



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

Answers to Examining Authority's Further  
Written Questions (ExQ2)

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

Deadline 7

17 January 2024

# Table of Contents

<b>Glossary of Acronyms</b> .....	<b>3</b>
<b>Purpose of this Submission</b> .....	<b>3</b>
<b>1 Answers to Examining Authority’s Second Written Questions (ExQ2) ....</b>	<b>4</b>
<b>0. Miscellaneous and general</b> .....	<b>4</b>
General and cross-topic .....	4
Legislation and policy .....	4
The Proposed Development .....	7
Alternatives .....	7
Socio-economics and other community matters: employment .....	7
Socio-economics and other community matters: businesses.....	8
Socio-economics and other community matters: local residents and community.....	8
<b>1. Air quality and emissions</b> .....	<b>8</b>
<b>2. Approach to the EIA and the ES</b> .....	<b>8</b>
<b>3. Biodiversity, ecology and nature conservation, including HRA matters</b> .....	<b>9</b>
<b>4. Compulsory Acquisition, Temporary Possession and other land or rights considerations</b> .....	<b>10</b>
<b>5. Construction matters</b> .....	<b>11</b>
General construction matters .....	11
<b>6. Draft Development Consent Order</b> .....	<b>14</b>
<b>7. Good design – no questions in ExQ2</b> .....	<b>29</b>
<b>8. Historic environment</b> .....	<b>29</b>
<b>9. Landscape and views, including trees and hedgerows</b> .....	<b>34</b>
National Landscape and landscape assessment .....	34
Visual assessment .....	35
Hedgerows and trees .....	37
<b>10. Land use and soil</b> .....	<b>37</b>
Agriculture and other land use .....	37
Soils, geology and ground conditions .....	37
<b>11. Noise and vibration</b> .....	<b>38</b>
<b>12. The water environment</b> .....	<b>40</b>
Flood Risk Assessment .....	40
Surface water management.....	40
Management measures .....	40
Temporary bridges and culverts.....	41
<b>13. Traffic and transport</b> .....	<b>41</b>

Transport assessment .....	41
Construction traffic and construction route strategy.....	41
Public rights of way .....	44

## Glossary of Acronyms

<i>DCO</i>	<i>Development Consent Order</i>
<i>DVNLSVP</i>	<i>Dedham Vale National Landscape and Stour Valley Partnership</i>
<i>ExA</i>	<i>Examining Authority</i>
<i>ExQ</i>	<i>Examining Authority’s Written Questions</i>
<i>LHA</i>	<i>Local Highway Authority</i>
<i>LLFA</i>	<i>Lead Local Flood Authority</i>
<i>LPA</i>	<i>Local Planning Authority</i>
<i>NGET</i>	<i>National Grid Electricity Transmission</i>
<i>PROW</i>	<i>Public Rights of Way</i>
<i>SCCAS</i>	<i>Suffolk County Council Archaeological Service</i>
<i>SCC</i>	<i>Suffolk County Council</i>
<i>“The Host Authorities” refers to Suffolk County Council, Babergh and Mid Suffolk District Councils, Essex County Council, and Braintree District Council.</i>	

## Purpose of this Submission

This document has been prepared by Suffolk County Council in response to the Examining Authority’s Further Written Questions (ExQ2) **[PD-008]** and is based on a template provided by the Planning Inspectorate case team. For ease of use, questions which are not addressed to Suffolk County Council have been greyed out and where another authority is the Lead Authority, this has been attributed. Examination Library references have been used throughout to assist readers.

# 1 Answers to Examining Authority’s Second Written Questions (ExQ2)

Reference	Question to	Question	Local Authority Answer
<b>0. Miscellaneous and general</b>			
General and cross-topic			
MG2.0.1	The Applicant		
Legislation and policy			
MG2.0.2	The Applicant and all IPs	<p>On 22 November 2023, the Department for Energy Security and Net Zero published an updated version of the draft National Policy Statements for Energy (NPS EN-1 to NPS EN-5). These include some changes relating to the decision-making process for low carbon generation NSIP applications and electricity connections. The revised draft Statements have been laid before Parliament but were yet to be designated at the time of the publication of these ExQ2.</p> <p>Do any parties have any comments on the potential effect of the changes set out in the relevant November 2023 draft versions of the Energy National Policy Statements on matters</p>	<p>SCC (Planning) notes that paragraph 1.6.3 of revised EN-1, published 22 November 2023, states:</p> <p><i>“1.6.3 The 2023 amendments will therefore have effect only in relation to those applications for development consent accepted for examination, after the designation of those amendments. However, any emerging draft NPSs (or those designated but not yet having effect) are potentially capable of being important and relevant considerations in the decision-making process. The extent to which they are relevant is a matter for the relevant Secretary of State to consider within the framework of the Planning Act 2008 and with regard to the specific circumstances of each Development Consent Order application.”</i></p> <p>SCC (Planning) considers that section 4.2, Critical National Priority Infrastructure, is relevant to the project, noting that adaptive management is now included in national policy and is therefore a consideration in regard to the mitigation hierarchy and its operation. The County Council would like to draw the applicant’s attention to the following assessment requirements:</p> <p><i>“Applicant’s assessment</i></p> <p><i>4.2.10 Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements.</i></p>

Reference	Question to	Question	Local Authority Answer
		<p>related to this application, compared to the March 2023 draft versions of the Energy National Policy Statements?</p>	<p><i>4.2.11 Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated.</i></p> <p><i>4.2.12 Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The cumulative impacts of multiple developments with residual impacts should also be considered.”</i></p> <p>Further to this, revised EN-5 states:  <i>“2.11.6 Away from these protected landscapes and in locations where there is a high potential for widespread and significant adverse landscape and/or visual impacts, the Secretary of State should be satisfied that the applicant has provided evidence to support a decision on whether undergrounding is or is not appropriate, having considered this on a case-by-case basis, weighing the considerations in paragraph 2.9.24 above.”</i></p>
<p>MG2.0.3</p>	<p>The Applicant Babergh and Mid Suffolk District Councils Suffolk County Council Essex County Council</p>	<p>The Government published an updated National Planning Policy Framework accompanied by a written ministerial statement on 19 December 2023. Do you have any comments on the potential effect of the changes this brings to the wider planning policy framework on matters related to this application?</p>	<p>SCC (Planning) notes that the NPPF forms part of the overall framework of national planning policy and is a material consideration. However, it is not considered that there any particular implications arising out of the publication of the latest version.</p>

Reference	Question to	Question	Local Authority Answer
	Braintree District Council		
MG2.0.4	The Applicant		
MG2.0.5	Essex County Council		
MG2.0.6	The Applicant		
MG2.0.7	The Applicant		
MG2.0.8	The Applicant Babergh and Mid Suffolk District Councils Suffolk County Council Essex County Council Braintree District Council	What weight do you consider should be given in this Examination to the Department for Energy Security and Net Zero publication <i>Transmission Acceleration Action Plan - Government response to the Electricity Networks Commissioner's report on accelerating electricity transmission network build?</i>	SCC (Planning) considers that there are not any particular implications arising out of the publication of the report. It is understood that the proposed development is already on a tight timescale.
MG2.0.9	The Applicant Babergh and Mid	What policy weight do you consider should be given in this Examination to the Department for Levelling Up, Housing and Communities'	SCC (Planning) considers that this document forms part of the overall framework of national planning policy and is a material consideration. However, it is not considered that there any particular implications arising out of the publication of the policy paper.

