



Your ref:
EN010109-001894-SADEP- Written Questions4_v3
Our ref:
Sheringham and Dudgeon Extension Projects SADEP

Menaka Sahai
Lead Member of the Examining Authority
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Dr Shamsul Hoque

National Highways
Operations - East
Woodlands
Manton Lane
Bedford MK41 7LW

Date: 10 July 2023

via email: sadep@planninginspectorate.gov.uk

Dear Menaka,

**Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Project
(EN010109): Written Statement (WQ4)**

The Examining Authority's second written questions and requests for information

I refer to your Fourth Written Questions WQ4 issued on Thursday 29 June 2023 regarding the above proposal and your invitation to submit written representations to the Examining Authority's (ExA's) Written Questions as set out in the Rule 6 letter, Annex C [PD-006].

National Highway's responses are set out below and should be read in conjunction with the Statement of Common Ground between National Highways and Equinor which has been submitted to you by the applicant.

Please contact me PlanningEE@nationalhighways.co.uk if you require any further information.

Yours sincerely,

Dr Shamsul Hoque
Assistant Spatial Planner
Contact phone: 0300 470 0743; [REDACTED]

Sheringham Shoal Offshore Wind Farm Extension Project and Dudgeon Offshore Wind Farm Extension Project (EN010109)

Written Statement by National Highways

10 July 2023

1.0 Introduction

National Highways (NH) have been invited (Thursday 29 June 2023) to provide written representations to the ExA's fourth Written Questions for this project. The relevant questions to National Highways and our responses are set out below.

Q4.1.4 Miscellaneous

4.1.4.1 Statements of Common Ground

4.1.4.1 Statements of Common Ground

- A) Applicant, submit final signed SoCG with electronic signatures at D8.
- B) Relevant parties, submit at D8 your confirmation that the final signed SoCG submitted by the Applicant is the version agreed with you. You may do so, by attaching to your submission the copy of the SoCG that is agreed with you.

Response:

National Highways have been working with the applicant's consultant to continue working through the Statement of Common Ground. We have not reached a final agreement on all the issues but have now reached agreement on items:

- 16 Driver delay, capacity, assessment methodology,
- 17 Residual driver delay (capacity) impacts during construction, and
- 28 mitigation measures within the Outline Construction Traffic Management Plan (OCTMP).

Discussion is on going on items:

- 31 Protective Provisions and
- 32 Cooperation Agreement,

documents have been exchanged and are being discussed but these have not been agreed.

Q4.11.3 Article 2 Interpretation

4.11.3.1 Pre-commencement works

- A) Confirm the Applicant's understanding that you no longer seek any further amendments to R19, if Protective Provisions are agreed [REP5-051, DC1.2.1.1].

Response:

As the Protected Provisions are not yet agreed, we need to be consultee to the R19 Code of Construction Practice. If the Protected Provisions were agreed, we do not need to be a consultee. We understand the main issues are currently set out in the OCTMP rather than the Code of Construction Practice. However, as the Protected Provisions are unlikely to be agreed in the short term, we need to take precautions to ensure we protect the network.

National Highways needs to be a consultee until the Protected Provisions are in place, as we currently do not know all the details of how the Sheringham and Dudgeon project will be approached. We are yet to see the detailed designs of the proposed access to the National Highways network. Nor do we fully understand the impacts on the new A47 (post A4 Tuddenham to Easton construction). We are concerned that as the finer details emerge, without Protected Provisions in place will not be able to minimise the impacts on our network.

Q4.23. Traffic and Transport

Q4.23.1 Effects from Construction Vehicles on the Highway Network and Living Conditions

Q4.23.1.1 Driver Delay, Capacity and Assessment Methodology

NH has raised queries [REP5-085, Q3.23.1.1] in relation to the driver delay, capacity and assessment methodology. Subsequently, the Applicant provided a technical note titled, 'Junction Modelling Clarifications'

- a) Applicant, please provide this document.
- b) NH, please provide your review of this document and explain in full if any highway safety concerns remain.

Response:

On the 30 June 2023 AECOM (on behalf of National Highways) prepared Briefing Note 07 which covered a review of Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects – Junction Modelling Clarifications (dated 18 May 2023) (issued by

Equinor). National Highways are content that the outstanding issues have been resolved. The Statement of Common Ground (SoCG) has been updated accordingly.

