

Babergh District Council and Mid Suffolk District Council (20041302)

Deadline 3 submission for Bramford to Twinstead (EN020002): Answers to Examining Authority's Questions 1 (ExQ1)

This is the joint deadline 3 submission of Babergh District Council and Mid Suffolk District Council

It sets out the councils' response to Examining Authority's Questions 1 (ExQ1). The councils have no comments on other documents submitted at deadline 2. All document references correspond with those specified in the document library.

Glossary

BMSDC	<i>Babergh Mid Suffolk District Council</i>
DCO	<i>Development Consent Order</i>
ExA	<i>Examining Authority</i>
ExQ	<i>Examining Authority's Questions</i>
FRA	<i>Flood Risk Assessment</i>
ISH	<i>Issue Specific Hearing</i>
LHA	<i>Local Highways Authority</i>
LIR	<i>Local Impact Report</i>
LPA	<i>Local Planning Authority</i>
PROW	<i>Public Rights of Way</i>
SCC	<i>Suffolk County Council</i>





Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX
Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Answers to Examining Authority's Questions 1 (ExQ1)

Reference	Question to:	Question	Local Authority Answer
Miscellaneous and general			
General and cross-topic			
MG1.0.1	The Applicant		
MG1.0.2	The Applicant		
MG1.0.3	The Applicant		
MG1.0.4	The Applicant		
MG1.0.5	East of England Ambulance Services Trust		
MG1.0.6	Essex Police		
Legislation and policy			
MG1.0.7	Local planning authorities	<p>The Planning Statement [APP-160] refers, for example in the Executive Summary, to the draft replacement NPS EN-1 and NPS EN-5 that were the subject of consultation in 2021. Having noted what the Applicant said on the matter in its cover letter [APP-001] should its Planning Statement be updated to reflect the versions issued for consultation in March 2023, given that the application was made after this?</p>	<p>The draft EN-1 and EN-5 are referenced in some of the representations and reports by the Council in relation to landscape and visual issues so the applicants planning statement could be updated with the 2023 versions.</p> <p>Refer to comments from SCC</p>



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
MG1.0.8	The Applicant Local planning authorities	In the Applicant's cover letter [APP-001], reference is made to the Government document <i>Powering Up Britain</i> , published by the Department for Energy Security and Net Zero, March 2023, explaining the reason for not referencing it. What weight should be given to this publication?	Refer to comments from SCC
MG1.0.9	The Applicant Local planning authorities	Neither the Planning Statement [APP-060] nor Chapter 2 of the ES [APP-070] appear to refer to A <i>Green Future: Our 25 Year Plan to Improve the Environment</i> published by the Department for the Environment, Food and Rural Affairs in 2018. The Suffolk councils cite this in their LIR [REP1-045]. What weight should the Applicant give to this publication?	A Green Future: Our 25 Year Plan to Improve the Environment recognises the need for nature and landscape recovery. Chapter 2: Recovering nature and enhancing the beauty of landscapes, Page 58, states '... we will develop a Nature Recovery Network ... more effectively linking existing protected sites and landscapes...' This project could help deliver on these objectives by delivering an effective landscape compensation scheme. Refer to comments from SCC
MG1.0.10	The Applicant Local planning authorities	Neither the Planning Statement [APP-060] nor Chapter 2 of the ES [APP-070] appear to refer to <i>The UK's Industrial Strategy</i> , included in the Suffolk councils' LIR [REP1-045], that gave rise to the associated <i>Build Back Better: our plan for growth</i> that was published by HM Treasury in March 2021. Should the Applicant take account of it?	Refer to comments from SCC
MG1.0.11	The Applicant		
MG1.0.12	The Applicant Local planning authorities	The Suffolk councils' LIR [REP1-045] refers to the Government's <i>Community Benefits for Electricity Transmission Network Infrastructure</i> , published in March 2003. Should the Applicant take account of it?	Refer to comments from SCC



Reference	Question to:	Question	Local Authority Answer
MG1.0.13	The Applicant Local planning authorities	The Suffolk councils' LIR [REP1-045] refers to the National Planning Policy Framework, September 2023. Given that its publication superseded submission of this application, what weight should the Applicant attach to it?	Refer to comments from SCC
MG1.0.14	Local planning authorities	Are the host local planning authorities content with the assessment and conclusions of the Applicant's analysis of the local planning policy context set out in Section 8 and Appendices D and E of the Planning Statement [APP-160] (noting it was written with a 'data-freeze date' of 31 January 2023), Chapter 2 of the ES [APP-070] and ES Appendix 2.2 [APP-089]?	<p>Notwithstanding the freeze date, BMSDC consider it appropriate to draw attention to the changed status of the council's respective development plans by virtue of the progress of the emerging BMSDC Joint Local Plan.</p> <p>On 19th September 2023, the Babergh and Mid Suffolk District Councils received the Inspectors' report on the examination of the Joint Local Plan. The Inspectors' have concluded that, subject to the recommended modifications, the Plan is sound. Accordingly, the JLP and its policies are a material consideration of significant weight.</p> <p>The JLP is expected to be adopted by the councils in November 2023.</p>
MG1.0.15	Local planning authorities	Acknowledging the helpful local policy coverage set out in the LIRs [REP1-039] and [REP1-045], are the host local planning authorities content with the assessment and conclusions of the Applicant's analysis of committed developments overlapping with the proposed Order Limits for the Proposed Development, as set out in Appendix C of the Planning Statement [APP-160]?	<p>Refer to SCC in respect of County determined developments</p> <p>Confirm BMSDC are content in respect of District determined developments</p>
MG1.0.16	The Applicant Mid Suffolk DC Babergh DC	Section 4.3.3 of the Planning Statement [APP-160] states that: ' <i>Section A (Bramford Substation) and Section B (Hintlesham) are addressed separately, despite these are combined into a single Section AB (Bramford/Hintlesham) elsewhere in the application (sic). This recognises that Section A (Bramford Substation) falls within Mid Suffolk District, whereas Section B (Hintlesham) falls</i>	<p>Yes, this is an error. Section B falls within Babergh District.</p> <p>It is noted that parts of Section A fall outside of Hintlesham parish but within the Babergh District parish of Burstall.</p> <p>The administrative boundary is shown on the submitted plans</p>



Reference	Question to:	Question	Local Authority Answer
		<i>within Mid-Suffolk District.</i> Does this need to be corrected in relation to Section B?	
The Proposed Development			
MG1.0.17	The Applicant		
MG1.0.18	The Applicant Natural England RSPB Local planning authorities	ES chapter 4 [APP-072] (paragraph 4.6.6) includes an illustration (4.2) that shows how trees would be cut back where the 400kV line passes through woodland. On either side of the 20m swathe there is a 12.5m band of 'graduated cutting back'. Is this appropriate? It could, for example, lead to tall tree stumps that look unnatural and may not regrow. Might coppicing and regrowth management be more appropriate to achieve a more natural and biodiverse woodland edge ecocline?	<p>A graduated cut is not appropriate or good practice for mature trees within woodland as it would encourage growth where cut which could make them unstable in the future. It would be much better to coppice the full width and manage this appropriately.</p> <p>According to Bat Roosts in Trees (BTHK, 2018), the tops of woodland trees are likely to possess potential roost features (PRFs) which are used by bats for maternity roosts so a graduated swathe is not a low impact measure.</p> <p>If the larger trees and understorey shrubs are crown reduced, rather than pollarded, a more natural result could be produced and avoid the need for severe coppicing over a wider area. (See Arboricultural Association - A brief guide to tree work terminology and definitions (trees.org.uk)). Not all trees will be suitable and works to each swathe should be identified and agreed pre-commencement and verified on site by a suitable arboriculturist.</p>



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
MG1.0.19	The Applicant		
MG1.0.20	The Applicant		
MG1.0.21	The Applicant		
MG1.0.22	The Applicant		
MG1.0.23	The Applicant		
MG1.0.24	The Applicant		
Alternatives			
MG1.0.25	The Applicant		
MG1.0.26	The Applicant		
MG1.0.27	The Applicant		
MG1.0.28	The Applicant		
MG1.0.29	The Applicant		
MG1.0.30	The Applicant		
MG1.0.31	The Applicant		
MG1.0.32	The Applicant		
MG1.0.33	John Duncan Irvine Bennett		
The Funding Statement			
MG1.0.34	The Applicant		
MG1.0.35	The Applicant		
MG1.0.36	The Applicant		
MG1.0.37	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
MG1.0.38	The Applicant		
MG1.0.39	The Applicant		
MG1.0.40	The Applicant		
MG1.0.41	The Applicant		
MG1.0.42	The Applicant		

Socio-economics and other community matters: general

MG1.0.43	Local planning authorities	<p>Do you consider that the methodology used in the analysis of socio-economic impacts in Section 3 of the Socio-Economics and Tourism Report [APP-066] is appropriate and that the analysis has been carried out correctly in the context of this methodology?</p>	<p>No</p> <p>The restriction of the Study Area to the LPAs that are directly affected is inconsistent as the impact on the visitor economy, community and economy will be felt across neighbouring authorities, including Ipswich and East Suffolk, particularly during construction when access is likely to be restricted.</p> <p>The ES doesn't appear to take into account the difference in impact between the areas where pylons would be deployed as opposed to those areas where cables are proposed to be undergrounded. This needs to be assessed separately as the impact, visually as well as environmentally and economically will be very different.</p> <p>Visitor economy Volume & Value reports available for 2022 (the latest data used in the assessment is 2020).</p> <p>No reference to the adopted Culture, Heritage and Visitor Economy Strategy for BMS (adopted March 2023)</p> <p>Accommodation surveys are inconsistent and using the data sources identified excludes Air B&B, self catering, camping and caravanning data which forms a significant part of the accommodation offer in our Districts.</p>
----------	----------------------------	--	--



