



## **Suffolk County Council (20041323)**

Comments on any other submissions  
received at Deadline 4

## **Bramford to Twinstead (EN020002)**

Deadline 5

1 December 2023

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## Glossary of Acronyms

<i>DCO</i>	<i>Development Consent Orders</i>
<i>DVAONB</i>	<i>Dedham Vale Area of Outstanding Natural Beauty</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 Highway 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 4 (D4) submissions and representations made by other interested parties at D4, as appropriate. Examination Library references are used throughout to assist readers.

# 1 Comments on any other submissions received at Deadline 4

## 8.4.2 (C) Applicant’s Schedule of Changes to the Draft Development Consent Order (Tracked) [REP4-004]

- 1.1 At Deadline 4 (16 November 2023), National Grid Electricity Transmission plc (“**the Applicant**”) submitted, amongst other documents, the Applicant’s Schedule of Changes to the Draft Development Consent Order [REP4-004] (“**the Schedule of Changes**”).
- 1.2 The Schedule of Changes sets out, in Table 4.1, the changes made to Version C of the draft Development Consent Order (“**dDCO**”) [REP3-007] in Version D of the dDCO [REP4-015].
- 1.3 In this document, SCC has taken the text from the first four columns on Table 4.1 and added a new, fifth, column in which SCC has added its comments on each of the changes. SCC has not commented on Ref.14 of Table 4.1 because that change is one for Essex County Council to consider.

Table 1: SCC Table of Comments on 8.4.2 (C) Applicant’s Schedule of Changes to the Draft Development Consent Order (Tracked) [REP4-004]				
Ref.	dDCO Ref.	Rationale for the Change	Change Made	SCC’s comments on changes made
1a	Article 11, Street works	Article 11(3) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078]. Reference is also made to Table 2.1 of the Applicant’s Comments on Other Submissions Received at Deadline 3 ( <b>Document 8.6.5</b> ) submitted at Deadline 4.	(3) If a street authority that receives an application for consent under paragraph (2) fails to notify the undertaker of its decision within 28 days ( <u>or such other period as agreed by the street authority and undertaker</u> ) beginning with the date on which the application was <b>made received</b> , the authority will <b>unless otherwise agreed</b> be deemed to have granted consent.	SCC considers the proposed drafting achieves the Applicant’s aim of allowing the undertaker and street authority to agree an alternative period of time within which the street authority must determine an application; however, SCC does not consider the Applicant’s aim is satisfactory because the extension of time is dependent on the undertaker’s agreement and if that is withheld (even if withheld unreasonably) SCC would be in the same

		<p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>		<p>position as if paragraph (3) had not been changed in the first place.</p> <p>SCC maintains its position, as set out in the LIR [REP1-045], in its <i>Comments on Applicant's Comments on Relevant Representations</i> [REP2-013] and in its <i>Comments on any other submissions received at Deadline 2</i> [REP3-078] –</p> <p>While SCC will ensure that any application for consent will be dealt with as quickly as possible, it will be remembered that SCC will be receiving a considerable number of requests for approval across several nationally significant infrastructure projects. A 28-day decision-making period in this context is unrealistic and potentially detrimental to the effective consideration of applications.</p> <p>Given the volume of work which will arise from the number of NSIPs being delivered in Suffolk, SCC considers 28 days is too short and requests that it is replaced with 56 days. SCC also considers that this period should be paused if the highway authority considers that additional information is reasonably required to make a decision.</p> <p>Notwithstanding the two preceding paragraphs, SCC agrees that the determination period should begin on the</p>
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				“date on which the application was received” rather than “the date on which the application was made”.
1b	Article 14, Power to alter layout etc. of streets	Article 14(5) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078]. Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (Document 8.6.5) submitted at Deadline 4. (This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).	(5) <del>Unless otherwise agreed, if</del> a street authority which receives an application for consent under paragraph (4) fails to notify the undertaker of its decision before the end of the period of 28 days <u>(or such other period as agreed by the street authority and the undertaker)</u> beginning with the date on which the application was <del>made</del> received, it is deemed to have granted consent.	For the reasons set out in “SCC’s comments on changes made” in Row 1, SCC maintains its position that the relevant period should be 56 days.  SCC agrees that the relevant period should begin with the date on which the application is received.
1c	Article 15, Temporary stopping up of streets and public rights of way	Article 15(9) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078]. Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (Document 8.6.5) submitted at Deadline 4. (This change supersedes the change made to this Article at	(9) <del>Unless otherwise agreed, if</del> a street authority which receives an application for consent under sub-paragraph (5) (b) fails to notify the undertaker of its decision before the end of the period of 28 days <u>(or such other period as agreed by the street authority and the undertaker)</u> beginning with the date on which the application was <del>made</del> received, it is deemed to have granted consent.	For the reasons set out in “SCC’s comments on changes made” in Row 1, SCC maintains its position that the relevant period should be 56 days.  SCC agrees that the relevant period should begin with the date on which the application is received.

