

The Lake Lothing (Lowestoft) Third Crossing Order 201[*]



Lake Lothing
**THIRD
CROSSING**

**Document 5.2:
Consultation Report Appendices**

**Appendix 33
Key Statutory Stakeholder
Responses**

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Consultation Report Appendix 33

Key Statutory responses

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Appendix 33.1

Broads Authority

[Redacted]

From: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>
Sent: 16 October 2017 08:41
To: Lake Lothing; [Redacted]
Subject: FW: Broads Authority response to consultation on Lowestoft third river crossing
Attachments: 2017_07_25 Revised A1 Poster.pdf; habi-sabi swift and bat refuge prospectus.pdf

Good Morning,

Please see below,

[Redacted]

Many Thanks

[Redacted]



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From: [Redacted]
Sent: 13 October 2017 13:28
To: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>
Subject: Broads Authority response to consultation on Lowestoft third river crossing

The Broads Authority supports the scheme.

We do have some comments that we would like you to consider.

Ecology related comments from the Senior Ecologist:

- Please can the further surveys undertaken during 2017 to obtain more information on the use of the habitats, for example the Nathusius' pipistrelle, be sent to us?
- What is the timeframe for the Environment Statement to be completed please?
- This development is next to the Broads and within some of the UK's most important biodiversity habitats that people cherish. Within the Environment Statement we would request the scheme to be very positive and explicit about bat and nesting bird enhancement and recommend that something similar to the habi-sabi is installed to ensure that this scheme is evidencing meeting its mitigation and enhancement targets. (see example designs attached).

Access and waterways comments:

- With regards to the bridge structure, a 12m air draft when closed (infinite when opened) would be acceptable in principle to the Broads Authority as Navigation Authority. This is also true of the span of the bridge between the supporting pylons. As this is shown as 32m, this is well outside the minimum width requirement.
- We would ask that details will need to be provided of the proposed management regime for the opening of the bridge – how will this work both in engineering terms and what arrangements will be in place for boats requesting an opening?

With regards to the access, no Public Rights of Way are affected by these proposals. There is a National Cycle route crossing the development area but this has been incorporated into the landscaping design and poses no problems with regards to access issues.

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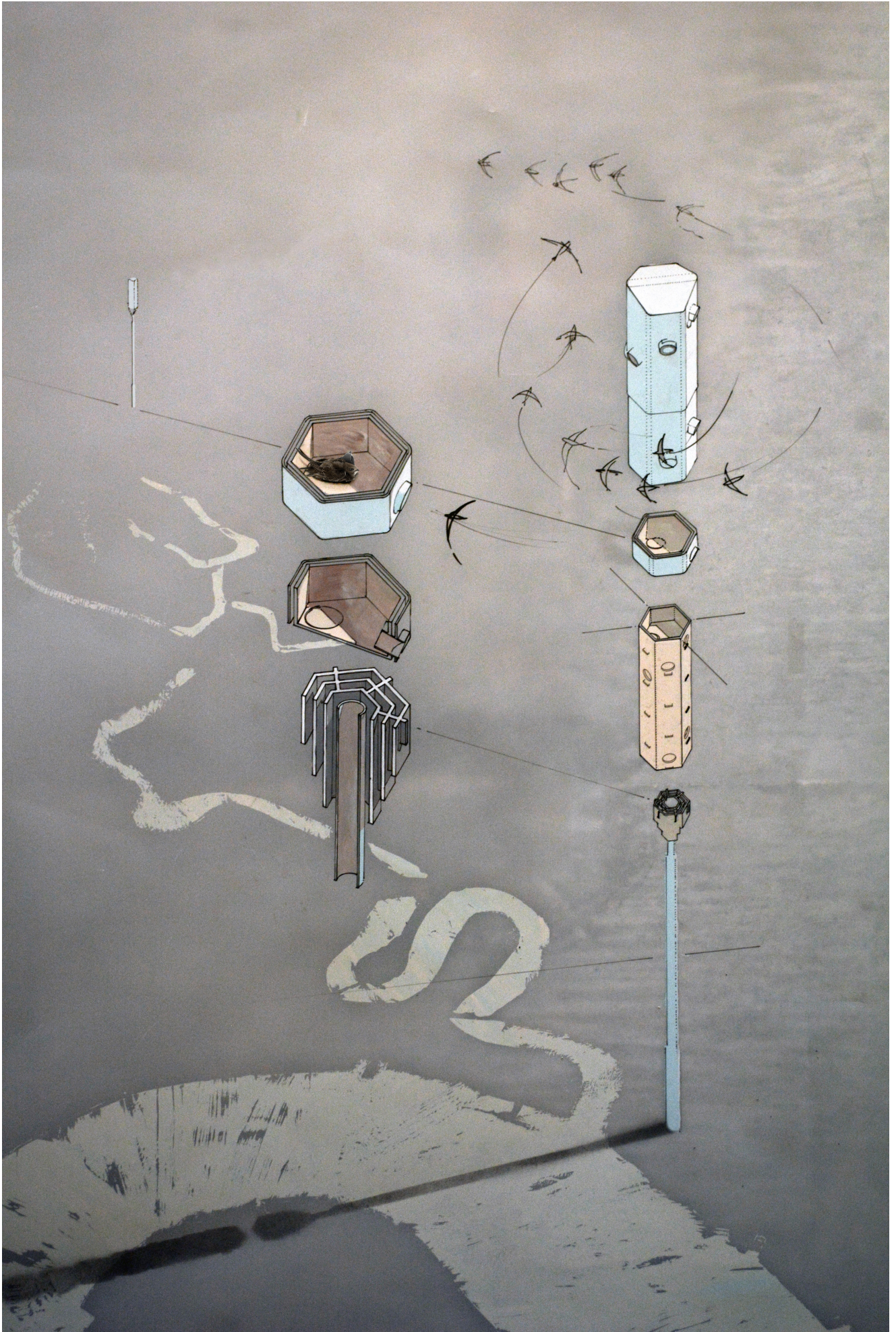
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 habi-sabi

swift and bat refuge



- a new approach to urban infrastructure - for wildlife
- supporting swifts and bats in serious decline as buildings increasingly exclude them
- contemporary tree-hole nesting for swifts with eight nesting compartments
- easy to install
- helping to create the 20,000 new swift nest places needed every year to keep the declining UK population stable
- designed in London - made in Liverpool
- design developed by habi-sabi from an original concept by Swift Conservation, supported and funded by the RSPB



swifts in the united kingdom

Swifts are with us for just three months each summer, bringing spectacular action, drama and excitement to our city, town and village skies. In primeval times, swifts nested in old woodpecker holes in ancient trees. With the extensive deforestation of Europe, they had to move and have shared our buildings, nesting in eaves and gable gaps, ever since the Romans came to Britain. They still breed in our older houses, but are in very serious decline, as modern, insulated and renovated buildings increasingly exclude them.

Swift numbers have fallen by about half in only 20 years. British bats face a similar fate, from building changes, crime and loss of habitat. It has been calculated that we need to create 20,000 new swift nest places every year just to keep the declining population stable. While new build dwellings can be fitted with nesting places, there are many other building types that are much less suitable, such as lightweight clad industrial and commercial structures, extensively glazed buildings and short-life structures.

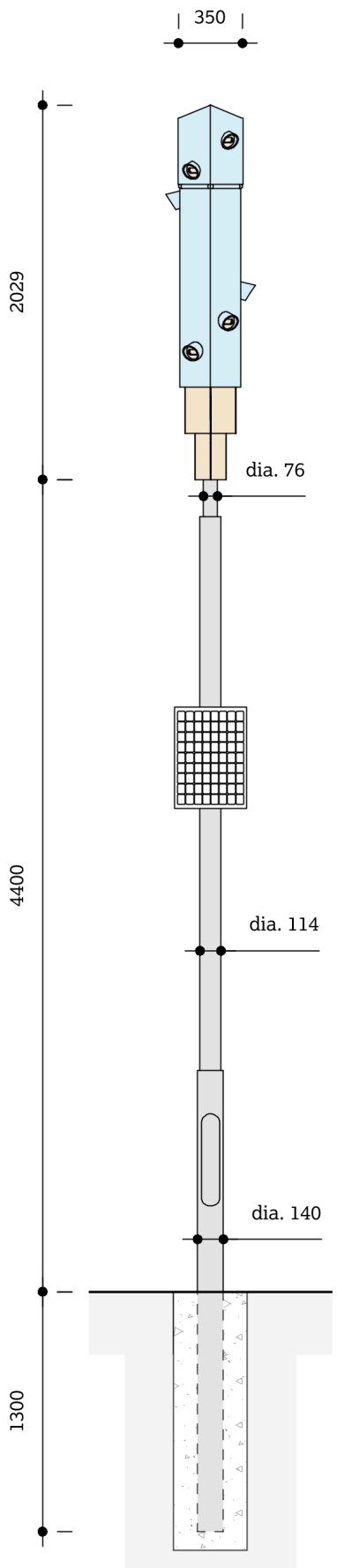
providing vital infrastructure for wildlife with the habi-sabi swift and bat refuge

The habi-sabi swift and bat tower, developed in partnership with UK experts Swift Conservation, has had its design supported and funded by the Royal Society for the Protection of Birds (RSPB). It has the potential to sell internationally and to become a major urban element throughout Europe and Northern Asia (the range of the Common Swift), contributing to Britain's exports as well as its pre-eminent reputation for creative design in the landscape.

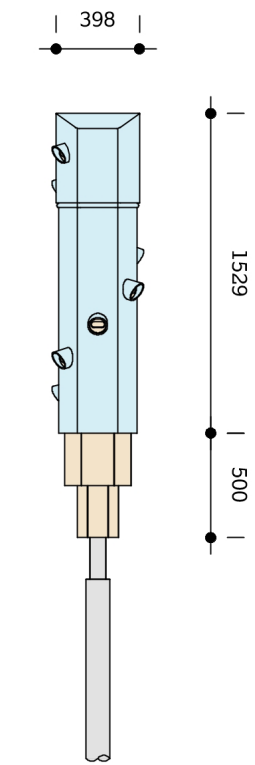
The refuge is based on the fact that Swifts will nest in holes in ancient trees. With this sort of nest place becoming much rarer, and nesting places in eaves and gable gaps being eliminated from modern and refurbished buildings, we have worked on a concept of bringing back a form of tree-hole nesting for Swifts, within a modern package.

The design provides a refuge suitable for most UK locations, excluding the highest wind speed areas, engineered with an integral planted root foundation for ease of installation and lower costs by Hutchinson Engineering, one of the leading steel fabricators in the UK and Ireland. The team is currently working with local swift groups on a number of potential locations in the UK.

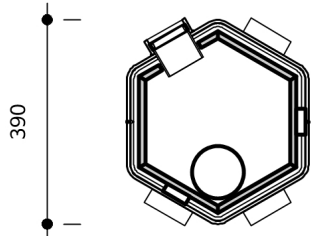




front elevation



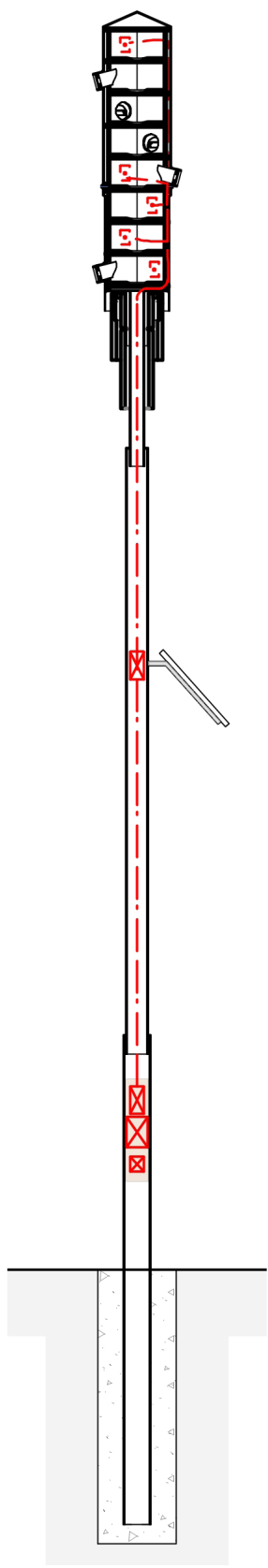
side elevation



swift nest plan



bat roost plan



cross section

design

The unique new Swift and Bat Refuge will improve nesting opportunities for these endangered birds and mammals. It is designed as a piece of minimal street furniture, mimicking the commonplace tubular mobile phone mast and no bigger than a street lamp, to provide safe and attractive nesting places for swifts and bats.

It's ideal location will be in 20th Century and new-build urban, commercial and industrial locations, where it will blend into the modern and post-modern environment seamlessly, amidst existing compatible vertical elements such as street lights, traffic signs and communications masts.

Each tower holds eight individual swift nesting spaces, made of plywood, and two communal bat chambers, made from a oak boards with an integrated swift call sound system to attract the birds, and an internal miniature CCTV camera to observe fledglings, offering educational and PR opportunities. The outer casing will be formed from a thin welded steel plate, powder coated soft blue, and the nest-spaces lined with marine ply. Plywood and oak have been used for many years now with great success for both swift nest boxes and bat roosts.

We have prospective sites ready for the first models. After the prototypes are installed and proven we hope to have regular production set up with the eventual aim of having these towers established as a common sight throughout Europe and North Asia. The estimate for the completed individual tower is at present £6,000 plus VAT, transport and installation, making it highly cost-effective and low-risk within the current marketplace.

about habi-sabi

habi-sabi is an award-winning, architect designed collection of beautiful homes for wildlife. Founded and working in London, the development team has created an exciting new piece of urban infrastructure for swifts and bats. habi-sabi is inspired by the Japanese philosophy of wabi-sabi, which finds beauty in nature, simplicity and humble materials. Wabi-sabi is an ancient way of understanding and living that encourages treading very lightly on the planet. The habi-sabi team has been working with wildlife experts, including Swift Conservation, the London Zoological Society (ZSL) and the RSPB, to provide support for vulnerable urban wildlife populations, primarily in the UK, though its uniquely designed nestboxes have been installed in Brazil, the United States, France, Belgium and the Netherlands.

Increasingly the team is commissioned to design bespoke products, for example, in London, a series of tiny gateways have been designed and installed in the railings of the Regent's Park for ZSL to improve freedom of movement and safety for the local hedgehog population.

contact us

If you would like to commission a swift and bat tower please contact Catherine du Toit at habi-sabi on +44 (0) 203 355 1205 or Edward Mayer at Swift Conservation on +44 (0) 207 794 209



www.habi-sabi.com | e: info@habi-sabi.com |  [@habi_sabi](https://twitter.com/habi_sabi) |  [habi_sabi](https://www.instagram.com/habi_sabi)

1a Cobham Mews, London NW1 9SB England


Design developed by habi-sabi from an original concept by Swift Conservation, and supported and funded by the RSPB

Swift Conservation is a “not for profit” service providing free advice to individuals via their website, by e-mail and on site. In addition we provide a commercial service to architects and building professionals. We can advise on how to design in Swift (and other bird and bat) nest places into buildings, improve biodiversity with cost-effective features, and meet local planning requirements in this field.

We give talks about Swifts and their place in our world to local government, property companies and developers, conservation organisations, clubs, societies and heritage bodies and work with local authorities, government, NGO’s and environmental organisations, as well as architects, property owners and developers and concerned individuals, to provide a place for Swifts.

Swift Conservation also visits sites to advise on the potential for retaining, augmenting or introducing Swift colonies, recommending and designing nestplaces for a very wide variety of locations. We provide training in how to accommodate Swifts and attract them to breed, and also in Urban Biodiversity support.





swift & bat column

infrastructure for wildlife

- innovative concept
- mimics tree nesting
- 8 swift nest places
- internal bat roost
- long life, low upkeep, low cost

Appendix 33.2

Associated British Ports

ability to contribute to employment opportunities and the economy of Lowestoft and the wider region.

In providing below our client's comments on the PEIR, we presume that the County Council and its consultants have taken fully into account the comments that our client made in its response earlier this year to the Scoping consultation and we will cross-refer to those as appropriate below.

In this context we would remind you that in the introduction to that Response our client noted – and it is reiterated in this response to the PEIR - that:

"...ABP is the owner and operator of the Port of Lowestoft. The statutory port estate extends to just under 100 acres and the port handles annually some 100,000 tonnes of cargo, including dry bulks, forest products, steel and general cargo, as well as being the home to the Operation and Maintenance base for the Greater Gabbard Offshore wind farm. In addition, the Port is continuing to expand both in terms of its general cargo offering and its ability to service the UK wind farm industry.

Significantly in terms of this project, we should also point out that ABP is the Statutory Harbour Authority for the Port of Lowestoft.

In both its capacity as the owner and operator of the Port, and Statutory Harbour Authority for the navigable waters, ABP is required to comply with a number of statutory duties and obligations. As such it will resist any development proposal that has the potential to fetter or impact detrimentally on its ability to perform those statutory duties and responsibilities."

Our client's Consultation Response drew attention at the time to a number of significant concerns in relation to the potential detrimental impact that the bridge crossing would have on the Port and it is unfortunate that it will be necessary – for the most part – to repeat these concerns within this response to the PEIR.

Indeed, as a general comment, we are bound to note that a significant amount of the information currently provided in the PEIR is stated as requiring 'further assessment'. As such, we would suggest that little weight can be given to those parts of the PEIR which remain unsubstantiated and/or require further work.

Further in this context, if it is indeed to be the case, as would appear to be suggested by the County Council's published timetable, that the next stage in this process will be the submission of the DCO application without further consultation, we would question whether the published PEIR actually complies with the legislative requirements as to publicity and consultation, as supplemented by formal Guidance?

As a final general comment, we should record at this point our client's extreme disappointment that, despite every effort that our client had made to assist, the County Council as promoter of this Project has demonstrated through the PEIR a worrying lack of understanding as to the complexity of port operations at Lowestoft, the statutory obligations that fall to ABP in performing its role as the statutory port operator and the very clear impact that the Project, if implemented, will have on the Port, to the serious detriment of the Port itself - and we would suggest, to the local community in terms of employment and economic benefit.

In summary, our client's key concerns include the following:–

- (a) A fundamental change in the proposed bridge design;
- (b) The adoption of a single large span for the bridge;

- (c) No certainty as to the likely imposed restriction on channel width;
- (d) A lack of meaningful marine simulation;
- (e) A failure to undertake a Navigation Risk Assessment;
- (f) The Project's detrimental impact on existing Port business;
- (g) The Project's detrimental impact on future Port business;
- (h) A lack of genuine assessment of alternatives;
- (i) The adverse impact on the Port estate in terms of air quality and noise;
- (j) The loss of valuable land within the statutory Port Estate;
- (k) The imposition of a restriction on ABP's ability to respond to pollution incidents in the harbour areas;
- (l) A reduction of area within the port estate available for the creation of temporary Restricted Areas as required under UK security legislation and the Port's Security Plan; and
- (m) A failure to undertake any assessment of the project's likely impact on sediment quality and consequential maintenance dredging.

Our client's detailed comments on the PEIR should be read in the light of the above.

PEIR – Consultation Response

1 Chapter 1 (Introduction)

1.1 Paragraph 1.12 – the PEIR states that the Scheme –

'... involves the construction, operation and maintenance of a new bascule bridge highway crossing of Lake Lothing in Lowestoft' and further that the bridge would comprise 'an opening bascule bridge'.

We note that the design outlined in the PEIR is not the design originally discussed with ABP. The design as now proposed is certainly not what one would describe as the usual form of bascule bridge and whilst innovation is always to be welcomed, our client is far from convinced that an operational statutory port is the ideal location for the construction of a bridge of a design which we believe is relatively untested in the UK in terms of its' specific intended location, namely across the middle of an operational port. The current proposal clearly raises serious concerns over the bridge's long term operational capability and maintenance – to say nothing of its potential risk to navigation. For the record, we would also note that ABP was only made aware of the new design at a routine LLTC meeting with the County Council on 3 August 2017.

1.2 Paragraph 1.2.2 – the PEIR states that the Scheme –

'... Delivers the Port of Lowestoft's role in being the hub for the off-shore wind farms that are part of the East Anglia Array, a major energy supplier for the UK'.

