



Suffolk County Council (20041323)

Comments on any other submissions
received at Deadline 3

Bramford to Twinstead (EN020002)

Deadline 4

16 November 2023

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Glossary of Acronyms

<i>DCO</i>	<i>Development Consent Orders</i>
<i>EIA</i>	<i>Environmental Impact Assessment</i>
<i>ExA</i>	<i>Examining Authority</i>
<i>ExQ</i>	<i>Examining Authority’s Written Questions</i>
<i>ISH</i>	<i>Issue Specific Hearing</i>
<i>LHA</i>	<i>Local Highways Authority</i>
<i>PROW</i>	<i>Public Rights of Way</i>
<i>SuDS</i>	<i>Sustainable Drainage Systems</i>

“The Council” / “SCC” refers to Suffolk County Council; “The Host Authorities” refers to Suffolk County Council, Babergh and Mid Suffolk District Councils, Essex County Council, and Braintree District Council.

Purpose of this Submission

The purpose of this submission is to provide responses to the Applicant’s Deadline 3 (D3) submissions and the Unaccompanied Site Inspections. Examination Library references are used throughout to assist readers.

1 Comments on any other submissions received at Deadline 3

- 1.1 SCC (Landscape) will provide a full review (tracked-change version) of the D3 LEMP [REP3-034] for Deadline 5.
- 1.2 Table 3, responding to 8.4.2 (B) Applicant's Schedule of Changes to the draft Development Consent Order [REP3-040], is also provided as Table A2 in Annex A of SCC's Post Hearing Submission for Issue Specific Hearing 2 into the draft Development Consent Order.

3.1 (C) Draft Development Consent Order (Clean) [REP3-007]

Ref	Topic	Reference Number	SCC's Comment
1a	Schedule 3 Archaeology	Schedule 3, Requirements, Requirement 6 (Archaeology)	<p>SCC (Archaeology) advise the addition of the following condition:</p> <p>(5) Within a date of three years from breaking ground on construction, post-investigation assessment must be completed for all stages in accordance with the programme set out in the OWSI and the Detailed written schemes of investigation, and provision made for analysis, publication and dissemination of results and archive deposition secured in accordance with a scheme-wide Updated Project Design and timetable that has been submitted to and approved by the Local Planning Authority.</p> <p>Having the above wording would allow for a defined timescale for submission of the post-excavation assessment report (PXA) and submission of an updated project design (UPD) which will detail the requirements of final reporting and publication resulting from the work undertaken to the point of PXA. As the work required for producing a final reporting and publication is unknown, until the point of PXA, the OWSI would only be able to detail the baseline requirements of reporting following on from the submission of the PXA.</p> <p>The UPD would detail the level of further analysis required to produce the final report and publication generated from the archaeological fieldwork undertaken.</p>

7.5 (B) Construction Environmental Management Plan (Clean) [REP3-024]

Ref	Topic	Reference Number	SCC's Comment
2a	Site Planning and Preparation	11.3.10	SCC (Archaeology): Stockpile locations for archaeological works should be detailed within the site specific DWSI. Stockpile locations will need to consider any heritage assets where preservation in situ has been/will be agreed.
2b	Soil Stripping	11.3.18	SCC (Archaeology): This only considers Strip, Map and Sample mitigation, this doesn't consider other mitigation measures outlined within the OWSI such as targeted open area archaeological excavation which would be appropriate

8.4.2 (B) Applicant's Schedule of Changes to the Draft Development Consent Order (Clean) [REP3-040]

Table 3: SCC Table of Comments on 8.4.2 (B) Applicant's Schedule of Changes to the Draft Development Consent Order (Clean) [REP3-040]				
Ref	dDCO Ref	Rationale for the Change	Changes Made	SCC's Comments on the Changes Made
3a	Article 2, Interpretation	A new definition of 'Public Rights of Way Management Plan' has been included in Article 2(1). This is a consequential amendment which responds to the change made to Requirement 4 (to which see Change Ref. 6 below).	<u>"Public Rights of Way Management Plan" means the document of that description (together with its appendices) (Document 8.5.8) certified by the Secretary of State as the Public Rights of Way Management Plan for the purposes of this Order under 57 (certification of documents);</u>	See Change Reference 3f below.
3b	Article 2, Interpretation	The definitions of 'Construction Traffic Management Plan' and 'Landscape and Ecological Management Plan' have been amended to specifically reference their appendices. This change responds to Question Ref: DC1.6.116 in the Examining Authority's First Written Questions (13 October 2023) [PD-005], and is intended to ensure consistency with the approach taken in respect of the definition of 'Construction Environmental Management Plan'. The definition of	"Construction Traffic Management Plan" means the document of that description <u>(together with its appendices)</u> (Document 7.6 (B)) certified by the Secretary of State as the Construction Traffic Management Plan for the purposes of this Order under article 57 (certification of documents);	SCC is content with this change.