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
			<p>The data used to generate this baseline is flawed, as it takes into account “usual population” as opposed to the much larger non-resident tourist population.</p> <p>The Hidden Needs report completed in Suffolk in 2020, concluded that over time, the county is becoming relatively less advantaged, and more deprived compared to other areas of England. In 2007, Suffolk was ranked 115th out of 149 Upper Tier Authorities, by 2019, it had slipped to 99th.</p> <p>Barriers to Housing & Services IMD. This domain measures the physical and financial accessibility of housing and local services. The indicators fall into two sub-domains: 'geographical barriers', which relate to the physical proximity of local services, and 'wider barriers' which includes issues relating to access to housing such as affordability and homelessness. Babergh is 45 out of 149 Local Authorities,</p> <p>Mid Suffolk is 43 out of 149 indicating significant deprivation around access to services and housing.</p> <p>Neither of these points is covered within the baseline.</p> <p>Technical Skills Legacy report for Suffolk published that shows construction demand and projected skills needs</p> <p>No social value assessment included for the construction program to show local benefit and no commitment to supporting local procurement or supply chain.</p>
MG1.0.44	Local planning authorities	Do you agree with the conclusions drawn from the socio-economic analysis in the Socio-Economics and Tourism Report [APP-066]? Are there particular points at issue?	<p>No</p> <p>As per concerns raised on the methodology above, the conclusion is considered flawed until these issues have been addressed.</p> <p>The Councils consider that the assumptions used to reach the conclusion that the project is unlikely to have a significant effect on the local economy,</p>



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
			<p>businesses, jobs or employment during construction is flawed. No assessment has ever been carried out that looks at incidental impacts linked to the impact of construction disruption on communities and travel to work, education, healthcare or provision of services. The development is proposed in a rural area with limited routes for public transport, if any of these main routes are impacted during construction, the impact on the affected communities could be significant.</p> <p>The Applicant has also not considered implications of other energy infrastructure projects and cumulative impact.</p>
Socio-economics and other community matters: farming			
MG1.0.45	The Applicant		
MG1.0.46	The Applicant		
MG1.0.47	The Applicant		
MG1.0.48	The Applicant		
MG1.0.49	The Applicant		
MG1.0.50	The Applicant		
MG1.0.51	The Applicant		
MG1.0.52	The Applicant		
MG1.0.53	The Applicant		
MG1.0.54	Local planning authorities	Do you consider that impacts on agriculture businesses have been properly considered and assessed?	<p>No</p> <p>There is no reference to specific impacts on agriculture businesses as part of the assessment.</p>



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
Socio-economics and other community matters: tourism and local recreational users			
MG1.0.55	The Applicant		
MG1.0.56	Local planning authorities	<p>Paragraph 5.2.7 (Effects During Construction) of the Socio-Economics and Tourism report [APP-066] states, 'With these [good practice] measures in place, it is unlikely that the project would result in significant effects on the tourism economy during construction'. Do you consider that the impacts on tourism been properly assessed, particularly with regard to Dedham Vale and the Stour Valley, footpaths, cycleways, bridleways, and other leisure areas? Do you consider that the proposed good practice and mitigation measures would address the potential impacts? If not, what additional measures do you consider are required?</p>	<p>No</p> <p>As identified in previous responses, the baseline and assessment is flawed and therefore the conclusions reached cannot be found sound.</p> <p>There is no differentiation on impact identified between the area of undergrounding in the AONB</p> <p>No reference to the impact on accommodation providers or attractions for lost bookings as people choose not to holiday in this area during construction.</p> <p>A full package of appropriate mitigation measures needs to be agreed and in place in advance of commencement of construction to mitigate this impact to ensure that businesses don't lose out by visitors cancelling bookings as their holiday would be disrupted by construction.</p> <p>Catherine Bailey (Landscape):</p> <p>Visual effects form part of the amenity of the natural landscape and affect users experience of the landscape.</p> <p>Cross reference needs to be made to localised adverse visual effects, particularly permanent and cumulative effects within the LVIA, and appropriate compensation identified, being mindful that most residual adverse visual effects from pylons cannot be effectively mitigated with planting.</p>



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
Socio-economics and other community matters: employment			
MG1.0.57	The Applicant		
MG1.0.58	The Applicant		
Socio-economics and other community matters: businesses			
MG1.0.59	The Applicant		
MG1.0.60	Local planning authorities	Do you consider that the impact of the Proposed Development on businesses has been properly considered and assessed, particularly in relation to the potential for disruption caused by the construction and dismantling process?	<p>No</p> <p>No differentiation in terms of impact between the areas planned for undergrounding or pylons which could result in a different conclusion around impact.</p> <p>No identification of impact on reduced access to services (including businesses, healthcare, education etc) during construction and the challenges this will have.</p> <p>This could also include changes to rural bus services which could have a significant impact on rural businesses and community services and exacerbate rural isolation challenges</p>
Socio-economics and other community matters: local residents and community			
MG1.0.61	The Applicant		
MG1.0.62	Local highway authorities	Could you provide accurate, up-to-date and publicly accessible information on your websites relating to any walking, cycling and horse rider	



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
		diversion routes that were agreed to facilitate the Proposed Development?	
Air quality and emissions			
AQ1.1.1	The Applicant		
AQ1.1.2	The Applicant		
AQ1.1.3	The Applicant		
AQ1.1.4	The Applicant		
AQ1.1.5	The Applicant		
AQ1.1.6	The Applicant		
AQ1.1.7	The Applicant		
AQ1.1.8	The Applicant		
AQ1.1.9	The Applicant		
AQ1.1.10	The Applicant		
AQ1.1.11	The Applicant		
AQ1.1.12	The Applicant		
AQ1.1.13	The Applicant		
AQ1.1.14	The Applicant		
AQ1.1.15	The Applicant		
AQ1.1.16	The Applicant		
AQ1.1.17	The Applicant		
AQ1.1.18	The Applicant		
AQ1.1.19	The Applicant		
AQ1.1.20	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
AQ1.1.21	The Applicant		
Approach to the EIA and the ES, including cumulative effects			
EA1.2.1	The Applicant		
EA1.2.2	The Applicant		
EA1.2.3	The Applicant		
EA1.2.4	The Applicant		
EA1.2.5	The Applicant Local planning authorities	<p>Section 4.10 of ES Chapter 4, the Project Description, [APP-072] assumes that the decommissioning impacts would be no worse than those assessed for construction. Is this a reasonable assumption in relation to all receptors for all topics, such as biodiversity and noise and vibration, bearing in mind the nature and amount of infrastructure to be broken up and removed?</p> <p>Would the following addition to Requirement 12 of the dDCO be beneficial?</p> <p><i>'The written scheme of decommissioning must include sufficient information to demonstrate the validity of the assumption made in the original Environmental Statement for the Proposed Development that decommissioning impacts would be no worse than those concluded for construction or provide new assessments for any types of impact for which this is not demonstrated.'</i></p>	<p>Decommissioning could be worse for ecology as mobile species are likely to take present in habitats created and restored. We support the proposed addition by ExA to Reqt 12 as any major development would need to review the ES conclusions to inform appropriate mitigation and compensation where necessary.</p> <p>The proposed addition to Requirement 12 would also be useful in relation to landscape and visual impacts.</p> <p>Environmental Health team comments:</p> <p>4.10.5 indicates that the decommissioning would follow National Grid processes at that time. The preamble suggests this may be 40-80 years from now at least. Technology and methods for decommissioning may well change significantly in that time as alluded to in the noise and vibration summary. There may also be more noise sensitive receptors constructed and occupied in the vicinity also between construction to decommissioning, these would also need to be taken into consideration at that time.</p> <p>I would consider this addition to be beneficial to all parties.</p>
EA1.2.6	The Applicant		
EA1.2.7	The Applicant		



Reference	Question to:	Question	Local Authority Answer
EA1.2.8	Local planning authorities	Do the local planning authorities agree with the list of plans and projects included in the cumulative effects assessment (ES Chapter 15 [APP-083])?	BMSDC confirm agreement
EA1.2.9	The Applicant		
Biodiversity, ecology and nature conservation, including HRA matters			
EC1.3.1	The Applicant Natural England		
EC1.3.2	The Applicant		
EC1.3.3	The Applicant		
EC1.3.4	The Applicant		
EC1.3.5	The Applicant Natural England Local planning authorities	The LEMP [APP-182] includes proposals for woodland establishment through natural regeneration, using the local seed bank already present. Does the LEMP include sufficient information on which to base the establishment and management of the larger areas that extend some distance from existing woodland on arable soils? Would soil fertility need to be reduced and is further detail needed on control of weeds? Is further detail required on the measures that would be taken if the establishment of naturally regenerated woodland is not occurring satisfactorily? Is the proposed monitoring and aftercare period sufficient?	<p>Soil fertility is helpful for woodland creation to get trees established but the distance from existing woodland will be a limiting factor in the early years. However, scrub will develop more quickly and this will support natural regeneration of woodland over time. By definition, natural regeneration should not need artificial weed control and limited aftercare other than fencing to keep deer out ! Monitoring of the process will inform the need for any supplementary planting where necessary with seeds collected from the trees within nearby woodland areas as stated in Para 8.4.8. Experience of re-wilding of arable land locally suggests natural regeneration can be quite quick depending on the specific environment of each field.</p> <p>We recommend that the aftercare period should be aligned to the Biodiversity Metric timescale to reach the desired condition outcomes.</p> <p>These details should be finalised by the contractor and support discharge of Requirement 10 for the final LEMP and other control documents by the relevant LPA</p>