This is an inaccurate and misleading statement. First, the East Anglia Array equates to only a small part of the Port's role, which is predominately to support renewable energy projects throughout the North Sea (including The East Anglian Array, Greater Gabbard, Galloper and Norfolk windfarms). In addition, the crossing by virtue of its' location, will seriously impede ABP's ability to expand its business, both in terms of

the off-shore wind industry and other port commercial sectors. As a consequence, far from assisting in delivering the genuine benefits to be gained from the growing off-shore wind energy sector, this Scheme has the potential to cause significant harm to both the existing and future long term business prospects of the Port to the economic detriment of the local community.

1.3 **Paragraph 2.1.4** – it is asserted in the PEIR that –

'Evidence prepared to support the Route Strategy in 2014, records that the "bascule bridge significantly influences capacity, speed and reliability of the route in Lowestoft" and is the least reliable section of the SRN in the East of England'.

This is unsubstantiated and we would note that the existing bascule bridge is only responsible for part of this issue. Rather, there is a high density of signal controlled junctions and pedestrian crossings in this area which are the major contributors to the traffic flow issues.

1.4 **Paragraph 2.1.7** – the PEIR notes that –

'Bridging this gap is not only important for the efficient functioning of the SRN, but to more widely address the congestion and severance within Lowestoft, caused by the current arrangement of crossing points of Lake Lothing. In turn, improved accessibility throughout the town, to the Port of Lowestoft and to key redevelopment sites identified with the Lake Lothing and Outer Harbour Area Action Plan, enhances the opportunities for regeneration, investment in the Port and fully realising the growth potential of the Great Yarmouth and Lowestoft Enterprise Zone'.

For the avoidance of doubt, ABP would indeed welcome any improvement to road access to the Port for its customers and their contractors. This Scheme, however, quite evidently does not deliver any such improvements - indeed, contrary to the paragraph noted above, our client cannot see how the Scheme will be of any benefit for the Port. Certainly, should the County Council wish to pursue the Scheme as presently promoted, our client will wish to examine in some detail the cost benefit analysis and relevant data underlying the proposal.

2 **Chapter 2 – Need for the Scheme**

- 2.1 In terms of this section of the PEIR, our client's strong view is that whether or not a third river crossing is needed, the proposed location for the new bridge, through the middle of an operational port, has been based on a flawed and inadequate analysis of the bridge's potential impact on the Port's business. This is in terms of both existing and future business. As a consequence, the current proposal should be withdrawn and the need and location for a third crossing reassessed.

3 **Chapter 3 – Consultation**

- 3.1 We have already commented above as to the inadequacy of the consultation with the Port in relation to the design of the bridge. This could, of itself, have serious consequences for port operations.
- 3.2 We comment below on the lack of consultation in terms of both design and the line of the route.

4 **Chapter 4 - Alternatives Considered**

4.1 **Paragraph 4.6.21** – in the context of identifying the preferred option for the Scheme, the PEIR states that –

'It was however identified during the course of stakeholder engagement in both 2014 and 2015 that a central option could have an impact on the operation of the Port which would need to be mitigated through the design process'.

This assertion demonstrates a failure to appreciate the significant impact that the Scheme would have upon the operation and future development of the Port (as well as the reputational damage the bridge crossing could cause). The Port is a major source of employment in a highly deprived area and one of the few remaining potential sources of economic regeneration. Severing the waterway in the manner proposed would make the Port less attractive commercially to customers and hasten the decline of Lowestoft into a dormitory town role in the local region. One is bound to query whether the promoters of the Scheme have actually understood the direct and indirect impact that the proposed crossing will have on both Port and town.

4.2 **Paragraph 4.8.8** – this paragraph highlights some of the radical changes in the design of the Scheme as proposed at the time of the Scoping Report (and as discussed with ABP) and the now proposed Scheme. The PEIR states –

"At the time of Scoping (Appendix 7A), it was envisaged that a dual lifting bascule bridge with a simple trunnion would be progressed. However, following a comprehensive design review, it was concluded that a single leaf with a vertical counterweight would be preferable in that it could result in;

- *Possibility of supporting bascule bridge over the deck resulting in slimmer piers and less impact in the marine environment (particularly hydromorphology);*
- *less impact on flood risk elsewhere (by virtue of a lower volume of material in the Lake);*
- *a more readily maintainable opening mechanism;*
- *a faster opening time; and*
- *a reduction in construction costs."*

The rationale provided for the amended design – as provided in the PEIR – is vague and unsubstantiated. In particular, our client is concerned that the late addition of the proposed single leaf design has been driven more by aesthetics than practicality. A single leaf bridge will have greater wind loadings and there will, therefore, be an increased likelihood of the bridge having to be kept shut to shipping, which would seriously impact upon the Port's business. Moreover, this late design revision has not been tested during any of the vessel simulation modelling. We would suggest that before this particular scheme can be submitted to the Secretary of State, comprehensive testing, simulation and assessment must be undertaken and the results shared with ABP. In this context, any future simulation exercises must include the effects on vessel manoeuvrability of wind shadow effects. It is understood that this is not available on the current model.

Navigation Risk Assessment – A related impact arising is the loss of vital berths within the Port as a consequence of the construction of the bridge, which will increase the number of vessels needing to pass through the construction area to find alternative berths. This in turn will increase the risk exposure that will need to be considered in the NRA – an exercise which we believe has not yet been undertaken? For the avoidance of doubt, any NRA supporting the Scheme should include a Hazard Identification exercise with Port users, to which, ABP would expect to be a significant contributor as the Statutory Harbour Authority.

For the avoidance of doubt, ABP formally requests that details of the NRA for the construction and operational phases of the Scheme are provided to ABP as soon as they are available. We seriously query whether the formal DCO application can be submitted to the Secretary of State before this exercise has been completed to the satisfaction of the Statutory Harbour Authority.

4.3 **Paragraph 4.8.9** – in design terms, the PEIR also states –

'The form of structure currently proposed is also born from stakeholder feedback on the aspiration to provide a striking design that drew upon Lowestoft's maritime history and which would align with SCC's and WDC's aspirations for economic growth in the area'.

As noted above, this statement appears to confirm ABP's concerns that design has focussed on aesthetics at the expense of providing the assurances ABP require as to the bridge's ability to be satisfactorily operated and maintained in the longer term (i.e. over 50 years or greater).

4.4 **Generally** - To this we would add that within the PEIR, there is a worrying lack of genuine assessment of the alternative lines for the third crossing. We would point out that this omission is entirely contrary to one of the key principles of environmental assessment.

5 **Chapter 5 - the Existing Environment**

5.1 **Paragraph 5.2.3** – the PEIR states that –

'The land to both the east and west of the proposed scheme is used for port operations along the northern quay of Lake Lothing with the grain silo building located to the east'.

In its response to the Scoping Consultation, ABP questioned whether the County Council had properly understood and taken into account the Port and its surrounding working environment. From what has been presented in the PEIR, this question remains. For example, the area used by the Port operationally also includes the land underneath the proposed crossing and access routes through the area for large commercial vehicles, road transportable cranes and project cargo items.

5.2 This fundamental lack of assessment – which in turn points to a serious lack of understanding of the Port, points indisputably in our view, to the need for the publication for consultation of a comprehensive environmental statement and assessment prior to submission.

6 **Chapter 6 - Description of the Proposed Scheme**

6.1 **Paragraph 6.1.1, Figure 6.3 and Figure 6.4** - Figure 6.3 purports to show the plan and elevation of the proposed bascule bridge. Figure 6.3, however, does not show planned clearances over the waterway with the bridge in the closed position nor does it show any detailed clearances with the bridge in the raised/open position. Moreover, there is no drawing included as part of the PEIR which shows any detailed clearances with the bridge in the raised/open position. As to Figure 6.4, this purports to set out a diagrammatic image of the Scheme showing the design considerations. Whilst Figure 6.4 does indicate that the required values have been taken into account, it is only a design summary not a detailed drawing. As such, these drawings are insufficient to provide ABP with the necessary assurance that its design criteria are being fully considered. Our client would be extremely concerned if the County Council intends to submit its application to the Secretary of State on the basis of these patently

inadequate plans. A far more comprehensive analysis must be undertaken by the promoter and the results shared with ABP.

6.2 Paragraph 6.2.7 – The PEIR states that –

'In response to a request from ABP, vessel simulation modelling has been undertaken and the proposed clear span between the new bascule bridge piers is 35m, allowing a clear width of 32m between fenders. This is shown on Plate 6-1 and discussed in greater detail in Chapter 15. As shown in Plate 6-2 is the infinite air draught that is available when the bridge is open to marine vessels.'

Whilst our client accepts that vessel simulation modelling has been undertaken, this was in respect of the previously proposed design of the bridge. Given the fundamental change in the bridge design, further vessel simulation modelling will need to be undertaken to provide the necessary assurance to ABP as to the operability and practicality of a large single leaf design and as noted above, the need for simulations to measure the effects of wind shadow and turbulence induced by the large single leaf design.

6.3 Paragraph 6.2.9 – the PEIR notes that –

'ABP has advised that the new bridge will require a continually staffed control tower, the location and detail of which will be determined in consultation with ABP, although possible locations for the tower have been identified either to the south west or south east of the bascule bridge adjacent to the quay wall.'

It is important to note that this requirement has been made by ABP in its capacity as the Statutory Harbour Authority for the Port of Lowestoft. In this context generally, we would record that our client is concerned that the PEIR offers only limited information with regard to the control, regulation and safety of vessels and personnel – which of itself render the Scheme as presently promoted, materially deficient.

6.4 Paragraph 6.2.10 – the PEIR asserts that –

'A series of fenders will be provided within the Lake to provide protection to the bridge piers against impact from ships. Twelve discrete collision protection fenders, three each located northwest, northeast, southwest and southeast of the bridge, along with suitable pier protection fendering within the navigation channel. Fender design will continue to be developed in discussions with ABP.'

Whilst ABP has been involved in discussions in this respect, it would need assurance that these fenders will continue to be developed in discussion with ABP up to the point of design sign off in order to ensure marine risks are mitigated. We note that no reference is made to maintenance and cost.

6.5 Paragraph 6.5.1 – the PEIR advises that the lighting arrangements and design will be addressed during the detailed design stage and that –

'discussions will continue with ABP and Network Rail to ensure their requirements are considered and a suitable design developed that does not affect the safety of their operations.'

As noted in the Response to the Scoping report, ABP has serious concerns as to the angle of lighting and the impact on navigational safety. ABP will need to be assured this will be addressed and settled before any DCO can be granted.

6.6 Paragraphs 6.5.3 and 6.5.4 - the PEIR states –

'New near side road restraint will be provided for the full length of the new crossing using steel barrier systems. The height of the barriers will be provided as required by relevant standards and stakeholders including SCC and Network Rail' and 'This road restraint over the railway crossing is known as an H4A barrier and is a standard specification and requirement of Network Rail for all such road schemes over their infrastructure'.

The design raises questions of safety and we assume that full details of standards, safety measures and protections for users of the bridge and personnel within the Port will be provided in the application documentation.

6.7 Paragraphs 6.6.10 and 6.6.11 – these paragraphs state that –

'... the installation of the bascule bridge will follow a process of installing the cofferdams, fender piles, construction of a temporary deck from the north and south quays to and north and south main piers respectively, piling of the main pier structures, shuttering and installation of the mechanical and engineering equipment' and 'the installation of the structure over the East Suffolk railway will follow a similar process in so far that the piling of the main pier structures will precede the shuttering. It is presently proposed that the bridge over the railway, and the operational Port will be constructed perpendicular to the main alignment with the bridge then rotated into position as shown in Plate 6-6 and Plate 6-7'.

The detail provided to date in the PEIR in this regard is totally inadequate as far as demonstrating any attempt on the part of the promoter to take into account the impact that construction of the bridge crossing will have on Port operations and in particular obstruction of the waterway and statutory rights of navigation. Our client will expect this aspect of the proposal to have been fully detailed and discussed with the Statutory Harbour Authority prior to submission of the DCO application.

6.8 Similarly, no consideration appears to have been given to the extremely serious issues of both national and local port security.

7 Chapter 7 – Scoping and Introduction to Environmental Assessments

7.1 This chapter simply underlines the considerable amount of work, analysis and assessment still required to be undertaken prior to finalisation of the project details.

8 Chapter 8 - Air Quality

8.1 Paragraph 8.4.17 – for the purpose of the air quality assessment in respect of the Scheme, the Port is identified –

'... as a receptor which could be sensitive to construction dust' in the PEIR and it is stated that 'measures will be included in the full CoCP to mitigate the risk of construction dust impacts to Port operations'.

Whilst ABP welcomes the acknowledgement that the Port is a sensitive receptor for construction dust purposes, the information/assessment provided to date in the PEIR is inadequate. Our client will expect detailed consideration to be given to the health impacts of vehicle emissions, including the impact of queuing vehicles, upon the Port's (and tenants') employees and visitors. It is clear that some employees will be working in an area of increased exposure to emissions (when compared with pre-Scheme conditions) for an extensive period of time i.e. both during construction and throughout the life of the bridge/roadway. ABP has legal responsibilities in this respect.

9 Chapter 9 – Cultural Heritage

- 9.1 Our client has no comment at this point in time.
- 10 **Chapter 10 – Townscape and Visual Impact Assessment**
- 10.1 Our client similarly reserves its position on Townscape and Visual Impact.
- 11 **Chapter 11 - Nature Conservation**
- 11.1 **Paragraph 11.4.5** – we note that the '*Extended Study Area*' has omitted consideration of Corton Cliffs SSSI. Given that this site is closer to the area required for the project than the Benacre to Easton Bavents SPA (which is included within the Extended Study Area), its omission seems inexplicable and should be explained.
- 12 **Chapter 12 Geology, Soils and Contamination**
- 12.1 The Promoter is aware of ABP's concerns in relation to ground investigation and in particular works within the river bed. Whilst it is accepted that works are at a preliminary stage, we are surprised to note that ground investigation only began in late 2017 (para 12.3.5), that no investigations have been undertaken within the Port estate – despite we would note, ABP's willingness to negotiate access in this respect - and yet the County Council considers that sufficient information has been obtained to move the project to PEIR stage in advance of submission early next year.
- 12.2 Considerable additional work will be required in this area before this part of the PEIR is in an acceptable form for inclusion with an environmental statement and our client assumes that it will be consulted and kept informed with regard to ongoing results
- 12.3 The comments in paragraphs 12.8.5 to 12.8.7 identify the issues arising without providing any answers.
- 13 **Chapter 13 - Noise and Vibration**
- 13.1 This chapter acknowledges that assessment of noise is at an early stage and that current knowledge and understanding of potential impacts as limited – paragraph 13.1.5 to 13.1.17.
- 13.2 As the chapter currently stands, however, ABP is far from convinced that sufficient attention has been given to the impact of noise, both in terms of construction and following construction, during operation upon the port, its users and visitors.
- 13.3 ABP assumes that this aspect of the proposal will be comprehensively assessed and the Promoter should be proceeding on the assumption that ABP will not accept exceedance of normal noise standards.
- 14 **Chapter 14 – Materials**
- 14.1 This chapter identifies the issues arising in connection with the delivery of construction materials, disposal, waste, storage etc. Our client fails to understand how the promoter of a scheme such as the third crossing can draft a section to be included in a formal environmental assessment without consulting the operators of the Port across which the bridge will cross.
- 15 **Chapter 15 - Private Assets**
- 15.1 **Table 15-1:** No reference is made to the Government's "National Policy Statement for Ports" within this table within the PEIR. In our view, this is again symptomatic of a fundamental lack of understanding of the Port of Lowestoft, port operations and the statutory obligations that fall to ABP as Statutory Undertaker.

15.2 Such an omission raises serious concerns for ABP and leads it to question the adequacy and professional credibility of the PEIR.

15.3 **Compulsory Purchase** – reference is made at paragraph 15.2.2 to the possible compulsory acquisition of land required for the scheme. ABP would wish to make it very clear at this stage that it will oppose any proposals that contemplate the compulsory acquisition of land held by ABP in its capacity as statutory port undertaker.

15.4 **Paragraph 15.5.3** – the PEIR states that –

'During the construction phase the construction of the piers and the placement of the bascule bridge have the potential to impact vessel transport and Port operations'.

Whilst the PEIR acknowledges that there is potential to impact vessel transport and Port operations, the method of construction has not been properly set out in the PEIR nor has it been otherwise provided to ABP and, as such, it is impossible to properly identify the extent of such impact. This must be rectified for the final Environmental Statement and should be discussed with ABP prior to submission.

15.5 **Paragraph 15.5.4** – the PEIR identifies that impacts on the navigation channels of the Port during the construction phase are likely to be *'Slight Adverse'*. As stated above, given that the method of construction has not been disclosed (particularly in reference to the Bascule bridge) it is impossible to identify a level of impact that would stand up to sensible scrutiny. Certainly at this stage, ABP questions what it considers to be a distinctly over-optimistic assessment.

15.6 **Paragraphs 15.5.6 and 15.5.7** – these paragraphs of the PEIR assert that impacts on the Port's quays and land during the construction phase of the Scheme are likely to be limited to the loss of quay side storage and berth. Again, the construction method is unknown so the duration and severity of impacts is uncertain – but at the very least will result in the loss of some of the Port's common user berths.. It follows that it cannot be definitely stated that there would be *'limited losses'*. ABP is of the view that should the scheme be authorised, the impact during construction will be seriously detrimental.

15.7 **Figures 15.1 and 6.6** – Figure 15.1 shows that the Port covers an area adjacent to Lake Lothing of approximately 40 hectares. It is asserted that the area of the proposed construction compound would be 1.3 hectares and that the compound's frontage along the quay is approximately 160m (as set out in Figure 6.6.). The proposed compound and the required quay length would have a significant impact on the Port (including the loss of common user berth space for approximately 3 ships) and, as a result, there would be a direct and significant consequential impact on the Port's business.

15.8 In addition, we would point out that the port infrastructure includes a suspended quay area as a consequence of which considerable care will have to be taken to ensure that Port structures are not damaged.

15.9 In light of this, we would suggest that construction activity is likely to be more limiting to ABP than the Scheme promoters' appear to envisage.

15.10 **Paragraph 15.5.9** – the PEIR asserts that –

'Given the relatively small loss of land for the temporary construction period, relative to the scale of the Port in total, the impact upon the port is considered to

be no greater than Slight Adverse, although discussions with the ABP to ascertain the use of the quay and the possibility of temporarily relocating any uses to elsewhere in the Port will continue'.

Again, this portrays a fundamental misunderstanding of the Port's marine operations. As noted above, ABP strongly disagrees with the likely level of impact which has been identified. For example, the loss of the berth space arising from this temporary compound would have a direct and significant adverse impact on the Port's revenue for which ABP would require reimbursement in full based on the precedent set during the pipe salvage operations.

In addition, construction activity is likely to be taking place at the same or at similar times as construction activity for EAone, EAthree, Norfolk Windfarms and Sizewell Power stations, all of which are Nationally Significant Infrastructure Projects which are likely to include the Port of Lowestoft in the supply and support chain.

In this context, we note that the temporary works area includes three of the Port's main common user berths. Vessel activity displaced by this loss of quay space may result in some vessels having to use berths normally set aside for other specific customers, leading to further potential revenue impacts.

15.11 **Paragraph 15.5.10** – the PEIR advises that –

'... while the proposed bascule bridge's opening schedule is to be confirmed, it is likely to operate on similar arrangements to the existing A47 Bascule Bridge'.

We note that the opening schedule of the bridge, which incidentally must be no worse than currently exists, is to be confirmed but detail will need to be provided to ensure that the hours are suitable and sufficient to meet ABP's duties as Statutory Harbour Authority, as well as ABP's responsibilities to its commercial customers. This should be clarified with ABP prior to submission.

15.12 **Paragraph 15.5.11** – we note that the PEIR supplies details of a vessel simulation model which has been undertaken (insofar as is relevant) in order to:

- (i) establish the navigability through and adjacent to the proposed bascule bridge;
- (ii) establish the suitability of the proposed passage width beneath the proposed bascule bridge;
- (iii) to confirm the requirements for protection in the form of fenders; and
- (iv) to determine any aids to navigation that the proposed bascule bridge may require.

In the light of the fact that the design of the bridge is fundamentally different to that which was originally assessed, we are bound to query whether the modelling undertaken to date is of any relevance whatsoever?