		Deadline 2 and as noted in Table 2.1 above).		
1d	Article 16, Access to Works	<p>Article 16(2) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (<b>Document 8.6.5</b>) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>	<p>(2) <del>Unless otherwise agreed, if</del> a relevant planning authority which receives an application for consent under sub-paragraph (1) (b) fails to notify the undertaker of its decision before the end of the period of 28 days <u>(or such other period as agreed by the relevant planning authority and the undertaker)</u> beginning with the date on which the application was <del>made</del>received, it is deemed to have granted consent.</p>	<p>For the reasons set out in “SCC’s comments on changes made” in Row 1, SCC maintains its position that the relevant period should be 56 days.</p> <p>SCC agrees that the relevant period should begin with the date on which the application is received.</p>
1e	Article 19, Discharge of Water	<p>Article 19(9) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (<b>Document 8.6.5</b>) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at</p>	<p>(9) <del>Unless otherwise agreed, if</del> a person who receives an application for consent under paragraph (3) or approval under sub-paragraph (a) fails to notify the undertaker of a decision within 28 days <u>(or such other period as agreed by the person receiving the application and the undertaker)</u> of receiving an application, that person is deemed to have granted consent or given approval, as the case may be.</p>	<p>For the reasons set out in “SCC’s comments on changes made” in Row 1, SCC maintains its position that the relevant period should be 56 days.</p>

		Deadline 2 and as noted in Table 2.1 above).		
1f	Article 21, Authority to survey and investigate the land	<p>Article 21(8) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (<b>Document 8.6.5</b>) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>	(8) <del>Unless otherwise agreed, if</del> a highway authority or street authority which receives an application for consent fails to notify the undertaker of its decision within 28 days <u>(or such other period as agreed by the highway authority or the street authority and the undertaker)</u> of receiving the application for consent—	For the reasons set out in “SCC’s comments on changes made” in Row 1, SCC maintains its position that the relevant period should be 56 days.
1g	Article 47, Traffic regulation	<p>Article 47(8) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (<b>Document 8.6.5</b>) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at</p>	(8) <del>Unless otherwise agreed, if</del> the traffic authority fails to notify the undertaker of its decision within 28 days <u>(or such other period as agreed by the traffic authority and the undertaker)</u> of receiving an application for consent under paragraph (2) the traffic authority is deemed to have granted consent.	For the reasons set out in “SCC’s comments on changes made” in Row 1, SCC maintains its position that the relevant period should be 56 days.

		Deadline 2 and as noted in Table 2.1 above).		
1h	Article 48, Felling or lopping	<p>Article 48(5) has been further amended in response to submissions made by Suffolk County Council at Deadline 3 [REP3-078].</p> <p>Reference is also made to Table 2.1 of the Applicant's Comments on Other Submissions Received at Deadline 3 (<b>Document 8.6.5</b>) submitted at Deadline 4.</p> <p>(This change supersedes the change made to this Article at Deadline 2 and as noted in Table 2.1 above).</p>	<p>(5) <del>Unless otherwise agreed, if</del> the relevant highway authority fails to notify the undertaker of its decision within 28 days <u>(or such other period as agreed by the relevant highway authority and the undertaker)</u> of receiving an application for consent under paragraph (4) the relevant highway authority is deemed to have granted consent.</p>	<p>For the reasons set out in “SCC’s comments on changes made” in Row 1, SCC maintains its position that the relevant period should be 56 days.</p>
1i	Schedule 3, Requirements (Paragraph 1(4))	<p>Sub-paragraph 1(4) of Schedule 3 (Requirements) now uses the words “does not” in place of “<i>is unlikely to</i>”. This change responds to Suffolk County Council’s response [REP3-078] to Question Ref: DC1.6.105 in the Examining Authority’s First Written Questions (13 October 2023) [PD-005].</p> <p>Reference is also made to the Applicant’s Comments on Responses to First Written Questions (<b>Document 8.6.4</b>)</p>	<p>(4) Where an approval or agreement is required under the terms of any Requirement or a document referred to in a Requirement, or any Requirement specifies “unless otherwise approved” or “unless otherwise agreed” by the relevant highway authority or the relevant planning authority, such approval or agreement may only be given in relation to minor or immaterial changes and where it has been demonstrated to the satisfaction of the relevant highway authority or the relevant planning authority that the</p>	<p>SCC considers this change is fine.</p> <p>(SCC notes that while the “Rationale for the Change” column in the Schedule of Changes [REP4-004] refers to the replacement in sub-paragraph 1(4) of Schedule 3 of “is unlikely to” with “does not”, both the “Change made” column of [REP4-004] and the Version D dDCO [REP4-015] show that “is unlikely to” has been replaced with “will not”).</p>



