

Bramford to Twinstead Reinforcement

Agenda for Issue Specific Hearing 1

Date	14 September 2023
Time	10.00am
Venue	<p>Blended hearing held at the Stoke by Nayland Resort, Keepers Lane, Leavenheath, CO6 4PZ (free onsite parking), and online through Microsoft Teams (instructions on how to join online or by telephone will be provided in advance to those who have pre-registered).</p> <p>Seating available at the venue from 9.30am.</p> <p>The virtual room opens at 9.15am for those participating online.</p> <p>Join between 9.15am and 9.30am to enter the virtual lobby. From here you will be admitted to the Arrangements Conference, greeted and given further instructions. The Arrangements Conference will be hosted at 9.45am by the Case Team. It will cover housekeeping arrangements for those participating online and answer any questions about taking part.</p>
Topic	<p>The scope and details of the Proposed Development, including construction activities, and the principles of the Applicant's draft Development Consent Order (dDCO).</p>
Attendees	<p>All registered Interested Parties are welcome to attend. Those wishing to make oral representations were required to register by Procedural Deadline A in the draft Examination Timetable, which was 22 August 2023. The Examining Authority would be assisted by the attendance of representatives from the following:</p> <ul style="list-style-type: none">• The Applicant• Essex County Council• Suffolk County Council• Babergh District Council• Mid Suffolk District Council• Braintree District Council

Please note that this Hearing can only be held at this date and time if the Preliminary Meeting due to be held on 12 September 2023 has been formally closed.

Agenda for Issue Specific Hearing 1

10.00am	Examining Authority opens the Hearing.
Item 1	Welcome, preliminary matters and introductions.
Item 2	Purpose of this Issue Specific Hearing (please read Annex B below in advance).
Item 3	<p>The Proposed Development:</p> <ol style="list-style-type: none"> 1. Summary of the Scope. 2. Relationship with TCPA 1990 consent (22/01147/FUL) for the grid supply point substation and associated development. 3. Limits of Deviation.
Item 4	<p>Construction matters:</p> <ol style="list-style-type: none"> 1. Phasing of the Works. 2. Main Site Compound at Leavenheath. 3. Construction Schedule.
Item 5	<p>Construction and operational access and traffic:</p> <ul style="list-style-type: none"> • Transport Assessment. • Temporary traffic regulation orders. • Temporary and permanent measures to access the works. • Traffic impacts on walkers, cyclists and horse riders.
Item 6	<p>Residual impacts, mapping and securing mitigation measures, and the management plans and other control documents:</p> <ul style="list-style-type: none"> • Adequacy of the submitted Register of Environmental Actions and Commitments (REAC) for detailed mapping and securing of necessary mitigation measures. • Use of ambiguous language in four of the management plans.
Item 7	<p>The form and content of the dDCO:</p> <p><u>The Proposed Development</u></p> <ul style="list-style-type: none"> • Clarify the scope of the proposed development. • Understanding Schedule 1 of the dDCO [APP-034] and its relationship with the Work Plans [APP-010]. • Applicant to explain the rationale for including the grid supply point substation to the east of Wickham St Paul within the Proposed Development shown on Work Plans, Sheet 23 [APP-010]. <p><u>Commencement of development</u></p> <ul style="list-style-type: none"> • Distinguish the practical implications of Requirement 2(1) and (2) of the dDCO. • Consider Requirement 2 and its relationship with Article 1 of the dDCO. • Discuss whether a definition of 'begin' is needed. • Consideration of provisions for pre-commencement works. • Review pre-commencement works in the context of Advice Note 15.