15.13 **Construction Phase - Paragraphs 15.5.16 - 15.5.18 (respectively)** – the PEIR states as follows in relation to the operational impacts on the Navigation Channel –

- (a) *'Appendix 15A provides is a detailed review of the adequacy of the vessel simulation model, and following use of the model by an experienced pilot, proposed recommendations for increased safety of operations'. (15.5.16)*

This is insufficient and, given that the outputs were not benchmarked against any standards, ABP repeats its requirement for a comprehensive NRA to be undertaken and disclosed.

- (b) *'Assuming that these recommendations are implemented it is concluded in Appendix 15A that the risks to the bridge and from vessels navigating through and around it are As Low As Reasonably Practicable'. (5.15.17)*

Again, the vessel simulation model can be used to inform the NRA but, critically, it is not a replacement for a thorough risk assessment which will determine whether the Scheme is at a risk level that is 'as low as reasonably practicable' ("ALARP") or not.

- (c) *'Discussions with ABP will continue and their feedback on the model simulation will be incorporated within a further additional model that will incorporate the design of the proposed scheme at the PEIR stage. However, at this PEIR stage, given that the proposed scheme will only impact upon land that is peripheral to its intended use i.e. out with of the navigation channel, it is accordingly concluded that the proposed scheme has a no greater than Slight Adverse impact upon vessel transport'. (5.15.18)*

Given the preliminary nature of the PEIR and the report it is based on – along with the lack of NRA – the impact on vessel transit through the bridge cannot be conclusively categorised. In particular, in light of the newly proposed design, the maintainability and durability of the bridge structure cannot be predicted with any degree of certainty. It should be borne in mind that the existing bascule bridge has been in operation since March 1972. It is already 45 years old thus demonstrating the life of such structures.

- (d) *'It is recognised that the introduction of a new structure and associated fenders in Lake Lothing may have an impact on dredging operations. SCC will continue to discuss this with ABP to understand the consequences and potential mitigation measures'. (5.15.19)*

The PEIR is correct in its acknowledgement that the introduction of the new structure will have an impact on the Port's ability to dredge. More specifically, this impact will make it difficult to maintain channels close to the structure using existing and conventional methodology which will lead to increased time and cost to achieve the same results. Given that dredging is an obligation placed on ABP as part of its conservation duties as statutory Harbour Authority, this is an important issue which has not been adequately addressed.

15.14 Operational Phase – Paragraphs 15.5.20 to 15.5.25

The PEIR provides that –

'The loss of quay space on the north of Lake Lothing has the potential to permanently impact Port operations through the loss of operational port land and berthing space'.

This is clearly a correct statement - but we would suggest, somewhat of an understatement probably designed to give a somewhat misleading impression as to the actual impact of the bridge crossing on the Port.

The bridge structure and required associated fenders will lead to the permanent loss of valuable berthing space on the North Quay. This will inevitably lead to a long-term loss of revenue for the Port.

This significant and permanent damage to the Port will be exacerbated by the adverse perception that will be created by the construction of a bridge that will effectively split the Port into two parts. The presence of the existing bridge already has a negative impact on potential business and this impact will be increased by another bridge structure.

15.15 **Paragraph 15.5.23** – the PEIR states -

'Approximately 2,100m of Quay length is available within the Entrance Channel and Inner Harbour. The loss of berthing space resulting from the proposed scheme is unlikely to be greater than 60m although the size/number of vessels that can berth east and west of the proposed scheme may be curtailed. Greater information on vessel sizes using the Port is required and this will be provided in the ES (a vessel survey is currently underway to capture vessel movements and parameters) and greater discussion with ABP will be undertaken to identify the degree to which this loss of berthing space will affect their operations.'

This statement is misleading. The berth space lost will be one of ABP's current common user berths available for larger vessels. Critically, not all the 2100 metres of quay space is suitable for larger vessels and a fair proportion is already committed to existing customers. As such, loss of this berth space must impact detrimentally upon ABP's ability to attract additional business to the Port. We should add that any marine mitigation identified by the NRA exercise (which we understand is yet to be undertaken – see above) would be subject to agreement and approval from ABP (in its role as Statutory Harbour Authority).

On the basis of the information currently provided, ABP believes that, as a direct result of the Scheme, a considerable length of large vessel quay space will be permanently lost should the Project be implemented.

15.16 **Paragraph 15.7.1** – insofar as is relevant, the PEIR states that the following additional works will be undertaken and provided within the final Environmental Statement:

- (a) A NRA and vessel survey; and
- (b) An updated vessel simulation model that incorporates recent changes to the design of the bascule bridge and an update to the assessment of impacts to the navigation channel.

As foreshadowed above, ABP will require the NRA to be rigorous, robust and prepared with full input from ABP marine staff. As for the vessel simulation model, this must be undertaken in combination with the NRA to ensure the outputs are assessed against Port Marine Safety Code standards. This is necessary to ensure ABP comply with its statutory duties during both the construction and operation of the Scheme.

16 **Chapter 16 - Socio-Economics including Recreation**

16.1 **Paragraph 16.5.1** – A list of impacts which are identified as having a potential to impact on the environment is set out in the PEIR. This list does not, however, include any detrimental impacts caused to the Port's business by the presence of a second bridge across the harbour. Plainly, this is a fatal and quite inexplicable omission.

17 **Chapter 17 (Road Drainage and the Water Environment)**

17.1 **Paragraph 17.3.5** – the PEIR states *that*

'Sediment sampling at Lake Lothing will be undertaken to gain a better understanding of the type and level of contamination currently present in the sediments of this waterbody, which could be mobilised'.

ABP will need to be assured that any mobilisation of contamination will not affect its ability to dispose of dredge spoil at sea. In the event that it does so, mitigation measures would be required to be put in place to ensure there is no residual detrimental impact to ABP.

In this respect ABP will require strict legal assurances from the County Council in terms of agreed procedural stages and a formal indemnity.

- 17.2 **Paragraph 17.3.13** – In the context of the assessment of pollution impacts from accidental spillage within the PEIR, with the risk being expressed as the annual probability of a serious pollution incident occurring, it is stated that the risk is the product of two probabilities. One of such possibilities is stated to be –

'The probability that, if such a spillage did occur, the polluting substance would reach the receiving water body and cause a serious pollution incident'.

In the event of any such incident, ABP would need to undertake a revised oil spill risk assessment to ensure it can respond to a spillage from a vehicle into the waterway. This roadway would introduce new risks with the potential for unknown chemicals to be spilled. The location of the bridge would also hinder ABP's ability to deploy some of its oil spill boom and may make it necessary to purchase additional boom.

- 17.3 **Paragraph 17.3.15** – the PEIR goes on to state that –

'The probability of a serious spillage subsequently causing a serious pollution incident is dependent on the receiving surface water body and the response time of the emergency services; i.e., less than 20 minutes, less than one hour, or greater than one hour'.

This is incorrect as any response to such issues on the harbour waters falls to ABP as required by its Oil Spill Contingency Plan, which is a statutory requirement under the Merchant Shipping (OPPRCC) Regulations 1998, as amended. In this respect, the Port has the capability to respond to tier one spills, whereas tier two spills would be contracted out to oil spill contractors. As to tier three spills, these would be the responsibility of the Maritime and Coastguard Agency. The requirement for any extra resources at the Port as a result will need to be assessed and compensated as appropriate- and this should be specifically referenced in the County Council's application documentation.

- 17.4 **Paragraph 17.3.19 – 17.3.23** – ABP welcome the approach adopted to Hydromorphological Regime within this part of the PEIR.

- 17.5 **Paragraphs 17.5.6, 17.5.7 and 17.6** – these paragraphs of the PEIR recognise the potential contamination pathways. Importantly, we note the commitment to giving these matters further consideration and proposing mitigation measures within the final Environmental Statement. This additional information, formally assessed, will be critical.

- 17.6 **Paragraphs 17.5.8 and 17.5.9** – the PEIR states:

"A broad range of potential pollutants, such as hydrocarbons i.e. fuel and lubricants, fuel additives, metal from corrosion of vehicles, de-icer and gritting material, can accumulate on road surfaces. These can subsequently be washed off the road during rainfall events, polluting the receiving waterbodies.

Routine runoff from road drainage networks can result in both acute and chronic impacts on water quality and subsequently on the biodiversity of the receiving watercourses, due to both soluble and sediment bound pollutants.

At the current stage of design, all the drainage is being directed to the surface waters of Lake Lothing via the existing road drainage / sewer network or directly from the moving bridge deck. Chapter 6 describes the current drainage design features which are also illustrated in Figure 6.5. Key indicative features include the following:

- Two detention ponds will be constructed either side of the roundabout to the north of the crossing. They will outfall via flow control devices into the existing drainage or sewer network; and*
- All other road drainage is proposed to discharge into the existing road drainage or sewer system either directly, or via storage within oversized pipes or storage tank and with flow control devices."*

Notably, run-offs as described in the above paragraphs have the potential to result in additional spill response requirements for ABP as the statutory harbour authority. Over the longer term this could reduce water quality in the harbour environment. As such, suitable interceptors will have to be installed on the drainage systems to mitigate the pollution impacts. This should be referenced in the final environmental statement.

17.7 Paragraph 17.5.19 – the PEIR states that –

'..... the SoS in their Scoping Opinion (Appendix 7B) has identified that alterations to the hydromorphological regime should be included within the scope of the ES. The EA has also since requested hydromorphological assessment within the scope of the WFD assessment. This assessment will be reported in the ES'.

ABP assume that hydromorphology will be suitably regulated and monitored by the Environment Agency. Even if this is the case, however, it will still be incumbent on ABP to ensure this is adequately covered under its Statutory Harbour Authority/Port Marine Safety Code duties and ABP expects to be kept full informed as to progress in this respect.

18 **Chapter 18 – Flood Risks**

Our client reserves its comments on flood risk at this stage and awaits the formal review and assessment.

19 **Chapter 19 – Traffic and Transport**

Similarly, in light of the comments made on behalf of our client in this response to the PEIR, further information on traffic movement, impact on bridge opening, queuing of traffic etc will be required before ABP will be in a position to comment sensibly on this aspect of the proposal.

20 **Chapter 20 - Cumulative Effects**

20.1 **Paragraph 20.4.12 – the PEIR notes that –**

'The assessment of operational traffic has been excluded from this CEA because operational traffic from the Tidal Barrier, the East Anglia THREE and

Sizewell C projects is unlikely to adversely affect the highway network in the study area for the proposed scheme. The traffic model that the operational air quality, noise, traffic and water environment assessments will be based upon (and presented in the ES) includes the Sanyo and Brooke Yachts and Jeld Wen development and hence cumulative effects arising from these projects will be presented in their respective chapters in the ES'.

No assessment is being made of the increase in marine traffic arising from some or all of the these schemes. This is a very clear deficiency in the PEIR exercise and underlines again the promoter's lack of understanding of the impact that its project will have upon the Port of Lowestoft. The failure to take into account the Scheme's impact on the Port during the formulation of the Scheme, is, in the view of ABP, a defect that should be drawn formally to the attention of the Secretary of State at the appropriate time.

21 **Appendices**

In terms of the appendices these have not been helpfully formulated and we presume this distinctly confused presentation in the hard copy version will be corrected by the time the DCO application is submitted. Certainly, as currently presented, my client has found it extremely difficult to review sensibly the reports that have being provided – insofar as they are actually complete.

That said, we would offer some general comments as follows:-

21.1 **Appendix 7B – Secretary of State's Scoping Opinion**

- (a) We simply note on behalf of our client that the PEIR as published fails to acknowledge or take into account many of the Secretary of State's suggestions offered in his Scoping Opinion. For example, in terms of impact on the Port the position of the control tower or indeed number of control towers has not been resolved, assessment of the impact of the new bascule bridge approach spans, the need for additional piers adjacent to the quay walls, the road junction arrangements to the north and south of the new bascule bridge, the size and location of construction compounds, piling, lighting, traffic movements for both HGV and staff, operation and maintenance of the bridge and decommissioning.
- (b) Significantly, we note at paragraph 3.12 that the Secretary of State - *'recommends that the applicant ensures that appropriate consultation is undertaken with the relevant consultees in order to agree wherever possible the timing and relevance of survey work as well as the methodologies to be used. The Secretary of State notes and welcomes the intention to finalise the scope of investigations in conjunction with ongoing stakeholder liaison and consultation'*.

We would suggest that this statement alones points to what our client considers to be a serious lack of consultation to date.

21.2 **Appendix 11**

We would make the following comments:-

- (a) **Appendix 11A (Ecology Phase 1)** – appears to have undertaken a superficial analysis which makes no reference to Port related industry other than at paragraph 1.2.1, which states *'Lake Lothing ... once housed a thriving boat building and repair industry which has declined in use over recent decades'*.

- (b) **Appendix 11C (BAP list)** – given that there is no cover sheet, document control or contents list, it has been difficult for our client to fully understand what this Appendix is intending to achieve.
- (c) **Appendix 11E (HRA Screening)** – states that - *'It is anticipated that the new drainage will outfall directly into Lake Lothing subject to agreement with the Environment Agency on any specific treatment requirements'*.

If this is really the case, our client is concerned as to the potential for pollutants to enter into the Port's water area. In this respect, we note that it is further stated:

"Measures to avoid the contamination of Lake Lothing during construction would be incorporated into the construction programme and project design, in line with best practice pollution prevention guidelines (PPGs), and would be agreed with the Environment Agency (EA) prior to construction.

A surface water drainage strategy would be established for the construction phase to ensure that site drainage is controlled and that no contaminated runoff is allowed to enter the water. This would be agreed with the EA prior to the start of works.

All fuels, oils and chemicals would be stored on an impermeable base, bunded and secured. To protect aquatic ecosystems, construction activities in, and near, Lake Lothing would be restricted and managed in accordance with EA guidance".

Whilst ABP is content that this appears to provide sufficient protection during the construction phase, plainly this will need to be monitored and any breaches will need to be reported to the Project Managers and Environmental Agency – as well as ABP. A related question arises as to how such issues would be addressed in the operational phase.

- (d) **Appendix 11G (Proposed Benthic Methodology)** – we make the following observations -
 - (i) Paragraph 1, an indication of the scope of the survey required (in terms of assessing subtidal sediments as well as fouling communities on the walls of the channel) will need to be provided.
 - (ii) Paragraph 2, states that - *'although areas in the immediate vicinity of the proposed crossing, both upstream and downstream, may be affected by construction works we understand that the survey is not required to cover these areas'*.

ABP has some concern as to the potential implications of this statement, namely that areas of the Port and its surrounds which could be affected will not be surveyed and, as such, no baseline will be established. This would not be acceptable.
 - (iii) Paragraph 3, states that - *'during survey planning the Harbour Master will be contacted for details of known vessel movements on the proposed survey date and the timing adjusted accordingly to accommodate these movements'*.

This statement demonstrates the value of proper consultation which clearly has not taken place to date. The promoters of this project have failed to appreciate the preparatory work required for such a survey e.g. amongst other things, the conduct of this survey would need to be subject to legal agreement between ABP and the County Council. Once this agreement has been completed, the survey would then require a Harbour Works Consent which will require a RAMS to be agreed with the Harbour Master (stipulating methods of communication, warnings and timing of surveys). As such, the survey team could only operate within the navigational and operational parameters set by the Harbour Works Consent.

- (iv) Paragraph 8, states - '*A Notice to Mariners will be issued prior to commencing survey activities and updated throughout the duration of the works. Notifications will also be made to the Harbour Master, the local Coastguard, Crown Estate and MMO*'.

Again, this work will require a Harbour Works Consent and, for the avoidance of doubt, the Notice to Mariners would be issued by the Harbour Master. In light of this, it is appropriate for ABP to have sight of the survey report prior to publication.

21.3 Appendix 18

We note the following statements:

- (i) '*Lowestoft Outer Harbour is a network of small harbours separated by concrete piers used for boat mooring to the east of the A12 Bascule Bridge*'. (para.1.2.1).

The above is factually incorrect. The section should read: "*Lowestoft Outer Harbour is a network of docks separated by concrete piers used for ship and boat mooring to the east of the A47 Bascule Bridge.*"

- (ii) '*Lake Lothing is used as a commercial transport hub with a number of large ship berths on either side. This area has formal harbour walls of approximately 3mAOD*', (para.1.2.2).

Quay walls are generally at a higher level than stated above which suggests a potential lack of background research undertaken to support the Appendix 18 report.

21.4 Appendix 19

Appendix 19A (Preliminary Transport Assessment)

- (a) Given the length of this document, and the limited time available for ABP to revert with comments on the PEIR, we have restricted our comments to the more significant Port related issues. ABP however reserves its right to revert with further comments at a later stage. In particular, we note the following:

Paragraph 1.2.3 – '*...the proposed scheme:*

.....

- *Delivers the Port of Lowestoft's role in being the hub for the off-shore wind farms that are part of the East Anglia Array, a major energy supplier for the UK*'.

Please see our comments on paragraph 1.2.2 of the PEIR above in this respect.

Paragraph 2.3.4 – *'The area's main growth opportunity is in the energy sector, for which it has been designated one of six CORE and will receive a comprehensive package of business support. The Port of Lowestoft is important to the offshore energy industry. It also has an established reputation as a centre for servicing the offshore oil and gas industry, and more recently for the construction, operation and maintenance of North Sea wind farms. It is the closest port to the East Anglia Array Wind Farm, consisting of up to 1,800 wind turbines, 14km off the coast. Plans are also being developed for the Galloper Wind Farm, 27km off the Suffolk Coast.'*

We agree with this statement and are of the view that this further highlights the significant impacts the Scheme would have on the Port. As a point of clarification, Galloper Wind Farm is currently under construction.

Paragraph 3.13.7 - *'Further detail on the vessel simulation assessments will be provided in the full TA in due course'.*

In addition to the above, the outputs from these vessel simulation exercises must be used to support the required NRA – this appears to have been overlooked in this section of Appendix 19A.

Paragraph 3.15.12 – *'The current businesses in the northern vicinity of the proposed scheme, located south of the East Suffolk Line and served by Commercial Road include Associated British Ports, AFS Ltd, and ACN Marine.'*

The above omits several Port customers including Burgess Marine, Boston Putford, Wavetrade and Dudman's.

Paragraph 6.21.5 – *'Within the full TA, the potential frequency of operation of the bridge will be assessed with active vessel surveys and reference to past movement information, where available. Potential future developments will also be considered and a projection for bridge operations established. The size of vessels operating within the port will also been considered and will be taken into account when assessment of the various design options has been made'.*

We are deeply concerned that this appears to be one of the only references within the PEIR to the promoters taking into account the future development of the Port. This is a significant omission.

Figures

For the avoidance of doubt, where we have not commented of specific figures below, ABP reserves the right to do so at a later date.

1 **Figure 4.1 (Alternatives Considered)**

It seems to us that W1 remains the optimum and most appropriate option.

2 **Figure 5.2 (Existing Environment Designation)**

The blue line down the middle of the harbour is shown as the 'Main River'. For clarity, it would be sensible for this to instead be shaded over the entire water area (as appropriate) and marked as the 'Statutory Harbour Authority Area'.

3 **Figure 6.1 (Red Line and the Proposed Scheme)**

The red line area includes a large amount of land and water owned by ABP (which forms part of the Statutory Harbour Authority Area). It seems to us that this exceeds the area needed for construction of the bridge. Given that ABP need to ensure the

Scheme – if permitted - does not impact its ability to continue to operate as a commercial port, the red line boundary should not include any more of its area than is strictly necessary.

4 Figure 6.2 (Cross Sections)

This figure shows an indicative design of the cross sections giving a total width of 17.8 metres. There is no indication, however, as to whether this is the bridge deck only and/or which design it is based upon (i.e. double leaf or single leaf).

5 Figure 6.3 (Bridge Elevations)

Please see our comments on Figure 6.3 in relation to paragraph 6.1.1 of the PEIR above. Generally, this figure:

(i) does not show the clearance level above HAT;

(ii) shows fenders in a position which have not been agreed following the vessel simulation exercises; and

(iii) gives a superficial indication of a rolling bascule bridge with no constructional detail.

6 Figure 6.4 (Design Summary)

Again, please see our comments on Figure 6.4 in relation to paragraph 6.1.1 of the PEIR above. We note that this figure shows very limited detail and no specific bridge design. It indicates a closed clearance of 12 metres but does not state the datum point for this clearance. Further, it indicates a requirement for vertical clearance when bridge is open but does not specify the width of this clearance.