Note: A copy of these two documents, i) AECOM Briefing Note 07 and ii) SoCG Revision D, is attached.

Q4.23.5 Suitability of Access Strategy

Q4.23.5.2 Amendments to Access Strategy

NH, are you content with amendments to the access strategy to remove the requirement to provide a new access (ACC48) from the north of Church Lane and instead utilise the existing Food Enterprise Park access?

Response:

This is a question that should be directed to Norfolk County Council, as local highway authority since the Food Enterprise Park access is served off their network. This is therefore not a question for National Highways. However, to answer the question National Highways is content that the Food Enterprise Park access is used rather than access north of Church Lane.

**Q4.23.6 Effectiveness of Proposed Mitigation Measures
Protective Provisions**

Q4.23.6.2 Protective Provisions

See related question in Compulsory Acquisition and Temporary Possession.

Response:

We are unable to find a specific question for National Highways under the Compulsory Acquisition and Temporary Possession section.

National Highways is discussion with the promotor with regards to Protected Provisions. The NH standard Protected Provisions are not yet agreed yet.

**Q4.23.6 Effectiveness of Proposed Mitigation Measures
Protective Provisions**

Q4.23.6.3 Mitigation for the Strategic Road Network

Further to discussion at CAH2 [EV-104] [EV-106], confirm (for both scenarios where protective provisions are agreed and not agreed by the end of the examination) whether mitigation measures in the DCO and OCTMP are sufficient (without the need for a co-operation agreement, which is not before the Examination) to ensure there would be no unacceptable highway safety or capacity impacts on the strategic road network.

Response:

If the National Highways Standard Protective Provisions are agreed it is considered there is unlikely to be a need for a Co-operation agreement but as at Deadline 7 there is no agreement on the Standard Protective Provisions and in the short term and to ensure the Strategic Road Network is protected, National Highways will require a Co-operation Agreement.

National Highways will not support the compulsory purchase of any National Highways land.

Q4.8.2 Affected Persons' Site-specific Issues

Q4.8.2.1 Plot 27-006

c) Explain your approach and justification to the part of Plot 27-006 that is no longer needed for the Proposed Development, including the inclusion of 'white land' in the Land Plans as explained at CAH2 [EV-103] [EV-105].

Response:

Whilst the question was not directly posed to National Highways, we have met with Equinor on Monday the 3 July to discuss the amendment of plot 27-006. This involves including a section of 'white land' for the area to the south of the fence line up to the National Highways boundary, to protect our land and boundary line. National Highways are content with this approach and when the amended plan is made available National Highways can review and comment.

Q4.8.5 General

Q4.8.5.1 Protective Provisions

a) Applicant and relevant party, for each set of Protective Provisions that is not agreed, provide jointly with the relevant party copies of Applicant's proposed drafting and the drafting required by the party, highlighting the areas of difference. Update this at D8.

b) Applicant and relevant party, for Protective Provisions where final agreements is not likely for close of Examination, provide updates expected and corresponding timescales after close of Examination in signed final SoCG or a similar joint signed statement.

Response:

National Highways have our standard Protected Provisions and these that are not yet agreed with the Applicant and discussions are continuing.

Please note that a National Highways provided comments on the 19 June 2023 draft Standard Protected Provisions on 7 July but these were not accepted by the Applicant and have not been attached.

Additional Comments from National Highways:

Consent to transfer benefit of the DCO – Works to be carried out on our network:

As part of the Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Project works cabling is required under the A47. For public disruption, cost and minimising abortive works there is an opportunity for all or part of this works to be completed during the construction works of National Highways A47 Tuddenham to Easton project.

The process for obtaining consent from the SoS is set out in Article 5(9) of the DCO which includes first giving notice to the SoS. Assuming consent is granted by the SoS, an agreement transferring the benefit of the Order would also need to be entered into between the undertaker and NH.

So, whilst the current draft DCO does not prevent National Highways from carrying out specified works under the DCO, this is subject to National Highways obtaining consent from the SoS and entering into a transfer deed with the undertaker, which might cause delays to the works.

It would be appropriate to amend the current DCO draft to include specified works that could be transferred to specific undertakers. This would negate the need for further Secretary of state approval.