Reference	Question to:	Question	Local Authority Answer
EC1.3.6	The Applicant Natural England Local planning authorities	Section 9 of the LEMP [APP-182] appears to suggest that most areas of habitat (trees, woodlands, hedges, grasslands) created for mitigation, restoration, compensation and biodiversity net gain revert to the landowner after five years. Is this a correct understanding and do you believe that this is sufficient guarantee that the created habitat would provide its mitigation or compensation function in the longer term?	<p>The initial 5 year aftercare period for habitat creation is not sufficient for any guarantee and at least 10-15 years will be needed for management cycles to support the desired condition outcomes required by the Metric. This needs to be secured by long term monitoring so that remedial measures can be put in place where necessary. It is not considered reasonable for the landowner to bear the cost of long term management to meet the applicant's commitments without recompense.</p> <p>Paragraph 9.1.4 and 9.2.1 amongst others imply a five-year aftercare period is proposed. In places e.g., 9.3.1 it is implied that the maintenance could be handed back to the landowner sooner than five years. It is unlikely that the reinstatement objectives for trees and shrubs could be assured in a five-year period, especially in light of the increasing periods of extended high temperatures and drought experienced in the East of England.</p> <p>In relation to net gain, a minimum of 30 years of maintenance needs to be secured; please refer to Ecology response</p>
EC1.3.7	Suffolk CC Babergh DC Mid Suffolk DC	The Suffolk councils' position in their LIR [REP1-045] in relation to biodiversity impacts (at paragraphs 7.30 and 7.36) is unclear. While the Applicant's ES [APP-075] concluded that there are no likely significant residual effects in relation to biodiversity receptors during construction or operation, the LIR appears to conclude that there would be significant impacts during construction and decommissioning, <i>'There would be material impacts upon ecological features (designated sites, protected and Priority species and habitats).'</i>	<p>Paras 7.30 and 7.36 go on to state "This would include a 80m wide swathe that would be disturbed due to the construction of underground cable sections of the route. Surface infrastructure construction would represent an intrusive feature that would impact ecology during construction."</p> <p>These statements are pre-mitigation and when the LIR was submitted, the ES mitigation was and still it not finalised. We support the use of embedded and good practice mitigation designed to avoid, minimise and compensate for adverse impacts. However, the mitigation details are still not yet agreed. One example is the graduated cut of trees adjacent to the 20m swathe cut under the pylon route through woodland as referred to in ExA Q1 MG1.0.17. This method of working is requires further discussion.</p>



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
		Can the position be clarified with specific instances and supporting evidence.	<p>A further example is the aftercare period for habitat creation being limited to five years ref ExA Q1 EC1.3.5. This does not build confidence that the desired condition outcomes will be reached and the responsibility period should therefore be aligned to the Biodiversity Metric timescale with ongoing monitoring secured by Reqt 5 and delivered under the final LEMP to be agreed by the LPAs.</p> <p>It is therefore considered appropriate that LPA representatives are part of an Advisory Group is set up to help inform decision making throughout the implementation of the LEMP by the contractor. This will take into account consultee feedback and ongoing design refinement and environmental assessment and aim to support discharge of Requirement 5</p>
EC1.3.8	Nick Miller		
EC1.3.9	Nick Miller		
EC1.3.10	The Applicant		
EC1.3.11	The Applicant Natural England		
EC1.3.12	The Applicant Natural England Local planning authorities	The list of plans and projects where in-combination effects could occur was fixed on the 31 January 2023 to allow the HRA to be finalised for submission [APP-057]. Have any further relevant plans or projects come forward or become known since then that might affect the in-combination assessment?	<p>I can't find any list of the plans and projects for the in combination assessment in the HRA report.</p> <p>However, the criteria in section 2.7 to identify plans and projects which could, without mitigation, have a Likely Significant Effect on the Stour & Orwell Estuaries SPA and Ramsar – the only Habitats sites within scope- should be sufficient for the applicant to refresh the list to support the in -combination part of the stage 2 HRA Appropriate Assessment.</p> <p>It should include any live projects and any that have been consented but not yet implemented which have been assessed and could have the same impact pathways - surface water quality and groundwater through pollution and sedimentation incidents on watercourses (some are crossed and subsequently</p>



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
			discharge into the Stour and Orwell Estuaries SPA and Ramsar) and also habitat degradation and indirectly in reduction in species density. Obviously, Norwich to Tilbury is not sufficiently advanced as a project yet to be included but with good practice measures secured for any projects considered under the in combination assessment, this mitigation means the combination of multiple individual de minimis effects is also de minimis.
EC1.3.13	The Applicant		
Compulsory Acquisition, Temporary Possession and other land or rights considerations			
CA1.4.1	Any Affected Person		
CA1.4.2	Any Affected Person		
CA1.4.3	Land Partners LLP on behalf of Robert Shelley		
CA1.4.4	Foot Anstey LLP on behalf of Pivoted Power LLP		
CA1.4.5	Any Affected Person		
CA1.4.6	The Applicant		
CA1.4.7	The Applicant		
CA1.4.8	The Applicant		
CA1.4.9	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
CA1.4.10	The Applicant		
CA1.4.11	Local planning authorities Local highway authorities	<p>Are any of the Councils in their roles as the local planning authority and the highway authority aware of:</p> <p>a) Any reasonable alternatives to the CA or the TP which is sought by the Applicant?</p> <p>b) Any areas of land or rights that the Applicant is seeking the powers to acquire that you consider would not be needed?</p>	No
CA1.4.12	The Applicant		
CA1.4.13	The Applicant		
CA1.4.14	The Applicant		
CA1.4.15	The Applicant		
CA1.4.16	The Applicant		
CA1.4.17	The Applicant		
CA1.4.18	The Applicant		
CA1.4.19	The Applicant		
CA1.4.20	The Applicant		
CA1.4.21	The Applicant		
CA1.4.22	The Applicant		
CA1.4.23	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
CA1.4.24	Mead Farms		
CA1.4.25	Malcolm Frost		
CA1.4.26	Linda Keenan		
CA1.4.27	Land Partners LLP on behalf of Peter Nott		
CA1.4.28	Foot Anstey LLP on behalf of Pivoted Power LLP		
CA1.4.29	Royal Mail		
CA1.4.30	The Applicant		
CA1.4.31	The Applicant		
CA1.4.32	The Applicant		
CA1.4.33	The Applicant		
CA1.4.34	Babergh DC	The Applicant sets out its case in the Special Category Land Report [APP-041] as to why it considers that the areas of open space shown on Special Category Land Plans [APP-009], over which CA of permanent rights in land are being sought, should be treated as an exception to the need for Special Parliamentary Procedure in accordance with s132 (3) of PA2008. Are you persuaded by its evidence? If not, please explain why not.	See CA1.4.35 below



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
CA1.4.35	The Applicant Babergh DC Assington PC	<p>Are the rights sought by the Applicant in respect of land at Assington Green, as shown on Special Category Land Plans [APP-009] at Sheet No. 05 and described in the Special Category Land Report [APP-041], consistent with Policy ASSN-10 Local Green Spaces of the Assington Neighbourhood Plan 2018 - 2036? Please give reasons for your answer and highlight any implications for the Examination.</p>	<p>National planning practice Guidance Paragraph: 020 Reference ID: 37-020-20140306 states: 'Designating a green area as Local Green Space would give it protection consistent with that in respect of Green Belt...'</p> <p>The land does not need to be publicly accessible. '... land could be considered for designation even if there is no public access (e.g. green areas which are valued because of their wildlife, historic significance and/or beauty). Planning Practice Guidance, Paragraph: 017 Reference ID: 37-017-20140306. The Assington Local Green Space (LGS) affected (ASS-10) is only physically accessible from PRow to the west and south but these give extensive views over the LGS (see ANP-Supporting-Doc-Local-Green-Spaces.pdf (onesuffolk.net)</p> <p>Special Category Land Report [APP-041], states at para 2.1.4 'The exemption upon which National Grid proposes to rely is that set out in section 132(3). Section 132 (3) requires that the Order land, when burdened with the Order Rights, be no less advantageous than it was before'...</p> <p>However, at Para 4.1.20 the document identifies that the new transmission tower is only in a similar position to the old one, not the same position, and around 50m to the south. The Council's understanding is that instead of skirting the northern edge of the LGS as the current pylon line does, this would place the new tower and line more centrally within the LGS thus spreading adverse visual effects over a wider area and affecting users of the PRow to the west and south of the greenspace.</p> <p>Therefore, we suggest that the usage of the land could be affected by the rights sought and be less advantageous and thus the Secretary of State (SoS) cannot be satisfied that this project would not cause the land to be less advantageous and therefore special parliamentary procedure (SPP) should apply.</p> <p>In relation to Policy ASSN-10 Local Green Spaces of the Assington Neighbourhood Plan 2018 – 2036, this states that 'Development in the Local Green Spaces will be consistent with national policy for Green Belts.' NPPF 2023 states in 'Proposals affecting the Green Belt', Para 148.' When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by</p>



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
			reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.' Therefore if the proposal and the rights sought cause harm and that harm is not outweighed by other considerations, they could be deemed to be inconsistent with Policy ASSN-10 of the Assington Neighbourhood Plan 2018 – 2036
Construction matters			
General construction matters			
CM1.5.1	The Applicant		
CM1.5.2	The Applicant		
CM1.5.3	The Applicant		
CM1.5.4	The Applicant		
CM1.5.5	The Applicant		
CM1.5.6	The Applicant		
CM1.5.7	The Applicant		
CM1.5.8	The Applicant		
CM1.5.9	The Applicant		
CM1.5.10	East Anglia Three Limited c/o Scottish Power Renewables		
CM1.5.11	The Applicant		
CM1.5.12	The Applicant Suffolk CC Essex CC	The Applicant's written summary of oral representations to Issue Specific Hearing 1 [REP1-024] notes that the provisional programme has been prepared using 'standard industry working hours'. Can you provide any evidence to	