Table 3: SCC Table of Comments on 8.4.2 (B) Applicant's Schedule of Changes to the Draft Development Consent Order (Clean) [REP3-040]				
Ref	dDCO Ref	Rationale for the Change	Changes Made	SCC's Comments on the Changes Made
		'Materials and Waste Management Plan' has not been so amended, as there are no associated appendices		
3c	Article 2, Interpretation	Various changes to document references	Various changes to document references	SCC has no comments.
3d	Article 15, Temporary stopping up of streets and public rights of way	Article 15(6) has been amended to refer to '....temporarily <u>stopped up</u> street or public right of way....' (as opposed to '....temporarily closed street or public right of way....'). This is in response to comments raised in the Local Impact Report submitted by Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045], and ensures consistency with the remainder of Article 15 and Schedule 7.	(6) Where the undertaker provides a temporary diversion under paragraph (4), the temporary alternative route is not required to be of a higher standard than the temporarily closed <u>stopped up</u> street or public right of way in columns (1) and (2) of Parts 1 and 2 of Schedule 7 (streets or public rights of way to be temporarily stopped up).	This amendment meets the concern raised by SCC in paragraphs 12.24 and 12.25 of the LIR but does not meet the concerns raised in paragraphs 17.20 to 17.25, and in particular SCC's request that temporary alternative routes must be of no lower standard than the temporarily closed street or public right of way in columns (1) and (2) of Parts 1 and 2 of Schedule 7.
3e	Schedule 2, Part 2 (Land Plans)	Consequential amendment	Consequential amendment	SCC has no comments.
3f	Schedule 3, Requirements (Requirement 4)	Sub-paragraph (2) of Requirement 4 (Management Plans) has been updated to include reference to the Public Rights of Way Management	<i>Management Plans</i> 4. —(1) All construction works forming part of the authorised development must be carried out in accordance with the plans listed	SCC is content with the addition. It does not address the principal concern of SCC in paragraphs 17.57 and 17.58 of the LIR in relation to the need for more detail

Table 3: SCC Table of Comments on 8.4.2 (B) Applicant’s Schedule of Changes to the Draft Development Consent Order (Clean) [REP3-040]				
Ref	dDCO Ref	Rationale for the Change	Changes Made	SCC’s Comments on the Changes Made
		Plan (Document 8.5.8) published at Deadline 3. Compliance with the Public Rights of Way Management Plan is secured through Requirement 4. This change responds to comments raised, principally, in the joint Local Impact Reports submitted by Braintree District Council and Essex County Council [REP1-039] and Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045]	in sub-paragraph (2) below, unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan concerned, and in the case of the Construction Traffic Management Plan, the relevant highway authority. (2) The plans referred to in sub-paragraph (1) above comprise the following— (a) Construction Environmental Management Plan (CEMP); (b) Materials and Waste Management Plan (MWMP); (c) Construction Traffic Management Plan (CTMP); and (d) Landscape and Ecological Management Plan (LEMP); <u>and</u> <u>(e) Public Rights of Way Management Plan (PRoWMP).</u>	in the management plans and for further detailed iterations of the plans to be produced.
3g	Schedule 3, Requirements (Requirement 10)	Change of title of the requirement	Implementation and maintenance of reinstatement <u>Reinstatement planting plan – implementation, compliance and replacement planting</u>	SCC has no comment.
3h	Schedules 5, 6, 7, 8 and 12	Various typographical and other similar amendments have been made to Schedule 5 (Streets subject to	See Schedules 5, 6, 7, 8 and 12 in the track changed version of the dDCO [REP3-008]	SCC will work through these detailed changes and report back as necessary at a later date.