Reference	Question to	Question	Local Authority Answer
	Suffolk District Councils Suffolk County Council Essex County Council Braintree District Council	policy paper <i>Getting Great Britain building again: Speeding up infrastructure delivery</i> (November 2023)?	
MG2.0.10	The Applicant		
The Proposed Development			
MG2.0.11	The Applicant		
MG2.0.12	The Applicant		
MG2.0.13	The Applicant		
Alternatives			
MG2.0.14	The Applicant		
Socio-economics and other community matters: employment			
MG2.0.15	The Applicant		
MG2.0.16	The Applicant		

Reference	Question to	Question	Local Authority Answer
Socio-economics and other community matters: businesses			
MG2.0.17	The Applicant		
Socio-economics and other community matters: local residents and community			
MG2.0.18	The Applicant		
<b>1. Air quality and emissions</b>			
AQ2.1.1	The Applicant		
AQ2.1.2	The Applicant		
AQ2.1.3	The Applicant		
AQ2.1.4	The Applicant		
AQ2.1.5	The Applicant		
AQ2.1.6	The Applicant		
AQ2.1.7	The Applicant		
<b>2. Approach to the EIA and the ES</b>			
EA2.2.1	The Applicant		
EA2.2.2	The Applicant		



Reference	Question to	Question	Local Authority Answer
<b>3. Biodiversity, ecology and nature conservation, including HRA matters</b>			
EC2.3.1	<p>The Applicant Babergh and Mid Suffolk District Councils Suffolk County Council Essex County Council Braintree District Council Natural England</p>	<p>The November 2023 draft National Policy Statement for Electricity Networks Infrastructure (NPS EN-5) notes at paragraph 2.10.8 that long-term management of mitigation schemes is essential and that the relevant management plan should include a realistic timescale to secure the integrity and benefit of landscape and biodiversity commitments made to achieve consent. To what extent do you believe this draft policy is important and relevant to the Examination?</p> <p>Do you consider the current commitments made in relation to the maintenance and aftercare of mitigation planting and Biodiversity Net Gain measures (summarised, for example, in the Applicant’s response to comments from the Essex councils at Deadline 5 <b>[REP5-025]</b>) sufficient to meet this policy aspiration?</p>	<p>SCC (Planning) notes the recent experience with the Scottish Power Renewables East Anglia Two and One North offshore wind farm proposals, whereby the applicant was agreeable to active management of the screen planting around the onshore substation. This was in recognition of the implications of climate change and high failure rates of tree planting. Over and above the standard replacement of failures, it included watering of new trees in dryer times of the year.</p> <p>SCC (Landscape) considers paragraph 2.10.8 of, and the wider November 2023 draft National Policy Statement for Electricity Networks Infrastructure (NPS EN-5) to be important and relevant to the examination, not only because the NPS is anticipated to come into force in early 2024 and sets out the government’s intentions, but because the uncertainty in weather patterns experienced over the recent years. It is no longer possible to assume that following a five-year aftercare period, all plantings will have established and be on their way to maturity. The first years after planting remain essential for establishment, but there is now a higher risk that plantings fail, even at a later stage, and that replanting may be necessary to a greater extent than in the past.</p> <p>This is why SCC (Landscape) advocates a dynamic aftercare (see LIR <b>[REP1-045]</b>, paragraph 6.30), which puts greater weight on outcomes (i.e., successful establishment) than on fixed timescales. For SCC (Landscape), ‘realistic timescales’ would, therefore, be timescales with built in flexibility to extend aftercare periods, if successful establishment goals have not been achieved in the original aftercare period. Aftercare periods for any given planting area should only finish when the mitigation/ biodiversity or environmental goals set out in the control documents have been achieved or are reasonably likely to be achieved.</p> <p>SCC (Landscape) does not consider the current commitments made in relation to the maintenance and aftercare of mitigation planting sufficient to meet this policy aspiration. Please</p>

Reference	Question to	Question	Local Authority Answer
			refer to comments in the LIR [REP1-045], paragraphs 6.12- 6.29, and further comments provided at deadlines 5 [REP5-035] and 6 [REP6-054].
EC2.3.2	The Applicant		
EC2.3.3	The Applicant Natural England		
EC2.3.4	The Applicant		
EC2.3.5	The Applicant		
EC2.3.6	Mr Nick Miller		
EC2.3.7	Environment Agency Natural England		
<b>4. Compulsory Acquisition, Temporary Possession and other land or rights considerations</b>			
CA2.4.1	Robert Arthur David Cowlin		
CA2.4.2	Simon J Gilbey on behalf of GVS Nott (trading as		

Reference	Question to	Question	Local Authority Answer
	D P Nott & Sons)		
CA2.4.3	Land Partners LLP on behalf of Peter Nott		
CA2.4.4	Francis Prosser		
CA2.4.5	Francis Prosser		
CA2.4.6	Francis Prosser		
CA2.4.7	Robert Shelley		
CA2.4.8	The Applicant		
CA2.4.9	The Applicant		
<b>5. Construction matters</b>			
General construction matters			
CM2.5.1	The Applicant		
CM2.5.2	The Applicant		
CM2.5.3	The Applicant		

Reference	Question to	Question	Local Authority Answer
<p>CM2.5.4</p>	<p>Babergh and Mid Suffolk District Councils Suffolk County Council Essex County Council Braintree District Council Natural England</p>	<p>Further to Applicant's response to Action Point 9 at Issue Specific Hearing 1 [REP1-034], and to the discussion in Issue Specific Hearing 5, can you confirm your position in relation to the use of phrases or words such as 'severe weather conditions', 'disrupted', 'interrupted', and 'delayed', especially if you believe them to be insufficiently precise to justify operations taking place outside the core working hours? (Replicated in paragraph 2.3.1 (2) of the CEMP [REP3-024]).</p>	<p>As first noted in SCC's post-hearing submission for ISH5 [REP6-056], under item 4.3, SCC (Planning) wishes to propose the following wording in relation to "severe weather conditions" in Requirement 7(3)(g). That provision allows works delayed or held up by "severe weather conditions" to be completed outside the core working hours referred to in Requirement 7(1). While SCC accepts the fact that certain abnormal weather events might disrupt the undertaker's plans, SCC also considers it would be helpful if that term was defined and would propose the inclusion of the following sub-paragraph after existing Requirement 7(4) –</p> <p>"In this Requirement, "severe weather conditions" means any weather which prevents work from taking place during the core working hours referred to in sub-paragraph (1) by reason of physical incapacity (whether for reasons of visibility, ground conditions, power availability, site access or otherwise) or being contrary to safe working practices".</p> <p>SCC further considers it would be helpful if the undertaker notified the relevant planning authority to explain when and why works could not be done at the appropriate time.</p> <p>SCC (Legal) would note the following: Paragraph 4 of SCC's Deadline 6 document <i>Post-Hearing Submission for the Fifth Issue Specific Hearing (ISH5) on the draft Development Consent Order and Related Matters [REP6-056]</i> sets out SCC's position on Requirement 7 (construction hours).</p> <p>Regarding "severe weather conditions", SCC is content for the term to be included in Requirement 7 provided it is defined and accompanied by a provision requiring the undertaker to notify the relevant planning authority when and why works could not be done at the appropriate time. SCC's proposed amendments are below and SCC considers these changes help make Requirement 7 more precise.</p> <p>As mentioned at ISH5, SCC also considers Requirement 7 should make clear that "work" includes any pre-commencement operation and should state that lorry deliveries may not be made on Saturday afternoons, Sundays, and Bank holidays.</p> <p>Taken together, SCC would propose Requirement 7 is amended as follows (amendments shown underlined and bold) –</p>

Reference	Question to	Question	Local Authority Answer
			<p>“7.—(1) Subject to sub-paragraphs (2) to (4), work <b><u>(which includes any pre-commencement operation)</u></b> may only take place between 0700 and 1900 Monday to Friday and between 0800 and 1700 on Saturdays, Sundays and Bank Holidays (the core working hours), unless otherwise approved by the relevant planning authority.</p> <p>(2) No percussive piling operations may take place on Sundays and Bank Holidays <b><u>and no lorry deliveries may be made to site on Saturday afternoons, Sundays and Bank Holidays.</u></b></p> <p>(3) The following operations may take place outside the core working hours referred to in subparagraph (1)—</p> <ul style="list-style-type: none"> <li>(a) trenchless crossing operations including beneath highways, railway lines, woodlands or watercourses;</li> <li>(b) the installation and removal of conductors, pilot wires and associated protective netting across highways, railway lines or watercourses;</li> <li>(c) the jointing of underground cables (save for the cutting of underground cables);</li> <li>(d) the completion of operations commenced during the core working hours which cannot safely be stopped;</li> <li>(e) any highway works requested by the highway authority to be undertaken on a Saturday, Sunday or a Bank Holiday or outside the core working hours;</li> <li>(f) the testing or commissioning of any electrical plant installed as part of the authorised development;</li> <li>(g) the completion of works delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities;</li> <li>(h) activity necessary in the instance of an emergency where there is a risk to persons or property;</li> <li>(i) security monitoring; and</li> <li>(j) surveys.</li> </ul>