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
		demonstrate that Sundays and bank holidays are or are not standard industry working hours?	
CM1.5.13	The Applicant		
CM1.5.14	The Applicant		
CM1.5.15	The Applicant		
CM1.5.16	The Applicant		
CM1.5.17	The Applicant		
CM1.5.18	The Applicant		
CM1.5.19	The Applicant		
CM1.5.20	The Applicant		
CM1.5.21	The Applicant		
CM1.5.22	The Applicant		
CM1.5.23	The Applicant		
CM1.5.24	The Applicant		
CM1.5.25	The Applicant		
CM1.5.26	The Applicant		
CM1.5.27	The Applicant		
CM1.5.28	The Applicant		
CM1.5.29	The Applicant		
CM1.5.30	The Applicant		
CM1.5.31	The Applicant		
CoCP and control documents			
CM1.5.32	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
CM1.5.33	The Applicant		
CM1.5.34	The Applicant		
CM1.5.35	The Applicant		
CM1.5.36	The Applicant		
CM1.5.37	The Applicant		
CM1.5.38	The Applicant		
CM1.5.39	The Applicant		
CM1.5.40	The Applicant		
CM1.5.41	The Applicant		
CM1.5.42	The Applicant		
CM1.5.43	The Applicant		
CM1.5.44	The Applicant		
CM1.5.45	The Applicant		
CM1.5.46	The Applicant		
CM1.5.47	The Applicant		
CM1.5.48	The Applicant		
CM1.5.49	The Applicant		
CM1.5.50	The Applicant		
CM1.5.51	The Applicant		
CM1.5.52	The Applicant		
CM1.5.53	The Applicant		
CM1.5.54	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
CM1.5.55	The Applicant		
CM1.5.56	The Applicant		
CM1.5.57	The Applicant		
CM1.5.58	The Applicant		
CM1.5.59	The Applicant		
CM1.5.60	The Applicant		
CM1.5.61	The Applicant		
CM1.5.62	Braintree DC Mid-Suffolk DC Babergh DC Essex CC Suffolk CC Environment Agency Natural England	<p>The CEMP [APP-177], CTMP [APP-180], MWMP [APP-181] and LEMP [APP-182] appear to be submitted as final documents, without a requirement to submit and approve detailed versions in the dDCO [APP-034]. Could you:</p> <ul style="list-style-type: none"> comment on the Applicant's proposed approach; identify any outstanding concerns with the content of the plans; describe the steps considered necessary to resolve outstanding concerns by close of Examination; and provide comments on the Applicant's proposed approach to managing future change of these management plans, i.e., that the Applicant would provide details of the change together with evidence of stakeholder engagement, and request that the relevant planning authority endeavours to respond to confirm its consent to the change or reasons for not accepting within 28 days? 	<p>The LPAs consider it is essential that a 2 stage process for these App documents with approval of final detailed versions submitted by the contractor are approved following further consultation. The proposed standard response time for changes to management plans is not flexible as some may be minor whilst others could require detailed stakeholder engagement.</p> <p>Para 8.2.1 of the LEMP [APP-182] refers to the Vegetation Reinstatement Plan in Appendix B (application document 7.8.2) as being a combination of proposed embedded planting at the GSP substation and around the CSE compounds, reinstatement planting, landscape softening, habitat compensation and additional planting required to mitigate an environmental effect. In the Environmental Gain Report APP- 176, para 6.2.1 refers only to landscape mitigation and biodiversity enhancements not landscape enhancements or mitigation.</p> <p>As there are likely many residual landscape and visual effects, significant or otherwise, clarity is needed on how and where landscape enhancement and compensation has been or will be strategically addressed as opposed to biodiversity net gain, or details of an approach including the scope and extent of compensation agreed with The Councils and appropriate environmental bodies.</p> <p>It would be preferable to The Councils if the LEMP was submitted as a draft as part of the dDCO not a final document.</p>



Reference	Question to:	Question	Local Authority Answer
			<p>EH team comments in relation to noise and vibration, dust matters only: APP-177 The methods proposed for the control of noise, vibration and dust from the on site activities in line with chapter 14 of the ES are in line with those we would require for construction activities They propose to use modern plant. However, We would require a separate assessment and proposals for mitigation as required to be submitted where percussive piling is to be used. Reduced working hours would be expected too for example 0800-1700 for piling activities (to be agreed with the LPA)</p> <p>We would ordinarily consider the following to be acceptable working hours 08.00 and 18.00hrs Mondays to Fridays and between the hours of 09.00 and 13.00hrs on Saturday. There shall be no working and/or plant operated on Sundays and Bank Holidays. Deliveries to the development/use only within these times. However, we believe that the hours proposed are in line with the DCO although this appears to be a draft only. If this is the case and a final document hasn't been agreed then we would like to see those times amended to our acceptable hours of work.</p> <p>Managing Future change - section 14/4/11 relates to unscheduled overruns. I would consider them to fall into the same category as requiring a COPA1974 S61 prior consent which the previous section deals with. There would be a need for an application to be submitted detailing times of work, plant details and noise/vibration levels proposed and submitted at least 28 days prior to the work commencing beyond the existing permissions. I have no comments or observations to make in regard to the other documents</p>
CM1.5.63	The Applicant		
CM1.5.64	The Applicant		
Draft Development Consent Order			
DC1.6.1	The Applicant		
DC1.6.2	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
DC1.6.3	The Applicant Local planning authorities	Paragraph 21 of PINS Advice Note 15: <i>Drafting Development Consent Orders</i> deals with the issue of defining 'commencement' - advance works and environmental protection and suggests they are generally unlikely to find favour with the SoS. The Applicant's associated submission is noted at paragraphs 3.6.14 and 3.6.15 of the Explanatory Memorandum (EM) [APP-035]. Nevertheless, can the range of potential 'pre-commencement operations' in Article 2 of the dDCO reasonably be described as either <i>de minimis</i> or having minimal potential for adverse impact?	Refer to the comment of SCC
DC1.6.4	The Applicant		
DC1.6.5	The Applicant Local planning authorities	Is the definition of 'pre-commencement operations' in Article 2 sufficiently clear and unambiguous? For example, 'demolition of existing buildings' could be read as meaning either the surveys required for the demolition of existing buildings or the actual demolition of existing buildings. Is amendment required in this or other respects?	Refer to the comment of SCC
DC1.6.6	The Applicant		
DC1.6.7	The Applicant		
DC1.6.8	The Applicant		
DC1.6.9	Braintree DC Essex CC	Looking at the final sentence of paragraph 21.2.7 of your LIR [REP1-039], how should the dDCO be amended to address your specific concern about 'trigger timings'.	
DC1.6.10	The Applicant		
DC1.6.11	The Applicant		
DC1.6.12	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
DC1.6.13	The Applicant		
DC1.6.14	The Applicant		
DC1.6.15	The Applicant		
DC1.6.16	The Applicant Local planning authorities	In exercising rights conferred by Article 5, is it sufficiently clear on the face of the dDCO, without recourse to supporting documents, where construction activity should and should not take place, e.g., to avoid certain features or environmentally sensitive areas?	Refer to the comment of SCC
DC1.6.17	The Applicant		
DC1.6.18	The Applicant		
DC1.6.19	The Applicant		
DC1.6.20	The Applicant		
DC1.6.21	The Applicant		
DC1.6.22	The Applicant		
DC1.6.23	The Applicant		
DC1.6.24	The Applicant		
DC1.6.25	The Applicant		
DC1.6.26	The Applicant		
DC1.6.27	The Applicant		
DC1.6.28	The Applicant		
DC1.6.29	The Applicant		
DC1.6.30	The Applicant		
DC1.6.31	Essex CC	Save for the disapplication provisions subject of the previous question, are the highway authorities	



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
	Suffolk CC	content with the disapplication of the New Roads and Street Works Act 1991 that is sought by Articles 13 (3) and 13 (4) in relation to works executed under Article 12? If not, please explain why not and advise how those provisions might be changed to address your concerns.	
DC1.6.32	The Applicant		
DC1.6.33	The Applicant		
DC1.6.34	The Applicant		
DC1.6.35	The Applicant		
DC1.6.36	The Applicant		
DC1.6.37	The Applicant		
DC1.6.38	The Applicant		
DC1.6.39	The Applicant		
DC1.6.40	The Applicant		
DC1.6.41	Statutory Undertakers	Are you content with the extent of the powers sought under Article 20? If not, set out your reasons and any suggested amendments to the wording of this Article.	
DC1.6.42	Statutory Undertakers	Have you any objection to: a) The powers sought in connection with your land, building, structure, apparatus and equipment? b) The powers sought outside of the Order Limits? c) The notice periods (Article 20 (5) and (6))? d) The definition of 'protective works' (Article 20 (12))?	
DC1.6.43	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
DC1.6.44	Any Affected Person	Do you consider that 14 days' notice (Article 21 (3)) is an appropriate and reasonable amount of notice for the undertaker to give you prior to entering land to undertake surveys and investigations? If not, what notice period would you consider to be proportionate and reasonable?	BMSDC, as land owner, consider to be acceptable.
DC1.6.45	The Applicant		
DC1.6.46	The Applicant		
DC1.6.47	Any Affected Person	Do you agree with the notice periods set out in Articles 26 (2), 27 (2), 28 (3) and 28 (11)? If not, set out the reasons why you do not agree and suggest timescales that you consider to be appropriate, with reasoning.	BMSDC, as land owner, consider to be acceptable.
DC1.6.48	The Applicant		
DC1.6.49	The Applicant		
DC1.6.50	The Applicant		
DC1.6.51	Local planning authorities	Are you satisfied that Articles 46 (2) and (3) provide a reasonable and proportionate defence to statutory nuisance. If not, why not?	<p>articles 46(2) and (3) as follows:</p> <p>(2) For the purposes of paragraph (1) above, compliance with the controls and measures relating to noise described in the Construction Environmental Management Plan will be sufficient, but not necessary, to show that an alleged nuisance could not reasonably be avoided. (3) Where a relevant planning authority is acting in accordance with section 60(4) and section 61(4) of the Control of Pollution Act 1974 in relation to the construction of the authorised development then the local authority must also have regard to the controls and measures relating to noise referred to in the Construction Environmental Management Plan</p>