	<p><u>Staging of development</u></p> <ul style="list-style-type: none"> • Clarity and enforceability of Requirement 3. <p><u>Limits of Deviation</u></p> <ul style="list-style-type: none"> • Applicability of Article 5 of the dDCO to, and its relationship with ‘Associated Development’ as described in Schedule 1. • Applicant to explain the flexibilities described in Article 5(1)(b), (c) and (d) of the dDCO and outline the circumstances in which they may be exercised. • Consider the Limits of Deviation in the context of the Management Plans and assumptions in the Environmental Statement. • Explore the practical implementation of Article 5(4) of the dDCO. <p><u>Necessity for and scope of selected DCO provisions</u></p> <ul style="list-style-type: none"> • Applicant to explain why Articles 10 and 53 and Schedule 9 are considered necessary. • Local authorities’ and Affected Persons’ views on the implications of the provisions for them. <p><u>Subsequent applications to relevant authorities</u></p> <ul style="list-style-type: none"> • Are the provisions reasonable in terms of timescales and the expertise required to determine them? <p><u>Scope of the Explanatory Memorandum</u></p> <ul style="list-style-type: none"> • Clarify the precedent value of made DCOs cited in the Explanatory Memorandum [APP-035] in the context of guidance at paragraph 1.5 of Advice Note 15. <p><u>Certified documents</u></p> <ul style="list-style-type: none"> • Definition of the Environmental Statement in Schedule 17.
Item 8	Any other business.
Item 9	Review of actions arising.
Item 10	Close of Issue Specific Hearing 1.

Note that the agenda is provided for general guidance and may be subject to change on the day.

If you simply wish to observe this hearing, you will be able to:

- attend the event in person to watch the proceedings;
- view a livestream of the event (a link will be made available on the [project webpage](#) shortly before the event is scheduled to begin); or
- view the recording of the livestream that will be published on the [project webpage](#) shortly after the event has finished.

Annex A

Procedure at Issue Specific Hearings

The Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 dictate that the Examining Authority presides at a hearing, that it has powers of control over the conduct of the hearing, and that it is responsible for determining the procedure.

Participants may be legally represented if they wish, but the Examining Authority will conduct the Hearing in such a way that legal representation will not be required. The Examining Authority will lead the questioning of parties making oral representations and probe, test and assess the evidence. There is usually no cross-examination of witnesses by other parties, though the Examining Authority does have the power to allow this under certain circumstances.

The Hearing will finish when the Examining Authority considers that all matters have been covered and all participants have had an opportunity to make their representations. If there are additional matters to be dealt with, it may be necessary to defer some matters to written questions.

A summary of the evidence presented orally at Issue Specific Hearing 1 should be included in post-hearing submissions to be submitted by Deadline 1 in the draft Examination Timetable (25 September 2023).

The Examining Authority would recommend any parties who are new to the process and wish to learn more about the background and procedures in hearings to read the Planning Inspectorate's [Advice Note 8.5](#), *The Examination: hearings and site inspections*.

Annex B

The purpose of this Issue Specific Hearing

This early Hearing on the scope and details of the Proposed Development, including construction activities, and the principles of the Applicant's draft Development Consent Order (dDCO) is being held to address matters and questions identified by the Examining Authority through its site inspections and reading of submissions to date, including the Relevant Representations.

The Examining Authority considers that it would be expedient to examine these matters in a Hearing at the outset of the Examination to facilitate an understanding of the nature and scope of the Proposed Development. The agenda items may be followed by questions from the Examining Authority and representations from other parties.

Item	Matter
3.0	THE PROPOSED DEVELOPMENT
3.1	Summary of the Scope The Applicant will be asked to explain the reasons for the scope of the Proposed Development, the flexibility in design and layout that is sought, and to indicate where representative visualisations of elements of the Proposed Development can be seen. The Applicant will also be asked to summarise the proposed new infrastructure, identify the existing infrastructure to be removed, highlight modifications to existing infrastructure, types of temporary infrastructure, and the Applicant's proposed community engagement approach.
3.2	TCPA 1990 (22/01147/FUL) grid supply point (GSP) substation Reference ES Figure [PDA-002, Figure 4.1, Sheet 23] and Design and Layout Plans Grid Supply Point Substation Layout [APP-019]. The Applicant will be asked to explain the scope of the TCPA consent, its intentions in terms of implementation, and the effect on the Proposed Development scope of works. If the TCPA 1990 consent is to be implemented, the explanation should include how the development meets good design principles and the Horlock Rules, and the implications for the draft Order. The local planning authority will be invited to contribute to the discussion.
3.3	Limit of Deviation The Applicant will be asked to summarise the works, the reasons for the limit of deviation and explain its relevance at the following locations: <u>Near Assington</u> <ul style="list-style-type: none">• Work Plans - Sheet 17 [APP-010].• Design and Layout Plans Pylon Working Area [APP-029]. <u>Stour Valley</u> <ul style="list-style-type: none">• Cable Sealing End Compound (Stour Valley East) Works shown on Work Plans, Sheet 19 [APP-010] and Design and Layout Plans Stour Valley East Cable Sealing End Compound [APP-025].• Trenchless Crossings - ES Figures, Figure 4.1, Sheet 20 [PDA-002] and Design and Layout Plans Horizontal Directional Drill [APP-033].• Temporary Bridge - ES Figures, Figure 4.1, Sheet 20 [PDA-002] and Design and Layout Plans Temporary Bridge for Access [APP-031].