Reference	Question to	Question	Local Authority Answer
			<p><b><u>(3A) Where any work has been delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities in accordance with sub-paragraph (3)(g) the undertaker must, as soon as practicable, notify the local planning authority of the disruption or interruption and explain why that work could not be completed within the core working hours referred to in sub-paragraph (1).</u></b></p> <p>(4) The core working hours referred to in sub-paragraph (1) exclude start up and close down activities up to 1 hour either side of the core working hours.</p> <p><b><u>(5) In this Requirement, “severe weather conditions” means any weather which prevents work from taking place during the core working hours referred to in sub-paragraph (1) by reason of physical incapacity (whether for reasons of visibility, ground conditions, power availability, site access or otherwise) or being contrary to safe working practices.”</u></b></p>
<b>6. Draft Development Consent Order</b>			
DC2.6.1	The Applicant		
DC2.6.2	The Applicant Suffolk County Council Essex County Council	Should references in Article 15, Temporary stopping up of streets and public rights of way, to ‘stopping up’, stop up’ and ‘stopped up’ refer to ‘closure’, ‘close’ and ‘closed’ respectively for the sake of clarity and accuracy?	<p>SCC (Legal) notes that “temporary stopping up” (and the attendant “stop up” and “stopped up”) has been used in several DCOs, including Model Provision 11 of the Infrastructure Planning (Model Provisions) (England and Wales) Order 2009. Other examples (picked randomly) include the Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (article 15), A19/A184 Testo’s Junction Alteration Development Consent Order 2018 (article 12), Silvertown Tunnel Order 2018 (article 11), Norfolk Vanguard Offshore Wind Farm Order 2022 (article 11), and A47 Wansford to Sutton Development Consent Order 2023 (article 16). Owing to the frequent use of “stopping up” etc. in this context, SCC is content for the terms to be used in the instant dDCO.</p> <p>SCC (LHA) is content with the use of the term ‘close’ and ‘closed’ subject that clarity is given by the applicant that the removal of access rights refers to motorised vehicles and not cyclists, walkers and horse riders.</p>
DC2.6.3	The Applicant		
DC2.6.4	The Applicant		

Reference	Question to	Question	Local Authority Answer
DC2.6.5	Suffolk County Council Essex County Council	Are you content with the scope of powers sought to authorise alteration and use as a temporary work site of any street or public right of way that has been temporarily stopped up, altered or diverted under the powers conferred by Article 15, Temporary stopping up of streets and public rights of way, whether or not within the Order Limits? If not, can you propose alternative draft wording or, if included elsewhere, signpost it?	<p>SCC (Legal) notes the following: The relevant power is included in article 15(2), which states –</p> <p>“Without limitation on the scope of paragraph (1), the undertaker may use as a temporary working site any street or public right of way which has been temporarily stopped up, altered or diverted under the powers conferred by this article”.</p> <p>This is a wide-ranging power which could apply to streets and public rights of way both inside and outside the Order limits. SCC is concerned that, absent any control, a temporary working site could be located in an inappropriate location. SCC therefore considers it reasonable that the power in article 15(2) should be amended to require the street authority’s permission to use a location as a temporary working site. SCC would propose the following amendment to article 15(2) (amendments shown underlined and bold) –</p> <p>“Without limitation on the scope of paragraph (1), <b><u>and subject to the street authority’s consent</u></b>, the undertaker may use as a temporary working site any street or public right of way which has been temporarily stopped up, altered or diverted under the powers conferred by this article”.</p>
DC2.6.6	Suffolk County Council Essex County Council	In respect of Article 15, Temporary stopping up of streets and public rights of way, are you satisfied that the information in Schedule 7, together with the Access, Rights of Way and Public Rights of Navigation Plans <b>[APP-012]</b> would provide you with sufficient information in your role as street authority?	<p>SCC (Planning) supports the view of the Dedham Vale National Landscape and Stour Valley Partnership that the Environment Agency is the Navigation Authority for the river Stour, as further expressed in the DVNLSVP answer to this question.</p> <p>SCC (PROW) can confirm that the information provided for Public Rights of Way within provides sufficient information.</p> <p>SCC (LHA) can confirm that the information provided for Public Rights of Way within provides sufficient information as street authority, subject to some minor referencing matters (please refer to SCC’s accompanying Deadline 7 submission responding to the action points arising from ISH5 and ISH6).</p>
Valley	The Applicant		

Reference	Question to	Question	Local Authority Answer
DC2.6.8	<p>Babergh and Mid Suffolk District Councils Suffolk County Council Essex County Council Braintree District Council</p>	<p>In respect of Article 53, Safeguarding, can you advise:</p> <ol style="list-style-type: none"> <li>1. What would registration of the provisions of Article 53 as a local land charge entail? For example, would it involve registration of the charge in the Applicant's favour on an individual plot of land on a folio-by-folio basis?</li> <li>2. Once the charge was registered with HM Land Registry, would the council have to undertake a separate date entry exercise in respect of updating its digital mapping database etc and what would this entail?</li> <li>3. What would be the attendant implications for staff resources?</li> <li>4. Once the charge was registered on the council's database etc, would the Applicant automatically</li> </ol>	<p>SCC (Planning) considers the following:</p> <ol style="list-style-type: none"> <li>1. This is a matter for HM Land Registry</li> <li>2. No</li> <li>3. N/A</li> <li>4. No</li> <li>5. No</li> <li>6. N/A</li> </ol>



Reference	Question to	Question	Local Authority Answer
		<p>appear on a statutory list of consultees for individual planning applications on land subject to the charge?</p> <p>5. Would the Applicant's addition as a statutory consultee involve any additional staff time when consultations are being carried out on a planning application? If so, what would this involve?</p> <p>6. If the councils and Applicant were to be amenable to entering into a Planning Performance Agreement to address the administrative task that Article 53 of the dDCO would involve, how would this be secured?</p>	
DC2.6.9	The Applicant		

Reference	Question to	Question	Local Authority Answer
DC2.6.10	The Applicant		
DC2.6.11	<p>Babergh and Mid Suffolk District Councils</p> <p>Suffolk County Council</p> <p>Essex County Council</p> <p>Braintree District Council</p>	<p>Subsequent to amendment of the CEMP [REP3-025] by insertion of Table 4.1, are you satisfied that there is sufficient control in the dDCO over the siting of the proposed temporary construction compounds? If not, precisely how is it considered to be deficient or unclear and how might perceived issues or omissions be addressed?</p>	<p>SCC (Planning) wishes to see additional detail over and above the map coordinate and plan shading presented, so that the implications of the proposed compounds can be considered more fully.</p> <p>SCC (Legal) notes the following:</p> <p>Requirement 4(1) (management plans) provides –</p> <p>“All construction works forming part of the authorised development must be carried out in accordance with the plans listed in sub-paragraph (2) below, unless [certain exceptions apply]”. The plans listed in sub-paragraph (2) include the Construction Environmental Management Plan (“CEMP”) [REP3-025].</p> <p>“Authorised development” means the development described in Schedule 1 and, while there is no definition of “construction works”, “temporary construction works” is defined as meaning “the temporary construction works described in Schedule 1 (authorised development) to the Order” (article 2(1)). SCC considers “all construction works” must include “temporary construction works” because, per article 2(1), “temporary construction works” form part of the authorised development. Moreover, it could be argued that “all” includes permanent and temporary construction works.</p> <p>Schedule 1 includes Work No. 12 – Temporary Site Compounds – which makes provision for “Works to construct <u>temporary site compounds</u> as part of the authorised development and in each case which may include [certain matters]”.</p> <p>So, by article 2(1) and Requirement 4(1) and (2), and subject to certain exceptions, the temporary construction works must be carried out in accordance with the CEMP. Since Work No. 12 – Temporary Site Compounds – is included in Schedule 1 is falls within the meaning of “temporary construction works” and so Work No. 12 must be carried out in accordance with the CEMP.</p>