		and to the Applicant's Written Summary of Oral Submissions to Issue Specific Hearing 2 ( <b>Document 8.6.2.2</b> ) submitted at Deadline 4.	subject matter of the approval or agreement sought <b>is unlikely to will not</b> give rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement.	
1j	Schedule 3, Requirements (Requirement 3)	Minor amendments have been made to sub-paragraph (3) of Requirement 3 (Stages of authorised development). These changes respond to Suffolk County Council's response [REP3-078] to Question Ref: DC1.6.79 in the Examining Authority's First Written Questions (13 October 2023) [PD-005]. Reference is also made to the Applicant's Comments on Responses to First Written Questions ( <b>Document 8.6.4</b> ).	(3) Written notice of the commencement and completion of construction <b>for of</b> each stage of the authorised development, and the operational use of <b>that part each stage of</b> the authorised development, must be given to the relevant planning authority within 10 business days of the relevant event occurring.	SCC wonders whether the clarity of sub-paragraph (3) could be improved if it was drafted as follows –  “(3) Written notice of the commencement and completion of <b>the</b> – <b>(a)</b> construction of each stage of the authorised development, and <b>(b)</b> <b>the</b> operational use of each stage of the authorised development,  must be given to the relevant planning authority within 10 business days of the relevant event occurring”.
1k	Schedule 3, Requirements (Requirement 5)	Minor amendments have been made to the identity of the approving authority in sub-paragraphs (1) (and (2) of Requirement 5 (Approval and implementation of Drainage Management Plan). These changes respond to Suffolk County Council's response [REP3-078] to Question Ref: DC1.6.105 in	5. —(1) No stage of the authorised development may be brought into operational use until, for that stage, a Drainage Management Plan (DMP), to address operational surface water management matters, has been submitted to and approved by the relevant <b>planning highway</b> authority. (2) The operational use of each stage of the authorised development must be carried out in accordance	SCC agrees with these changes.

		<p>the Examining Authority’s First Written Questions (13 October 2023) [PD-005].</p> <p>Reference is also made to the Applicant’s Comments on Responses to First Written Questions (<b>Document 8.6.4</b>).</p>	<p>with the approved Drainage Management Plan (DMP) referred to in sub-paragraph (1) or with any amended Drainage Management Plan (DMP) that may subsequently be approved by the relevant <del>planning</del><u>highway</u> authority.</p>	
11	<p>Schedule 3, Requirements (Requirement 6)</p>	<p>Correction of a minor typographical error in sub-paragraph (2) of Requirement 6 (Archaeology).</p> <p>This change reflects the fact that use of the word ‘must’ is not appropriate in the context of Requirement 6(2), notwithstanding the extant guidance at Paragraph 3.3 of Advice Note 15 (Drafting Development Consent Orders).</p>	<p>(2) No stage of the authorised development <del>must</del><u>may</u> commence until a Detailed Written Scheme of Investigation of areas of archaeological interest relevant to that stage (if any) as identified within the OWSI or identified through evaluation work as set out in the OWSI has been submitted to and approved by the County Archaeologist.</p>	<p>As stated in <b>[REP3-078]</b>, SCC considers Requirement 6 should be drafted as follows:</p> <p>“(1) The authorised development must be undertaken in accordance with the Archaeological Framework Strategy and the Outline Written Scheme of Investigation (OWSI).</p> <p>(2) No stage of the authorised development may commence until either a Preservation in situ management plan, or a Detailed Written Scheme of Investigation of areas of archaeological interest relevant to that stage (if any) as identified within the OWSI or identified through evaluation work as set out in the OWSI has been submitted to and approved by Suffolk County Council.</p> <p>(3) Any Detailed Written Scheme of Investigations must be in accordance with the OWSI and must identify areas where archaeological works are required and the measures to be taken to protect, record or preserve any significant archaeological remains that may be found. Any Detailed</p>