7 Figure 6.5 (Indicative Drainage)

The above drawing fails to show an arrangement for drainage of the bridge deck and, as above, shows the fender positioning which has not been finalised and/or agreed following the vessel simulation exercises.

8 Figure 6.6 (Indicative Construction Compound Locations)

The hatched blue area on this figure indicates that a large amount of land and quayside owned by ABP is to be used for a temporary compound; it also seems to incorporate some Network Rail land. There does not appear to be any assessment of the exact extent of the land area or quayside length (nor is there any indication of time span for which this land/quayside would be required). The figure does state that ABP access needs to be maintained. As set out in more detail above, our client is strongly of the view that the use of this land/quayside would need to be agreed at a premium rate for the duration of occupancy. We note that the temporary compound would also occupy much of the approach road and marshalling area for the grain silo and their weighbridge but no detail has been provided as to how this operation would continue during construction.

9 Figure 11.2 (Extended Study Area)

This figure omits the Corton Cliffs SSSI (which, it seems, reflects the omissions in paragraph 11.4.5 of the PEIR as discussed above). This appears to be a significant omission.

10 Figure 15.1 (Port of Lowestoft)

This plan appears to have been downloaded from ABP's website. More appropriate plans are available and would have been provided on request.

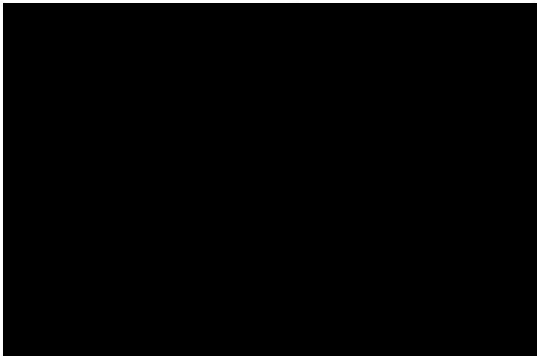
11 **Figure 20.1 (Cumulative Impacts)**

This document appears to include various inaccuracies (such as the positioning of the flood barrier scheme) and omissions (such as the detail is missing in respect of the proposed windfarms).

Conclusion

In light of the clear inadequacies of the PEIR we have attempted in this response to assist the County Council to correct those deficiencies should it be so minded still to progress this proposal to the application stage.

That said, we do repeat on behalf of our client, that for the many reasons outlined above, we consider the Scheme in terms of its location and design to be fundamentally flawed. As a consequence, our client is firmly of the view that the Scheme as currently being promoted should be withdrawn and reviewed so as to enable the County Council and all stakeholders to identify in collaboration a project that will work to the benefit of the local community, the economic well-being of Lowestoft and the Port of Lowestoft itself rather than to their collective detriment.



Appendix 33.3

Environment Agency

[REDACTED]
[REDACTED]
Lake Lothing Third Crossing
Suffolk County Council
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

Our ref:
Your ref: 1069948-S42-20170825-686829
Date: 31st October 2017

Dear [REDACTED]

**THE LAKE LOTHING THIRD CROSSING, LOWESTOFT; STATUTORY
CONSULTATION ON A PROPOSED APPLICATION FOR A DEVELOPMENT
CONSENT ORDER
SECTION 42 OF THE PLANNING ACT 2008
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2009**

Thank you for your consulting with us on the Preliminary Environmental Impact Report (PEIR) in your letter dated 25 August 2017. I apologise for the delay in our reply.

We were pleased to have been invited to provide bespoke advice as the project has been developed and note that this is reflected in some of the documents submitted. However, there are some further concerns that we wish to highlight. In particular, we have made comments regarding flood risk, protection of surface and ground waters, contaminated land appropriate design of sustainable drainage systems (SuDS), Water Framework Directive (WFD) and biodiversity issues. In addition, we have provided some advisory notes regarding Flood Risk Activity Permits.

Flood Risk Assessment

It is understood that the Interim Assessment of flooding will be developed further and a full Flood Risk Assessment (FRA) will be undertaken once the design of the crossing has been finalised.

The Interim Assessment of Flooding and Section 18 of the PIER recognise that the off-site impacts in both the post development and during construction phases must be considered in the final FRA. We are pleased to see that the current model runs considered the bridge crossing itself as well as the proposed road alignment and any land raising required in the floodplain. **Section 18.7.1** states that this will be considered in any future model runs as advised.

Section 18.1.2 also states that the final FRA will assess the flood risk to the scheme itself which is important to understand. This is particularly important as the crossing is considered safety critical essential infrastructure and therefore should be designed to remain operational in times of flood as detailed in Table 3 of the Planning Practice Guidance. Whilst we note the bridge deck itself is above the 0.1% (1 in 1000) H++ annual probability flood level consideration should also be given to the flood risk posed to the remainder of the scheme to inform the Secretary of State's decision on the safety of the crossing in a flood.

Climate Change

Two climate change scenarios have been run as part of the current modelling scenarios. We are pleased to note in section 18.7.1 that further climate change runs will be undertaken and the updated Extreme Sea Levels will be considered in line with the National Policy Statement for National Networks and our previous comments.

Mitigation and Vulnerability

We would like to reiterate our previous comments on the Scoping Report and the approach to mitigation outlined within it. This is referred to in **Table 18-1 and 18-2** of the PIER. We raised concerns with this approach. These tables set out how the FRA will consider the impact of the proposed crossing upon flood risk elsewhere. **Table 18-1** classifies the change in depth of flooding and applies a 'Magnitude of Impact' of no change, negligible, moderate and major. We note the error in the change in depth for the moderate magnitude category has been amended in line with our previous comments as noted in **section 18.3.14** of the PIER. **Table 18-2** applies these magnitudes to the development vulnerability classifications within Table 2 of the Planning Practice Guidance to determine where mitigation would be required. The PIER reiterates the use of these tables where some increases in flood risk can be considered negligible and will not require any mitigation.

We previously advised that any increases in flood risk to any vulnerability of development should be investigated to establish the likely consequence of this change upon the specific site/development. The FRA must highlight any changes in flood risk even in areas that already flood so it can be determined on a case by case basis if mitigation is required.

We acknowledge that the model runs undertaken already are conservative as the final design will have smaller piers which will take up less floodplain storage. The PIER suggests that the final design will therefore have a reduced impact on flood risk elsewhere. **Section 18.6.2** also states that it is hoped that the need for flood mitigation can be designed out of the final design as a first preference. We support this approach. If mitigation is required we are pleased to note that this will be done in consultation with the Environment Agency and should bear in mind our comments above.

We would welcome the opportunity to comment or review the FRA and any modelling before submission.

Groundwater and Contaminated Land

Appendix 12A

Following review of the Environmental Desk Study, by Mouchel dated June 2017 we have the following comments to make:

- The report has highlighted the potential for a range of contaminants to be present given the industrial history of the area.

- Table 4 lists the likely contaminants, and we note this has included the contaminants we recommended in our previous consultation. However, this list was not intended to be exhaustive and given the previous industrial uses in the proposal area includes a gas holder. Testing should also include phenols and cyanides. Please refer to the DoE Industry Profiles for the comprehensive list.
- We agree with the recommendations that a ground investigation including testing of soils, groundwater and sediments is required to provide an overall assessment of the application area.

Chapter 12, Geology, Soils and Contamination

We note the proposals for the site investigation and look forward to receiving the report.

Protection of the Water Environment

Chapter 17 Road Drainage and the Water Environment

Table 17-1 refers to the importance of water features in the proposed scheme corridor. Groundwater refers to major aquifer. This needs to be changed to principal aquifer. Also, the Secondary A aquifer needs to be identified as high importance.

It is important that water from the new highway is intercepted rather than draining directly into Lake Lothing (as suggested in the scoping document). - we understand that Method D will give a risk assessment as to the risk of accidental spillage however, we would ask that any opportunity is taken to design in containment for potential spillages, for example penstocks.

Section 17.3.4 discusses the evaluation for potential of pollution during construction. We would obviously expect that all measures are taken to ensure that this risk is minimised, as well as having appropriate spill clean up and containment materials on site at all times, with staff fully aware of their location and use.

It is recommended that SuDS be incorporated into the final design. SuDS offer an opportunity to create wetland features which as well providing drainage function, can be attractive and provide huge benefits to the biodiversity of the area. However, it is vital that any SuDS are designed to address the environmental constraints presented by the site including the provision of adequate treatment stages.

Paragraph 17.3.11 indicates that there are no proposals as yet to use infiltration drainage. **Appendix 17A** identifies two detention ponds. As yet it is not confirmed whether these will be lined. Any proposals to include infiltration drainage will need to meet our requirements as detailed below:

Sustainable Drainage Systems (SuDS)

1. Infiltration sustainable drainage systems such as soakaways, unsealed porous pavement systems or infiltration basins shall only be used where it can be demonstrated that they will not pose a risk to the water environment.
2. Infiltration SuDS have the potential to provide a pathway for pollutants and must not be constructed in contaminated ground. They would only be acceptable if a phased site investigation showed the presence of no significant contamination.
3. Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing,

roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components appropriate to the environmental sensitivity of the receiving waters.

4. The maximum acceptable depth for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.

5. Deep bore and other deep soakaway systems are not appropriate in areas where groundwater constitutes a significant resource (that is where aquifer yield may support or already supports abstraction).

6. SuDS should be constructed in line with good practice and guidance documents which include the SuDS Manual (CIRIA C753, 2015) and the Susdrain website.

For further information on our requirements with regard to SuDS see our Groundwater protection position statements (2017), in particular Position Statements G1 and G9 – G13 available at: <https://www.gov.uk/government/publications/groundwater-protection-position-statements>

We would welcome the opportunity to comment or review design proposals before submission.

Water Framework Directive

General Comments

These comments are general and relate to more than one chapter and document:

The WFD status of the Bure, Waveney, Yare and Lothing transitional waterbody is cited as poor in several of the documents. Please note that we have since amended the overall and ecological classification of this waterbody from poor to moderate. We have now assessed the status of quality elements that are not sensitive to the heavily modified nature of this waterbody, and identified appropriate mitigation measures to for this heavily modified water body. The obligations of WFD extend to all public bodies and require an absolute responsibility to ensure no deterioration; overlaying this is a requirement to strive for improvement and this should underpin all elements of environmental assessment involving a water body.

Appendix 17A Preliminary Water Framework Directive Assessment

17.1.1 Temporary, short term effects or deterioration in status are excluded from the preliminary assessment. We agree that would be appropriate, but please provide details in the final WFD Assessment of the footprint and expected duration of those expected temporary effects and the estimated recovery time so that we can confirm if we agree that they are temporary and need no further assessment.

The section on potential impacts on WFD status (Proposed Scheme Information) states that, “Ecological components are currently classified as of a Poor status, the installation of the proposed scheme components, following good practice, shall not impede improvements to the status of these elements in future.” This sentence does not make it clear that not all elements are poor and some are at good or high status. Note that consideration of deterioration is applicable at the element level. No single element can be permitted to deteriorate, even if the deterioration of an element from good to moderate doesn’t lead to a change in the overall status or potential of the water body.

The WFD Assessment for the Bure, Waveney, Yare and Lothing also needs to be clearly linked to the results of the scoping stage. The scoping document identifies

potential risks to hydromorphology, water quality and possibly also to biology - fish. Evidence must be provided to show how you have considered the potential impacts of the activity on these scoped in receptors in the final WFD Assessment. The results of the additional proposed studies including sediment transport modelling, chemical sample analysis of sediments, and the possible fish surveys, as well as identifying ways to avoid or minimise impacts will all be important to consider.

Section 2: p.10 Biology – Fish

The fish risk issues are correctly identified, please add that when the water is pumped out from the temporary coffer dams, that screening mesh is used alongside 'Fish Friendly' pumps. These measures will ensure that any fish trapped within the temporary structure will not be harmed. Further advice from Fisheries can be provided.

It is identified that Road run-off discharge may contain 'small quantities of contaminants harmful to fish'. These contaminants should be effectively controlled with the use of appropriate SUDS techniques and penstocks as previously discussed.

Section 3: p.12 Water Quality

More detail is required for proposed measures to ensure that there is no long term deterioration in Water Quality. Measures to prevent pollutants carried in runoff water from the new highway reaching Lake Lothing should be considered and detailed.

Section 5:p.14 Invasive non-native species

Whilst the brackish waters of Lake Lothing are not ideal habitat for the invasive species that are most likely to occur in this area, it is worth being aware that they may be carried in on equipment and machinery. Therefore, it is good practice to put appropriate 'Check – Clean – Dry' work practices in place.

Japanese knotweed or Winter Heliotrope – walkover site survey required to identify if these species are present. Any material, especially soil, which is being moved offsite or between sites will need to be screened. If found, plant material must be disposed of in an appropriate manner.

Biodiversity

Chapter 17: In general the methods of assessment look to be appropriate. The applicant is still at a stage of collecting evidence and has not yet confirmed details of construction methods and so it is not yet possible for us to comment on their conclusions.

Chapter 20: In the section on cumulative and in-combination impacts, the effects to the County Wildlife Site (CWS) during the construction phase are addressed. The health and functioning of the waterbody outside of the conservation site should also be considered here, for both the construction and operational phases of the proposed project. The applicant should show that they have considered other activities and their potential cumulative effects on the same receptors. For example, will water quality be impacted by both the proposed bridge and the tidal barrier activities during their operational phase?

Chapter 11 p.148-159 Nature Conservation

The Third Crossing at Lake Lothing presents an exciting opportunity for environmental enhancements which have the potential to bring net gains for the biodiversity of this harbour side area. Any wetland habitats which are created as a part of this project are likely to be visited by a range of resident and migratory species due to its proximity to

the coast and Broadland SAC/SPA. Any existing habitat which can be retained, could be linked via green corridors to create better continuity between habitats.

The existing populations of reptiles have been identified as a priority for habitat enhancements. Where habitat for these species can be retained, there is opportunity to maintain or create links with other suitable habitats nearby. These 'green corridors' could be associated with footpaths, cycleways or access roads.

This area is a stronghold for the Norfolk Hawker (*Anaciaeschna isoceles*). Any opportunity to enhance or create habitat suitable for this species would be excellent. These dragonflies require areas of clean non-saline open water, marginal and emergent vegetation. Any newly created wetland habitat would provide a useful stopover or feeding opportunity for this species, there would also be benefits to a range of other invertebrates, bats, migratory and resident birds.

It is likely that the old industrial areas which are close to the county wildlife sites at Brook Yachts and Jeld Wen, would provide habitat for bats. Information from the Bat surveys, when complete, could be used to identify where habitat enhancements would be most appropriate. Bats will use ruderal and grassland as well as woodland edge for feeding, in addition to emerging to feed over wetland and open water. Providing green corridors and retaining suitable roosting sites will be necessary as well as mitigation strategies if required.

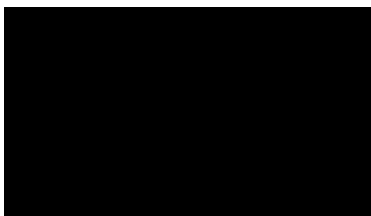
Flood Risk Activity Permits

According to the information supplied with the consultation, the proposal will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 system (EPR), as the works are classed as a Flood Risk Activity; the works involve the erection of a structure in, over or under a Main River and works within 16 metres of a tidal Main River. The proposal does not meet the criteria of an exclusion, exemption or standard rule permit, and, therefore, the applicant will need to apply for a bespoke permit.

To support a bespoke permit application, the applicant will need to develop and submit a management system, a risk assessment, a method statement and any site surveys/plans as well as an application fee. More information about how to apply for a bespoke permit can be found on our website at <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits#apply-for-a-bespoke-permit>

I trust that this information is of assistance.

Yours sincerely



Appendix 33.4

Historic England

[REDACTED]

From: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>
Sent: 17 October 2017 11:51
To: Lake Lothing
Cc: [REDACTED]
Subject: FW: Historic England advice on case PL00075248
Attachments: _HERef_PL00075248_L300784.doc

Follow Up Flag: Follow up
Flag Status: Flagged

Please see below & attached.

[REDACTED]
[REDACTED]
Lake Lothing Third Crossing
Transport Strategy

-----Original Message-----

From: [REDACTED]
Sent: 17 October 2017 11:22
To: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>
Cc: [REDACTED]
Subject: Historic England advice on case PL00075248

Dear Mr [REDACTED]

I am writing in relation to the following:

NSIP: National Significant Infrastructure Project (DCO) Lake Lothing, Lowestoft, Suffolk [Case Ref. PL00075248; HE File Ref. HP 5383; Your Reference.]

Please find attached Historic England's response to your consultation.

Yours Sincerely

[REDACTED]
[REDACTED]
[REDACTED]

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Historic England

EAST OF ENGLAND OFFICE

[REDACTED]
[REDACTED]

Direct Dial: [REDACTED]

LL3X Consultation Team

Freepost RTUL-KAKE-BCTR
PL00075248

Our ref:

PO Box 73943 (Lake Lothing)

London

EC4P 4HN
2017

16 October

Dear [REDACTED]

PROPOSED LAKE LOTHING THIRD CROSSING, LOWESTOFT

Statutory Consultation under Section 42 of the Planning Act 2008 and Regulation 11 of Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

Thank you for providing Historic England with the opportunity to comment on the Preliminary Environmental Information Report (PEIR) for this project as set out in your letter of 25th August 2017, which was also accompanied by the Section 48 notice.

Historic England is the Government's lead advisor on the historic environment and for the purposes of section 42 of the Planning Act 2008 and Regulation 11 of Infrastructure Planning (Environmental Impact Assessment) Regulations 2009, we are a statutory consultee. We are a non-departmental public body sponsored by and reporting to the Secretary of State for Culture, Media and Sport. In addition to our responsibilities within the terrestrial landscape, the National Heritage Act (2002) enabled Historic England to assume responsibility for maritime archaeology in the



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English area of the UK Territorial Sea.

The project would comprise the construction, operation and maintenance of a new bascule bridge crossing of Lake Lothing in Lowestoft, Suffolk. The proposed scheme would include a new single carriageway road crossing of the lake, an opening bascule bridge, additional bridges over the East Suffolk railway line and the northern end of Riverside Road, and a range of associated works including embankments, remodelled access junctions, a new access road from Waveney Drive and provision for cyclists and pedestrians.

The project is defined as a Nationally Significant Infrastructure Project in relation to Section 15(3) of the Planning Act 2008 (as amended) (the Act), and that an application for a Development Consent Order (DCO) has been made. The PIER report would contribute to the creation of a final Environmental Statement (ES) that would accompany the DCO application.

We recognise the importance of the project for the local area as set out in the introductory chapters and broadly support the approach that has been taken so far. Our primary advice relates specifically to the impact of the proposal upon the significance of the highly graded listed buildings and the conservation areas, through a development within their setting, and the direct impacts upon the non-designated heritage assets during the construction phases. Please find our advice below.

Historic England Advice

Built Heritage

The PEIR identified the components of the built heritage that would be affected by the proposed development. The proposed bridge crosses Lake Lothing to the west of the South Lowestoft Conservation Area which includes the Royal Norfolk and Suffolk Yacht Club, listed grade II*.

The South Lowestoft Conservation Area runs north to south encompassing a small area to the north of Lake Lothing, the existing bascule bridge crossing and harbour area with the majority of the conservation area lying to the south. This area developed following the establishment of the harbour and river access through Lake Lothing in the early nineteenth century and expanded as a seaside resort from the mid nineteenth century. It consists of the dockside areas and commercial premises with classical terraces, villas and lodging houses to the south. The Royal Norfolk and Suffolk Yacht Club lies to the south of the Lake adjacent to the yacht basin and the Royal Plain. It is a key building within the conservation area, distinguished both by its architectural form and its prominent location on the waterfront. It was designed by the Norwich architects G. & F. Skipper in 1903 in the Arts and Crafts style with an L-shaped plan with an engaged tower.



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The harbour area around existing crossing naturally forms a focal and characterful part of the conservation area and setting for the yacht club. This is emphasised in the South Lowestoft Conservation Area Appraisal, *'Lake Lothing and the Trawl Basin either side of bascule bridge form significant components and visual spaces within the setting of the conservation area'* (page 19). The construction of the proposed bridge would introduce new elements into the setting and, as is identified in the PIER Report, the impact of the bridge structure, lighting, signage and traffic movements on the setting and significance of the conservation area and yacht club need to be fully assessed. The lighting and control tower which would sit alongside the bridge have yet to be designed and the impact of these will also need to be fully assessed in due course.