Reference	Question to	Question	Local Authority Answer
			<p>SCC would be grateful for the Applicant’s confirmation as to whether it agrees with the above analysis.</p> <p>Turning to the CEMP, there is a mismatch between the terms used in the dDCO (“temporary <u>site</u> compounds”) and the CEMP itself, which refers to “temporary <u>construction</u> compounds”. If these are one and the same thing, SCC would suggest the following four references to “temporary construction compounds” in the CEMP are amended to refer to “temporary site compounds”: (i) References, Table 4.1; (ii) paragraph 4.2.8; (iii) heading of Table 4.1; and (iv) paragraph 6.4.6. If the Applicant disagrees, SCC would welcome its explanation.</p> <p>Based on the above, the siting of the proposed temporary site compounds, would seem to be controlled by paragraph 4.2.8 of the CEMP <b>[REP3-025]</b>, which states –</p> <p>“The locations of the temporary construction compounds are shown on the General Arrangement Plans (application document 2.10.) and are detailed in Table 4.1”.</p> <p>Owing to their importance in identifying the location of the compounds, SCC would expect the General Arrangement Plans to be a certified document; however, they do not appear to be. SCC would welcome the Applicant’s explanation why the General Arrangement Plans are not certified documents.</p> <p>SCC (LHA) would note that as the access points are set out separately in the Access, Rights of Way and Public Rights of Navigation Plans <b>[APP-012]</b> and controlled in terms of approval by Requirement 11 and SCC is content as LHA with this arrangement. The authority notes that for some locations utility apparatus connections are required and that the sizes of the temporary areas are only approximate with no tolerance or maximum area given.</p>
DC2.6.12	Essex County Council Braintree District Council		

Reference	Question to	Question	Local Authority Answer
DC2.6.13	Essex County Council Braintree District Council Suffolk County Council Babergh and Mid Suffolk District Councils	Can you provide a further response about the content of the following management plans, without prejudice to any view that you might hold that these should be treated as outline plans that would need to be detailed post-consent by the local planning authority, and the ExA's ultimate recommendation on this matter? Can you summarise or signpost what further information would be necessary in your opinion to make each of these plans sufficiently detailed to represent final versions and thus to allow you the necessary control over the construction and associated activities should the DCO be made? (Further to the example of the LEMP in the councils' joint Landscape and Ecological Management Plan Document Review [REP5-035] and the subsequent Deadline 6 submission from Suffolk County Council, Additional Evidence relating to the Landscape and Ecological Management Plan [REP6-055]).	<p>SCC (LHA) notes that the Applicant submitted an updated Construction Traffic Management Plan at Deadline 6 [REP6-025], and so these comments have been provided with the aim of taking into consideration the updates within that plan. As per our response, aside from relevant controls on HGVs which, we identified the following key commitments that we would like to see:</p> <ol style="list-style-type: none"> <li>1) Target the workforce car share as assessed in the Transport Assessment</li> <li>2) Survey staff arrival and departure times.</li> <li>3) Survey of HGV numbers and EURO compliance.</li> <li>4) Commit to reporting the findings of the survey to the Councils.</li> <li>5) Commit to additional measures being implemented if the car share proportions are not achieved, such as a staff minibus.</li> <li>6) Commit to a review of impacts if the shift patterns are not similar to those assessed.</li> </ol> <p>The Applicant had committed to considering our concerns and the most recent CTMP addresses point 1 and partially point 2 and 5, above as:</p> <ol style="list-style-type: none"> <li>1) Paragraph 6.3.5 includes a commitment to target the assessed car share proportions.</li> <li>2) Paragraph 6.3.5 includes a commitment to survey staff movements. The Council do not want or need full staff details, just numbers of vehicles and staff.</li> <li>3) Paragraph 6.3.5 includes a commitment to discussing further measures for achieving staff car share.</li> <li>4) It is also noted that there is a commitment to sharing information on construction vehicle route compliance with the Council, which is welcomed. However, the Council maintains that a monitoring report should be submitted.</li> </ol> <p>On the basis of the above, the Council considers that the following text should be included:</p>

Reference	Question to	Question	Local Authority Answer
		<p>(a) Construction Environmental Management Plan.</p> <p>(b) Materials and Waste Management Plan.</p> <p>(c) Construction Traffic Management Plan.</p> <p>(d) Landscape and Ecological Management Plan.</p> <p>(e) Public Rights of Way Management Plan.</p>	<p>At paragraph 6.3.5 the text should be amended to <i>“Staff will be required to sign in and out of each work location and staff numbers per work site, including arrival and departures times, will be shared with the relevant highway authority (full detail cannot be shared due to General Data Protection Regulations).”</i></p> <p>At paragraph 6.4.3 the text should be amended to the following:</p> <p><i>“A copy of the report will be provided to the relevant highway authorities one month after completion of the surveys.”</i></p> <p>Table 7.1 text should be amended to <i>“Checking signage is in place. Monitoring of vehicle condition, standards (including EURO compliance) and use of agreed construction routes.”</i></p> <p>Paragraph 7.2.5 should be amended to <i>“National Grid will share quarterly information on compliance with routes in Appendix A and EURO emissions compliance to inform discussions with the relevant highway authorities on monitoring and enforcement of the CTMP where required.”</i></p> <p>A paragraph should be included at either 6.4.4 or 7.3.2 setting out that <i>“In the event that the staff travel plan fails to achieve the targets additional management measures will be proposed to the local highway authority to ensure compliance. The success of these measure will be monitored and reported on”.</i></p> <p>A paragraph should be included at either 6.4.5 or 7.3.3 setting out that <i>“In the event that the staff shift patterns indicate impacts on the highway network during the network peak periods above those assessed in the Transport Assessment, then a review will be undertaken by the Applicant to determine whether this would result in any additional material impacts and if so what reasonable management measures can be implemented to mitigate any unforeseen impacts”.</i></p> <p>Further to the above, whilst the Council consider it reasonable to include a control on HGV movements to those assessed within the Environmental Statement, especially at sensitive locations (as per our Response at <b>[REP5-031]</b>, with reference to adjustments as a result of unforeseen circumstances. As per our Deadline 6 Post-hearing Submission for ISH5 <b>[REP6-</b></p>

Reference	Question to	Question	Local Authority Answer
			<p><b>056]</b>, a control should be included that sets out that there would be no HGV movements on the highway network outside of the core working hours, plus an additional hour to avoid parking on the highway, and no HGV movements on Saturday, Sunday and Bank Holidays.</p> <p>A commitment should be included stating that <i>“the layout and contents of any monitoring reports would need to be agreed with the relevant highway authority”</i>.</p>
DC2.6.14	The Applicant		
DC2.6.15	The Applicant Essex County Council Braintree District Council Suffolk County Council Babergh and Mid Suffolk District Councils	Without prejudice to your views or the ExA’s ultimate recommendation on the matter, if the following management plans were amended to constitute outline versions that would need to be detailed and submitted after the making of any DCO, are you able to agree a set of deliverables for each plan that would need to be approved by the relevant local planning authorities together with any necessary additional stages and timescales? (Further to the example of the LEMP in the councils’ joint Landscape and Ecological Management Plan Document Review <b>[REP5-035]</b> and the subsequent	<p>SCC (Planning) considers that deliverables would be able to be agreed and are outlined below. SCC also suggests that there should be an Access Management Plan as per the Scottish Power Renewables East Anglia One North and Two projects.</p> <p>SCC (LHA), in terms of securing the final CTMP the working of EA1(N) Requirement 38 could be considered.<sup>1</sup></p> <p><i>Traffic</i></p> <p><i>28 - (1) No stage of the onshore works may commence until for that stage the following have been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority</i></p> <p><i>(a) a construction traffic management plan which must be in accordance with the outline construction traffic management plan; and</i></p> <p><i>(b) a travel plan which must be in accordance with the outline travel plan.</i></p> <p><i>(2) The plans approved under paragraph (1) must be implemented upon commencement of the relevant stage of the onshore works.</i></p>