Table 3: SCC Table of Comments on 8.4.2 (B) Applicant’s Schedule of Changes to the Draft Development Consent Order (Clean) [REP3-040]				
Ref	dDCO Ref	Rationale for the Change	Changes Made	SCC’s Comments on the Changes Made
		<p>street works), Schedule 6 (Streets subject to alteration of layout), Schedule 7 (Streets or public rights of way to be temporarily stopped up), Schedule 8 (Access to works) and Schedule 12 (Traffic regulation orders).</p> <p>These changes, which comprise the correction of street references and the addition of certain new row entries, respond to comments raised in the joint Local Impact Reports submitted by Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045] and also ensure alignment with information presented in the Access, Rights of Way and Public Rights of Navigation Plans [APP012]. (NB: the ‘Change Made’ column provides an example of the changes made in each of the abovementioned Schedules. All other changes to those Schedules are of an equivalent nature and are shown in the tracked version of the draft DCO (document 3.1 (C)) submitted at Deadline 3).</p>		

Table 3: SCC Table of Comments on 8.4.2 (B) Applicant's Schedule of Changes to the Draft Development Consent Order (Clean) [REP3-040]				
Ref	dDCO Ref	Rationale for the Change	Changes Made	SCC's Comments on the Changes Made
3i	Schedule 6, Streets subject to alteration of layout	All references to 'white lines' in Column 2 of Part 1 and Part 2 of Schedule 6 have been amended to refer instead to 'road markings'. This change responds to comments raised in the Local Impact Report submitted by Suffolk County Council and Babergh and Mid Suffolk District Councils [REP1-045], and is intended to allow the implementation, where necessary, of other road surface markings beyond simply 'white lines'. (NB: the 'Change Made' column provides an example of the changes made in Schedule 6. All other changes to Schedule 6 are identical and are shown in the tracked version of the draft DCO (document 3.1 (C)) submitted at Deadline 3).	Numerous examples	SCC is content with these changes.
3j	Schedule 17, Certified documents	Various changes to reference numbers of documents	Numerous examples	SCC has no comment on these changes.
3k	Schedule 17, Certified documents	Schedule 17 has been updated to include reference to the Public Rights of Way Management Plan. This is a consequential amendment which responds to the change made to Requirement 4 (to which see Change Ref. 6 above).	Public Rights of Way Management Plan added to the list of documents to be certified	See comment on Change Reference 3f above: SCC is content with this addition.

8.5.8 Public Right of Way Management Plan [REP3-056]

Ref	Topic	Reference Number	SCC's Comment
4a	Community Engagement and Public Information	3.3	SCC (PROW) notes that there are limited details provided on engagement with community and wider users and method of engagement.
		3.3.1	SCC (PROW) considers that this requires expansion beyond residents. Engagement would additionally be required with relevant user groups for the status of the route and wider community.
4b	Routes with Public Access Affected by the Project	4.3.1	SCC (PROW) considers that this requires additional details of phasing of works to establish the sequencing of closures. Further details required to enable Highway Authority to assess impact on network and connecting routes. Currently unclear if adjacent routes will be closed during the same period. An indicative guide would provide further clarity.
4c	PRoW Management Signage	5.2.1	SCC (PROW) states that advance notices / signage would be required to be displayed on site prior to closures. Recommend period of advance notices of a minimum of 1 week.
		5.2.3	SCC (PROW) states that alongside the notice a map of the closure route and any applicable diversion must be displayed on site to assist users.
4d	Active Management Plan for 'Shared Routes'	5.3.2	SCC (PROW) notes that any appropriate separation between users and construction traffic must not impact on the definitive width of the route.
		5.3.3	SCC (PROW) considers that further expansion is required on the meaning of active measures. Notably, whether this includes gating of the haul road or use of banksman.
4e	Reinstatement of PRoW	5.4.1	SCC (PROW) notes that the pre-commencement condition survey details to be shared with the relevant Highways Authority prior to commencement of works on site.
4f	Change Process	6.5.5	SCC (PROW) considers that any proposed changes to the PRoWMP would also be required to be agreed with the relevant Highway Authority.
4g	Routes with Public Access	Appendix A	SCC (PROW) considers that additional details are required for sequencing on closures as covered in comments under 4.3.1.

Table 4: SCC Table of Comments on 8.5.8 Public Right of Way Management Plan [REP3-056]			
Ref	Topic	Reference Number	SCC's Comment
	Affected by the Project		Regarding Indicative Duration, SCC (PROW) seeks clarification on the definition of 'as required', expansion is required based on a period of time. Any gating of the public right of way should be avoided to keep the route barrier free for the least restrictive option. Any crossing should be managed through gating of access way or consideration should be given to use of banksman as a managed crossing.
4h	Public Rights of Way Management Plan (General)	General	SCC (PROW) will continue to liaise with the applicant on Public Rights of Way. Examples of previous NSIP Public Right of Way management plans have been sent to the Applicant for information.