



Suffolk County Council (20041323)

Comments on any other submissions received
at Deadline 8

Bramford to Twinstead (EN020002)

Table of Contents

Glossary of Acronyms	2
Purpose of this Submission	2
1 Comments on any other submissions received at Deadline 8	3
8.9.5 (B) Temporary and Permanent Access Technical Note – Suffolk County Council (Clean) [REP8-030]	3
8.10.3 Applicant’s Comments on Responses to Second Written Questions [REP8-033]	6
8.10.6 Applicant’s Comments on Other Submissions Received at Deadline 7 [REP8-036]	7
Braintree District Council and Essex County Council Deadline 8 Response [REP8-040]	10

Glossary of Acronyms

<i>DCO</i>	<i>Development Consent Orders</i>
<i>DVNLSVP</i>	<i>Dedham Vale National Landscape and Stour Valley Partnership</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 8 (D8) submissions and representations made by other interested parties at D8, as appropriate. Examination Library references are used throughout to assist readers.

1 Comments on any other submissions received at Deadline 8

8.9.5 (B) Temporary and Permanent Access Technical Note – Suffolk County Council (Clean) [REP8-030]

Table 1: SCC Table of Comments on 8.9.5 (B): Temporary and Permanent Access Technical Note – SCC (Clean) [REP8-030]				
Ref	Topic	Ref No.	Summary of Comments	SCC’s Comments
1a	Overall			<p>Previous comments on the Technical Note still stand and can be viewed in Deadline 8 Submission, Suffolk County Council, Comments on any other submissions received at Deadline 7 [REP8-047].</p> <p>SCC (Landscape) considers that the Applicant readily accepts significant adverse impacts on vegetation and/or vegetation losses for temporary access points rather than actively seeking to minimise impacts on vegetation and fully exploring alternatives. The impacts on vegetation must be expected to result in adverse effects on the local landscape character, where these impacts occur.</p> <p>The following temporary access routes have not yet been further assessed, despite serious concerns being previously raised by SCC:</p> <ul style="list-style-type: none"> G-AP1/P-G-1, Sheets 17 and 19 of the Access, Rights of Way and Public Rights of Navigation Plans [APP-012]; SCC (Landscape) considers the proposal to have a temporary access route along PRowS W-171/002/X and W-113/001/0 unacceptable in landscape terms and is of the view that this route should be removed from the proposals. SCC considers that the potential impacts on the trees (a large group of which is under Tree Preservation Order) and other vegetation along this route are avoidable and should be avoided.

				<p>SCC suggests creating a temporary access route along the field edge and avoiding any impacts on existing vegetation.</p> <ul style="list-style-type: none"> E-DAP4, Sheet 15 of the Access, Rights of Way and Public Rights of Navigation Plans [APP-012]; The proposed temporary access route leads along a densely vegetated track with several mature oaks to its south-eastern side. SCC considers that the potential impacts on these trees are avoidable and should be avoided by using the cable corridor.
1b			<p>Any vegetation removal would be part of the submitted package of approvals for LHA approval before the project progressed to construction in accordance with Article 48 of the draft DCO [document 3.1 (G)]. In addition, Requirement 8 of the draft DCO requires the <u>approval</u> of all vegetation to be agreed by the relevant planning authority prior to construction work commencing.</p>	<p>Note: in the second sentence of the Applicant’s paragraph, which is repeated several times in the document, it should probably read ‘removal of vegetation’ rather than ‘approval of vegetation’.</p> <p>While SCC (Landscape) appreciates this control mechanism, there is the concern that, once bellmouth and access route proposals are part of the suite of consented documents, there will be limited opportunity for changes to the designs to reduce vegetation losses.</p>
1c	D-DAP2 Millwood Road (Access to		<p>To the north and south of the access, there is some vegetation and dense</p>	<p>It is not clear, whether the hedge (which would likely not just need to be pruned, but at least in parts removed to enable the visibility splays), and which is referred to as ‘<i>some vegetation and dense foliage</i>’, is H-D-07, as</p>

