

Written Representation submitted by National Highways Limited

Application by Medworth CHP Ltd for an Order granting Development Consent for the Medworth Energy from Waste Combined Heat and Power Facility Project.

Planning Inspectorate Reference Number: 611059

1. Introduction

1.1. This written representation is National Highways Limited's formal written response to the application by Medworth CHP Limited (**Applicant**) for the order granting development consent for the Medworth Energy from Waste Combined Heat and Power Facility Project. The Applicant seeks development consent for the authorised development in Schedule 1 of the DCO (**Authorised Development**). National Highways submitted a section 56 Relevant Representation on 15 November 2022.

1.2. The Authorised Development will comprise of the following key elements:

- The EfW CHP Facility Site;
- CHP Connection;
- Access Improvements;
- Temporary Construction Compound (TCC);
- Water Connections; and
- Grid Connection (underground cable and Walsoken Substation).

1.3. National Highways (formerly Highways England) is a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (**SRN**). As such we have responsibilities for managing the SRN in accordance of our licence and in general conformity with the requirements of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

1.4. The Strategic Road Network affected by the Authorised Development is the A47. The A47 is a key transport link between Lowestoft, Suffolk through Norfolk to the Midlands. The A47 is subject to four separate Development Consent Orders along its route, namely, Thickthorn Junction, Blofield to North Burlingham, North Tuddenham to Easton and Wansford to Sutton. It is confirmed that all the consented schemes will not be impacted by the construction of the authorised development.

1.5. It is critical to the operation of the strategic road network, the safety of the travelling public and to ensure the proper efficient use of public resources that the Authorised Development proceeds in consultation and agreement with National Highways and with the appropriate protections in place, as set out in this submission.

1.6. The Applicant's draft DCO submitted as part of the DCO application includes the rights to construct the Authorised Development and to interfere with the highways, to temporarily impose traffic regulation orders to provide a safe working environment for construction workers during the construction phase. It should be noted that there is a committed scheme at Elm High Road and Broadend Road, including work to the A47. It is currently not understood how

the works for both projects will interact, and whether there will be an impact on the SRN. In addition, both developments could be competing for Roadspace availability therefore, we recommend that the applicant has early engagement with National Highways' Roadspace Booking team.

1.7. National Highways have agreed to submit a Statement of Common Ground (**SoCG**) with the Applicant. National Highways and the applicant have worked proactively and collaboratively to develop the SoCG. A draft version of the SoCG was submitted to the Examining Authority (**ExA**) on the 16 March 2023.

1.8. The draft DCO includes protective provisions, which manage the interface between the project and the SRN. The protective provisions will form part of the Order. Updated draft protective provisions were sent to the Applicant's solicitor in February 2023 and these remain under negotiations. Comments on the protective provisions are expected to be exchanged next week. It is expected that the parties will be able to reach agreement on technical matters.

2. Expansion of Relevant Representation

2.1. National Highways does not object to the principle of the Authorised Development but subject to the incorporation of agreed protective provisions included within the appendices of this written representation in the draft DCO.

2.2. In addition, National Highways do not object to

2.3. National Highways objects to the compulsory acquisition of 42 plots of land owned or occupied by National Highways ("plots") in respect of which compulsory acquisition powers to acquire new rights are sought. This is set out within the Relevant Representation submission submitted November 2022. Since the submission, discussions regarding the voluntary acquisition of rights have been ongoing, but, yet to be concluded. The draft protective provisions contain an obligation on the Applicant not to exercise the compulsory acquisition powers along the A47 without National Highway's prior consent.

National Highways objects to the proposal to use open cut trench along the A47 verge. The Authorised Development seeks to provide a new water main connecting the EfW CHP Facility into the Local network. The new connection will run underground from the EfW CHP Facility Site along New Bridge Lane before crossing underneath the A47 to join the existing Anglian Water main. This will be achieved either through open cut trenching or Horizontal direction drilling (HDD). National Highways have concerns and have raised issues regarding the work on the A47 verge for this scheme. Open cut trenching is considered acceptable along the verge, however, additional information is required in relation of the acceptability of the geology of the soils in the area to accommodate HDD works required for the proposed Water Connection.

2.4. The draft protective provisions are required by National Highways to safeguard its statutory undertaking, to ensure that powers are exercised when a detailed specification of works has been agreed, to ensure the Applicant complies with road space booking procedures to protect the public and other contractors using the highway, to prevent the extinguishment of existing rights which are required to access and maintain the highway and to provide financial and contractual protections to National Highways.

2.5. Without these draft protective provisions being secured in the draft DCO, National Highways considers that the Authorised Development, if carried out in relation to the plots owned and occupied by National Highways, will have a significant and serious detrimental impact on the operation of the strategic road network and could prevent National Highways from discharging its statutory licence obligations. Until such protective provisions are secured, National Highways is unable to withdraw its objection to the DCO.

National Highways wishes to act proactively and positively to resolve the outstanding issues highlighted within the comments in this document. National Highways will respond to any written questions the ExA wishes to ask and is willing to attend an appropriate hearing to outline the impacts of the Authorised Development on the strategic road network and National Highways.