<p>4.0</p> <p>4.1</p> <p>4.2</p> <p>4.3</p>	<p>CONSTRUCTION MATTERS</p> <p>The Applicant will be asked to give an overview of the temporary measures that are sought for the construction of the works and the construction techniques that would be employed.</p> <p>Phasing of the Works</p> <p>The Applicant will be asked to summarise the phasing of the works for the following elements:</p> <ul style="list-style-type: none"> • Underground works: Cable Working Area Cross Section - Design & Layout Plans Cable Working Cross Section [APP-027]. • Bramford Substation: ES Figures, Figure 4.1, Sheet 1 [PDA-002]. • Stour Valley East Cable Sealing End Compound [APP-025] and ES Figures, Figure 4.1, Sheet 19 [PDA-002]. <p>Main Site Compound at Leavenheath</p> <p>ES Figures, Figure 4.1, Sheet 16 [PDA-002].</p> <p>The Applicant will be asked to explain the following elements:</p> <ul style="list-style-type: none"> • Site selection for the main site compound. • Phasing of the works for the compound, its layout and operation. <p>Construction Schedule [APP-091]</p> <p>The Applicant will be asked to explain the following elements:</p> <ul style="list-style-type: none"> • Overview of the construction schedule (2.1 Baseline) and highlight key differences with Illustration 3.1 Alternative Scenario. • Construction hours (Construction Environmental Management Plan [APP-177]). • Construction worker numbers.
<p>5.0</p> <p>5.1</p> <p>5.2</p> <p>5.3</p>	<p>CONSTRUCTION AND OPERATIONAL ACCESS AND TRAFFIC</p> <p>The Applicant will be asked to summarise the traffic that would be generated by the Proposed Development, the temporary and permanent measures that are sought for access to the works and to the Proposed Development, and the construction traffic impacts on walkers, cyclists and horse riders (WCH). This may be followed by questions from the Examining Authority and representations from other parties.</p> <p>Transport Assessment [APP-061] Transport Strategy</p> <p>The applicant will be asked to explain the following elements:</p> <ul style="list-style-type: none"> • Traffic that would be generated by the project. • Draft status of the construction route strategy (Table 4.1 – <i>'Feedback Received on the Draft CTMP'</i> of [APP-180]). <p>Temporary Traffic Regulation Orders Schedule 12 of draft DCO [APP-034]</p> <p>The applicant will be asked to explain the following elements:</p> <ul style="list-style-type: none"> • Risk based approach to proposing traffic orders that would restrict vehicle speeds, prohibit vehicle access, introduce one-way restrictions, prohibit overtaking and restrict vehicle waiting. • The agencies responsible for civil parking enforcement and enforcing moving traffic offences. • Any proposals to make the 30mph speed restrictions self-enforcing. • Impacts of road closures on emergency services. <p>Temporary and permanent measures to access the works Access Rights of Way and Public Rights of Navigation Plans [APP-012]</p> <p>The applicant will be asked to explain the following elements:</p> <ul style="list-style-type: none"> • The temporary and permanent measures to access the proposed works. • The design standards to be applied.