<sup>1</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-005234-8.9%20EA1N%20Outline%20Construction%20Traffic%20Management%20Plan.pdf>

Reference	Question to	Question	Local Authority Answer
		<p>Deadline 6 submission from Suffolk County Council, Additional Evidence relating to the Landscape and Ecological Management Plan <b>[REP6-055]</b>. The plans in question are:</p> <p>(a) Construction Environmental Management Plan.</p> <p>(b) Materials and Waste Management Plan.</p> <p>(c) Construction Traffic Management Plan.</p> <p>(d) Landscape and Ecological Management Plan.</p> <p>(e) Public Rights of Way Management Plan.</p>	<p>SCC notes that the National Grid (Hinkley Point C Connection Order) included as Requirement 27 submission of the Travel Plan for approval before commencement of any stage of the project. It does also include Requirement 5 securing the Construction Environmental Management Plan (CEMP) including the CTMP.<sup>2</sup></p> <p><i>5.—(1) All construction works for the authorised development and mitigation works to minimise the impacts of construction must be carried out in accordance with the CEMP, unless otherwise agreed with the relevant planning authority and the relevant highway authority as may be appropriate to the relevant plan, scheme or strategy concerned. (2) The CEMP, which specifies measures to be used to minimise the impacts of construction works, incorporates the following plans, scheme and strategy— (a) Waste Management Plan; (b) Biodiversity Mitigation Strategy; (c) Archaeological Written Scheme of Investigation; (d) Construction Traffic Management Plan; (e) Public Rights of Way Management Plan; and (f) Noise and Vibration Management Plan. (3) Any works carried out pursuant to the plans, scheme and strategy referred to sub-paragraph (2) must be carried out in accordance with the approved plan, scheme or strategy unless otherwise agreed with the relevant planning authority. (4) The plans, scheme and strategy referred to in sub-paragraph (2) must be implemented as approved unless otherwise agreed with the relevant planning authority and the relevant highway authority as may be appropriate to the relevant plan, scheme or strategy concerned</i></p> <p><i>27.—(1) Prior to the commencement of development, a Travel Plan must be submitted to the relevant highway authority for approval in writing. (2) The measures specified in the Travel Plan must include those set out in the Environmental Statement Construction Environmental Management Plan Appendix 4 - Construction Traffic Management Plan (Document 5.26.5C). (3) The approved plan must be implemented from the commencement of the construction period and in full for the duration of the construction stage of the development</i></p> <p><b>Deliverables</b></p> <ul style="list-style-type: none"> <li>• Confirmation of construction routes</li> </ul>

<sup>2</sup> [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020001/EN020001-004122-190116%20-%20National%20Grid%20\(Hinkley%20Point%20C%20Connection%20Project\)%20Order%202016.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020001/EN020001-004122-190116%20-%20National%20Grid%20(Hinkley%20Point%20C%20Connection%20Project)%20Order%202016.pdf)

Reference	Question to	Question	Local Authority Answer
			<ul style="list-style-type: none"> <li>• Identification of HGVs</li> <li>• Approval of proposed signage to direct construction traffic to correct accesses</li> <li>• Updated HGV and worker profiles following appointment of main contractor</li> <li>• Number and routing of AILs</li> <li>• Contents of monitoring reports and frequency</li> <li>• Consultation process for local communities and stakeholders to be advised of road closures and other restrictions.</li> </ul> <p>SCC (Landscape) considers that the deliverables that would need to be agreed should include the following:</p> <ul style="list-style-type: none"> <li>• Detailed LEMP and CEMP (including REAC) in accordance with the agreed outline LEMP and CEMP.</li> <li>• Please refer to the items listed in question DC2.6.13.</li> <li>• Detailed landscape proposals</li> </ul> <p>SCC (PROW) would require further amendments to the Public of Way Management Plan that the applicant has already agreed to undertake. SCC would anticipate that these amendments are made prior to the end of the examination.</p> <p>Please refer to points made in question TT2.13.13 and DC2.6.13.</p>
DC2.6.16	The Applicant		
DC2.6.17	Suffolk County Council	Your LIR <b>[REP1-045]</b> noted that decommissioning and removal routes require careful consideration and your responses to ExQ1 <b>[REP3-078]</b> suggested wording for an associated	SCC (Planning) considers that the environmental circumstances would be likely to have changed and a full reassessment of the implications of decommissioning is required.



Reference	Question to	Question	Local Authority Answer
		<p>Requirement (your reply to DC1.6.119 <b>[PD-005]</b>). Nevertheless, can you concisely explain why you perceive Requirement 12, Decommissioning, to be deficient as written?</p>	<p>SCC (Legal) considers SCC's Planning's concern can be addressed by an amendment to draft Requirement 12 (decommissioning). In addition, SCC considers the relevant planning authority should consult the relevant highway authority before approving the written scheme of decommissioning.</p> <p>SCC would propose R12 is amended as follows (amendments shown underlined and bold) –</p> <p>“(1) In the event that, at some future date, the authorised development, or part of it, is to be decommissioned, a written scheme of decommissioning must be submitted for approval by the relevant planning authority, <b><u>following consultation with the relevant highway authority</u></b>, at least six months prior to any decommissioning works.</p> <p>(2) The approved scheme must be implemented as approved as part of the decommissioning of the authorised development or relevant part of it.</p> <p>(3) This requirement does not apply to the part of the authorised development and associated development described in Schedule 1 (authorised development) which relates to the dismantling and removal of existing infrastructure or apparatus.</p> <p><b><u>(4) The written scheme of decommissioning submitted under paragraph (1) must include a full reassessment of the environmental implications of decommissioning</u></b>”.</p> <p>SCC would also be grateful if the Applicant could explain what event(s) would trigger the decision to decommission.</p>
DC2.6.18	Suffolk County Council	<p>In your response to ExQ1 <b>[REP3-078]</b>, you responded to DC1.6.119 by reproducing an extract from the East Anglia ONE North Offshore Wind Farm Order 2022. Can you explain:</p> <ol style="list-style-type: none"> <li>1. If the wording under the header ‘<i>onshore decommissioning</i>’</li> </ol>	<p>SCC (Legal), Subject to the Applicant confirming (per the request in DC2.6.17) what event(s) would trigger the decision to decommission, SCC considers its concerns could be addressed by the amendments to Requirement 12 suggested in DC2.6.17.</p>

Reference	Question to	Question	Local Authority Answer
		<p>would replace or supplement Requirement 12 in the dDCO <b>[REP5-005]</b>?</p> <p>2. Albeit that your suggested additional or replacement wording is reproduced from a made DCO, why is it considered appropriate in this instance?</p> <p>3. Why each of the component parts are considered necessary in this instance?</p>	
DC2.6.19	Essex County Council Braintree District Council		
DC2.6.20	Suffolk County Council	In your Deadline 4 submission <b>[REP4-043]</b> , you suggested that a Requirement in the East Anglia THREE Offshore Wind Farm Order 2017 offered an appropriate general approach to a lighting Requirement for this dDCO <b>[REP5-005]</b> and that	<p>SCC (Planning) notes the following:</p> <p>1. SCC considers this Requirement is appropriate as it reproduced from a made DCO and does not create site(s)-specific requirements and thus would cover the whole project, thus a more general approach than Essex Council’s proposed requirements.</p> <p>2. SCC are supportive of a requirement of the Essex Councils’ request for the control of lighting during construction, however, SCC would prefer a whole project requirement (specifically</p>