Reference	Question to:	Question	Local Authority Answer
			<p>Environmental Health team comments</p> <p>Where noise levels have been agreed with the LA for a COPA1974 S.61 prior consent, this will provide a defence to the person undertaking the construction activities providing they remain within those levels with no exceedances. However, where levels are exceeded then Statutory Nuisance may exist under the EPA1990 S.79. The LA may take action under S.80.</p> <p>It should be noted that an individual aggrieved may still take action under the EPA1990 S.82 or seeking an injunction.</p> <p>I would not consider the mere agreement to a CMP by the LPA to be a reasonable and proportionate defence. Controls will reduce the likelihood of a Statutory Nuisance but not completely exclude the possibility of action taken under EPA1990 S.80.</p>
DC1.6.52	The Applicant		
DC1.6.53	The Applicant		
DC1.6.54	The Applicant		
DC1.6.55	The Applicant		
DC1.6.56	Braintree DC Essex CC	At paragraph 21.3.13 of your LIR [REP1-039], you raised concerns about the implications for vessels moored upstream of proposed works on the River Stour. Do the Applicant's Comments on Relevant Representations [REP1-025] on pages 81 and 102 as they relate to the works, allay your concerns about Article 50. If not, how should it be redrafted to address them?	
DC1.6.57	Environment Agency		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
DC1.6.58	The Applicant Local planning authorities	Whose would be responsible for registering Article 53's provisions as a local land charge, including any associated cost, as Article 53 (6) seeks?	The applicant in consultation with the landowner.
DC1.6.59	The Applicant Local planning authorities	A proposal's implications for the construction and operation of the Proposed Development would be capable of being a material consideration in determining any application for planning permission made wholly or partly within the Order Limits by virtue of Section 70 of the Town and County Planning Act 1990. In that context, is the Article 53 proposal to add to local planning authorities' administrative burden proportionate and necessary?	Refer to comments from SCC
DC1.6.60	The Applicant Local planning authorities	The local planning authority is under a legal duty to determine applications for planning permission according to principles of administrative law. If this is not done, there is opportunity for challenge under existing legislation and public law principles. In relation to the proposed Article 53, do you consider the existing legal checks and balances to be insufficient to protect the Applicant's interests?	Refer to comments from SCC
DC1.6.61	The Applicant Local planning authorities	Article 53 (5) of the dDCO would require that the matters raised in the undertaker's representations are 'addressed'. This contrasts with Section 70 (2) (c) of Town and County Planning Act 1990 that requires a local planning authority to 'have regard to' the listed considerations. Would this facet of the Article's wording arguably fetter a local planning authority's implementation of the provision of Town and County Planning Act 1990 by including the word 'addressed' as opposed to 'have regard to'?	Refer to comments from SCC



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
DC1.6.62	The Applicant Local planning authorities	In relation to Article 53, the EM [APP-035] cites the Thames Tideway Tunnel Order as precedent but does not explain what it considers to be the factual similarities between the consented scheme and the Proposed Development? How are they considered to be comparable? Are the Thames Tideway Tunnel Order and the Proposed Development not distinguishable in terms of context with this being a predominantly rural area subject to comparatively less development pressure?	Refer to comments from SCC
DC1.6.63	The Applicant		
DC1.6.64	Local planning authorities	Do you have any observations on the Applicant's response to Action Point 21 (AP21) arising from ISH1 that is set out on pages 14 and 15 of [REP1-034]?	Refer to comments from SCC
DC1.6.65	The Applicant		
DC1.6.66	The Applicant		
DC1.6.67	The Applicant		
DC1.6.68	The Applicant		
DC1.6.69	Local planning authorities	Does the Applicant's response to Action Point 22 (AP22) arising from ISH1 address local planning authorities' concerns that were raised in the preceding question? ([REP1-034], at page 15.)	Refer to comments from SCC
DC1.6.70	The Applicant		
DC1.6.71	Local planning authorities	Do you wish to respond to the Applicant's remarks about 'Associated Development' in its comments on RRs [REP1-025] at page 80?	Refer to comments from SCC
DC1.6.72	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
DC1.6.73	The Applicant		
DC1.6.74	The Applicant		
DC1.6.75	The Applicant Local planning authorities	Article 2 of the dDCO includes a definition of 'commence' but neither it nor Requirement 1 define 'begin' for the purposes of Requirement 2 (1). For the sake of precision and enforceability, is such a definition required?	Refer to comments from SCC
DC1.6.76	The Applicant		
DC1.6.77	Local planning authorities	Is the distinction between the applicability of the time limits in Requirement 2 precise and enforceable? If not, how should it be changed?	Refer to comments from SCC
DC1.6.78	Local planning authorities	Notwithstanding how 'stage' is defined in Requirement 1 of the dDCO, is it sufficiently clear to you what it means in the context of Requirement 3?	Refer to comments from SCC
DC1.6.79	The Applicant Local planning authorities	Should the written scheme referred to in Requirement 3 (1) be subject to approval by the relevant planning authority within a stated time period? If not, why not?	Refer to comments from SCC
DC1.6.80	Local planning authorities	Should any amendments to the written scheme, referred to in Requirement 3 (2), be subject to approval by the relevant planning authority? If so, why?	Refer to comments from SCC
DC1.6.81	The Applicant		
DC1.6.82	Suffolk CC Babergh DC Mid Suffolk DC	Requirement 4 (3) refers to ' <i>other discharging authority as may be appropriate to the relevant plan concerned</i> '. Would this not address your concern that any departure from the CTMP should be agreed with the relevant highway authority?	BMSDC understand that SCC prefer explicit reference to the Highway Authority and have no objection to this



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
DC1.6.83	The Applicant		
DC1.6.84	The Applicant		
DC1.6.85	Suffolk CC Babergh DC Mid Suffolk DC	Following on from your comment in paragraph 6.26 of your LIR [REP1-045], can you specify which Requirement(s) you consider need to be amended and suggest wording that would address your concerns?	Refer to comments from SCC
DC1.6.86	The Applicant Local planning authorities	Should Requirement 8 refer to the baseline information and assessment set out in the Arboricultural Impact Assessment [REP1-011]? If not, why not?	Refer to comments from SCC
DC1.6.87	The Applicant Local planning authorities	Should the plan submitted under Requirement 8(1) also include: <ul style="list-style-type: none"> tree protection plans detailing temporary physical tree protection measures according to BS 5837:2012; a schedule of any proposed tree and hedgerow management to facilitate retention; specifications for temporary physical protection for retained and vulnerable trees; and details of an auditable system of compliance with the approved protection measures? If not, why not?	Refer to comments from SCC
DC1.6.88	The Applicant		
DC1.6.89	The Applicant Local planning authorities	Should Requirement 9 also refer to the need to include details of ground cultivation for planting, five-year maintenance proposals, and	Refer to comments from SCC



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
		arrangements for the identification and replacement of any failures? The Applicant is referred to the Yorkshire Green dDCO as an example.	
DC1.6.90	The Applicant		
DC1.6.91	The Applicant Local planning authorities	In the interests of clarity, do you agree that the maintenance arrangements in Requirement 10 (3) would be better part of the reinstatement planting plan to be agreed by the relevant planning authority and thus should be included in that plan and referred to in Requirement 9? If not, please explain why not.	Refer to comments from SCC
DC1.6.92	The Applicant		
DC1.6.93	Suffolk CC Babergh DC Mid Suffolk DC	What wording would you suggest in place of Requirement 11 as drafted?	Refer to comments from SCC
DC1.6.94	The Applicant		
DC1.6.95	The Applicant		
DC1.6.96	The Applicant		
DC1.6.97	Essex CC Braintree DC	In paragraphs 21.5.10 and 23.3.2 of your LIR you refer to additional Requirements that you say should be considered. Can you provide draft wording of the additional Requirements that you consider need to be included in the DCO to deliver the project?	
DC1.6.98	The Applicant		
DC1.6.99	The Applicant		
DC1.6.100	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
DC1.6.101	The Applicant		
DC1.6.102	Local planning authorities	Can you respond to the Applicant's submission on 'Timeframes for Determining Applications and Fees' in its comments on RRs [REP1-025] at page 82?	Refer to comments from SCC
DC1.6.103	Suffolk CC Babergh DC Mid Suffolk DC	Why do you consider paragraph 3 (2) of Schedule 4 to be unreasonable? How does it need to be amended to address your concerns?	Refer to comments from SCC
DC1.6.104	Local planning authorities	What fee should be levied by paragraph 3 (1) (b) of Schedule 4 of the dDCO?	Refer to comments from SCC
DC1.6.105	Suffolk CC Babergh DC Mid Suffolk DC	Can you provide suggested wording of the amendments to Articles, Requirements and Paragraph 1 of Schedule 4 that you refer to in paragraph 17.87 (a to j inclusive) of your joint LIR [REP1-045]?	Refer to comments from SCC
DC1.6.106	The Applicant		
DC1.6.107	The Applicant		
DC1.6.108	The Applicant		
DC1.6.109	The Applicant		
DC1.6.110	The Applicant		
DC1.6.111	The Applicant		
DC1.6.112	The Applicant		
DC1.6.113	The Applicant		
DC1.6.114	The Applicant		
DC1.6.115	The Applicant		
DC1.6.116	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
DC1.6.117	Natural England		
DC1.6.118	The Applicant		
DC1.6.119	Suffolk CC Babergh DC Mid Suffolk DC	At paragraph 12.11 of your LIR [REP1-45] you refer to the need for a Requirement to address decommissioning and removal route; can you suggest the wording that you would like to see included within the DCO?	Refer to comments from SCC
DC1.6.120	The Applicant Environment Agency		
Good design			
GD1.7.1	The Applicant Essex CC Braintree DC	Does the design of the proposed mitigation mounds and planting at the proposed new grid supply point substation comply with Horlock Guideline 9 and the good design tests in NPS EN-1 in terms of existing landscape character and landform?	
GD1.7.2	The Applicant		
GD1.7.3	The Applicant		
GD1.7.4	The Applicant		
Historic environment			
HE1.8.1	Historic England Babergh DC Mid Suffolk DC Suffolk CC	Are you content with the study areas used for the historic environment baseline studies (paragraph 8.4.5 ff, ES Chapter 8 [APP-076])?	Yes – the 3km area for designated assets and 250m for non-designated is a large area to cover; 1km is normally the search area, so 3km is refreshing to see.



