant proposes to expand **Paragraph 2.6.2** of the

**Outline Construction Traffic Management Plan within Section 2.6 (ES Appendix L to B.1) (6.3), submitted at Deadline, to read:**

*“It is anticipated that UK Power Networks (UKPN) would be responsible for the construction of the Electrical Connection. The works are, in the main, remote from the REP site. The statutory undertaker’s site agent would be responsible for coordinating the cabling works with any other undertaker or LHA undertaking adjacent works. Complaints specific to works on the Public Highway would be the responsibility of the statutory undertaker’s site agent to manage. Site boards would be provided at work sites and compounds on the Public Highway giving contact details for both day to day enquiries and emergencies. The signs would be the responsibility of the statutory undertaker to provide and maintain during the period of highway works. No later than two weeks before starting installation of a section of Works No. 9 which might disrupt private entrances/accesses, UKPN or another authorised installer of the Electrical Connection will liaise with potentially affected residents or businesses to make them aware of the forthcoming road works, their likely nature, duration and effect on the access for vehicles or pedestrians. Where access is identified through liaison with those potentially affected as being particularly sensitive to temporary disruption, the installer will take into account any details of the sensitive nature of the access and review whether the traffic management or works (where practicable, economic and efficient to do so), can be adjusted to further mitigate and minimise the period of disruption”*