				<p>Written Scheme of Investigation must include:</p> <ul style="list-style-type: none"> <li>(a) an assessment of significance and research questions</li> <li>(b) the programme of methodology of site investigation and recording</li> <li>(c) the programme for post-investigation assessment</li> <li>(d) provision to be made for analysis of the site investigation and recording</li> <li>(e) provision to be made for archive deposition of the analysis and records of the site investigation</li> <li>(f) nomination of a competent person or persons/organisation to undertake the works set out within the Detailed Written Scheme of Investigation</li> <li>(g) an implementation timetable.</li> </ul> <p>The justification for Requirement 6 is set out in paragraphs 8.45 to 8.52 of the LIR [REP1-045].</p>
1m	Schedule 3, Requirements (Requirement 11)	A new sub-paragraph (3) has been included in Requirement 11 (Highway works). Sub-paragraph (3) is intended to secure the carrying out of road safety audits by the undertaker in respect of the highway works authorised by the draft DCO in accordance with Standard GG 119 Road Safety	<u><b>(3) The undertaker must carry out road safety audits of the highway works authorised by this Order in accordance with Standard GG 119 Road Safety Audit (Revision 2) of the Department for Transport’s Design Manual for Roads and Bridges or in accordance with any standard that supersedes that Standard and must, to the</b></u>	SCC considers this provision is fine.

		<p>Audit (Revision 2) of the Department for Transport’s Design Manual for Roads and Bridges (or any standard which supersedes the same). Substantially similar drafting is included in The National Grid (Richborough Connection Project) Development Consent Order 2017.</p>	<p><u>reasonable satisfaction of the highway authority, implement any recommendations to mitigate or remove road safety problems and defects identified in any such road safety audits arising out of the authorised development.</u></p>	
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## The Parish Councils of Assington, Bures St Mary, Leavenheath, Little Cornard, Polstead &amp; Stoke by Nayland [REP4-016]

<b>Table 2: SCC Table of Comments on The Parish Councils of Assington, Bures St Mary, Leavenheath, Little Cornard, Polstead &amp; Stoke by Nayland [REP4-016]</b>			
<b>Ref</b>	<b>Topic</b>	<b>Reference Number and Comment</b>	<b>SCC's Response</b>
2a	DV East CSEC	2.14 It is our proposition that the 70 x 45metre CSEC compound can readily be transposed to a site immediately adjacent to the western boundary of the quarry and coincident with the line of Work No 2 and the site of new pylon RB32. This is a distance of just over 800metres from Millfield Woods site and results in the elimination of three new pylons. As far as we are aware, there are no civil engineering constraints that would impede construction or operation at this location, which appears to be in an already worked-out section of the quarry.	<p>SCC (Planning) notes the proposition and will confine its comments (below) to minerals safeguarding.</p> <p>SCC (LHA) notes the quarry has a purpose-built access called Rands Road which connects the quarry to the A1071.</p> <p>SCC (PROW) recognises that no PROW would be affected. No record of historic claims for the site or routes recorded on the Definitive Map.</p> <p>SCC (Archaeological Service) note that though there would be no concerns for archaeology within the quarry itself, any alterations to the route would need to have archaeological assessment by geophysics and trenched archaeological evaluation to determine appropriate mitigation beyond the area of the quarry.</p>
2b	DV East CSEC	2.20 The applicant acknowledges the inactive status of current site but does not mention that CSEC might be located in what we understand to be worked-out area of the site.	<p>SCC (Planning) agrees that the northern area of the quarry was previously worked for minerals before a series of extensions to the south were made. This northern area of the quarry abutting Rands Road has most recently been used as a minerals processing and stock piling area, together with weighbridge, offices, welfare facilities and parking. Parts of this northern area of the quarry have also recolonised naturally and have considerable nature conservation interest. The quarry is currently dormant but has planning permission for sand and</p>

			gravel extraction as well a further area identified in the Suffolk Minerals & Waste Local Plan for a potential further extension to the quarry.
2c	DV East CSEC	2.21 The applicant further asserts that CSEC in quarry may prejudice future mineral extraction activities, citing a relatively recent application to extend the allocation, but does not acknowledge that this permission relates to a site south of Pope’s Green Lane, 350metres to the south of the centreline of Work No 2. The applicant also suggests that CSEC may “prejudice the future extraction of minerals at this allocated site”, citing Suffolk County Council’s (SCC) Policy MP10 regarding safeguard areas for future mineral extraction. However, it is unclear to us whether SCC has ever been asked whether it would wish or consent to extending the quarry boundary to the west towards Polstead Heath, or whether it would be content to “unsafeguard” an area outside of the consented site to enable underground cables.	SCC (Planning) would have no objection to the siting of the DV East CSEC within the area identified so long as it would not prohibit further minerals extraction and processing. The confirmation of the operator should be sought. In terms of other considerations such as ecology and landscape, SCC would note that the lead authorities for these matters are Babergh District Council, Mid Suffolk District Council, Natural England and the DVAONB.