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
HE1.8.2	Historic England Babergh DC Mid Suffolk DC Suffolk CC	The assessment of effects on settings in ES Chapter 8 [APP-076] (paragraphs 8.1.6, 8.4.11, 8.4.17, 8.4.22, etc) seems to rely on intervisibility between the Proposed Development and potential historic environment receptors. Do you understand that to be the case, and, if so, are you content with the approach?	Agree that the intervisibility does seem to be the hinge point for the assessments. In terms of the pylons and cabling, this is reasonable, as the affect will be almost exclusively visual. For the substations and compounds, other changes such as noise, increased traffic, lighting etc need to also be considered. As the submissions to date all reference HE's document GPA3, The Setting of Heritage Assets, in which a checklist is given of potential receptors, I do have confidence that the applicant is aware of the other potentially harmful aspects of the scheme, beyond visual impacts. However, if this is nor forthcoming, I will flag/question any conclusions or assessments which fail to look at other potentially harmful impacts.
HE1.8.3	Historic England		
HE1.8.4	The Applicant		
HE1.8.5	Braintree DC Essex CC	In your LIR [REP1-039], you say that ' <i>further work will need to be done to understand the full impact of the proposals once the route has been finalised, and limits of deviation agreed</i> ' (paragraph 11.4.1). Explain this comment in the context that the draft DCO sets the proposed Limits of Deviation for the route and that the Applicant says that the assessment has been carried out on the worst-case effect for each receptor. What further information and assessment would be required? Similarly, paragraph 11.6.2 suggests that, ' <i>as this application progresses, further detail must be given regarding the heritage assets which have been identified as affected by the proposals...</i> ', and goes on to suggest that this must inform the mitigation measures. Please explain what further information and assessment is considered to be required.	
HE1.8.6	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
HE1.8.7	The Applicant		
HE1.8.8	The Applicant		
HE1.8.9	Historic England Babergh DC Mid Suffolk DC Suffolk CC The Suffolk Preservation Society	<p>A number of parties have raised issues in relation to effects on the Grade I listed Hintlesham Hall and the associated listed buildings. The Applicant's proposals here are said to be based on the micro-siting of towers agreed with Historic England prior to the project being put on hold in 2013, but the proposed Limits of Deviation proposed would allow pylons to vary from the indicative agreed positions.</p> <p>Do you consider this approach acceptable in the area within the setting of Hintlesham Hall?</p> <p>Are there any implications in relation to avoidable harm to Hintlesham Hall?</p> <p>Can you confirm if there is a specific area, component or extent of the proposed Limits of Deviation that is of concern, and any harm you consider could arise.</p> <p>Should any changes or deviation be restricted to those agreed by the relevant local planning authority and Historic England?</p> <p>Paragraph 8.11.6 of the ES [APP-076] addresses the sensitivity testing that was carried out in relation to pylon locations and alignment and concludes that, 'the pylons could be located anywhere within the parameters of the LoD (including the vertical LoD) without resulting in significant effects to heritage assets.' Do you agree with this conclusion?</p> <p>Is the sensitivity testing and conclusion further described in the Applicant's Hintlesham Hall</p>	<p>No. The limits of deviation are a concern in particularly sensitive areas, such as Hintlesham Hall. We would ask that the limits of deviation do not apply in such areas and that any placement of towers is thoroughly considered and justified, with this including impact assessments and reasoning behind the proposed placements.</p> <p>The limits of deviation as proposed in the draft DCO can increase the pylon height by 4m and move their placement within the corridor. Furthermore, section 5 (4) of the draft DCO says this would not apply if it is felt that the impact would not be more than outlined in the EIS. Document 6.3.8.2.1: ES Appendix 8.2 – Annex A Hintlesham Hall Assessment concludes that the effects will be minor (not significant). Does this mean that the limits of deviation will still apply in the area around Hintlesham, as it would not take the level of harm into the realms of substantial/significant effects, despite the fact that the placement of the pylons and an increase in height could have an exacerbating effect, beyond that shown in the photomontages? (eg. AB20 and HV01).</p> <p>There is potential here that the levels of deviation permitted by the DCO would undermine all the work previously undertaken to agree on the location of pylons close to Hintlesham Hall.</p> <p>I recommend that the limits of deviation do not apply in the area around Hintlesham Hall, especially the increase in height. Alternatively, the local authority need to be consulted on such deviations and the changes agreed before construction takes place.</p> <p>I agree that there will not be significant effects in so much as there will not be substantial harm to the setting and significance of the assets. There may well, however, be an increase in the level of less than substantial harm and an exacerbation of pre-existing negative elements. This harm should not be overlooked or assumed acceptable because it would not entirely remove the setting or significance of the building, as the NPPF makes it clear that any form of harm to the significance of a heritage asset should be considered in the planning balance.</p>



Reference	Question to:	Question	Local Authority Answer
		Assessment [APP-128] sufficiently evidenced, and do you agree with the conclusion?	I agree that there will be less than substantial harm to the heritage assets (para 4.5.4 of APP-128) and that the changes which have occurred to the Hall's setting have already partially diminished the contribution the setting makes to its overall significance. This does not mean, however, that an exacerbation of the incongruous elements will have no effect, and the report includes a conclusion to this affect (para 4.5.4 'minor effects (not significant) are considered to constitute harm). The terminology used 'eg. it will not have a significant effect (para 4.5.1) is somewhat misleading, as although the effect may not be significant in EIA terms, it is not by any means low or negligible.
HE1.8.10	The Applicant Historic England Babergh DC Mid Suffolk DC Suffolk CC The Suffolk Preservation Society	Noting that nearby locations and slightly different angles of view might introduce one or more of the proposed new pylons into the visualisation in addition to the new overhead lines, is the location of viewpoint HV01 [APP-063] reasonably representative of the full range of potential impacts on the listed buildings at the Hintlesham Hall estate, including their setting? On this basis, is the assessment set out in the Hintlesham Hall Assessment [APP-128] a reasonable worst case?	The heritage effects should not be considered in isolation from the landscape and visual issues which help inform discussion of setting, VP HV01 does not represent the full range of potential adverse effects either on landscape or on the users of the PRoW system within what was the historic extent of the parkland surrounding Hintlesham Hall. VP HV01 is situated NW of the remaining hedgerow adjoining Hintlesham Park which mitigates some of the cumulative adverse effects from the proposed row of pylons and cable. Elsewhere, however, views from PRoW 32 and 34A to the north of VP HV01, lie within the historic boundaries of Hintlesham Park, which forms part of the setting of the hall, but have no such screening. Thus, VP HV01 represents only a limited range of landscape and visual receptors, and therefore cannot fully represent the effects on the setting. Laura Johnson – Heritage: I do not think the assessment given in APP-128 goes into enough detail regarding the limits of deviation and the potential effects of this. The worst case would be the taller pylons, positioned at such a distance and location that makes them especially prominent from the Hall, and in views toward the Hall. The organisation/placement of the pylons can also affect the cluttering effect of the landscape, as a staggered location may not conceal or limit the views of both lines, for example. I disagree that because the parkland has already been degraded due to the presence of the existing line, the effect of the new line will be smaller, as the report seems to suggest (section 4.4.2). The assessment should go further and does not seem to be a reasonable worst case scenario.
HE1.8.11	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
HE1.8.12	The Applicant		
HE1.8.13	The Applicant		
HE1.8.14	The Applicant		
HE1.8.15	The Applicant Historic England		
Landscape and views, including trees and hedgerows			
AONB			
LV1.9.1	Natural England Local planning authorities Dedham Vale AONB and Stour Valley Partnership The PCs of Assington, Bures St Mary, Leavenheath, Little Cornard, Polstead and Stoke by Nayland	Having seen the information from the Applicant in ES Appendix 6.2 Annex A, Dedham Vale AONB Approach and Identification of Setting Study [APP-099], and its comments on RRs (e.g., section 2.12, section 2.13, page 64, section 3.9, page 113) [REP1-025], explain any outstanding concerns that you may have in relation to the Applicant's definition of, and assessment of impacts on the setting of the Dedham Vale AONB.	Document APP-099 Fig 5.1 – Proposed AONB Setting in Relation to the Project illustrates how a substantial part of the proposed overhead route west of Leavenheath as far as the Stour Valley East Cable Sealing End Compound (a distance of around 3Km) is deemed to lie within the setting of the AONB. Concerns remain that significant residual localised adverse effects could remain from the proposed overhead line and pylons, and that if the proposals go ahead the effects are not fully compensated for.
LV1.9.2	The PCs of Assington, Bures St Mary, Leavenheath, Little Cornard, Polstead and		



Reference	Question to:	Question	Local Authority Answer
	Stoke by Nayland		
LV1.9.3	Dedham Vale AONB and Stour Valley Partnership	Your RR [RR-028] raised the matter of how the Proposed Development would impact on the ability to deliver the AONB's statutory purpose, without further detail. Having seen the Applicant's comments on your RR [REP1-025], can you elaborate on any outstanding concerns in relation to this?	
LV1.9.4	Natural England Local planning authorities Dedham Vale AONB and Stour Valley Partnership	Having seen the Applicant's comments on RRs [REP1-025] (e.g., page 113 ff) and its document, The Dedham Vale AONB Special Qualities and Statutory Purpose [REP1-032], do you believe that any further information is required to assess the Proposed Development's effects on the special qualities of the AONB? Do you agree with the Applicant's conclusions in this regard, and, if not, why not?	Refer to comments from the Dedham Vale and Stour Valley Partnership
LV1.9.5	The Applicant Dedham Vale AONB and Stour Valley Partnership	A number of AONB policy and management documents have been mentioned in submissions into the Examination, including: 'the AONB Management Plan' and six position statements on key issues affecting the AONB (including the ' <i>Dedham Vale AONB Position Statement: Development in the Setting of the Dedham Vale AONB</i> ') (ES Appendix 6.2 Annex A, Dedham Vale AONB Approach and Identification of Setting Study [APP-099]); the ' <i>Dedham Vale AONB and SVPA Management Plan (2016-2021)</i> '; the ' <i>Dedham Vale AONB and SVPA Management Plan (2021-2026)</i> '; and the 'Dedham Vale Area of Outstanding Natural Beauty: Natural Beauty and Special Qualities document' [RR-028]. Which of these do you believe to be important and relevant to the considerations	