The bridge would be a tall structure, allowing 12 meters clearance over the highest astronomical tide with the tip of the fins rising to 58.7 meters above the ordinance datum level. It is therefore likely to become a new focal point in views westwards from the existing crossing area. We acknowledge the area includes maritime and industrial elements and has a working character. There is one tall structure west of the conservation area flanked by a number of silos. The existing bascule bridge also forms part of the conservation area. In this respect a new bridge would potentially fit with the maritime character of the place and a well-designed structure could add design interest. However, the scale and size of the proposed bridge and associated work would give it a greater prominence. The visual impact of this needs to be fully assessed and it is not possible to do this until the photomontages have been produced illustrating the view of the bridge from the conservation area. We are satisfied that viewpoint 4 would be appropriate for this purpose. We also consider the assessment at paragraph 9.5.17 that *'the impact at the majority of the South Lowestoft CA will be slight as the key views are within the CA itself and are focussed toward The Esplanade, rather than inland along Lake Lothing'* underplays the importance of these views which we have identified above

We therefore consider the PEIR is premature in concluding that there would be a slight impact on the conservation area and yacht club and that the impact should be re-assessed in light of this. We also consider that the conclusions drawn in 9.7.1 are also potentially inaccurate. This section states that *'In relation to the built heritage... would have a minor indirect impact on two listed buildings. Overall, the effect of the proposed scheme upon built heritage assets is deemed to be slight adverse and does not constitute a significant effect.'* We accept that values would be subject to change following the full assessment however it would seem premature to state that there is not a significant effect until the photomontages and analysis has been completed and assessed.



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We recognise that the level of traffic which currently passes through the conservation area has a negative impact on how it is experienced and the reduction in through traffic would have a positive effect.

The PEIR notes that recent revisions of the Zone of Visual Impact maps suggest there is potential for views of the bridge from the Oulton Broad Conservation Area. In light of this the impact on this conservation area would also need to be assessed.

Archaeology

We are aware from Section 6.6.12 that the construction requirements of the proposed development include piling, levelling and the excavation of foundations. These aspects could have a significant impact on any buried archaeological remains present, including reclamation deposits and natural deposits of palaeoenvironmental interest such as peat. Peat has also been identified in local boreholes and is noted in the deposit model provided in Appendix 9B. We would therefore wish to raise a concern about the approach taken in the Desk Based Assessment (Appendix 9A) in relation to the potential and assessment given to these types of non-designated heritage assets. In particular in Chapter 6 of the DBA (*pp12*) the potential for the presence of palaeoenvironmental remains is not given and for the Palaeolithic it is stated as 'uncertain'. Of particular importance is the potential for remains dating to the Palaeolithic period to be preserved in the Cromer Forest bed Formation (CF-bF) deposits and remains found in similar deposits at the nearby site of Pakefield were considered to be of being of international importance. This is particularly of relevance when the 'Statement of Significance' for each period is explored in the DBA (see Chapter 10 *pp18*). In our view the discovery of palaeoenvironmental sequence would be at a minimum of regional significance, and possibly of national significance depending upon the preservation age and date of any deposits encountered. We also assume the absence of the Palaeolithic from Chapter 10 is an oversight as any discovery of the Cromer Forest bed Formation (CF-bF) would be at minimum of national significance. Revising this assessment would also require changes to chapter 11 of the DBA. We appreciate this is a specialist area of expertise but improper assessment has implications for the design of appropriate mitigation and the level of impacts that are set out in the PEIR and ES stages.

We are also aware that a programme of geoarchaeological works is currently being carried out that will investigate the sequence of deposits present at the site in order to determine the age and archaeological potential of the remains. This work will hopefully demonstrate the presence or absence of deposits, such as the CF-bF, or later deposits. The results of this work will need to inform the assessment of significance and the impact that the proposed development. The assessments as set out in the PEIR report (see Chapter 9.5.10 and Chapter 9.7) would therefore seem premature in this regard. This information will also be useful in relation to any application to the Marine Management Organisation (MMO) for a marine licence, if this is deemed necessary.



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We also noted in Section 9.5.6 that the number of recorded archaeological remains within the preliminary study area is relatively low. One consideration here is that this is due to the limited scale of recent archaeological work in the area. The low numbers of archaeological sites does not mean that the area was not utilised in the past.

Sections 9.6.1 to 9.6.3 present the mitigation strategy for the archaeological remains, which includes the watching brief and geoarchaeological works that are currently being carried out. It is also stated that evaluation trenching may be required in order to fully understand the archaeology. The need for full excavation should also be considered depending on the nature, complexity and importance of any remains that are discovered.

Conclusion

We recognise that this is an important project and that efforts are being made to assess, understand and mitigate impacts upon the historic environment. We have however noted that some revisions may be necessary to the PEIR report and the underpinning baseline documents and that some of the conclusions in relation to the significance of the impacts in EIA terms would seem premature. We recognise that further analysis is being undertaken and would expect the results of these to be fully considered prior to inclusion within the ES as the information becomes available. We would welcome the opportunity to provide further advice on the significance of designated and non-designated heritage assets, and we would generally agree with the approaches that will be used to mitigate the impact of the development on the historic environment. We would however wish reserve comment on any strategies until the analysis has been completed and revisions made to the PEIR and ES.

Yours sincerely,

[Redacted signature block]



Appendix 33.5

Health and Safety Executive

[Redacted]

From: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>
Sent: 11 October 2017 11:53
To: Lake Lothing
Cc: [Redacted]
Subject: FW: NSIP - Proposed Lake Lothing Third Crossing - Section 42
Attachments: NSIP - PROPOSED LAKE LOTHING THIRD CROSSING - SECTION 42, HSE PDF RESPONSE.PDF

Many Thanks

[Redacted]

[Redacted]

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From: [Redacted]
Sent: 10 October 2017 15:41
To: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>
Subject: NSIP - Proposed Lake Lothing Third Crossing - Section 42

Dear Lake Lothing Third Crossing Project Team,

Thank you for your letters dated 25th August and 1st September 2017 consulting HSE under Section 42 of the Planning Act 2008 on the proposed Lake Lothing Third Crossing. Please find attached our response.

Kind regards,

[REDACTED]

[REDACTED]

Land Use Planning Policy, Chemicals, Explosives & Microbiological Hazards Division, Health and Safety Executive.

[REDACTED]

[REDACTED]

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[2]

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HSE email: NSIP.applications@hse.gov.uk

LL3X Consultation Team,
Lake Lothing,
London
EC4P 4HN
(By email)

Dear Sir/Madam,

10th October 2017

**Section 42 Planning Act 2008: Statutory Consultation
THE LAKE LOTHING THIRD CROSSING**

Thank you for your letters dated 25th August and 1st September 2017 consulting the Health and Safety Executive (HSE) under Section 42 of the Planning Act 2008 on the proposed Lake Lothing Third Crossing.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

We have reviewed HSE's Planning Advice Web App for this proposal and it is not within the vicinity of any major hazardous installations with Hazardous Substances Consent (HSC) or major accident hazard pipelines on HSE's record.

Would Hazardous Substances Consent be needed?

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015.

Hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

However, this project relates to a new single carriageway road across Lake Lothing with associated new bridges and, from the works described, we would not expect hazardous substances to be present in quantities requiring Hazardous Substances Consent (HSC).

Explosives sites

HSE has no comment to make, as there are no licensed explosive sites in the vicinity.

Waste

In respect to old landfill (buried waste) the applicant should take account of and adhere to relevant health and safety requirements. More details can be found on HSE's website at:
<http://www.hse.gov.uk/waste/index.htm>

Electrical Safety

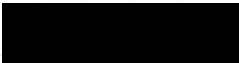
No comment from a planning perspective.

Please note any further electronic communication on this project can be sent directly to the HSE's designated e-mail account for NSIP applications the details of which can be found at the top of this letter.

Alternatively, hard copy correspondence should be sent to:



Yours faithfully,



Appendix 33.6

Marine Management Organisation

Mr [REDACTED]
[REDACTED] Lake Lothing Third Crossing
Suffolk County Council

Your reference:1069948-S42-
20170825-687097
Our reference: DCO/2017/00003
PINS reference: TR010023

By email only

17 October 2017

Dear Mr [REDACTED]

RE: THE LAKE LOTHING THIRD CROSSING, LOWESTOFT – STATUTORY CONSULTATION ON A PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER, SECTION 42 OF THE PLANNING ACT 2008

Thank you for your letter dated 25th August 2017, notifying the Marine Management Organisation (the “MMO”) of Suffolk County Council’s intention to submit an application for Development Consent under the Planning Act 2008 (the “2008 Act”). This application is to authorise the construction, operation and maintenance of the Lake Lothing Third Crossing, which is a new bascule bridge highway crossing of Lake Lothing in Lowestoft, Suffolk.

The MMO’s role in Nationally Significant Infrastructure Projects

The MMO was established by the Marine and Coastal Access Act 2009 (the “2009 Act”) to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas.

The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence¹. Inshore waters include any area which is submerged at mean high water spring (“MHWS”) tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area.

¹ Under Part 4 of the 2009 Act

In the case of Nationally Significant Infrastructure Projects (“NSIPs”), the 2008 Act enables Development Consent Orders (“DCO”) for projects which affect the marine environment to include provisions which deem marine licences².

As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.

Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (“dML”) enable the MMO to fulfil these obligations.

Further information on licensable activities can be found on the MMO’s website³. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note⁴.

Lake Lothing Third Crossing, Lowestoft

The application is for a development order for a third crossing of Lake Lothing, which effectively divides the town of Lowestoft in two. The existing A12 crossing represents the key transport network challenge in the region and the third crossing would significantly improve the strategic road network.

The proposed crossing is a multi-span bridge including a rail bridge on the north side, a bascule (lifting) bridge over the Lake. Preliminary assumptions regarding construction activities of relevance to the marine environment include the construction of bridge piers and deck, coffer dams, foundation piling and piling for bridge pier fenders. At present the bridge design includes two piers toward the centre of Lake Lothing - it is uncertain whether two further bridge piers will be required adjacent to the present quay walls.

The MMO has reviewed the Preliminary Environmental Information Report (PEIR). The following chapters have not been considered as part of this review:

- Chapter 8: Air Quality
- Chapter 9: Cultural Heritage
- Chapter 10: Townscape and Visual Impact Assessment
- Chapter 13: Noise and Vibration
- Chapter 14: Materials
- Chapter 16: Socio-Economics including Recreation
- Chapter 19: Traffic and Transport

² Section 149A of the 2008 Act

³ <https://www.gov.uk/planning-development/marine-licences>

⁴ <http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf>

Please note that the following are the MMOs comments on the basis of the information provided in the Preliminary Environmental Information Report (dated August 2017), and that the MMO reserves the right to make further comments on this project throughout the determination process, and to modify its present advice or opinion in view of any additional information that may come to its attention.

The MMO requests that prior to submission of the application to the Planning Inspectorate (PINS), Suffolk County Council (“the Applicant”) enter into discussions with the MMO to discuss the content of the draft development consent order (DCO) and deemed marine licence (DML) to ensure that, where possible, issues are resolved prior to submission.

Furthermore, the MMO recommends that the Applicant continues to engage with other stakeholders regarding any other requirements for inclusion within the DCO.

The MMOs comments are set out below:

MMO comments on the Lake Lothing Third Crossing Statutory Consultation:

General comments

1. The applicant should recognise the Marine and Coastal Access Act (2009) when relevant legislation is being referenced in the PIER and resulting Environmental Statement (ES).
2. The proposal lies within the East Marine Plan Area. The document doesn't recognise the MMOs Eastern Area Marine Plans or the Marine Policy Statement. This should be addressed in future documents. Further information on the East Marine Plans can be found at:
<https://www.gov.uk/government/collections/east-marine-plans>.
The UK marine policy statement can be found at
<https://www.gov.uk/government/publications/uk-marine-policy-statement>
3. Whether a marine licence is deemed within a DCO or consented independently by the MMO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a DML enable the MMO to fulfil these obligations. This includes ensuring that there has been a thorough assessment of the impact of the works on the marine environment (both direct and indirect), that it is clear within the DCO which licensable activities are consented within the DML, that conditions or provisions imposed are proportionate, robust and enforceable and that there is clear and sufficient detail to allow for monitoring (if appropriate) and enforcement. To achieve this, the MMO would seek to agree the draft DML with the developer for inclusion with their application to PINS.
4. The MMO notes that previous comments relating to alterations to the hydro-morphological regime and the resultant potential for scour and release/dispersal of pollutants with mobile sediments have been taken into account. Subsequently this has been scoped into the impact assessment.

5. The benthic survey (for fauna and PSA) was proposed to take place in July to survey the subtidal and intertidal environments, including harbour walls, within the immediate footprint of the development. Epibenthic survey via beam trawling was also proposed, although it is not clear whether this was eventually included as part of the survey.
6. The PEIR advises that upstream and downstream of the development site may be affected by construction works, however survey of the areas beyond the development (with exception of one wall scrape and one grab station 200m upstream and 200m downstream of the development) were not requested to be included in the design.
7. Information on the predicted extent of impact needs to be established to ensure the benthic survey covers the area of predicted impact (primary and secondary). No information has been provided on the current status of the benthic subtidal and intertidal ecology, as a survey had not been completed by the time the report had been written. Potential impacts and mitigation have therefore not been assessed in the current version of the document.
8. The PEIR, as submitted, did not include details sediment sampling methodology within the appendices however section 12.5.3 proposes chemical sampling and testing of silts as part of ground investigations. Further discussions are welcomed.
9. The MMO acknowledges the subsequent receipt of sampling methodology submitted 4th October 2017. Whilst comprehensive feedback is not included within this response the MMO can advise that sediment analysis should be undertaken by a laboratory validated by the MMO.

Conclusion

Overall, the MMO considers that the PEIR provides an appropriate description of the existing environment relating to the proposed Lake Lothing Third Crossing Project. Despite this, the MMO requests that further information is provided on the current status of the benthic subtidal and intertidal ecology and that the potential impacts and proposed mitigation are considered. The MMO requests that the comments above are addressed in the ES.

The MMO would welcome continued engagement with the Applicant during the remainder of the pre-application phase and will endeavour to work with the Applicant to address any issues prior to submission and examination.

Your feedback

We are committed to providing excellent customer service and continually improving our standards and we would be delighted to know what you thought of the service you have

received from us. Please help us by taking a few minutes to complete the following short survey (<https://www.surveymonkey.com/r/MMOMLcustomer>).

If you require any further information please do not hesitate to contact me using the details provided below.

Yours Sincerely,

[Redacted signature block]

Appendix 33.7

Natural England

[Redacted]

From: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>
Sent: 17 October 2017 08:52
To: Lake Lothing
Cc: [Redacted]
Subject: FW: Lake Lothing Third Crossing - Natural England response
Attachments: 225193 Lake Lothing PEIr consultation NE response.pdf

Please see attached and below.

Many Thanks

[Redacted]

[Redacted]

Lake Lothing Third Crossing
Transport Strategy

From: [Redacted]
Sent: 16 October 2017 16:04
To: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>
Cc: [Redacted]
Subject: Lake Lothing Third Crossing - Natural England response

Dear [Redacted]

Thank you for consulting Natural England on the preliminary Environmental Information for the proposed Lake Lothing Third Crossing in Lowestoft, Suffolk. Please find attached Natural England's consultation response. If you have any questions regarding the contents of this letter do not hesitate to contact me on the details provided below.

Kind regards,

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Natural England
Lateral, 8 City Walk, Leeds LS11 9AT
<https://www.gov.uk/government/organisations/natural-england>

Natural England offers Discretionary Advice Service (DAS) that provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

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Date: 16 October 2017
Our ref: 10801/202551
Your ref: 1069948-S42-20170825-686895



3rd Floor, Lateral
8 City Walk, Leeds
LS11 9AT

[REDACTED]
[REDACTED]
Suffolk County Council
Endeavour House
8 Russel Road
Ipswich, Suffolk
IP1 2BX

BY EMAIL ONLY

Dear [REDACTED]

**Lake Lothing Third Crossing, Lowestoft, Suffolk
Section 42 Planning Act 2008, Infrastructure Planning (Environmental Impact Assessment)
Regulations 2009**

Thank you for seeking our advice on the Preliminary Environmental Information report (PEIr) and associated documents in your consultation dated 25 August 2017 which we received on 4 September 2017.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Consultation

Suffolk County Council intends to apply for a Development Consent Order for a new river crossing across Lake Lothing in Lowestoft, Suffolk in early 2018. The Project consists of a new single carriageway road across Lake Lothing via a multi-span bridge connecting the B1531 Waveney Drive on the south side to the C971 Peto Way on the north side. The County Council is therefore seeking views from a number of persons and bodies in accordance with the requirements of the 2008 Act and related Regulations. Natural England is a statutory consultee under the Section 42 of the 2008 Act and a relevant consultation body for the purposes of Regulation 9 of the Infrastructure Planning EIA 2009 Act.

Environmental Information

Natural England notes that a number of protected species surveys took place in the summer season of 2017. We would expect the results of these surveys to be fully incorporated in the EIA and presented within the final application. Same applies to the benthic and fish survey for Lake Lothing. Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission.

¹ Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

² *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from

<http://webarchive.nationalarchives.gov.uk/+/http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

Projects for cumulative impact assessment (section 20.4 of the PEI) – we note that the projects currently taken into consideration only include those with a temporal overlap and sufficient information to carry out a cumulative assessment. The list will need to be revisited and updated prior to the submission of the final ES to take into account any developments in other projects and additional information that may therefore be available.

HRA Screening (Appendix 11E) – Natural England agrees with the screening conclusion of no Likely Significant Effect (LSE) on designated sites subject to mitigation measures put in place. These measures should be described in the application documents and embedded in the final project design.

Annex A to this letter provides Natural England’s detailed comments on specific sections of the consultation documents.

For any queries relating to the specific advice in this letter only please contact [REDACTED]
[REDACTED] For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

Norfolk and Suffolk Area Team

Annex A – Detailed Comments on the PEIr

Non-Technical summary

p.5 Nature Conservation – The definition of benthic species is slightly ambiguous: instead of '*species inhabiting the zone at the base of the lake*' it would be better to say '*species living on or within the sediment at the lake bottom*'.

p. 11 Cumulative impacts – '*The assessment has considered the impact of concurrent construction upon air quality, noise, employment and traffic and no significant effects have been identified at this stage. As greater information on these projects becomes available the assessment will be updated.*'

Natural England agrees that the cumulative impact assessment will need to be updated prior to the submission of the final ES to take into account any developments in other projects and additional information that may therefore be available.

Preliminary Environmental Information report (PEIr)

Table 5.1 Designations – Please note the correct name for the designated site is 'Southern North Sea cSAC'. This should also be amended on Fig. 5.2, where it currently states 'Southern North Sea CSPA'.

National nature conservation designations should include Barnby Broad and Marshes SSSI; and Sprat's Water and Marshes, Carlton Colville SSSI as these form part of the Broadlands SPA/Ramsar, even though they fall outside the 2 km radius. Benacre to Easton Bavents SPA (and Pakefield to Easton Bavents SSSI) should be considered in the assessment as the site is within the 30 km study area as indicated in Table 5.1 and has features that may interact with the proposed development (little tern *Sterna albifrons*). We recommend the table reflects the list of sites provided in 11.4.5 of the PEIr.

8.4.15 Air Quality – Natural England welcomes the inclusion of nature conservation sites located within 200 m of the roads, which may be affected by the increase in traffic, in the air quality assessment.

11.4.5 – The sites recommended for consideration in the Scoping Opinion are listed. These should be reflected in Table 5.1.

11.4.9 (and elsewhere in the documents) – Please use *italicised font* for species scientific names.

Table 11.3 Fish and Marine Mammals – The ES should include underwater noise during construction assessment for these ecological receptors.

Appendix 11G – Benthic Survey Methodology

Natural England notes that no sediment contaminant analysis has been proposed in the benthic survey methodology (Appendix 11G). Although the table of contents lists 'Table 2: Proposed contaminants and detection limits' the table is not included in the document. Lake Lothing is a heavily modified water body located in an industrial setting, it is therefore important to assess the potential impacts of contaminant release from the sediment during construction on the marine ecology receptors.