7.5.2 (C) CEMP Appendix B – Register of Environmental Actions and Commitments (REAC) (Clean) [REP4-018]

<b>Table 3: SCC Table of Comments on 7.5.2 (C) CEMP Appendix B – Register of Environmental Actions and Commitments (REAC) (Clean) [REP4-018]</b>			
<b>Ref</b>	<b>Topic</b>	<b>Reference Number and Comment</b>	<b>SCC's Response</b>
3a			SCC (Landscape) welcomes the changes in layout to the REAC. The added columns for Location, Project Phase, Delivery Mechanism and DCO Requirement or Schedule are useful.
3b			SCC (Landscape) The references with regards to the delivery mechanisms could be more detailed, ideally down to paragraph numbers, where further detail can be found; for documents that have several Appendices (such as the OLMEP), any relevant Appendix should be listed.

6.3.6.4.5 (B) ES Appendix 6.4 Viewpoint Assessment Section F Part 5 [REP4-019]

<b>Table 4: SCC Table of Comments on 6.3.6.4.5 (B) ES Appendix 6.4 Viewpoint Assessment Section F Part 5 [REP4-019]</b>			
<b>Ref</b>	<b>Topic</b>	<b>Reference Number and Comment</b>	<b>SCC's Response</b>
4a	Corrections	<i>(Corrected pylon illustrated on viewpoint F-01 wireline from suspension pylon to tension pylon in response to the Examining Authority's First Written Questions [PD-005] written question LV1.9.15.)</i>	SCC (Landscape) noted.



8.6.4 Applicant’s Comments on Responses to First Written Questions [REP4-029]

<b>Table 5: SCC Table of Comments on 8.6.4 Applicant’s Comments on Responses to First Written Questions [REP4-029]</b>			
<b>Ref</b>	<b>Topic</b>	<b>Reference Number and Comment</b>	<b>SCC’s Response</b>
5a	Socio-Economics and Other Community Matters: General	MG1.0.43 and MG1.0.44	<p>As set out within section 15 of the Local Impact Report [REP1-045] and SCC’s response to the Examining Authority’s First Written Questions [REP4-029], SCC (Skills) does not consider the Applicant has provided a thorough or evidence-based examination of the likelihood of local labour taking up roles within the project and requests that the Applicant does further work to define the skill sets needed within its workforce and compares this to the skills available within the local labour market, providing an evidence-based approach to assessing likelihood of local labour.</p> <p>The Applicant has stated that 65% of the project cost would be spent on civil engineering works (e.g., excavations, foundations, construction and reinstatement) ([APP-066] 5.9 Socio Economics and Tourism Report para 4.3.8), therefore, SCC (Skills) disputes the statement from the Applicant that the majority of employment activities would require trained specialists who are qualified to work on high voltage electricity lines.</p> <p>SCC (Skills) reiterates that it cannot fully determine the sufficiency of the approach to determining socio economic effects ahead of receiving a detailed workforce profile.</p>

8.6.2.4 Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 4 [REP4-034]

<b>Table 6: SCC Table of Comments on 8.6.2.4: Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 4 [REP4-034]</b>			
<b>Ref</b>	<b>Topic</b>	<b>Reference Number and Comment</b>	<b>SCC's Response</b>
6a		<i>Table 4.1 – Item 5.0. Landscape and Views Displacement of recreational activity</i>	SCC (Landscape) Please refer to comments in [REP4-039] (SCC's Post Hearing Submissions for ISH4, 5.3 Consideration of the statutory purpose of the AONB).

6.3.6.4.1 (B) ES Appendix 6.4 Viewpoint Assessment Section AB Part 1 [REP4-038]

<b>Table 7: SCC Table of Comments on 6.3.6.4.1 (B) ES Appendix 6.4 Viewpoint Assessment Section AB Part 1 [REP4-038]</b>			
<b>Ref</b>	<b>Topic</b>	<b>Reference Number and Comment</b>	<b>SCC's Response</b>
7a		<i>Corrected orientation of viewpoint AB-01 wireline from 225° to 192° in response to the Examining Authority's First Written Questions [PD-005] written question LV1.9.11.</i>	SCC (Landscape) noted.