Reference	Question to:	Question	Local Authority Answer
		of the ExA and SoS, and do any of them need to be submitted into the Examination as a consequence?	
LV1.9.6	Natural England Local planning authorities Dedham Vale AONB and Stour Valley Partnership	Do you consider that the information submitted by the Applicant in its comments on RRs [REP1-025] (e.g., page 92 and page 113 ff) is sufficient to conclude that the Applicant properly addressed its duty of regard to the purpose of the AONB as described in section 85 of the Countryside and Rights of Way Act (2000)? If not, why not?	Refer to comments from the Dedham Vale and Stour Valley Partnership
Visual assessment			
LV1.9.7	The Applicant		
LV1.9.8	The Applicant		
LV1.9.9	The Applicant		
LV1.9.10	The Applicant		
LV1.9.11	The Applicant		
LV1.9.12	The Applicant		
LV1.9.13	The Applicant		
LV1.9.14	The Applicant		
LV1.9.15	The Applicant		
LV1.9.16	Suffolk CC	Your suggested locations for site inspections [PDA-007] includes VP AB2.19 (location 2). Is this an incorrect reference as it could not be located in the application documentation?	
LV1.9.17	The Applicant Suffolk CC	Suffolk CC [PDA-007] believes there is an omission on Photomontages 34A and 34B [APP-065] (which display VP G07 in year 1 and year 15), in that no	



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
		mitigation planting is shown in year 15 whereas ES Appendix 6.4, Viewpoint Assessment Section G Part 6 [APP-106], notes that year 15 would include mitigation. What is the situation with this?	
LV1.9.18	The Applicant		
LV1.9.19	Braintree DC Essex CC	At paragraph 7.4.3 of your LIR [REP1-039], you suggest that there should be additional representative viewpoints and a visual assessment from public rights of way east of the A131 ('Twinstead 23, Twinstead 1 and Great Henny 18'). Can you specify the locations that you consider to be required, and what additional information this would add to the assessment?	
LV1.9.20	The Applicant		
LV1.9.21	The Applicant		
LV1.9.22	Braintree DC Essex CC	At paragraph 7.5.8 of your LIR [REP1-039], you suggest that an additional, closer viewpoint is required to assess the impacts of the proposed grid supply point substation and sealing end compound at Waldegrave Wood. You consider VP H07 (from Rectory Lane on the edge of Wickham St Paul) to be too far away to assess year 15 impacts. Can you confirm that the receptor of concern is users of the public rights of way network, explain why you do not believe that VPs H08 and H09 serve this function, and suggest a precise location where you consider the additional VP should be located?	
LV1.9.23	The Applicant		
LV1.9.24	The Applicant		
LV1.9.25	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
LV1.9.26	The Applicant		
LV1.9.27	The Applicant		
General LVIA matters			
LV1.9.28	Natural England		
LV1.9.29	The Applicant Natural England Local planning authorities	The assessment is said to be based on GLVIA3 (ES Chapter 6 paragraph 6.4.11 [APP-074].) The Landscape Institute produced a consultation version of Draft Technical Guidance Note 05/23, <i>Notes and Clarifications on aspects of the 3rd Edition Guidelines on Landscape and Visual Impact Assessment (GLVIA3)</i>, in July 2023. Noting this remains as a draft, do any of the contents have any relevance to, or change the outcome of the LVIA set out in the ES?	As the Draft Technical Guidance Note 05/23 has been produced to be read in conjunction with GLVIA3 it is all of potential relevance to the Examination in relation to landscape and visual issues but it is difficult to say whether it would change the outcome of the LVIA set out in the ES as the document mainly identifies clarifications not new guidance
LV1.9.30	The Applicant		
LV1.9.31	The Applicant		
LV1.9.32	The Applicant		
LV1.9.33	The Applicant		
LV1.9.34	The Applicant		
LV1.9.35	The Applicant		
LV1.9.36	The Applicant		
LV1.9.37	The Applicant		
LV1.9.38	The Applicant		
LV1.9.39	The Applicant		
LV1.9.40	The Applicant	In the Planting Schedule [APP-185], do you consider the inclusion of <i>Alnus glutinosa</i> (alder) in	David Pizzey (Arboricultural Officer): Alder dieback (Phytophthora) is a fungal disease which tends to be quite



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
	Local planning authorities	the H2 species-rich hedgerow mix with trees appropriate? Is alder die-back prevalent in the area, and - if so - should the planting of new alder trees be restricted?	localised. I'm not aware we have a particular problem with it anywhere, but that doesn't mean it doesn't exist. Regardless of this, alder isn't the most common component of a native hedgerow mix and so I would probably avoid using it, unless conditions are damp where it will thrive when others won't.

Hedgerows and trees

LV1.9.41	The Applicant		
LV1.9.42	The Applicant		
LV1.9.43	The Applicant		
LV1.9.44	The Applicant		
LV1.9.45	The Applicant		
LV1.9.46	The Applicant		
LV1.9.47	The Applicant		
LV1.9.48	The Applicant		
LV1.9.49	The Applicant		

Land use and soil

Agriculture and other land use

LU1.10.1	The Applicant		
LU1.10.2	The Applicant		
LU1.10.3	The Applicant		
LU1.10.4	The Applicant		
LU1.10.5	The Applicant		
LU1.10.6	The Applicant		
LU1.10.7	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
LU1.10.8	The Applicant		
LU1.10.9	The Applicant		
LU1.10.10	The Applicant		
LU1.10.11	The Applicant		
LU1.10.12	The Applicant		
LU1.10.13	The Applicant		
LU1.10.14	Local planning authorities Natural England	Should a Soil Management Plan or Outline Soil Management Plan be produced and secured through Requirement 4 of the dDCO?	Recognising the direction of travel of appeal decisions in respect of soil management plan conditions / requirements, BMSDC would support the securing of such through Rq4.
LU1.10.15	Suffolk CC Babergh DC Mid Suffolk DC	Paragraph 10.2 of the Suffolk councils' LIR [REP1-045] refers to temporary use of the Layham Quarry plant site as a construction laydown area. It is unclear if this reference is to an area proposed by the Applicant or to an alternative area proposed by the Councils. Please provide further information to identify this construction laydown area, including reference to documents in the Examination Library as necessary.	Refer to comments from SCC but with a caveat that this option would need careful assessment for biodiversity impacts.
LU1.10.16	The Applicant		
LU1.10.17	Suffolk CC Babergh DC Mid Suffolk DC	Paragraph 10.3 of the Suffolk councils' LIR [REP1-045] refers to extraction of minerals on site during the course of construction. At ISH1, the Applicant confirmed that any consent would not authorise this activity. Please clarify if you perceive the extraction of minerals on site during the course of construction forms part of the authorised development.	Refer to comments from SCC



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
LU1.10.18	The Applicant		
LU1.10.19	The Applicant		
LU1.10.20	The Applicant		
Soils, geology and ground conditions			
LU1.10.21	The Applicant		
LU1.10.22	The Applicant		
LU1.10.23	The Applicant		
LU1.10.24	The Applicant		
LU1.10.25	The Applicant		
LU1.10.26	The Applicant		
LU1.10.27	The Applicant		
LU1.10.28	The Applicant		
LU1.10.29	The Applicant		
LU1.10.30	The Applicant		
LU1.10.31	The Applicant		
Noise and vibration			
NV1.11.1	The Applicant		
NV1.11.2	The Applicant		
NV1.11.3	The Applicant		
NV1.11.4	The Applicant		
NV1.11.5	The Applicant		
NV1.11.6	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
NV1.11.7	The Applicant		
NV1.11.8	The Applicant Local planning authorities	Would a Noise and Vibration Management Plan (NaVMP) be useful to bring together and secure all of the relevant controls and mitigation measures? If so, should it be secured through Requirement 4 of the dDCO?	Environmental Protection would consider a NaVMP to be a necessary and essential requirement. We would leave it for planners to decide whether it is a requirement for the dDCO.
NV1.11.9	The Applicant		
NV1.11.10	The Applicant		
NV1.11.11	The Applicant		
NV1.11.12	The Applicant		
NV1.11.13	The Applicant		
NV1.11.14	The Applicant		
NV1.11.15	The Applicant		

The water environment

Flood Risk Assessment

WE1.12.1	The Environment Agency River Stour Trust Lead Local Flood Authorities	<p>Can you briefly confirm your views on the applicant's approach and method in the Flood Risk Assessment [APP-059]?</p> <p>Do you consider the Flood Risk Assessment to comply with NPS EN-1, the National Planning Policy Framework and Planning Practice Guidance?</p> <p>Does the Flood Risk Assessment represent an accurate assessment of the flood risks on site and is the assessment proportionate to the risk and appropriate to the scale and nature of the project?</p>	
----------	---	---	--



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
WE1.12.2	The Environment Agency River Stour Trust Lead Local Flood Authorities	Are you content with the Applicant's approach to the operational phase risk assessment, as set out in paragraphs 4.3.13 and 4.3.14 of the Flood Risk Assessment [APP-059]?	
WE1.12.3	Lead Local Flood Authority	Does the Flood Risk Assessment [APP-059] adequately and appropriately cover the specific issues of concern to the Lead Local Flood Authority?	
WE1.12.4	The Environment Agency River Stour Trust Lead Local Flood Authorities	Can you briefly confirm your views on the sufficiency and application of the sequential and exception tests set out in the Flood Risk Assessment [APP-059]?	<p>This question relates to the NPPF flood risk sequential and exception tests which, for TCPA applications, are the responsibility of the LPA to determine. On that basis BMSDC offer the following response to this question:</p> <ul style="list-style-type: none"> • The interpretation of the application of the sequential test as set out at 3.2.10 of the flood risk assessment (APP-059) is considered to be incorrect. • The sequential test is applied to the whole of an application site, and therefore, applies to the whole of the order limits in this instance. • The order limits affect land within flood zones 1, 2 and 3. • Whilst BMSDC consider that the sequential test is passed, we disagree with the reasoning given at 3.2.11. • Having regard to the unique circumstances of the proposed scheme and the catchment for the development outcomes it is concluded that suitable sites at lower risk of flooding are not available to site the development as a whole and, within the site, the development has been sited in the safest parts of the site where practicable. On this basis BMSDC consider the sequential test is passed. • BMSDC disagree with the statement at 3.2.12 that "The Exception Test is only required for projects that do not pass the Sequential Test".