We note that section 12.5.3 states that ground investigations at project design stage will include chemical sampling of Lake Lothing silts. An additional document 'Technical proposal for sediment sampling' was provided via email by Michael Wilks on 4 October 2017. Although it is not formally part of the PEIr, Natural England has reviewed it alongside the other documents and is content with the methodology proposed.

It is important that contaminated soil impact assessment and ecology impact assessment are not disjointed, and a clear link is made between the two in the final ES.

Appendix 11E – HRA Screening

5.3.1 – The list of the site’s qualifying features is not complete. Information for all the sites should be checked for the final HRA before application submission. Details on sites’ features and most recent conservation objectives can be found on Natural England’s Designated Sites View <https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>

Appendix 33.8

Public Health England

[Redacted]

From: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>
Sent: 23 October 2017 07:37
To: Lake Lothing
Subject: FW: Lake Lothian Crossing Section 42 Consultation
Attachments: PHE_Public Consultation response_Lake Lothing v01.00.pdf

[Redacted]
[Redacted]
[Redacted]
[Redacted]

From: Nsipconsultations [mailto:Nsipconsultations@phe.gov.uk]
Sent: 21 October 2017 09:24
To: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>
Cc: Nsipconsultations <Nsipconsultations@phe.gov.uk>; [Redacted]
[Redacted]
Subject: Lake Lothian Crossing Section 42 Consultation

Dear Sirs,

Thank you for consulting Public Health England re the section 42 stage of the above project. Please find our response attached.

If you have any questions or wish to clarify any issues raised in our response please do not hesitate to contact us.

Regards

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

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Public Health
England

CRCE/NSIP Consultations
Chilton
Didcot
Oxfordshire OX11 0RQ

email: Nsipconsultations@phe.gov.uk

www.gov.uk/phe

Suffolk County Council,
Lake Lothing Third Crossing,
Endeavour House
8 Russell Road
IP1 2BX

Your Ref:
Our Ref

[\[lakelothing3rdcrossing@suffolk.gov.uk\]](mailto:lakelothing3rdcrossing@suffolk.gov.uk)

21 October 2017

Dear Sirs

**Nationally Significant Infrastructure Project
Lake Lothing Third Crossing, Lowestoft: Statutory Consultation on a proposed
application for a Development Consent Order
Section 42 Consultation**

Thank you for your consultation regarding the above development. Public Health England (PHE) welcomes the opportunity to comment on your proposals and preliminary environmental information report (PEIR) at this stage of the project.

Our records show that we have previously responded to the following enquiries / consultations regarding this proposal:

- Request for Scoping Opinion dated 24 March 2017

We have assessed the submitted documentation and wish to make the following comments.

1. PHE is generally satisfied with the proposed methodology and finds that it is in line with current guidance and good practice. PHE would expect to see that the detailed quantitative and cumulative assessments proposed are undertaken and provided.
2. The control of many of the issues that may arise during construction such as dust, noise, land contamination, spillages and accidental releases to air, and air quality impacts on the local road network rely on the assumption that the contractor will work to an approved construction code of practice (CoCP). It is recommended that a Construction and Environmental Management Plan (CEMP) (or similar plan) be prepared which includes suitable measures for assessment, management and control of potential emissions. As no draft is included with the current documentation it is not possible for PHE to comment on the scope, adequacy or content of the document. We would strongly recommend that you circulate a draft of the proposed CEMP at the earliest

opportunity to allow interested parties to comment prior to the submission of the application for a DCO.

3. We note that the planned life-time of the bridge is 120 years and the omission of a Decommissioning Environmental Management Plan (DEMP) from the submission. We note however that a DEMP can also feed into the planning and design process, ensuring that a site is constructed and managed in such a way as to simplify or expedite decommissioning when the time comes. We would recommend that decommissioning, demolition and contamination issues be fully considered in the design and construction stages of the project to minimise future risks to the environment and public health at such a time as the site ceases to operate or faces further major development
4. The current submission (S42 public consultation) does not include a comprehensive traffic assessment. The assessment of transport and vehicle movements is essential for the full consideration of transport related air quality and potential public health impacts associated with both the construction and operational phases this project. It is also unclear if any evaluation is to be undertaken once operation to demonstrate the scheme is running as predicted.
5. In general terms, PHE is satisfied with the approach taken to assessing land quality and notes that a programme of intrusive site investigation to identify and characterise contamination across the site is ongoing. The applicants state that they will seek to consult with the Environment Agency and Council Environmental Health Officers on any potential contamination sites and presumably agree any necessary remediation programme. PHE is satisfied with this approach and will make additional comments at the DCO stage, once final reports are completed.

The current submission does not include a specific section summarising the potential public health impacts. We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the ES, but we believe that the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration and due weight in the planning process. Such a section should summarise key information, risk assessments, outline any proposed mitigation, and identify any residual impacts or uncertainties. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

We recommend that the proposer also engage with the Local Authority Public Health teams to ensure that the local perspective on public health is fully addressed.

The current documentation includes no references to EMF emissions from the site. PHE recommends that the proposer:

- a) Identify if the proposed development has electricity generation and/or distribution infrastructure that may result in the emission of electric and/or magnetic fields such that there is the potential for an adverse impact on public

health. Where electricity generation and/or distribution equipment is identified an assessment of potential EMF exposures should be included.

- b) Should the proposer believe that EMF can be scoped out of the assessments they should clearly state their assumptions and rationale in the application for DCO submission.

PHE reserves the right to make additional comments or observations at a future date.

Should you have any questions or concerns please do not hesitate to contact us.

Yours sincerely

Environmental Public Health Scientist
nsipconsultations@phe.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

Appendix 33.9

Suffolk County Council

Our Ref:

Date: 19 October 2017

Enquiries to: [REDACTED]

Tel: [REDACTED]

Email: [REDACTED]



[REDACTED]

Ipswich and Lowestoft Crossings
Transport Strategy
Suffolk County Council
Constantine House
5 Constantine Road
Ipswich
IP1 2DH

Dear [REDACTED]

Lake Lothing Third Crossing – Suffolk County Council’s response to Public Consultation

Thank you for consulting Suffolk County Council on the proposed Lake Lothing Third Crossing. The Development and Regulation Committee considered this proposal at its meeting on 18th October 2017. Committee resolved to submit the Council’s formal response to the Lake Lothing Third Crossing public consultation as set out in the attached report.

The Committee supported and welcomed the proposed third crossing, however considered that there are some matters that require further resolution / inclusion within the DCO application as set out below;

Pedestrian and Cycle Links

The Development Consent Order (DCO) application should include measures to show how links between the bridge and the waterfront on the south side of Lake Lothing can be accommodated.

Design

- A formal design approach document is needed to cover a full palette of materials for lighting, seating, surface signage, traffic signage, signalling, colour, surfacing, public open space, landscaping, balustrading, barriers and acoustic beacons.
- Consideration should be given to the design of the sides and underside of the bridge.
- Specification of the choice of structural materials for the deck, supporting structure and the bascule should be made clear in the DCO.
- Design principles/parameters for the control tower including appearance, materials height and location should be set out in the DCO
- It is recommended that there should be inclusion of viewing galleries and waiting areas when the bridge is in the open position.
- There should be an assessment of the final design against the previously agreed set of Design Principles

Transport

Recommendations of The Highway Authority set out in their response are incorporated in the Appendix to the Committee report, specifically addressing the concerns highlighted with regard to Victoria Road, Rotterdam Road, Durban Road and A12 Katwijk Way as set out in paragraphs 134-140 of this report. Any mitigation measures deemed necessary should be the subject of consultation with the Highways Authority.

Suffolk County Council would welcome the opportunity to discuss the contents of this report at the earliest opportunity and work with you and your colleagues to secure the earliest submission of the DCO application as possible. To date Suffolk County Council, in conjunction with Waveney District Council, have been directly engaged with the team developing the proposals, we look forward to a continuation of this engagement throughout the process ahead of the DCO application.



Development and Regulation Committee

Report Title:	Lake Lothing Third Crossing – Suffolk County Council’s response to Public Consultation
Meeting Date:	18 October 2017
Lead Councillor(s):	All councillors
Local Councillor(s):	[REDACTED]
Director:	[REDACTED]
Assistant Director or Head of Service:	[REDACTED]
Author:	[REDACTED]

Brief summary of report

1. Suffolk County Council (SCC) is proposing to build a new crossing over Lake Lothing (Lake Lothing Third Crossing), Lowestoft. It intends to submit an application under section 37 of the Planning Act 2008 to the Secretary of State for Transport for a Development Consent Order (DCO) to authorise the construction, operation and maintenance of a new bascule bridge highway crossing of Lake Lothing.
2. The proposed scheme, consists of a new single carriageway road across Lake Lothing by way of an opening bridge over Lake Lothing itself and a further bridge over the railway line linking the B1531 Waveney Drive on the south side of Lake Lothing to the C971 Peto Way on the north side. On the north side, the road will join Peto Way between Rotterdam Road and Barnards Way. On the south side, the new road will follow the alignment of the existing Riverside Road.
3. Before the application can be submitted for examination by the Planning Inspectorate, SCC as developer must consult with a variety of persons and bodies about the proposed application in accordance with the requirements of the 2008 Act and related Regulations. Suffolk County Council and Waveney District Council are statutory consultees under the Act.
4. Consultation documents are available to view online at:
www.suffolk.gov.uk/lakelothing3rdcrossing
5. The councils have an important role in the process to provide a local perspective on the proposals. In order to separate this role from that of the county council as ‘developer’, the Development and Regulatory Committee has a role as the ‘Statutory Consultee’. The officers team advising the Committee and preparing this report is separate from that developing the proposals.

6. The two councils' officers have produced a draft Joint Response to the developer's public consultation on their emerging proposals. Members are asked to consider if they are content to endorse the responses set out in the Action recommended section of this report (paragraph 7). Evidence to support these recommendations is set out in the main body of the report

Action recommended

7. The report seeks Committee's authorisation to submit the Council's formal response as Statutory Consultee to the Lake Lothing Third Crossing public consultation.

8. The proposed third crossing is very much supported and welcomed. However, drawing on the consultee responses in paragraphs 84-144, there are some matters that require further resolution/inclusion within the DCO application as follows:

Pedestrian and Cycle Links

- 1) The Development Consent Order (DCO) application should include measures to show how links between the bridge and the waterfront on the south side of Lake Lothing can be accommodated.

Design

- 2) A formal design approach document is needed to cover a full palette of materials for lighting, seating, surface signage, traffic signage, signalling, colour, surfacing, public open space, landscaping, balustrading, barriers and acoustic beacons.
- 3) Consideration should be given to the design of the sides and underside of the bridge.
- 4) Specification of the choice of structural materials for the deck, supporting structure and the bascule should be made clear in the DCO.
- 5) Design principles/parameters for the control tower including appearance, materials height and location should be set out in the DCO
- 6) It is recommended that there should be inclusion of viewing galleries and waiting areas when the bridge is in the open position.
- 7) There should be an assessment of the final design against the previously agreed set of Design Principles (Appendix C).

Transport

- 8) Recommendations of The Highway Authority set out in their response are incorporated, specifically addressing the concerns highlighted with regard to Victoria Road, Rotterdam Road, Durban Road and A12 Katwijk Way as set out in paragraphs 134-140 of this report. Any mitigation measures deemed necessary should be the subject of consultation with SCC Highways.

Reason for recommendation

9. The reasons for the recommendation are set out in full in the main report below, but broadly, this is to protect the environment and communities of Lowestoft and to maximise the opportunities coming from the development. The

recommendations are made in the context of broad support for the Lake Lothing Third Crossing and are designed to ensure that the impacts of the proposals on Lowestoft are properly mitigated.

Alternative options

10. The Committee may wish to consider a different stance on some of the issues raised in the draft response to the developer, and/or propose different or additional wider engagement activities with Government and other key stakeholders to further enhance the outcomes of the proposed development for Suffolk.

Main body of report

Proposal

11. The proposed scheme, consists of a new single carriageway road across Lake Lothing linking the B1531 Waveney Drive on the south side of Lake Lothing to the C971 Peto Way on the north side of Lake Lothing. On the north side, the road will join Peto Way between Rotterdam Road and Barnards Way. On the south side of Lake Lothing the new road will follow the alignment of the existing Riverside Road from a remodelled junction with Waveney Drive. The remodelling of the junction will involve the closure of Durban Road at its junction with Waveney Drive.
12. The new crossing consists of a multi-span bridge which includes a new opening bridge in Lake Lothing (Port of Lowestoft), a new rail bridge on the north side over the existing East Suffolk Line and a new road bridge on the south side. The new crossing of Lake Lothing will provide facilities for pedestrians and cyclists which tie into the existing networks.
13. On the south side, there will be a new access road from Waveney Drive west of Riverside Road leading to the road bridge which is required to provide access to existing property that would otherwise become inaccessible due to changes in level on Riverside Road.
14. The proposed scheme may require further improvements to the existing local highway network, as informed by traffic modelling. This could include improvements within the current highway boundary to some existing junctions within the Consultation Area (see Appendix A). New landscaping will also be incorporated into the scheme.

The Objectives

15. The objectives of the scheme are:
 - a) To reduce congestion and delay on the existing bridges over Lake Lothing.
 - b) To reduce congestion in the town centre and improve accessibility.
 - c) To reduce community severance between north and south Lowestoft.
 - d) To encourage more people to walk and cycle, and reduce conflict between cycles, pedestrians and other traffic.
 - e) To improve bus journey times and reliability.
 - f) To reduce accidents.
 - g) To open up opportunities for regeneration and development in Lowestoft.

- h) To provide the capacity needed to accommodate planned growth.

The Design

16. The new crossing will be designed using the Design Manual for Roads and Bridges (DMRB), and is currently being designed to have a:
 - a) Design speed of 30mph (50kph);
 - b) Carriageway width of 7.3m (2 x 3.65m wide traffic lanes);
 - c) Safety strip of 0.5m between the proposed footway and carriageway to the east of the crossing and the combined footway/cycleway to the west of the crossing; and
 - d) Dedicated footway on one carriageway and a segregated footway and cycleway on the other.

The opening section

17. The design of the bridge needs to take account of many considerations whilst optimising opportunities, accessibility and experience for all users, including wheelchair users, pedestrians and cyclists, taking account of constraints including railway and port operations both during the construction period and the lifetime of the bridge.
18. A 'rolling lift bascule bridge' design has been chosen. The bridge would be opened using hydraulic pistons to lift the deck, which rolls back on the vertical part of the structure that contains a counterweight. The counterweight and hydraulics lift the bridge deck to a specific angle, allowing vessels to pass safely through, before rolling back to its original position. This design enables the size of the in-water piers to be reduced as the counterweight is located in the air above the bridge deck which would produce a visually striking design. The emerging design looks to represent the future of Lowestoft as one of the UK's key centres for off-shore renewable energy.
19. The new bridge would be a minimum of 12 metres above high tide levels, which is significantly higher than the existing Bascule Bridge, this would allow a larger number of vessels using the lake to pass below the new bridge without the need to open it.
20. When required to open, traffic will be alerted and the safety barriers would move into place. A control tower would be located adjacent to the bridge but there are no final decisions yet as to its exact location. No decisions have been made on opening schedules and discussions are ongoing with Associated British Ports (ABP) who would be operating the bridge.
21. The control tower would be two storeys in height above the bridge deck to provide visibility over the deck. It would contain the operating room for the bridge and potentially a plant room. Opportunities for a viewing platform or information point for pedestrians and cyclists at deck level are being investigated.
22. A summary of the design progress has been produced and made available during the public consultation.

Public Realm

23. The project looks to incorporate planting and sustainable urban drainage solutions to deal with the surface water run-off from the roads. This could include

pecially planted pond areas designed to collect the water and release it into the main drainage system slowly.

24. Both north and south of the lake, new facilities for pedestrians and cyclists would be provided and this could include controlled and uncontrolled crossing points.

Northern Layout

25. Two new roundabouts are proposed on the north side of the lake to connect to Peto Way. The existing roundabout at the junction of Rotterdam Road and Denmark Road will be reconstructed as part of the project.
26. The design will include a dedicated left lane on Peto Way for those travelling east towards Denmark Road, which will utilise the existing road following construction of the new roundabout.
27. The existing play park on Denmark Road is in close proximity to the northern bridge approach. It is proposed to provide a new crossing point to provide access to the new public space

Southern Layout

28. It is proposed to construct a new roundabout at the intersection of Waveney Drive and Riverside Road on the south side of the lake to connect the bridge to the existing road network.
29. There is insufficient room in the highway to accommodate an appropriately sized roundabout. Therefore, it is proposed to close Durban Road at its junction with Waveney Drive. Access to and from Durban Road at this location would however continue for cyclists and pedestrians. A turning head would be added to Durban Road to allow vehicles to turn in the road.
30. The carriageway between the new roundabout and Tom Crisp Way would be widened to become a dual carriageway with a central reserve.

Riverside Road

31. To achieve the necessary gradients, the new crossing will start rising from the current Riverside Road/Waveney Drive traffic lights. This would sever the existing access to Riverside Business Park via Canning Road.
32. A new access road from Waveney Drive, west of Riverside Road, is proposed to provide access to the businesses off Canning Road and those that front Waveney Drive.
33. The new junction would connect to the retained section of Riverside Road at the northern entrance to Waveney District Council offices. Pedestrian and cycle facilities will be provided.
34. It is proposed that tree planting could be added to the access to create a sense of entering a different space

The Process

35. In March 2016, the Secretary of State for Transport (SoS) directed that the proposed scheme and any associated measures would be treated as a project of national significance for the purposes of the Planning Act 2008 ("Act").
36. The SoS confirmed that he was satisfied that the proposed scheme was nationally significant for the following reasons:

- a) It provides a connection to/from the Trans European Network–Transport (TEN-T) and the Strategic Road Network. The TEN-T link is to the A12/A47, one of only a limited number of routes in the East of England which is recognised as such; and
 - b) It would act as a tactical diversion route for the strategic road network (SRN), the A12/A47 when the Bascule Bridge, a nationally recognised pinch point, is closed thereby reducing delays and congestion on the SRN;
37. In addition, it was the SoS’s view that the proposed scheme:
- a) Supports national growth potential by directly delivering over 9,000 jobs with a further 3,500 indirect jobs, thus supporting the proposed employment growth;
 - b) Improves connection to/from the Great Yarmouth and Lowestoft Enterprise Zone; and
 - c) Delivers the Port of Lowestoft’s role in being the hub for the off-shore wind farms that are part of the East Anglia Array, a major energy supplier for the UK.
38. The developer is therefore required to make an application to the Secretary of State for Transport (through the Planning Inspectorate) for a Development Consent Order (DCO) in order to obtain the necessary consents to construct, operate and maintain the proposed scheme. The DCO would also contain powers to compulsorily acquire land, to override easements and other rights in connection with land and to use land temporarily.
39. It is anticipated that a DCO application for the proposed scheme will be submitted to the Planning Inspectorate in early 2018.
40. When the DCO application is submitted, the Planning Inspectorate will first consider whether to accept the DCO application for examination and will only do so if all the relevant statutory requirements and procedures have been followed.
41. If the DCO application is accepted, the proposed scheme will be the subject of further publicity by the developer. During the pre-examination stage, which is expected to last approximately three months, those with an interest in the scheme will be able to register with the Planning Inspectorate and provide a written summary of their views on the DCO application.
42. During the Examination of the DCO application, which lasts up to six months, those who have registered (including Suffolk County Council and Waveney District Council) to have their say; will be invited by the Planning Inspectorate to provide more details of their views in writing.
43. The Planning Inspectorate may decide to hold hearings to seek further information.
44. Following the Examination, the Planning Inspectorate will make a recommendation to the Secretary of State (SoS) who will then decide whether to make the DCO.
45. Subject to approval, construction is anticipated to start in 2019/20 and would take between two and three years to complete.