8.6.3: Applicant’s Response to the November Hearings Action Points (CAH1, ISH2, ISH3, ISH4) [REP4-042]

<b>Table 8: SCC Table of Comments on 8.6.3: Applicant’s Response to the November Hearings Action Points (CAH1, ISH2, ISH3, ISH4) [REP4-042]</b>			
<b>Ref</b>	<b>Topic</b>	<b>Reference Number and Comment</b>	<b>SCC’s Response</b>
8a	AP13		<p>From the Applicant’s response provided it is not clear where the permanent access route would cross Footpath W-171/001/0. SCC (Landscape) is concerned that a substantial part of the intervening vegetation that would potentially help to screen the view from across the Stour valley will be removed, not for the permanent access route, but for the works in general. This includes veteran tree T378, which according to the Applicant cannot be circumvented or drilled underneath.</p> <p>While SCC (Landscape) welcomes the commitment to ensure a landscape architect is involved in the detailed design of the permanent access route to advise on suitable finishes for the permanent access route at Stour Valley East CSE compound as part of reducing the landscape and visual effects of this feature, SCC expects that a suitably qualified landscape architect will be involved in the detailed landscape design throughout the entire project area.</p> <p>The embedded planting measures around the CSE compounds are not detailed enough to provide comfort that appropriate visual screening will be achieved.</p> <p>At the Stour Valley West CSE compound the proposed area for potential embedded planting seems insufficient.</p>

8.6.2.3: Applicant’s Written Summaries of Oral Submissions to Issue Specific Hearing 3 [REP4-050]

Table 9: SCC Table of Comments on 8.6.2.3 Applicant’s Written Summaries of Oral Submissions to Issue Specific Hearing 3 [REP4-050]		
Issue Discussed	Applicant’s Summary of Oral Case	SCC’s Response
3.1 Local Impact Reports and the Transport Assessment		
Clarification sought on the position of the Local Highways Authorities (LHA) in regard to the Transport Assessment [APP-061]	The Applicant confirmed it continues to welcome engagement with the LHA (Suffolk County Council ‘SCC’ and Essex County Council ‘ECC’, collectively referred to as ‘the Councils’). This includes a continuation of fortnightly meetings between the Applicant and the Councils, where highways matters are discussed. At the meeting on 1st November (the week before the hearing) the Applicant had agreed to provide the Councils with construction traffic numbers per proposed access and GIS/CAD files to enable the Councils to review each proposed access point in further detail. [Post hearing note: The construction traffic numbers have now	SCC (LHA) notes the submission of the figures in [REP4-006]. To assist in interrogating this data, SCC and ECC have requested a copy in XLSL format.  SCC (LHA) and ECC have yet to receive any detailed plans of accesses, however, at a meeting on the 29 <sup>th</sup> November confirmed that the information is sought in this respect.

	<p>been provided and have also been submitted into the Examination as <b>document 8.6.6.]</b></p>	
<p>4.1. Control Measures for Staff Numbers, Shift Patterns, Staff Vehicles and the Construction Traffic Management Plan (CTMP)</p>		
<p>The assessment on staff numbers and the control of these numbers</p>	<p>The Applicant confirmed the number of staff assumed in the Transport Assessment [APP-061] and Environmental Statement (ES) Chapter 12: Traffic and Transport [APP-080], a peak of 350 staff (in August 2025) and an average of 180, is a reasonable worst-case scenario. The staff assumptions have been developed by an experienced contractor who has worked on many similar projects. Significant contingency has been worked into the forecast during the development of the Transport Assessment (TA) and ES Chapter 12, as set out in the written record of Issue Specific Hearing 1 [REP1-024]. It is therefore very unlikely that the number</p>	<p>SCC (LHA) and ECC are yet to see any evidence submitted that confirms that the figures assessed are a worst case.</p> <p>No evidence has been submitted that the working hours are standard practice. The only evidence submitted is that the working hours have been used in other DCO submissions. If these are the working hours, then the assessment has not been based on the hour of greatest change.</p> <p>SCC (LHA) and ECC are not stating that there should not be any flexibility in controls, just that management processes are built in to minimise any short-term additional impacts.</p>

	<p>of staff required on-site will exceed the assumptions in the TA and ES. However, it was clarified by the Applicant that the TA and ES assess a reasonable worst case, those documents are not designed to capture the impact of improbable or unlikely eventualities. There is therefore a need to retain some flexibility for the main works contractor to respond to these eventualities, which is particularly crucial given that the project programme is built around fixed network outages, which means there is limited scope for programme slippage. It is therefore the Applicant’s view that it is impractical to place limits on the number of staff that the main works contractor can use to deliver this urgent Nationally Significant Infrastructure Project (NSIP). The main works contractor needs to have the</p>	
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	flexibility to respond to improbable eventualities	
Clarification on shift patterns and the proposed working hours	<p>SCC asked if shift patterns can be secured. The Applicant responded that the assumption used in the assessment is 7am-7pm weekday working hours, which means that most construction staff would not be travelling during peak hours. The Applicant noted that the proposed working hours used in the TA and ES are standard practice for a project of this nature and have also been applied to other recent National Grid projects including the Hinkley Connection (7am-7pm weekday working hours). In addition, other nearby NSIPs have also assumed similar hours. For example, the Scottish Power Renewables EA1(N) and EA2 avoid construction vehicles using the local highway on Sundays and Bank Holidays.</p>	<p>SCC (LHA) and ECC are yet to see any evidence submitted that confirms that the figures assessed are a worst case.</p> <p>No evidence has been submitted that the working hours are standard practice. The only evidence submitted is that the working hours have been used in other DCO submissions. If these are the working hours, then the assessment has not been based on the hour of greatest change.</p> <p>SCC (LHA) and ECC are not stating that there should not be any flexibility in controls, just that management processes are built in to minimise any short-term additional impacts.</p>