Reference	Question to:	Question	Local Authority Answer
			<ul style="list-style-type: none"> In accordance with the National Planning Practice Guidance paragraph 031 Reference ID: 7-031-20220825 and Table 2 at paragraph 079 Reference ID: 7-079-20220825 the Exception Test should be applied for essential infrastructure development proposals in flood zones 3a and 3b when the sequential test has demonstrated that it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives). Having regard to the unique circumstances of the proposed scheme and the information in the submitted ES, FRA and accompanying documents it is considered to be demonstrated that the development would have demonstrable wider sustainability benefits that outweigh the flood risk impacts to / from the development and that the development be safe for its lifetime and would not result in an increase in flood risk elsewhere. On this basis BMSDC consider the exception test is passed.
WE1.12.5	The Applicant		
WE1.12.6	The Applicant		
WE1.12.7	The Applicant		
WE1.12.8	The Applicant		
WE1.12.9	The Applicant		
WE1.12.10	The Applicant		
Surface water management			
WE1.12.11	The Applicant		
Management measures			
WE1.12.12	Environment Agency	What are your views on the management measures set out in Section 9.2 (Management Measures) of the CEMP [APP-177] regarding: (i) site planning and preparation; (ii) surface water abstraction and	



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
	River Stour Trust Lead Local Flood Authorities	discharges; (iii) pollution and erosion management measures; and (iv) reinstatement?	
WE1.12.13	Environment Agency River Stour Trust Lead Local Flood Authorities	What are your views on the capacity of the control measures set out in CoCP [APP-178] and REAC [APP-179] to manage flood risk?	
WE1.12.14	Environment Agency River Stour Trust Lead Local Flood Authorities	Would the dDCO [APP-034] and Section 9.2 (Management Measures) of the CEMP [APP-177] adequately secure all measures required to mitigate flood risk?	
WE1.12.15	Environment Agency		
WE1.12.16	The Applicant		
WE1.12.17	The Applicant		
WE1.12.18	The Applicant		
WE1.12.19	Environment Agency		
WE1.12.20	The Applicant		
WE1.12.21	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
WE1.12.22	The Applicant		
WE1.12.23	The Applicant		
WE1.12.24	The Applicant		
WE1.12.25	The Applicant		
WE1.12.26	The Applicant		
WE1.12.27	The Applicant		
WE1.12.28	The Applicant		
WE1.12.29	The Applicant		
WE1.12.30	The Applicant		
WE1.12.31	The Applicant		
WE1.12.32	The Applicant		
WE1.12.33	The Applicant		
WE1.12.34	The Applicant		
WE1.12.35	The Applicant		
WE1.12.36	The Applicant		
WE1.12.37	The Applicant		
WE1.12.38	The Applicant		
WE1.12.39	The Applicant		
Temporary bridges and culverts			
WE1.12.40	Environment Agency		
WE1.12.41	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
	Environment Agency		
WE1.12.42	The Applicant		
WE1.12.43	The Applicant Environment Agency		
WE1.12.44	The Applicant		
Water resources			
WE1.12.45	The Applicant		
WE1.12.46	The Applicant		
Traffic and transport			
Transport assessment			
TT1.13.1	The Applicant		
TT1.13.2	The Applicant		
TT1.13.3	The Applicant		
TT1.13.4	The Applicant		
TT1.13.5	The Applicant		
TT1.13.6	The Applicant		
TT1.13.7	The Applicant		
TT1.13.8	The Applicant		
TT1.13.9	The Applicant		
TT1.13.10	The Applicant		
TT1.13.11	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
TT1.13.12	The Applicant		
TT1.13.13	The Applicant		
TT1.13.14	The Applicant		
TT1.13.15	The Applicant National Highways Essex CC Suffolk CC	Does the Transport Assessment [APP-061] submitted with the application meet the criteria set out in NPS EN-1, Section 5.14 Traffic and Transport, in relation to the requirements of a Transport Assessment? If not, in what respects is it lacking?	
TT1.13.16	The Applicant		
TT1.13.17	The Applicant		
Construction traffic and construction route strategy			
TT1.13.18	The Applicant		
TT1.13.19	The Applicant		
TT1.13.20	The Applicant		
TT1.13.21	The Applicant National Highways Essex CC Suffolk CC	Has agreement been reached with the highway authorities on a monitoring and enforcement strategy for construction and related traffic [sections 8.2 and 8.3 of the CTMP [APP-180] refer)? If not, what are the outstanding issues?	
TT1.13.22	The Applicant		
TT1.13.23	The Applicant		
TT1.13.24	The Applicant		
TT1.13.25	Essex CC Suffolk CC	How often would local authority highway inspectors carry out statutory inspections of the highway network affected by the project?	



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
TT1.13.26	The Applicant		
TT1.13.27	The Applicant		
TT1.13.28	The Applicant		
TT1.13.29	The Applicant		
TT1.13.30	The Applicant		
TT1.13.31	The Applicant		
TT1.13.32	The Applicant		
TT1.13.33	The Applicant		
TT1.13.34	The Applicant		
TT1.13.35	The Applicant		
TT1.13.36	Babergh DC Mid Suffolk DC Suffolk CC	Are you satisfied with the Applicant's response (page 66 of its Comments on Relevant Representations [REP1-025]) to point n) (Traffic and Transport) in your RRs ([RR-001] and [RR-006]) related to monitoring and enforcement of construction traffic?	Refer to comments from SCC
Temporary Traffic Regulation Orders			
TT1.13.37	The Applicant Essex CC Suffolk CC	Has agreement been reached between the relevant highway authorities and the Applicant on the use of Temporary Traffic Regulation Orders (Schedule 11 of the dDCO [APP-034] refers)? If not, what are the outstanding issues?	
TT1.13.38	The Applicant Essex CC Suffolk CC	What length of road markings and how many associated signs would be required for compliance with the current Traffic Signs Regulations and General Directions and to bring the proposed	



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
		temporary waiting restrictions into lawful effect? (See Schedule 11 of the dDCO [APP-034].)	
TT1.13.39	The Applicant		
TT1.13.40	The Applicant		
TT1.13.41	The Applicant Essex CC Suffolk CC	<p>In relation to the temporary stopping up of streets and the temporary restriction of vehicular movement dDCO [APP-034], Schedule 7, Parts 1 and 2, and Schedule 11, Part 3) can the Applicant explain:</p> <ul style="list-style-type: none"> i. for how long is it intended each restriction should operate? ii. what is the minimum and maximum period of closure sought for each location identified? iii. when would they be implemented? iv. how has the likely disruption to users of these streets been assessed in the Environmental Statement? v. what are the lengths of the proposed diversionary routes? vi. what mitigation measures would be used and how would these be secured in any DCO? <p>Are the proposed periods of closure likely to be acceptable to the highway authorities?</p>	
TT1.13.42	The Applicant		
TT1.13.43	The Applicant		
Temporary and permanent measures to access the works			
TT1.13.44	The Applicant		
TT1.13.45	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
TT1.13.46	The Applicant		
TT1.13.47	The Applicant		
TT1.13.48	Essex CC Suffolk CC	The Applicant proposes to gain authorisation to erect temporary signs on the highway using the permit scheme described in Section 2.4 of the CTMP [APP-180]. Would you be satisfied to authorise consent to erect temporary signage under a permit scheme?	
TT1.13.49	Essex CC Suffolk CC	The Applicant proposes to gain authorisation to erect scaffolding over the highway using the permit scheme described in Section 2.4 of the CTMP [APP-180]. Would you be satisfied to issue a licence for scaffolding oversailing the public highway using a permit scheme?	
TT1.13.50	The Applicant		
TT1.13.51	The Applicant		
TT1.13.52	The Applicant		
TT1.13.53	The Applicant		
Public rights of way			
TT1.13.54	The Applicant Essex CC Suffolk CC	Would local authority Public Rights of Way Officers be involved in monitoring of: (i) temporary signage; (ii) the various forms of public rights of way closures; (iii) safety measures; (iv) condition surveys; and (v) the reinstatement and inspections of the public rights of way affected by the project?	



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk

Reference	Question to:	Question	Local Authority Answer
TT1.13.55	The Applicant		
TT1.13.56	The Applicant		
TT1.13.57	The Applicant		
TT1.13.58	The Applicant		
TT1.13.59	The Applicant		
TT1.13.60	The Applicant		
TT1.13.61	The Applicant		
TT1.13.62	The Applicant Essex CC Suffolk CC	Has the scope of the survey work to would need to be carried out to ensure that final reinstatement would return public rights of way to their original condition on completion of the Proposed Development been agreed? (Section 4.7 of the CEMP [APP-177] and paragraph 6.2.3 of the CTMP [APP-180].)	
Navigation			
TT1.13.63	The Applicant		
TT1.13.64	The Applicant		
TT1.13.65	The Applicant		
TT 1.13.66	The Applicant		



Babergh and Mid Suffolk District Councils
 Endeavour House, 8 Russell Road, Ipswich IP1 2BX
 Telephone: (0300) 1234 000
www.babergh.gov.uk www.midsuffolk.gov.uk