	Dedham Vale East CSE compound)		foliage which has grown to the edge of the carriageway, which would require pruning to achieve the required sightlines.	the label on sheet 12 of the Vegetation Retention and Removal Plan [REP7-008] does not connect to the hedge shown. However, where it is not covered up by orange lines, which indicate coppicing of hedgerows, small sections of dark green lines identify this as an important hedgerow under the 1997 Hedgerow Regulations. SCC (Landscape) considers that the Applicant should be more accurate in its descriptions, especially where survey information is available.
1d	F-AP4 Stoke Road, Leavenheath (Access to Dedham Vale West CSE compound)		To the north of the access, there is some vegetation and hedges which would require pruning to achieve the require sightlines. To the south of the access, there is dense vegetation which would require pruning to achieve the require sightlines. The Applicant does not see this pruningose as an impediment to the safe provision of access at this location.	<p>The current proposals on Sheet 15 of the Vegetation Reinstatement Plan [REP7-009] do not reflect the requirements for visibility splays laid out in the Technical Note. SCC (Landscape) understand that it may not be possible to allow the coppiced hedgerow to the north-east of the access to regenerate naturally. It seems unlikely that a new tree can be planted, where an existing tree would first have been removed [REP7-008]. The proposed hedgerow planting along the access track will need to be amended to allow for the visibility splays.</p> <p>SCC (Landscape) considers that, when the changes in reinstatement and mitigation planting will be made, a placemaking approach will be required and new hedgelines (and trees) should be provided on either side of the access, in such a way that that they will accommodate the required visibility splays, while delivering adequate mitigation.</p>
1e	G-AP3: B1508 Bures Road, Sudbury (Access to Stour Valley East CSE compound).		To the north and south of the access, there is some vegetation which has grown to the carriage edge and would require pruning to achieve the required sightlines.	While there is considerable roadside vegetation on the western side of the B1508 (relevant for G-AP4), SCC (Landscape) considers that there seems no indication of vegetation on the eastern side ([REP7-008] Sheet 20) at G-AP3. There may, however, be a level change between the B1508 and the adjacent field and some intermittent shrubs.

8.10.3 Applicant's Comments on Responses to Second Written Questions [REP8-033]

Table 2: SCC Table of Comments on 8.10.3 Applicant's Comments on Responses to Second Written Questions [REP8-033]				
Ref	Topic	Ref No.	Summary of Comments	SCC's Comments
2a	Strategic Hedgerow Planting	LV2.9.2	In response to SCC, the Applicant considers that new strategic hedge planting at this location would affect the land use and operation of the existing fields and would also have implications for potential proposed developments that are consented or have planning applications submitted, as shown on ES Figure 15.2: Proposed Developments [APP-155].	SCC (Landscape) considers that as part of a strategic planting scheme conflicts with land uses and proposed developments could be avoided. SCC considers that there are missed opportunities for additional planting, around Bramford and elsewhere.