Reference	Question to	Question	Local Authority Answer
		<p>inclusion of a good practice measure is also needed in CEMP Appendix A, CoCP <b>[REP3-026]</b>. Can you clarify:</p> <ol style="list-style-type: none"> <li>1. Albeit that the basis for your suggested Requirement is reproduced from a made DCO, why is it considered appropriate in this instance?</li> <li>2. Are you only suggesting the additional provisions in respect of Work No. 9, Grid Supply Point Substation to the east of Wickham St Paul, as set out in Schedule 1 of the dDCO <b>[REP5-005]</b>?</li> <li>3. Aside from your ongoing concerns about the draft nature of management plans subject of Requirement 4, in what way do you consider section 6.4 of the CEMP <b>[REP3-024]</b> deficient in addressing your concerns?</li> </ol>	<p>relating to Works No.'s that are permanent works) as opposed to site or sites specific requirements.</p> <p>3. SCC proposed this alternative requirement in support of the principle of the Essex Councils' requests for additional lighting requirements, as noted in their response to ExQ1 DC1.6.97 <b>[REP3-061]</b>, as a result of the rurality of the linear route as noted in paragraph 21.5.10 of the Essex Councils' LIR <b>[REP1-039]</b>. SCC are ambivalent to where this Requirement is captured, however, considering the ongoing concerns with the management would have a preference towards inclusion in the dDCO as opposed to certified control documents.</p>

Reference	Question to	Question	Local Authority Answer
DC2.6.21	The Applicant		
DC2.6.22	Essex County Council Braintree District Council Suffolk County Council	<p>In respect of the suggested scheme to introduce a time limit on HGV movements on the local road network during the construction phase of the proposed development, can you advise on the following questions arising:</p> <ol style="list-style-type: none"> <li>1. Who would enforce the scheme?</li> <li>2. What provision would an associated Requirement need to make for a reporting mechanism if the control was considered to have been breached?</li> <li>3. How do you respond to the Applicant's submission in its Comments on Other Submissions Received at Deadline 4 (<b>[REP5-030]</b> page 11) where it says that: 'An unintended consequence of a requirement to restrict HGV movements may mean that</li> </ol>	<p>SCC (LHA) notes the following:</p> <ol style="list-style-type: none"> <li>1. Enforcement would be by the applicant secured within the CTMP</li> <li>2. The reporting can be secured within the CTMP to avoid the need for a Requirement</li> <li>3. This would occur already as there are no restrictions on movements on the local highway network. SCC is proposing that HGVs are restricted to 1 hour before and after the core hours accepting that certain activities can take place outside these core hours as set out in Requirement 7 of the DCO and CEMP <b>[REP6-021]</b>. Appropriate management of arrivals and departures would remove any risk of HGVs needing to park and wait.</li> </ol>

Reference	Question to	Question	Local Authority Answer
		vehicles need to park and wait for “core hours”. This in itself could lead to adverse impacts’?	
DC2.6.23	BNP Paribas Real Estate on behalf of Royal Mail		
DC2.6.24	BNP Paribas Real Estate on behalf of Royal Mail		
DC2.6.25	BNP Paribas Real Estate on behalf of Royal Mail		
<b>7. Good design – no questions in ExQ2</b>			
<b>8. Historic environment</b>			
HE2.8.1	Babergh and Mid Suffolk District Councils Suffolk County Council	Concerns have been expressed about archaeological trial trenching and the Applicant’s outline Written Scheme of Investigation during the Examination so far. At Deadline 5 [REP5-016], the Applicant confirmed that field surveys were	SCC (Archaeological Service) supports the comments made by Babergh and Mid Suffolk District Councils. There are still considerable concerns regarding the OWSI submitted on 5 December 2023. Detailed comments have been made and have been sent to the archaeological consultants of the applicant.  Those areas giving concern relate to clarification within the text under section 1.2 on the level of evaluation completed to date and that which will need to be completed if approved. This is especially a concern for the geoarchaeological and palaeoenvironmental mitigation (Section 7

Reference	Question to	Question	Local Authority Answer
	Essex County Council Braintree District Council	<p>completed in November 2023 and submitted an updated outline Written Scheme of Investigation to reflect completed trial trenching results and feedback received from you at Deadlines 3 and 4. Are you now content with this matter? If not, please summarise what remains outstanding.</p> <p>The intention signalled in Suffolk County Council's Deadline 6 submission, Response to the Applicant's Comments on any other submissions received at Deadline 4 <b>[REP6-059]</b>, to submit a joint response with Essex County Council to raise outstanding issues with the OWSI is noted, and the relevant part of that document can be cross-referenced in response to this question insofar as it is relevant and comprehensive, if submitted.</p>	<p>within the OWSI) as this will require initial evaluation followed by an appropriately agreed mitigation strategy. The evaluation of this area will need to be undertaken as early as possible to allow scientific dates to be obtained to identify the date and significance of the deposits present and thus allow an appropriate mitigation strategy to be defined.</p> <p>Under section 1.5 description of strip map and sample. By undertaking work immediately ahead of construction there is a high potential of this causing significant delays to the development due to the level of archaeological investigation required. It is recommended that the programme of top soil stripping within strip map and sample (SMS) areas should be undertaken several months in advance of construction work to facilitate the archaeological investigation. SMS can lead to areas requiring detailed open area excavation. Under 5.1.2, SMS is described as a rapid form of excavation</p> <p>The term watching brief should be removed from the whole document and replaced by archaeological monitoring.</p> <p>Section 8 will need to clearly define the role of the Local Authority Archaeological Advisors in the agreeing of site specific WSI's, monitoring of the archaeological fieldwork, sign off of completed fieldwork, sign off of separate site reports and final publication.</p>
HE2.8.2	The Applicant		
HE2.8.3	Babergh and Mid Suffolk	You have previously raised concerns that archaeological mitigation requirements are not appropriately represented within the	SCC (Archaeological Service) supports the comments made by Babergh and Mid Suffolk District Councils. The revised REAC <b>[REP4-018]</b> Historic Environment has had significant numbers of additional commitments added, many of which are covered within the OWSI, for which there is already a commitment to comply with this document (no 9). It is recommended that the Historic Environment section of the REAC is revisited and reduced to the main

Reference	Question to	Question	Local Authority Answer
	District Councils Suffolk County Council	Applicant's REAC. The REAC ( <b>[REP4-018]</b> and <b>[REP6-023]</b> ) has since been amended and now includes additional measures relating to the Written Scheme of Investigation. Has this addressed your concerns in relation to this?	requirements, such as commitment to produce site specific WSI's, proposed palaeo-environmental evaluation and mitigation, role of Local Authority archaeological Advisors, proposed post excavation and publication requirements.
HE2.8.4	The Applicant Babergh and Mid Suffolk District Councils Suffolk County Council	A number of submissions have been made and oral evidence presented in relation to the Applicant's assessment of the effects of the Proposed Development on the historical cultural associations of the landscape and associated buildings in the Dedham Vale, Stour Valley and Brett Valley with famous artists and writers. These include a helpful compendium of paintings linked with Benton End from Babergh and Mid Suffolk District Councils <b>[REP5-030]</b> . The Applicant has also submitted a Technical Note on Cultural Associations <b>[REP5-028]</b> , which focuses on Benton End House and Overbury Hall and summarises how cultural associations were considered in the landscape and historical assessments.	SCC (Planning) considers that the technical note is sufficient.