Suffolk County Council and Waveney District Council Role

46. Host local authorities have an important role in the process. Whilst participation is not obligatory it is strongly advised. Local Authorities provide an important local perspective at the pre-application stage.
47. Under the Act the process of consultation is undertaken and “owned” by the development promoter and not by the local authorities. However, Suffolk County Council and Waveney District Council (referred to below as “the Councils”) are statutory consultees.
48. The public consultation the subject of this report started on 4 September 2017, with a closing date of 16 October 2017. The Councils will be asked at a later date by the SoS to comment on the adequacy of the consultation. Given that the closing date for comments precedes this Committee Meeting a draft of this report has been submitted, however, should the Committee come to a different decision this will be communicated to the developer.
49. After this consultation, it will be for the developer to decide whether to submit its application for a Development Consent Order (DCO) to the Secretary of State for consideration via the National Infrastructure Planning section of the Planning Inspectorate (<https://infrastructure.planninginspectorate.gov.uk/>)
50. After submission of the DCO a report will be brought back to the Committee setting out seeking authority to prepare written representations to the DCO
51. The Planning Inspectorate will ask the Councils to prepare and submit a Local Impact Report setting out details of the likely impact of the proposed scheme on the authority’s area with regard to local and economic development planning policies for the Examination of the application by the Planning Inspectorate. In this context, the roles of the two Councils are equal
52. The county council will also, as Highways Authority in consultation with Waveney District Council, be responsible for discharging the Requirements (planning conditions) on the DCO and be responsible for the monitoring and enforcement of any DCO made.

What has happened to date

53. The Councils have been engaging with the promoter on all aspects of the scheme. Agreement has for example been reached on Noise and Air Quality monitoring points, viewpoints for Landscape Visual Impact Assessment and scope of transport and ecological assessments.
54. Due to its nature and size, the scheme is Environmental Impact Assessment Development for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. The developer submitted a request for a Scoping Opinion as required by the Environmental Impact Assessment (EIA) Regulations to the Planning Inspectorate. The Councils were consulted on this submission. Under delegated authority, after consultation with Chairman and Vice Chairman of Development Control Committee, a joint response from the Councils was sent to the Planning Inspectorate dated 24 March 2017 giving our comments and opinion on the submission. This was taken into consideration by the Planning Inspectorate in the formal Scoping Opinion published in April 2017.

55. This Scoping Opinion sets out the required contents of the Environmental Statement necessary to accompany the DCO submission and which will need to address all matters set out therein, including evidence for the respective choices that SCC Highways has undertaken together with cumulative effects.
56. The developer has also consulted the Councils about their Statement of Community Consultation (SoCC). The SoCC sets out how the developer proposes to consult the community. The Councils responded to this consultation in March 2017 under delegated authority. A copy is provided at Appendix B
57. The Councils continue to have discussions with the developer on the scheme, in particular on aspects of the design. The design of the opening element of the bridge and other structures is being supported by an architect consultant and being reviewed by the Design Council, Commission for Architecture and Built Environment (CABE).
58. A set of Design Principles were agreed between SCC, WDC and the promoter (Appendix C). These provide a benchmark against which the success of the design can be measured at the DCO stage.

Policy

National Policies

59. The Planning Act 2008 requires that major infrastructure proposals must be considered in accordance with a relevant National Policy Statement (NPS). These relate to different topics and have been ratified by Parliament. In the context of this proposal, the relevant NPS is the overarching National Policy Statement for National Networks (December 2014). Reference should also be made to the NPS for Ports (January 2012) although no new port development is proposed the development potentially impacts on port and rail infrastructure.
60. The National Policy Statements set out a series of criteria against which the Planning Inspectorate should test applications. In large part, these replicate the types of test that would be used for any development proposal, including environmental impacts, Alternatives, climate change adaption, pollution control.

NPS for National Networks (2014)

61. This states that in considering any proposed development, and, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account:
 - a) Its potential benefits, including the facilitation of economic development, including job creation, housing and environmental improvement, and any long term or wider benefits; and
 - b) Its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for adverse impacts.
62. On design, the NPS states that “Applicants should include design as an integral consideration from the outset of a proposal”.
63. Paragraph 4.31 acknowledges that “A good design should meet the principal objectives of the scheme by eliminating or substantially mitigating the identified problems by improving operational conditions and simultaneously minimising adverse impacts. It should also mitigate any existing adverse impacts wherever possible, for example, in relation to safety or the environment. A good design will

also be one that sustains the improvements to operational efficiency for as many years as is practicable, taking into account capital cost, economics and environmental impacts”

64. Paragraph 4.33 concludes that “The applicant should therefore take into account, as far as possible, both functionality (including fitness for purpose and sustainability) and aesthetics (including the scheme’s contribution to the quality of the area in which it would be located). Applicants will want to consider the role of technology in delivering new national networks projects. The use of professional, independent advice on the design aspects of a proposal should be considered, to ensure good design principles are embedded into infrastructure proposals.”
65. Although the National Policy Statements provide the main policy context for the Planning Inspectorate, the Examining Authority should also refer to other matters which it thinks are both important and relevant to its recommendations to the Secretary of State. This could include the Development Plan of the local planning authority. However, in the event of a conflict between the National Policy Statement and any other matter, the National Policy Statement prevails.

Planning Inspectorate Advice Notes

Advice Note 9

66. This Advice Note provides guidance on the use of the ‘Rochdale Envelope’; a term used to describe those elements of a scheme that have not yet been finalised, but can be constrained within certain limits and parameters hence allowing a determination of likely significant effects to be presented in the Environmental Statement.
67. When using the Rochdale Envelope to apply for flexibility within a DCO application, the developer should use a worst-case approach to identifying likely significant effects and should incorporate mitigation accordingly within the parameters of their scheme. Greater information is included within Chapter 6 on how SCC intends to make use of the Rochdale Envelope in the consenting process for the proposed scheme

Advice Note 17

68. This sets out the recommended approach to Cumulative Effects Assessment (CEA) for NSIP projects including guidance on the relative weight to be applied to other developments depending upon how progressed they are through the consenting process

Local policies

69. As mentioned above, the National Policy Statements state that it is appropriate for other matters to be considered by the Planning Inspectorate, including the Suffolk Local Transport Plan 2011-2031 (SLTP), New Anglia Strategic Economic Plan and the Waveney Development Plan.

Suffolk Local Transport Plan 2011-2031 (STLP)

70. The SLTP sets out a 20-year strategy which highlights the county council's long-term ambitions for the transport network. It includes several long-standing aspirations for highway improvements in Lowestoft including the Third Lake Lothing crossing for which it acknowledges there is a very strong desire in the local community.

New Anglia Norfolk and Suffolk Economic Strategy 2017 (NALEP)

71. This document makes the case for investment in many major transport, infrastructure, skills and housing projects which the NALEP believes are required to help the East Anglian economy provide:
 - a) 88,000 net new jobs by 2036;
 - b) 140,000 new homes by 2036; and
 - c) 30,000 new businesses by 2036.
72. It acknowledges that Lowestoft suffers from congestion arising from the bottleneck created at the existing Bascule Bridge, and identifies a third crossing as a key transport priority to aid regeneration and growth in the town.

Waveney Core Strategy – The Approach to Future Development in Waveney to 2021 (Adopted January 2009)

73. Policy CS05 – Lake Lothing and Outer Harbour Area Action Plan. Seeks the delivery of an Area Action Plan. An objective of the plan is better connections between the communities north and south of Lake Lothing
74. Paragraph 5.105 sets out the District Council’s support of the creation of a third road crossing of Lake Lothing, as an integral part of dealing with regeneration and transport problems and issues in Lowestoft.
75. Policy CS15 – Sustainable Transport – Identifies key transport infrastructure requirements including the third Lake Lothing crossing which is considered an integral part of dealing with transport problems and issues in Lowestoft and the sub-region.

Lake Lothing and Outer Harbour Area Action Plan Adopted January 2012 (AAP)

76. The AAP helps to guide development in the area surrounding Lake Lothing and the Outer Harbour in Lowestoft.
77. The plan supports the creation of jobs, particularly in the energy sector, new homes, improved pedestrian, cycle and vehicle links, flood risk management measures and better connections to the waterfront.
78. Paragraph 3.5.22 New Streets and Vehicular Routes states that “a long-term ambition for the town a third crossing has been identified to provide a further vehicular connection across Lake Lothing., it will be expected that developers will work with the Council to ensure that proposals will not restrict the future potential for a new road crossing”.
79. Policy SSP3 – Kirkley Waterfront and Sustainable Urban Neighbourhood, furthermore states that development should not preclude a potential third crossing.

New Waveney Local Plan

80. Waveney District Council is consulting on the First Draft of a new Local Plan. The plan identifies that the Lake Lothing Third Crossing is a strategic piece of infrastructure which is expected to be delivered during the plan period, to deliver and support the growth plans outlined within the plan.
81. Proposed Policy WLP1.4 – Infrastructure, supports the Lake Lothing Third Crossing.

Consultation documentation

82. The following information has been provided and is available at:

www.suffolk.gov.uk/lakelothing3rdcrossing

- a) Consultation Leaflet – including a summary of the proposed scheme and details of Consultation Events.
- b) Consultation Brochure – more detailed summary of the proposed scheme and its potential impact.
- c) Design Process Summary – explaining the design rationale.
- d) Questions and Answers – providing answers to commonly asked questions.
- e) Preliminary Environmental Information Report (PEIR) setting out currently available information about the likely significant effects of the proposed scheme on the environment.
- f) Non-technical Summary of the PEIR.

Background for proposed response set out in paragraph 7

Need for the scheme

83. The PEIR sets out the historic need for the scheme identified by both Councils. The proposals as identified in chapter 2 of the PEIR are considered consistent with the existing and emerging Waveney Local Plan, Suffolk Local Transport Plan and objectives of New Anglia Strategic Economic Plan.

Consultation

84. It is considered that the consultation undertaken by the promoter is in accordance with the Scheme of Community Consultation agreed with the Councils. The consultation documentation is set out in paragraph 81 of this report.
85. The documentation clearly sets out the background to the scheme, progress to date and identifies additional information required.
86. The questions included within the questionnaire are considered relevant to the scheme to elicit an appropriate level and detailed response.

Alternatives Considered

87. The 2017 Regulations require a “comparison” of environmental effects of the reasonable alternatives that have been studied when providing an indication of the main reasons for selecting the chosen option. The consideration of alternatives is set out in chapter 4 of the PEIR.
88. Four types of alternatives have been considered:
- a) The broad location of the proposed scheme i.e. an eastern, western or central crossing of Lake Lothing;
 - b) The constraints associated with the chosen option corridor;
 - c) Waveney Drive Access Arrangements; and
 - d) Bascule Bridge Design Alternatives.
89. These options have been considered against a series of objectives for the scheme as set out in paragraph 14 of this report and the requirements of the scheme listed below:

- a) Provide a 7.3m single carriageway road with footways and a cycle lane;
 - b) Connect to the existing network with at-grade junctions, wherever possible;
 - c) Provide clearance above the railway line;
 - d) Allow large vessels to turn within the confines of the channel;
 - e) Relate logically to the existing network;
 - f) Have minimal impact on existing development; and
 - g) Avoid conflicting with planned new development, as envisaged in the Lake Lothing and Outer Harbour Area Action Plan.
90. The rationale provided and assessment is considered robust. The Councils acknowledge that further refinements to the scheme are ongoing and wish to be consulted on any significant changes.

Design

91. The Councils have to date been involved in discussion with the developer on the design of the opening section of the bridge. The form of structure proposed is set against the Councils' aspiration to seek a striking design that draws upon Lowestoft's maritime history and which would align with the WDC aspirations for economic growth in the area.
92. Waveney District Council's Principal Design and Conservation Officer has been closely involved in the evolving design of the bridge. He is in agreement with the theme of 'Marine Tech' from which the design concept of the bridge is derived and considers it to be of such distinctive design and appearance that it would add positively to its immediate and wider setting and to the surrounding townscape. The existing idea of the 'blade' form for the vertical counterweights is supported and it is important that consideration is also given to the design of the sides and underside of the bridge.
93. Two design advice workshops were held with Design Council CABE (DCC). The first was held at the Orbis Energy Centre in Lowestoft and included a visit to the site. The second was held at DCC's offices in London. Following both workshops, written feedback was provided to the design team, of which we have had sight. The second written response (dated 29 June 2017) stated that DCC was 'very supportive of the positive progress made to design development' since the previous workshop in March. This was leading to some 'exciting ideas based on thorough analysis'. DCC took the view that the marine tech design concept provided a 'utilitarian, beautiful and contemporary' reference point that will bring cohesion to the separate elements of the structure. This is a significant endorsement of the scheme to date by DCC and it is very welcome to have this kind of support.
94. In taking account of DCC's comments, it is considered that the following points will have to be addressed as part of the DCO application:
- a) Specify the choice of structural materials for the deck, supporting structure and the bascule.
 - b) Provide a full palette of materials for lighting, seating, surface signage, traffic signage, signalling, colour, surfacing, balustrading, barriers, acoustic beacons. Proposals for lighting should include luminaire design and lux levels.

- c) Full design of the control tower showing its agreed final position, appearance, materials, colour, access, lighting, security.
 - d) Bridge layout design to include provision for location and design of viewing galleries and waiting areas when the bridge is in the open position.
 - e) Full visualisations to illustrate the bridge in the open, closed and intermediate positions.
 - f) Assessment of the final design proposal against the set of Design Principles agreed between SCC and WDC (dated 22 May 2017).
95. The detailed comments of the Principal Design and Conservation Officer on the PEIR are attached in Appendix D and the developer is advised to have regard to these as part of the DCO application

The Existing Environment

96. Chapter 5 of the PEIR provides an overview of the existing environment in the vicinity of the proposed scheme, which is described in detail in chapters 8 to 19 in respect of each individual environmental aspects.

Description of the scheme

97. The PEIR includes in chapter 6 a description of the scheme including Figure 6.1 (Appendix A) which shows the red line for the proposed scheme (including land required permanently, temporarily for construction, and over which rights are sought for), and the proposed arrangement.
98. Figure 6.3 shows the plan and elevation of the proposed bascule bridge (Appendix E) and Figure 6.4 provides a diagrammatic image of the proposed scheme (Appendix F).
99. The Councils consider that the information set out in chapter 6 provides for a robust assessment of the potential environmental impacts considering a worst-case scenario of the project, with reference to the 'Rochdale Envelope'.

Air Quality

100. The information contained within the PEIR sets out clearly the study area and sensitive receptors relevant for the assessment of local air quality impacts. It is considered that the assessment modelling parameters are described adequately, and will address the air quality impacts associated with emissions arising from dust during the construction phase of the project; and impact of vehicle emissions during the operational phase of the scheme. The relevant guidance to be followed is discussed and regulatory requirements outlined.
101. Sensible dust mitigation measures are mentioned which are to be incorporated into the Code of Construction practice

Cultural Heritage Historic Buildings

102. There is agreement within the PEIR with the listed and locally listed buildings that have been identified within the study area. and agreement that the impact of the proposal on the Oulton Broad Conservation Area arising from intervisibility should be re-introduced to the assessment (this aspect has now been addressed with a revised Landscape Assessment methodology which includes four additional viewpoints to accommodate the updated design and the Oulton Broad Conservation Area). With regards to the methodology used to significance, magnitude of impacts and sensitivity it is suggested that a less formulaic approach that does not rely solely on the DMRB matrices should be adopted. It

is however considered that there will be no harmful impacts arising on the identified designated and non-designated heritage assets, and that paragraphs 134 and 135 of the NPPF will not be engaged.

103. With regards to the Cultural Heritage Assessment it is considered that the Oulton Broad conservation area needs to be re-introduced for assessment (para. 5.2.4) (this has been included in the revised Landscape Assessment methodology).

Cultural Heritage – Archaeology

104. The PEIR represents a sound approach to assessment to date in relation to below-ground archaeological heritage.
105. The approach to assessment to date, as summarised in the PEIR, recognises that the development has potential to impact buried and tidal zone archaeological deposits and features, and the work undertaken towards the Environmental Statement is sound. The proposals set out in the PEIR for the Environmental Statement will provide appropriate assessment on below ground archaeological impacts to determine the planning application, and the PEIR outlines good initial proposals for further investigation and mitigation further to any consent.
106. A comment is that table 9.7 perhaps doesn't reflect the full impacts that are set out in the text in terms of assets and in terms of construction effects.
107. Impacts may be considered minor in assessment terminology (9.5.10 and 9.7.1) but the ground impacts are large, and as identified archaeological remains will require the mitigation set out.
108. Additionally, and subsequent to the Desk Based Assessment, we have received correspondence, flagging the potential for earlier Saxon and Late Saxon/Scandinavian settlement in the area of the northern proposed roundabout, based on this assessment of the evolution of Lowestoft and the possible use of a former inlet leading northwards in the area of Rotterdam Road. The sections of the ES relating to these periods should therefore incorporate a revised consideration of this period (relating to section 9.4.31 and 9.4.55 of the PEIR), which can be discuss further. The proposals set out for investigation and mitigation, however, would address this potential.
109. Additionally, to those mitigation proposals referenced in the PEIR 9.3.19, further paleoenvironmental assessment may be appropriate.
110. Continued discussion with SCCAS and Historic England will facilitate the factoring of archaeological work in to project timetables. Specific impacts to draw attention to which are not explicitly set out in section 9.5.2 of the PEIR would include demolition and site clearance, remediation work, construction set up and compounds, piling, new roundabouts and road works, SUDS and planting, utilities and drainage.
111. We would encourage consideration of local heritage and distinctiveness inspired design in the open space areas, for example, where appropriate.

Townscape and Visual Impact Assessment

112. The PEIR includes a preliminary baseline study and assessment of the visual envelope of the project has been included. The information provided and approach proposed is robust and acceptable, containing a more refined sub-division of townscape character areas suggested during previous consultation,

which more accurately reflect the more subtle differences in the local urban character.

113. It is particularly helpful that the further work required to finalise the townscape character (paras 10.4.8 and 10.7) and the scope and details of the assessment landscape and visual effects and photomontages, with the Local Authorities and the Broads Authority, is clearly set out.

Nature Conservation

114. The PEIR acknowledges that the data is at a preliminary stage and that more detailed assessments will be undertaken to inform the Environmental Statement. A comprehensive suite of surveys has been completed and a number are on-going (having been discussed with SCC and Natural England).
115. A detailed mitigation strategy would be expected to be included in the DCO submission. Consultation with SCC Ecologists on the mitigation strategy for the scheme is recommended.
116. The Habitat Regulation Assessment (HRA) Stage 1 Screening document is well set out. We would suggest however, that the HRA screening is revisited (in consultation with Natural England) once the detailed work plan is available

Geology, Soils and Contamination

117. With regard to contaminated land the scope of the proposed work in the PEIR appears comprehensive and should address any issues. The proposal to consult directly with the Councils on potentially contaminated sites is noted although this hasn't happened yet.

Noise and Vibration

118. The assessments contained within the PEIR consider potential impacts relating to noise and vibration on Noise Sensitive Receptors (NSR) during the construction phase and confirmation that an assessment of noise impacts during the operational phase will be presented in the submitted Environmental Statement. The level of information for a detailed assessment of noise and vibration however, is not available to date. The noise sensitive receptors (NSR'S) nearest to the development site have been indicated and are considered accurate.
119. The relevant guidance to be followed which was previously agreed with WDC is discussed and regulatory requirements are outlined.
120. It is noted that further consultation with Waveney District Council Environment Protection Team will be undertaken in order to agree an appropriate level of assessment for the construction phase within the Environmental Statement, based upon the background noise measurements and the degree of information that is available on the construction program, activities and plant which will be employed. This further consultation opportunity is welcomed.

Materials

121. Chapter 14 of the PEIR sets out how the ES will assess the materials resources required during the construction phase of the scheme and the generation and management and disposal of waste from the site. The approach is considered adequate at this stage. Ground investigation works will inform the resources required and it is suggested that the developer seeks advice from Suffolk and Norfolk Minerals and Waste Planning Authorities to identify suitable sites for

disposal of hazardous and inert wastes arising from the development. It is noted in Table 14.1 that Wangford Landfill site is listed as a potential recipient for waste arising from the scheme, however this site has closed for receipt of waste and is in the final stages of restoration.

122. The preparation of an interim Construction Code of Practice to identify suitable mitigation measures in line with the waste hierarchy is welcomed.