8.10.6 Applicant's Comments on Other Submissions Received at Deadline 7 [REP8-036]

Table 3: SCC Table of Comments on 8.10.6: APPLICANT'S COMMENTS ON OTHER SUBMISSIONS RECEIVED AT DEADLINE 7 [REP8-036]				
Ref	Topic	Ref No.	Summary of Comments	SCC's Comments
3a	Landscape and Ecological Management Plan (LEMP)	5a	Tree protection measures, <i>'where such measures do not hinder or prevent the use of the relevant working width for construction...'</i>	SCC (Landscape) considers that in situations where potential conflict can arise with the proposed works are where retained vegetation will need protective measures most.
3b	Outline LEMP	5a	The Applicant is unclear what is meant by the statement that this does not appear to be compatible with the Rochdale envelope principle	Applying the Rochdale envelope refers to the assumption of a reasonable worst-case scenario. SCC (Landscape) considers that it should then be verified in the detailed design stage, with the main contractor, whether and how improvements on the worst case can be made. With regards to vegetation losses, there should be an active engagement by the contractor to reduce such losses. There is concern that if the LEMP and its appendices are the final documents, there is no incentive to do this, and that vegetation will be removed as per the consented Vegetation Retention and Removal Plan.
3c	Hard surfacing materials (p. 11)	5a	As stated in ES Chapter 4: Project Description [APP-072], the Applicant is proposing stone for some of the temporary access routes. The design and finishes of the temporary access routes would be designed based on the vehicle type and numbers using them, and the Applicant	SCC (Landscape) would neither wish to specify nor to take on liability for design and finishes of temporary access routes; SCC does however consider that it should be able to retain some control over the suitability of such designs and finishes for the location and the potential adverse impacts on adjacent vegetation.

			does not consider that the Councils have a role (or would want the liability associated with this) in specifying the finishes associated with the temporary access routes necessary to construct the project.	
3d	Aftercare (9.1.4 and 9.1.5)	5a	The Applicant has responded on the aftercare duration in Applicant's Response to First Written Questions [REP3-052] in EC1.3.4, EC1.3.5 and DC1.6.92, and why extending the aftercare across the whole project is considered unnecessary.	SCC (Landscape) considers that it would be not only in the interest of the project, but also of the Applicant to show more flexibility regarding aftercare periods. The successful establishment of the reinstatement and mitigation planting provides the baseline for any potential Biodiversity Net Gain. If reinstatement and mitigation planting fail, this will need to be subtracted from Biodiversity Net Gain. This could result in requirements for Biodiversity Net Gain set by the Applicant's regulator Ofgem not being met. Robust and effective monitoring schemes and involvement and control for the relevant local planning authority in this process are considered essential.
3e	Compensation		The Applicant would particularly note that whilst compensation is a component of the mitigation hierarchy, it is not treated in the same way as the other three elements of the hierarchy in planning policy terms. Paragraph 4.2.11 of EN-1 (2024) states that 'Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated'. This sentence does not include the fourth element of the hierarchy, compensation. Similarly, unlike mitigation, compensation	The Applicant has been selective in quoting the National Policy Statement (NPS EN-1 (2024)). SCC (Landscape) considers that a different emphasis emerges when looking at the relevant paragraphs in full: <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, <u>applying the mitigation hierarchy</u>, as well as any other legal and regulatory requirements.</i>

			<p>cannot remove a significant effect from the EIA.</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>
--	--	--	---	--

Braintree District Council and Essex County Council Deadline 8 Response [REP8-040]

Table 4: SCC Table of Comments on Braintree District Council and Essex County Council D8 Response [REP8-040]				
Ref	Topic	Ref No.	Summary of Comments	SCC's Comments
4a	Soil Management (CEMP)	6.4	<p>The CEMP [REP6-021] and appendices do not contain adequate information to prevent soil loss, soil damage and land degradation. The CEMP [REP6-021] refers to other documents that might contain this information. These references are either circular or refer to documents that do not contain adequate information or any of the content expected.</p> <p>The conclusion in paragraph 11.1.1 of the CEMP [REP6-021] stating that a Soil Management Plan (SMP) is not required because the information is already available is not considered as adequate. We were unable to use the CEMP and the associated documents to access the information required to prevent soil loss, soil damage or the degradation of land quality. This can be addressed by the creation of an outline soil management plan provided a detailed soil management plan is also expected to be created. This would provide a centralised reference that covers measures needed to protect a highly valuable and sensitive receptor (Soil and Land).</p> <p>The Agricultural Land Classification Survey was reviewed, and it is confirmed that the proposed works will impact Best and Most Versatile (BMV) agricultural land. As such, it recommended that a separate document be requested that is focused exclusively on soil management, provided as a soil management plan.</p>	SCC (Planning) wholly support the statements made by the soil specialist consultant as outlined in the submission.