5.4	<p>Traffic impacts on walkers, cyclists, and horse riders (WCH)</p> <p>The applicant will be asked to explain the following elements:</p> <ul style="list-style-type: none"> • Construction traffic impacts on WCH. • Public rights of way (PRoW) usage surveys (Table 4.2 of Transport Assessment [APP-061]). • Significance and effects assessment for WCH journey length and severance (Appendix 12.1 Traffic and Transport Significance of Effects Tables [APP-134]).
6.0	<p>RESIDUAL IMPACTS, MAPPING AND SECURING MITIGATION MEASURES, AND THE MANAGEMENT PLANS AND OTHER CONTROL DOCUMENTS</p> <p>The Applicant will be asked to summarise the outcome of the environmental impact assessment in terms of significant residual impacts, to describe how the mitigation measures that are found to be required to avoid further adverse effects are secured, including any monitoring of these. The REAC should be explored and compared with the more detailed approach taken by the Applicant in the Yorkshire GREEN proposals, where an <i>'Embedded Measures Schedule'</i> was submitted. The applicant will be asked to explain the use of ambiguous language in four certified documents. This may be followed by questions from the Examining Authority and representations from other parties.</p> <p>6.1 Adequacy of the submitted Register of Environmental Actions and Commitments (REAC) for detailed mapping and securing of necessary mitigation measures. [APP-179 CEMP Appendix B Register of Environmental Actions and Commitments]</p> <p>The Applicant will be asked to explain the following elements:</p> <ul style="list-style-type: none"> • The outcome of the environmental impact assessment in terms of significant residual impacts, • Describe how the mitigation measures to avoid further adverse effects are to be secured and monitored. <p>6.2 Use of ambiguous language in four of the certified documents</p> <p>The applicant will be asked to explain use of ambiguous language in the following certified documents:</p> <ul style="list-style-type: none"> • APP-177 Construction Environmental Management Plan • APP-180 Construction Traffic Management Plan • APP-181 Materials and Waste Management Plan • APP-182 Landscape and Environmental Management Plan
7.0	<p>THE FORM AND CONTENT OF THE DRAFT DCO</p> <p>There will be an initial examination of the Applicant's draft Development Consent Order (DCO). The Applicant will be asked to summarise the proposed Articles and Schedules, how the draft DCO is intended to work, what would be consented, the extent of the powers and the Requirements that are proposed. In doing this, the Applicant will be asked to explain any departure from established practice in drafting DCOs, any need for changes to other legislative provisions, the need for protective provisions and their scope. This will be followed by questions from the Examining Authority, including those matters identified in the Agenda above, and representations from other parties on the issues identified on the Agenda.</p> <p>The discussion about the draft DCO at the Hearing will be held without prejudice to the Examining Authority's final recommendation about whether or not the DCO should be made. The Examining Authority expects there to be ongoing discussions about the draft DCO throughout the Examination.</p>

This Issue Specific Hearing will not examine the detailed content of provisions relating to the Compulsory Acquisition of land or rights or Temporary Possession of land. The draft Examination Timetable proposes at least one Compulsory Acquisition Hearing to examine these topics.

Discussion at the hearing will be based on the following documents, and participants may find it useful to have electronic or hard copies of these to hand:

- Guide to the Plans [APP-007a]
- Work Plans [APP-010]
- General Arrangement Plans [APP-018]
- Design and Layout Plans Stour Valley East Cable Sealing End Compound [APP-025]
- Design and Layout Plans Cable Working Cross Section [APP-027]
- Design and Layout Plans Pylon Designs [APP-028]
- Design and Layout Plans Pylon Working Area [APP-029]
- Design and Layout Plans Temporary Bridge for Access [APP-031]
- Design and Layout Plans Horizontal Directional Drill [APP-033]
- draft Development Consent Order [APP-034]
- Explanatory Memorandum [APP-035]
- ES Non-Technical Summary [APP-068]
- Project Description [APP-072]
- ES Chapter 11 Agriculture and Soils [APP-079]
- Construction Schedule [APP-091]
- ES Appendix 5.4 Assessment Criteria [APP-096]
- ES Appendix 13.1 Dust Risk Assessment [APP-135]
- ES Appendix 14.1 Construction Noise and Vibration Data [APP-136]
- ES Figures [PDA-002]
- ES Figures Part 8 [APP-153]
- ES Figures Part 9 [APP-154]
- Planning Statement [APP-160]
- Construction Environmental Management Plan [APP-177]
- CEMP Appendix A Code of Construction Practice [APP-178]
- CEMP Appendix B Register of Environmental Actions and Commitments [APP-179]
- Planning Inspectorate Advice Note 15: Drafting Development Consent Orders