Reference	Question to	Question	Local Authority Answer
		<p>Are you content that this Technical Note adequately addresses any perceived shortcomings of the assessment? Do you consider that the body of information and assessment in front of the Examination addresses the requirements of the NPS adequately, and in particular can you comment on whether it identifies the contribution to the significance of the assets that the NPS requires?</p> <p>Do you consider that the cultural associations, if more fully addressed, could add sufficient additional sensitivity to the identified built heritage receptors and their settings to change the assessment outcome to being significant (in terms of the Applicant's stated approach to the EIA), or to increase the degree of harm that would result from the Proposed Development on those listed buildings?</p>	
HE2.8.5	Babergh and Mid Suffolk District Councils		



Reference	Question to	Question	Local Authority Answer
HE2.8.6	Essex County Council Braintree District Council		
HE2.8.7	Suffolk County Council	At Deadline 4 <b>[REP4-039]</b> , you highlighted some additional sites in the Suffolk County Historic Environment Record. The Applicant responded at Deadline 5 <b>[REP5-025]</b> . Are you now content with this matter? If not, what remains outstanding?	<p>SCC (Archaeological Service) notes that these sites listed are assessed within ES Appendix 8.2: Historic Environment Impact Assessment <b>[APP-127]</b> except Cropmark of an undated ring ditch (BUS 003) – ES Figures Part 6 <b>[APP-151]</b>, Sheet 1 monument reference MSF13637. This is noted on figure 8.1 <b>[APP-151]</b> and should be noted in the text of <b>[APP-127]</b> with an HER reference.</p> <p>Appropriate mitigation will be defined in the OWSI.</p> <p>However, it should be noted that “watching brief” (see comment HE2.8.1, this document) is an incorrect term.</p>
HE2.8.8	The Applicant Historic England		
HE2.8.9	The Applicant Historic England Suffolk Preservation Society Babergh and Mid Suffolk	In relation to the potential impacts of the Proposed Development on Hintlesham Hall (including the associated listed buildings, and the overall setting) could you outline your understanding of the applicable legal and policy framework in respect of ‘avoidable harm’? If it was to be assumed for the	<p>SCC (Planning) understands that agreement between the Applicant, Historic England, SCC, Babergh District Council and MSDC on the precise location of the pylons was reached before the project was frozen in 2013. <u>Any deviation from those precise locations would require reconsideration and re-approval.</u></p>

Reference	Question to	Question	Local Authority Answer
	District Councils Suffolk County Council	purposes of this question that there was agreement that the pylons and the overhead line could be located anywhere within the proposed Limits of Deviation without causing substantial harm to the listed buildings at Hintlesham Hall, to what extent would it be important in legal and policy terms that the degree of harm was nevertheless kept to the minimum possible level, so as not to cause ‘avoidable harm’?	
<b>9. Landscape and views, including trees and hedgerows</b>			
National Landscape and landscape assessment			
LV2.9.1	The Applicant Babergh and Mid Suffolk District Councils Suffolk County Council Essex County Council	The Levelling-up and Regeneration Act 2023 (sections 245 (5) and (6)(a)) will amend the Countryside and Rights of Way Act 2000 in respect of the ‘general duty’ imposed on public bodies dealing with functions in an Area of Outstanding Natural Beauty (AONB). In addition, on 22 November 2023 (and as part of a national change), the Dedham Vale AONB was renamed the Dedham Vale National Landscape. Do you	<p>SCC (Planning) notes that section 85(1) of the Countryside and Public Rights of Way (CROW) Act 2000 requires public bodies to conserve and enhance the beauty of Area of Outstanding Natural Beauty (AONB)s. The Levelling Up and Regeneration Act 2023 changes section 85 of the CROW Act 2000 as follows: <i>“In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority <u>(other than a devolved Welsh authority)</u> <del>shall have regard to</del> <u>must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.</u>”</i></p> <p>SCC (Planning) considers that this is a significant change from “Duty of Regard” to “Further of Purposes” and supports the view of the DVNLSVP, expressed in its answer, that the Applicant should review its perception of the Dedham Vale National Landscape.</p>

Reference	Question to	Question	Local Authority Answer
	Braintree District Council Dedham Vale National Landscape and Stour Valley Partnership	consider these changes to have any effect on the Proposed Development and the impact assessments that have been submitted? If so, describe them, and, if not, explain why not.	
LV2.9.2	The Applicant Babergh and Mid Suffolk District Councils Suffolk County Council Essex County Council Braintree District Council	Without prejudice to your view on the adequacy of landscape mitigation and compensation provided as part of the Proposed Development, how might any proposal for additional compensation (for example, a landscape restoration fund and managing officer) be secured, and would it pass the relevant tests for a legal agreement?  Are you able to provide examples of comparable projects where compensation has been provided in this way?	<p>SCC (Planning) proposes that this should be provided under the umbrella of so-called “Community Benefit” which preferably would be secured under an agreement made under s.111 of the Local Government Act 1972. (S.111 allows a local authority to do any thing (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions).</p> <p>Such an agreement was made in respect of the Scottish Power Renewables East Anglia Two and One North offshore wind farm project with East Suffolk Council. This was designed to compensate for residual environmental impacts and included measures such as landscape enhancement. SCC is disappointed for example with the lack of proposals for landscape mitigation around the Bramford Substation, where strategic hedgerow planting would be helpful in offsetting the impacts of the proposed development. This would follow one of the strategies of the Scottish Power agreement whereby landscape enhancement could offset the impacts of that proposed development on the AONB (now National Landscape).</p>
Visual assessment			
LV2.9.3	Suffolk County Council	Your answers to ExQ1 <b>[REP3-078]</b> expanded on the concerns in your LIR <b>[REP1-045]</b> in relation to the	SCC (Landscape) considers that the visual effects of the proposed Stour Valley West cable sealing end compound would be greater than the visual benefit of the removed pylons.

Reference	Question to	Question	Local Authority Answer
		<p>effectiveness of the proposed mitigation planting for the Stour Valley west cable sealing end compound. The Applicant <b>[REP3-052]</b> has explained the rationale behind the design of the proposed planting whilst acknowledging that some views would remain open at year 15 due to the location of the underground cables (for example, from viewpoint G-07). The Applicant has further explained that this was balanced against the benefits of removing pylons from the view and resulted in an adverse medium-small magnitude of change overall. Do you now accept this explanation and assessment, or do you wish to put forward a more effective scheme of mitigation that does not impinge on the identified technical constraints?</p>	<p>During the thematic meeting with the Applicant on 12 December 2023, this site was discussed, and the Applicant indicated that further planting to the south-west of the CSE compound would be possible. SCC (Landscape) welcomes this and considers that the proposed landscape softening to the south of the cable route should be extended westwards to Henny Back Road (Mobb’s Corner) in form of a tree belt.</p>
LV2.9.4	The Applicant		
LV2.9.5	The Applicant		
LV2.9.6	The Applicant		

Reference	Question to	Question	Local Authority Answer
Hedgerows and trees			
LV2.9.7	Woodland Trust		
<b>10. Land use and soil</b>			
Agriculture and other land use			
LU2.10.1	The Applicant		
LU2.10.2	The Applicant		
LU2.10.3	The Applicant		
LU2.10.4	The Applicant		
LU2.10.5	The Applicant		
LU2.10.6	The Applicant		
Soils, geology and ground conditions			
LU2.10.7	The Applicant		
LU2.10.8	The Applicant		
LU2.10.9	Babergh and Mid Suffolk District Councils	Do you have any outstanding comments on the level of detail currently in the CEMP (as secured through dDCO Requirement 4) for soil management?	SCC (Planning) considers that the existing details contained within the CEMP ([REP6-021] to [REP6-024]) and LEMP ([REP3-034] to [REP3-036]) are insufficient for a final document and that a further detailed stage to be discharged as a Requirement would be needed in both cases. It is also noted that the Applicant allows itself to move soils when they are saturated to fit in with the construction programme (Paragraph 11.3.3 of the CEMP [REP6-021]). The

Reference	Question to	Question	Local Authority Answer
	Suffolk County Council Essex County Council Braintree District Council		Applicant includes reference to opening an eighty-metre-wide swathe for several kilometres in open cut undergrounding sections. The soils in these areas need careful handling and aftercare to bring them back to the required standard. Although not specifically intended for energy transmission developments, useful guidance on soil handling and aftercare can be found in Planning Practice Guidance under Minerals at Paragraph 036 onwards. <sup>3</sup>
LU2.10.10	The Applicant		
<b>11. Noise and vibration</b>			
NV2.11.1	The Applicant		
NV2.11.2	The Applicant		
NV2.11.3	Babergh and Mid Suffolk District Councils Braintree District Council		
NV2.11.4	The Applicant		
NV2.11.5	The Applicant		

<sup>3</sup> <https://www.gov.uk/guidance/minerals#Restoration-and-aftercare-of-minerals>

Reference	Question to	Question	Local Authority Answer
NV2.11.6	The Applicant		
NV2.11.7	The Applicant		
NV2.11.8	The Applicant		
NV2.11.9	The Applicant		
NV2.11.10	The Applicant		
NV2.11.11	The Applicant		
NV2.11.12	The Applicant		
NV2.11.13	The Applicant		
NV2.11.14	The Applicant		
NV2.11.15	The Applicant		
NV2.11.16	The Applicant		
NV2.11.17	The Applicant		
NV2.11.18	The Applicant		
NV2.11.19	The Applicant		
NV2.11.20	The Applicant		
NV2.11.21	The Applicant		