<p>Clarification on the term 'minibus' and staff vehicles used</p>	<p>The Applicant confirmed 'crew van' is a more accurate description of the vehicle in question than 'minibus'. These are staff welfare crew vans with an average occupancy of four to six persons. For assessment purposes in the TA and ES an average occupancy of four staff per van has been assumed, which is at the lower end of the occupancy range quoted, and that 70% of staff would use crew vans to travel to and from construction sites. The assumption related to 70% use of crew vans is based on their use being standard practice on a project of this nature, as advised by an experienced contractor who supported the development of the application for development consent. The Applicant also noted that many contractors on projects of this nature implement policies preventing workers from driving personal cars to site. In the TA [APP-061]</p>	<p>SCC (LHA) and ECC welcome the clarification regarding the crew van.</p> <p>No evidence has been submitted that supports the 70% assumption, nor any controls within the CTMP that will ensure it is delivered.</p> <p>Mainly as a result of the two assumptions around car share and staff travel times, the peak figure of 528 staff is assessed as 32 peak hour vehicle movements, which is a reason why a traffic impact has not been identified.</p> <p>It is difficult to see how this can be considered a <i>worst-case</i> assessment.</p>
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	<p>it has been assumed as part of a precautionary assessment that 30% of staff would drive their own vehicle to site with an average occupancy of one staff member per vehicle. This therefore can be seen as a reasonable worst-case scenario, particularly if the main works contractor implements a policy of preventing staff from bringing their own vehicles to site. As per earlier responses however, the TA and ES are not designed to capture the impact of improbable or unlikely eventualities.</p> <p>There is therefore a need to retain some flexibility for the main works contractor to respond to these eventualities, which is particularly crucial given that the project programme is built around fixed network outages, which means there is limited scope for programme slippage. It is therefore the Applicant's view that it is impractical to place limits on the main</p>	
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	<p>works contractor use of crew vans, or requirements to achieve specific targets in terms of vehicle occupancy (noting that aspirational targets are being included in the CTMP [REP3-030]. The main works contractor needs to have the flexibility to respond to improbable eventualities</p>	
<p>The progress of the CTMP</p>	<p>The Applicant confirmed the intention to make the CTMP a final document during the Examination. The Applicant noted that discussions with the LHA were ongoing and that the Applicant has been working to accommodate requests from the LHA where reasonably practicable to do so. The recent inclusion of HGV routes in Appendix A of the CTMP submitted at Deadline 3 [REP3-030] was cited as an example. In response to the Councils, the Applicant then generally reiterated the importance of retaining flexibility to respond to unforeseen events (for</p>	<p>SCC (LHA) welcomes the inclusion of the construction routes within the CTMP albeit with the reservations expressed in the LIR [REP1-044] and [REP1-045].</p> <p>SCC (LHA) considers that with the lack of controls and details regarding monitoring, reporting, and enforcement, the CTMP can only be considered a draft or outline and that there should be a further iteration of the CTMP when more information is available from the contractor for discharge by the Highway Authorities.</p>

	<p>example, extreme weather preventing access to site). It was noted that the project programme needs to be met. The Applicant agreed to continue dialogue with the Councils and other consultees to seek to accommodate concerns where appropriate</p>	<p>It was assumed that the flexibility sought was included within the Applicant's assumptions made when estimating the parameters assessed in the ES and TA.</p>
<p>6.1. Proposed Access Points, Bell-mouths and Access Tracks and Roads, Including the Haul Road from the A131 and the 'Hybrid' Solution Raised by Pebmarsh Parish Council and Others</p>		
<p>The ExA asked the Applicant to provide a summary of the reasons for access point ABAP5</p>	<p>The Applicant confirmed that prior to submission of the application a generic bell-mouth and standard visibility splay were considered for assessment purposes and to inform the Order limits. AB-AP5 [APP-012, sheet 2] would be a temporary access point for the construction of overhead line pylon RB-4 [APP-010, sheet 2]. The Applicant noted the access point is an existing farm access and would be infrequently used. Use would be for three</p>	<p>SCC (LHA) notes that movements of 120 HGVs in December 2024 are forecast for access AB-AP5. Noting that most projects do not work over the festive break, this suggests more than infrequent use, certainly an intensification of use for a field access. SCC is very concerned that the Applicant considers that limited improvements to visibility are needed considering the very limited visibility to the south of this access at present.</p>