Reference	Question to	Question	Local Authority Answer
NV2.11.22	The Applicant		
NV2.11.23	The Applicant		
NV2.11.24	The Applicant Babergh and Mid Suffolk District Councils Braintree District Council		
<b>12. The water environment</b>			
Flood Risk Assessment			
WE2.12.1	The Applicant		
Surface water management			
WE2.12.2	The Applicant		
Management measures			
WE2.12.3	The Applicant		
WE2.12.4	Natural England		
WE2.12.5	The Applicant		



Reference	Question to	Question	Local Authority Answer
WE2.12.6	The Applicant		
WE2.12.7	The Applicant		
Temporary bridges and culverts			
WE2.12.8	Environment Agency		
WE2.12.9	The Applicant		
<b>13. Traffic and transport</b>			
Transport assessment			
TT2.13.1	The Applicant		
TT2.13.2	The Applicant		
TT2.13.3	The Applicant		
TT2.13.4	The Applicant		
TT2.13.5	The Applicant		
TT2.13.6	The Applicant		
Construction traffic and construction route strategy			
TT2.13.7	The Applicant		

Reference	Question to	Question	Local Authority Answer
TT2.13.8	Essex County Council Suffolk County Council	In ExQ1 <b>[PD-005]</b> , the ExA raised a query about whether heavy good vehicles associated with the Proposed Development would travel past any schools or other particularly sensitive receptors (TT1.13.31). Are you content with the Applicant's response ( <b>[REP3-052]</b> pages 192 and 193)?	<p>SCC (Planning) notes that the number of HGVs along both the A1071 and A134 would increase significantly, and the Applicant is proposing nothing other than a briefing to the local community. SCC considers that a briefing to hauliers would also be appropriate.</p> <p>SCC (LHA) notes the following:</p> <p>Primary Schools on the proposed construction routes are located at:</p> <ul style="list-style-type: none"> <li>• Hintlesham and Chattisham CoE Primary School (on the A1071)</li> </ul> <p>Schools located close to construction routes where pedestrian / cycle routes may cross are:</p> <ul style="list-style-type: none"> <li>• Bures VC Primary School (Nayland Road)</li> <li>• Nayland Primary School (Bear Street)</li> <li>• Sprites Primary Academy (Ipswich, off A1214)</li> <li>• Suffolk One (off Scrivener Road, Ipswich)</li> <li>• Thomas Gainsborough Secondary School (Wells Hall Road)</li> <li>• Wells Hall Community Primary School, Great Cornard (Wells Hall Road)</li> </ul> <p>The construction routes do pass close to a number of village halls (e.g., Assington, Hintlesham, Leavenheath Newton), and churches which may be used at times by vulnerable groups. However, SCC would accept that the use of such facilities varies between communities and in time making sensitivity difficult to accurately quantify. Subject to the volume of HGVs not exceeding that in the assessment SCC accepts that the impacts of the project would not materially change with respect to the list of sensitive receptors above.</p> <p>SCC (LHA) concurs with ECC regarding clarity of the inclusion of category TB2 in the baseline and that if discounted this may reveal a larger impact of the project in terms of larger goods vehicles.</p>

Reference	Question to	Question	Local Authority Answer
TT2.13.9	Essex County Council Suffolk County Council	In ExQ1 <b>[PD-005]</b> , the ExA raised a query related to members of the public identifying vehicles associated with the project (TT1.13.32). Are you content with the Applicant's response ( <b>[REP3-052]</b> page 193)?	<p>SCC (Planning) notes that there would not be a standard livery, however, the sub-contractors livery would provide a route to providing vehicle identification if required.</p> <p>SCC (LHA) notes that a form of identification for construction traffic would be desirable to enable the public to correctly identify vehicles associated with the project. This has been a commitment from Scottish Power Renewables for all four of their onshore cable projects in Suffolk.</p> <p>EA1(N) CTMP<sup>4</sup></p> <p><i>132 The contractor will implement a system to help the public distinguish HGV construction vehicles associated with the proposed East Anglia ONE North project from other traffic on the highway network. Each HGV will be required to display a unique identifier, provided by the CTMPCos within the window of the cab (a recognisable logo) that will allow members of the public to report any concerns such as driver behaviour or the use of unapproved routes via a publicised telephone contact number.</i></p> <p>SCC notes that the National Grid (Hinkley Point C Connection Order) included requirement 24 Scheme of Marking:<sup>5</sup></p> <p><i>24.—(1) No stage of the authorised development must commence until a scheme of marking for HGVs and LGVs to identify vehicles engaged on work in the authorised development has been submitted to and approved by the relevant highway authority, after consultation with the relevant planning authority. (2) The authorised development must be carried out in accordance with the approved scheme of marking.</i></p>

<sup>4</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-005234-8.9%20EA1N%20Outline%20Construction%20Traffic%20Management%20Plan.pdf>

<sup>5</sup> [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020001/EN020001-004122-190116%20-%20National%20Grid%20\(Hinkley%20Point%20C%20Connection%20Project\)%20Order%202016.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020001/EN020001-004122-190116%20-%20National%20Grid%20(Hinkley%20Point%20C%20Connection%20Project)%20Order%202016.pdf)

Reference	Question to	Question	Local Authority Answer
TT2.13.10	The Applicant		
TT2.13.11	The Applicant		
Public rights of way			
TT2.13.12	Essex County Council Suffolk County Council	Are you content with the sufficiency of the Applicant's response <b>[REP1-034]</b> to action points 16 and 17 from the first Issue Specific Hearing <b>[EV-018]</b> , relating to the public rights of way survey data?	<p>SCC (PROW) are disappointed that the Applicant has undertaken limited surveys of the PROW network over a very brief period of time. In addition, the routes surveyed in 2013 and 2021 were not repeated with fewer surveyed in 2021 and 2023.</p> <p>Exact survey dates and times have not been provided and the Applicant has stated just a weekday and weekend day over a 10 hour period.</p> <p>Less than 10% of the routes affected have been surveyed with the remainder appearing to be assessed as a desk top exercise. The accuracy of the assessment is limited in its evidence.</p> <p>SCC (PROW) are content with the Applicant's response regarding Open Access Land and known permissive access.</p>
TT2.13.13	Essex County Council Suffolk County Council	Are you content with the suitability and sufficiency of the Applicant's Public Rights of Way Management Plan <b>[REP3-056]</b> ? If not, why not, and what further content would be required to satisfy your concerns?	<p>SCC (PROW) are still awaiting amendments that the Applicant confirmed in their submission in deadline 5, under <b>[REP5-025]</b> 8.7.3 Applicant's comments on other submissions at Deadline 4.</p> <p>Details were provided at Deadline 6 for community engagement as requested by the applicant to assist with their Public Rights of Way Management Plan. These were included in Response to the Applicant's Comments on any other submissions received at Deadline 4 <b>[REP6-059]</b>.</p> <p>SCC (PROW) await further updates on the Applicant's Public Rights of Way Management Plan <b>[REP3-056]</b> covering Community Engagement, PRow Management Signage, and Active Management Plan for 'Shared Routes'.</p>
TT2.13.14	The Applicant		

Reference	Question to	Question	Local Authority Answer
TT2.13.15	The Applicant		
TT2.13.16	Essex County Council Suffolk County Council	Section 5.4 of the Public Rights of Way Management Plan <b>[REP3-056]</b> sets out the Applicant's reinstatement approach for public rights of way. Are you content with the scope of the survey work to be carried out to ensure that final reinstatement could return the public rights of way to their original condition on completion of the Proposed Development?	<p>SCC (PROW) are content with reinstatement approach set out in Public Rights of Way Management Plan. The survey information will be provided to the relevant local highway authority prior to works commencing on site.</p> <p>SCC (PROW) are content that the final reinstatement works be carried out accordingly.</p>