	<p>periods, with dates provided indicatively: in November/December 2024 to upgrade the access, returning in March-May 2025 for construction activities, and June 2026 for demobilisation. The Applicant summarised AB-AP5 was chosen as it is an existing and infrequently used access, reducing disruption, and provides access to pylon RB-4. <u>Limited improvements to visibility would be needed for the vehicle types using this access.</u></p>	
<p>The use of AB-AP5 and the alternative of access point AB-AP4</p>	<p>The Applicant clarified its preference for AB-AP5 due to the re-use of existing infrastructure and to minimise the impact on agricultural activities. However, if an appropriate access design cannot be agreed with the LHA, then the open field can be used to install a new access at AB-AP4 [APP-012, sheet 2]. Vehicles using the access would typically be normal road vehicles, consisting of cars, vans, Large</p>	<p>As above.</p>

	<p>Goods Vehicles and Heavy Goods Vehicles. As outlined in the TA [APP-061], the frequency of vehicles would be two to four movements a day over the period of November-December 2024, to an approximate total of 210 vehicles during this period. There would be a crane coming in one visit for the construction of RB-4. The ExA asked under what circumstances the alternative access AB-AP4 would be used. The Applicant stated that this would be an alternative if an access could not be designed that satisfied the LHA in terms of delivering a safe access with sufficient visibility and that can be delivered without unacceptable impacts on existing vegetation. If the LHA (SCC) did not consider the AB-AP5 design appropriate, then it would not approve and AB-AP4 would be pursued and designed in a satisfactory manner to the LHA.</p>	
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6.2. Any Other Matters Arising from the Responses to the Examining Authority’s First Written Questions		
The submission of REP3-005 by the Applicant	The Applicant noted the revision updates a drafting error, which gave the incorrect impression of where the visibility is typically measured to. The Applicant considered this to be a general worst-case scenario in respect to left and right visibility, with measures to be applied dependent on site specific constraints.	Following discussions with the applicant on the 29 <sup>th</sup> November 2023 focussing on a single access, SCC (LHA) remains greatly concerned regarding the feasibility of many accesses and that the site-specific assessments have not been completed in sufficient detail.
Table 7.1 – Item 8.0. Any Other Business		
Section 59 of the Highways Act 1980	SCC considered the project potentially capable of damage caused to the route via ‘extraordinary traffic’. SCC suggested a side agreement to avoid any potential of needing to employ the process set out in s.59 of the Highways Act 1980. The Applicant noted that s.59 is an existing statutory provision allowing for such circumstances, and hence the Applicant	This remains unresolved and SCC (LHA)’s position is unchanged.

	<p>submitted that it is not necessary to replace that provision. The Applicant has already committed to carrying out condition surveys of the roads in the Construction Traffic Management Plan [REP3-024]. The Applicant is happy to share survey data but does not agree with the suggestion that s59 needs to be replaced by a side agreement</p>	
<p>8.2. Update on the Position of the Road Safety Audit</p>		
<p>The ExA asked the Applicant to provide an update on the position of the Road Safety Audit</p>	<p>As raised at Issue Specific Hearing 1, the Applicant can agree to undertake a Stage 1 audit at the end of Preliminary Design and a separate Stage 2 Detailed Design at the detailed design stage, or as in many well precedented cases for minor highway works, a combined Stage 1/2 audit at the end of the detailed design stage. The Applicant will continue to discuss the most appropriate timing for audits and the</p>	<p>Whilst welcoming the Applicant's inclusion of Road Safety Audits in Requirement 11 and agreeing that the necessity is proportional to the use of the access, SCC (LHA) remains concerned that this information and other items such as speed surveys are not available at this stage of the examination. As a matter of caution, SCC would advise that when considering visibility Auditors should take account of the season when the audit is undertaken i.e., die back of vegetation.</p>



	<p>accesses that may require them (as infrequent maintenance accesses may not) with the LHAs in the regular highways meetings. [Post hearing note: The Applicant has included additional drafting in Requirement 11 that explicitly requires the Applicant to undertake road safety audits of the highway works authorised by the order (document 3.1 (D) submitted at Deadline 4). This provides reassurance that these audits will be undertaken.]</p>	
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