Socio-Economic including Regeneration

123. The proposal is supported in that it supports the regeneration and growth objectives of the Lake Lothing and Outer Harbour Area Action Plan (AAP), Town Centre regeneration and the Enterprize Zone Delivery Plan. The regeneration plans aim to transform the image and perception of central Lowestoft, and a new high-quality design crossing within the area will assist its success.
124. One of the major challenges for the delivery of regeneration in Lowestoft is that the areas in most need of inward investment, i.e. the AAP sites, are also where the transport networks have significant problems due to congestion of the two existing bridges and subsequent impact of the surrounding road networks. A third crossing should address this issue (and other objectives as set out in the consultation document), and will greatly improve access (including improved pedestrian and cycle access) to the proposed developments.

Riverside Road Enterprize Zone

125. The southern landing point is within the Riverside Road Enterprize Zone aimed at promoting inward investment into the area with a specific focus on supporting the energy, ports and logistics and offshore engineering sectors as well as the services which support them. Riverside Road also houses a new 'civic quarter' with the Suffolk County Council and Waveney District Council shared office, along with Trinity House, a new customer centre for Essex and Suffolk Water. It is important to ensure that the new crossing proposals ensure that there is sufficient access into these sites.
126. It is important that the new 'avenue' style access road should be able to accommodate the future employment land development both within the Enterprize Zone and the adjacent former Jeld Wen site to the west.
127. The proposed construction compound is the largest undeveloped space within the Enterprize Zone. It is desirable that in the longer term this site has waterfront access for pedestrians and has pedestrian access onto the bridge. Previous design discussions have included joint access combined with the control tower, although not detailed in the consultation document. It would be desirable to see this access or an alternative re-established as this would help integrate the bridge into the Enterprise Zone, assist with aspirations for waterfront access throughout the AAP and would encourage employees in the area to walk to work.
128. The regeneration delivery around the south landing will mainly be the responsibility of Waveney District Council working in partnership with the Enterprise Zone team (including Suffolk County Council and NALEP) once the crossing is completed, however we would like to ensure that the crossing design assists with the future redevelopment and supports the objectives of the area as set out in the Kirkley Waterfront and Sustainable Urban Neighbourhood Design Brief including the enhancement of waterfront access in the longer term, which will eventually link to access along the Asda site to the east, and to Brooke Peninsular to the west. The Design Guide for the area states that a 5m wide

pedestrian/cycle route shall be constructed alongside the waterfront unless it can be demonstrated that this would undermine safe/secure business operations.

Town Centre

129. The new crossing is likely to reduce traffic on the other bridges and connecting roads in Lowestoft and Oulton Broad. This should have a positive impact on the town centre and historic High Street where there will be opportunities to improve the pedestrian and cycling environment; increase permeability from existing residential areas back into the town centre; encourage new retail and leisure development and improve access and signage to car parks from the new crossing/road network.
130. Peto Square and South Quay are strategic sites in the AAP in close proximity to the new bridge. The area currently suffers from the effects of through traffic and poor environmental quality. By removing the volume of traffic from the existing bascule bridge there is an opportunity to encourage inward investment into this area, improve pedestrian and cycle connections and create new public space.
131. The impact of the crossing should also support regeneration plans within the northern end of the town centre with traffic reduction and improved permeability between the historic High Street and London Road North. Waveney District Council has recently applied to Historic England for this part of North Lowestoft to become a Heritage Action Zone.

Health Assessment

132. Appendix 1A of the PEIR sets out the potential health assessments topics this has been reviewed by Public Health who consider that an appropriate balance has been struck with regard to the scope of potential health impacts to be considered as part of the DCO process for the development

Flood Risk and Road Drainage and the Water Environment

133. The main concern at this stage is the treatment of surface water from the proposed development, this is presented within Appendix 17A: Preliminary Water Framework Directive (WFD) Assessment. Compliance with the WFD and best practice guidelines is critical in this instance in order to protect water quality within Lake Lothing. Details on how surface water is being discharged are suitable at this stage, with further details to be submitted later in the process.
134. The site plan encompasses the last few metres and outfall of the Kirkley Stream into Kirkley Ham. It does not appear any works are proposed which affect this watercourse. However, the Kirkley Stream is a highly sensitive watercourse and we would advise against works and that clearance on the channel remains. Significant works are being undertaken as part of the Lowestoft Flood Risk Management Project to reduce flood risk downstream.

Traffic and Transport

135. The information provided in the PEIR adequately describes the scheme, data collected to date and the additional transport modelling to be undertaken. The existing road network and proposed changes to the network are described to the Highway Authority's satisfaction apart from the issues raised below.
136. Data presented in the PEIR indicates there is a significant increase in traffic using Waveney Drive. Additional data is required to be presented in the DCO for the Victoria Road link to fully understand the nature of this traffic.

137. Rotterdam Road has not been included in Table 19.9 of the PEIR it is recommended that the developer includes Rotterdam Road in table 19.9 due to the proportional increase in traffic of 190%.
138. There appears to be a gap in data for the A12 Katwijk Way junction which the developer is requested to address in their final DCO submission.
139. The PEIR (19.5.10) and the Preliminary Transport Assessment (3.52) state that modelling indicates that closing Durban Road will be beneficial to capacity. This should not be detrimental to highway safety and sustainable access for pedestrians and cyclists should be retained. The Transport Assessment must include further data to assess the impacts of this closure particularly at the junctions of Kirkey Run and Kimberly Road with the B1531 Waveney Drive.
140. The developer is encouraged to engage with SCC Highways as to any mitigation which is considered necessary following the further transport modelling required for Victoria, Rotterdam and Durban Roads and Katwijk Way.
141. The detailed comments of the Transport Policy and Development Manager on the PEIR are attached in Appendix G and the developer is advised to have regard to these as part of the DCO application

Cumulative Effects

142. Cumulative impacts are considered in the PEIR and include impacts resulting from incremental changes caused by other past, present or reasonably foreseeable developments together with the proposed scheme. Five projects have been identified including:
 - a) East Anglia Array;
 - b) Sizewell C Nuclear Power Station;
 - c) Sanyo Development Site;
 - d) Brooke Peninsula and Jeld Wen Development; and
 - e) Lowestoft Tidal Barrier.
143. At this stage, the PEIR concludes given the information available that adverse cumulative effects are unlikely.
144. The Councils welcome the developer's commitment to updating the Cumulative Effects Assessment and review of any new projects that may come into scope prior to submission of the application.

Conclusion

145. The existing bridges over the lake at Mutford Lock and the A47 Bascule Bridge are inadequate to meet current and future traffic demand. The Councils consider that the proposed third crossing is essential infrastructure required to overcome delays and congestion that is a common occurrence for drivers, particularly during peak hours, and pedestrians and cyclists often have long and difficult journeys as they travel across the town. A new crossing will open up opportunities for regeneration and improved links between north and south Lowestoft.
146. The theme design concept of 'Marine Tech' for the bridge is supported. It is considered that the single rolling leaf bascule design will be a striking design that will become a distinguishing landmark feature in the surrounding townscape.

147. Drawing on the consultee responses above, whilst the proposed third crossing is very much supported and welcomed it is considered that in addition to those issues identified in the PEIR there are some matters that require further resolution/inclusion within the DCO application as follows:

Pedestrian and Cycle Links

148. The DCO application should include measures to show how links between the bridge and the waterfront on the south side of Lake Lothing can be accommodated

Design

149. A formal design approach document to cover a full palette of materials for lighting, seating, surface signage, traffic signage, signalling, colour, surfacing, public open space, landscaping, balustrading, barriers and acoustic beacons.

150. Consideration to be given to the design of the sides and underside of the bridge.

151. Specification of the choice of structural materials for the deck, supporting structure and the bascule.

152. Design principles/parameters for the control tower including appearance, materials height and location

153. Inclusion of viewing galleries and waiting areas when the bridge is in the open position.

154. An assessment of the design against the previously agreed set of Design Principles (Appendix C).

Transport

155. Recommendations of The Highway Authority set out in their response are incorporated, specifically addressing the concerns highlighted with regard to Victoria Road, Rotterdam Road, Durban Road and A12 Katwijk Way as set out in paragraphs 135 -141 of this report. And any mitigation measures deemed necessary should be the subject of consultation with SCC Highways.

Sources of further information

a) Lake Lothing project website:

<https://www.suffolk.gov.uk/lakelothing3rdcrossing>

b) Further information on National Networks National Policy Statement can be found at:

<https://www.gov.uk/government/publications/national-policy-statement-for-national-networks>

c) Planning Inspectorate's National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk>

Appendix B – Statement of Community Consultation



DRAFT STATEMENT OF COMMUNITY CONSULTATION

Introduction

1. Suffolk County Council (SCC) is planning to consult on the Lake Lothing Third Crossing ("the proposed scheme"). The purpose of this document, known as the Statement of Community Consultation (SoCC), is to set out when and how SCC will consult the local community about the proposed scheme. It provides background on the proposed scheme, details of where information can be found and how comments can be made.

2. This SoCC is prepared and published in accordance with Section 47 of the Planning Act 2008. The project team has consulted SCC (Planning Department) and Waveney District Council (Planning Department), the Local Planning Authorities responsible for the area where the proposed scheme will be built, about the proposals to consult the local community as set out in this document and have had regard to their views when finalising this SoCC.

The scheme

3. The objectives of the scheme are:

- To open up opportunities for regeneration and development in Lowestoft.
- To provide the capacity needed to accommodate planned growth.
- To reduce community severance between north and south Lowestoft.
- To reduce congestion and delay on the existing bridges over Lake Lothing.
- To reduce congestion in the town centre and improve accessibility.
- To encourage more people to walk and cycle, and reduce conflict between cycles, pedestrians and other traffic.
- To improve bus journey times and reliability.
- To reduce accidents.

4. The proposed scheme consists of a new single carriageway road across Lake Lothing linking the B1531 Waveney Drive on the south side of Lake Lothing to the C971 Peto Way on the north side of Lake Lothing. On the north side the road will join Peto Way between Rotterdam Road and Barnards Way. On the south side of Lake Lothing the new road will follow the alignment of the existing Riverside Road from a remodelled junction with Waveney Drive.

5. The new crossing consists of a multi-span bridge which includes a new opening bridge in Lake Lothing (Port of Lowestoft), a new rail bridge on the north side over the existing East Suffolk Line and a new road bridge on the south side. The new crossing of Lake Lothing will provide facilities for pedestrians and cyclists which tie in to the existing networks.

6. On the south side there will be a new access road from Waveney Drive west of Riverside Road leading to the road bridge which is required to provide access to existing property that would otherwise become inaccessible due to changes in level on Riverside Road.

7. The proposed scheme may require further improvements to the existing local highway network, as informed by traffic modelling. This could include improvements within the existing highway boundary to some existing junctions within the Consultation Area (see Appendix B). New landscaping will also be incorporated into the scheme.

8. Appendix A, which accompanies this SoCC, provides the draft proposed scheme and associated draft red line boundary for the purposes of the proposed application.

The application process

9. In March 2016, the Secretary of State for Transport directed that the proposed scheme be treated as a Nationally Significant Infrastructure Project for the purposes of the Planning Act 2008.

10. SCC is therefore required to make an application to the Secretary of State for Transport (through the Planning Inspectorate) for a Development Consent Order (DCO) in order to obtain the necessary consents to build and operate the scheme.

11. SCC anticipates that a DCO application for the proposed scheme will be submitted to the Planning Inspectorate in spring 2018.

12. When SCC submits the DCO application, the Planning Inspectorate will first consider whether to accept the DCO application for examination and will only do so if all the relevant statutory requirements and procedures have been followed.

13. If the DCO application is accepted, the proposed scheme will be the subject of further publicity by SCC. During the pre-examination stage, which is expected to last approximately three months, those with an interest in the scheme will be able to register with the Planning Inspectorate and provide a written summary of their views on the DCO application.

14. During the Examination of the DCO application, which lasts up to six months, those who have registered to have their say will be invited by the Planning Inspectorate to provide more details of their views in writing.

15. The Planning Inspectorate may decide to hold hearings to seek further information.

16. Following the Examination, the Planning Inspectorate will make a recommendation to the Secretary of State who will then decide whether or not to make the DCO.

17. The DCO application for the proposed scheme will be tested against the criteria in the National Networks National Policy Statement, which sets out the Government's policies for nationally significant road and rail projects. Further information on this National Policy Statement can be found at <https://www.gov.uk/government/publications/national-policy-statement-for-national-networks>.

18. You can find more information about the process we are following and the Planning Act 2008 through the Planning Inspectorate's National Infrastructure Planning website: <https://infrastructure.planninginspectorate.gov.uk>

Consulting the community

When will consultation be held?

19. We are holding a six-week consultation between Monday 4th September and 23:59 on Monday 16th October 2017. It is important to provide feedback in the Consultation Period to inform the ongoing development of the proposed scheme.

Who will be able to comment on the proposed scheme?

20. The consultation will be open to anyone who wishes to express a view on the proposed scheme. In addition to consulting the local community, SCC will be consulting with the relevant local authorities, statutory bodies and landowners whose interests may be affected by the proposals at the same time.

How will the consultation be communicated and what documentation will be produced?

21. The consultation will be advertised in local media, including newspapers and social media. Notices pursuant to Section 47 of the Planning Act will be published in the Lowestoft Journal, The Waveney Advertiser and Eastern Daily Press. Notices pursuant to Section 48 of

the Planning Act will be published in the Lowestoft Journal, The Times and the London Gazette.

22. The following Consultation Documents will be produced:

- Consultation Leaflet – this will be posted to properties in the Consultation Area, this is shown in Appendix B. This will include a summary of the proposed scheme and details of Consultation Events.
- Consultation Brochure – this will include a more detailed summary of the proposed scheme and its potential impacts;
- Design Statement – this will explain design rationale for the proposed scheme
- Questions & Answers – providing answers to commonly asked questions;
- Preliminary Environmental Information Report (PEIR) – The proposed scheme is an 'EIA Development' for the purposes of the Environmental Impact Assessment Directive and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) and therefore an Environmental Statement will accompany the DCO application for the proposed scheme. The PEIR is a precursor to the Environmental Statement and gives information about the potential environmental effects of the scheme as understood at this time and potential measures to reduce those effects, to assist well-informed responses to the consultation; and
- Non-Technical Summary of the PEIR – a summary of the key information as presented in the PEIR

23. In addition, the following consultation materials will be produced:

- Questionnaire – a survey to comment on the proposals;
- Posters – displayed at selected public locations advertising the consultation; and
- Consultation Event banners – for the consultation events, as described below. These will include a summary of the proposed scheme and its potential impacts.

What information will be available during the consultation?

24. During the consultation the public will be able to access and comment on information including:

- The proposed scheme, its rationale and design
- Crossing alignment and junction layouts;
- Works to the existing roads and side roads;
- Preliminary environmental assessment work and impacts, including those relating to the construction phase;
- Impacts on navigation and port-related activities and
- Traffic impacts and potential mitigation measures.

How and where can the community view the Consultation Documents?

25. Project website – all the Consultation Documents listed under paragraph 22 as well as the consultation materials listed under paragraph 23 will be available on the project website: <https://www.suffolk.gov.uk/lakelothing3rdcrossing>

Consultation Events - SCC will hold a series of public exhibitions on the proposed scheme. The Consultation Events will give people an opportunity to view the scheme proposals and



talk to the project team. Consultation Event banners will be displayed and Consultation Documents and Questionnaires will be available at the events. The Consultation Events will be held at the following locations:

Consultation Event Venue	Date	Time
Gunton Estate Community Hall, Hollingsworth Road, Lowestoft, Suffolk, NR32 4AY	5 th September 2017	12pm – 7pm
Lowestoft Library, Clapham Road, South Lowestoft, Suffolk, NR32 1DR	9 th September 2017	10.30pm – 4.30pm
Kessingland Library (Spinnaker Room), Marram Green, Hall Road, Kessingland, Suffolk, NR33 7AH	12 th September 2017	2.30pm – 7.30pm
Kirkley Centre, 154 London Rd S, Lowestoft, NR33 0AZ	14 th September 2017	1pm – 7.30pm
Council Offices, Riverside, 4 Canning Road, Lowestoft, Suffolk, NR33 0EX	22 nd September 2017	2pm – 7pm
Commodore Mission Hall, 24 Gorleston Rd, Lowestoft, Suffolk, NR32 3AG	25 th September 2017	2pm – 7pm
St Mark's Church, Bridge Rd, Lowestoft, Suffolk, NR33 9JX	29 th September 2017	1pm – 7pm

26. Deposit Locations – The Consultation Documents listed in paragraph 22 as well as Questionnaires will be available to view free of charge during the Consultation Period at the venues listed below. Copies of the Consultation Leaflet, Consultation Brochure, Questionnaire and Questions & Answers will be available to take away. There will be a charge for copies of the full PEIR. Please contact the project team using the details below regarding prices and payment methods. Alternatively, photocopying facilities are available at each of the Deposit Locations. Charges will apply for photocopying.

Deposit Locations	Opening times
Council Offices, Riverside, 4 Canning Road Lowestoft Suffolk, NR33 0EX	Monday 0800 – 1700
	Tuesday 0800 – 1700
	Wednesday 0800 – 1700
	Thursday 0800 – 1700
	Friday 0800 – 1700
Lowestoft Library, Clapham Road South Lowestoft Suffolk, NR32 1DR	Monday 0900 – 1800
	Tuesday 0900 – 1900
	Wednesday 0900 – 1800
	Thursday 0900 – 1900
	Friday 0900 – 1800



	Saturday	0900 – 1700
	Sunday	1000 – 1600
Oulton Broad Library - Bridge Road Lowestoft Suffolk, NR32 3LR	Monday	1000 – 1200
	Tuesday	1000 – 1300, 1400 – 1700
	Wednesday	1000 – 1300, 1400 – 1700
	Thursday	1000 – 1300, 1400 – 1700
	Friday	1000 – 1300, 1400 – 1800
	Saturday	1000 – 1300, 1400 – 1700
	Sunday	1100 – 1600
Marina Customer Service Centre, Marina Lowestoft Suffolk, NR32 1HH	Monday	0845 – 1700
	Tuesday	0845 – 1700
	Wednesday	0845 – 1700
	Thursday	0930 – 1730
	Friday	0845 – 1630
Kessingland Library, Marram Green, Hall Road Kessingland Suffolk, NR33 7AH	Monday	1000 – 1200
	Tuesday	1000 – 1300, 1400 – 1700
	Wednesday	1000 – 1300, 1400 – 1700
	Thursday	1000 – 1300, 1400 – 1700
	Friday	1000 – 1300, 1400 – 1800
	Saturday	1000 – 1300, 1400 – 1700
	Sunday	1100 – 1600

Stakeholder briefings

27. We will provide briefings to particular organisations during the Consultation Period; this is likely to include Lowestoft Town Council and nearby Parish Councils, the Waveney Chamber of Commerce and local interest/community groups such as the Lowestoft Harbour Maritime Business Group. Invitations will be sent out to representatives in advance.

28. When invited, and where it is possible to do so, the project team will attend meetings with other stakeholder groups interested in the proposed scheme.

Hard to Reach groups

29. SCC wishes to engage with a wide spectrum of the community and has planned Consultation Events across the town so they are accessible to all. Posters will be displayed at a range of locations, such as education establishments, medical centres, advertising the consultation to the nearby community. SCC will publicise the consultation to minority groups through SCC's Equalities Advisor.

30. Consultation Documents will be available online and in hard copy from a number of locations. The Consultation Event banners will also be available online for those unable to attend events. Consultation Documents can be made available in different formats and languages upon request – please contact the project team using the details below.



Consultation feedback

31. Comments must be received in writing before the end of the Consultation Period at 23:59 on 16th October 2017. Respondents are not restricted to commenting on the specific questions in the Questionnaire and SCC welcomes feedback on any aspect of the proposed scheme.

32. Questionnaires can be completed online via the project website.

33. Completed Questionnaires, or other feedback, can be emailed to lakelothing3rdcrossing@suffolk.gov.uk or sent in hard copy LL3X Consultation Team, Freepost RTUL-KAKE-BCTR, PO Box 73943 (Mouchel), London, EC4P 4HN. Completed Questionnaires can also be left at Consultation Events.

34. If you have any queries, you can also call us: 03456 318 842 (open Mon-Fri 8:30am-6pm).

Next steps

35. Comments made during the Consultation Period will be recorded and carefully considered by SCC in developing the proposed scheme. An explanation of how comments received have shaped and influenced our proposals will be reported in a Consultation Report which will accompany the DCO application as required by Section 37(3) (c) of the Planning Act 2008. Your anonymised consultation response may be published.

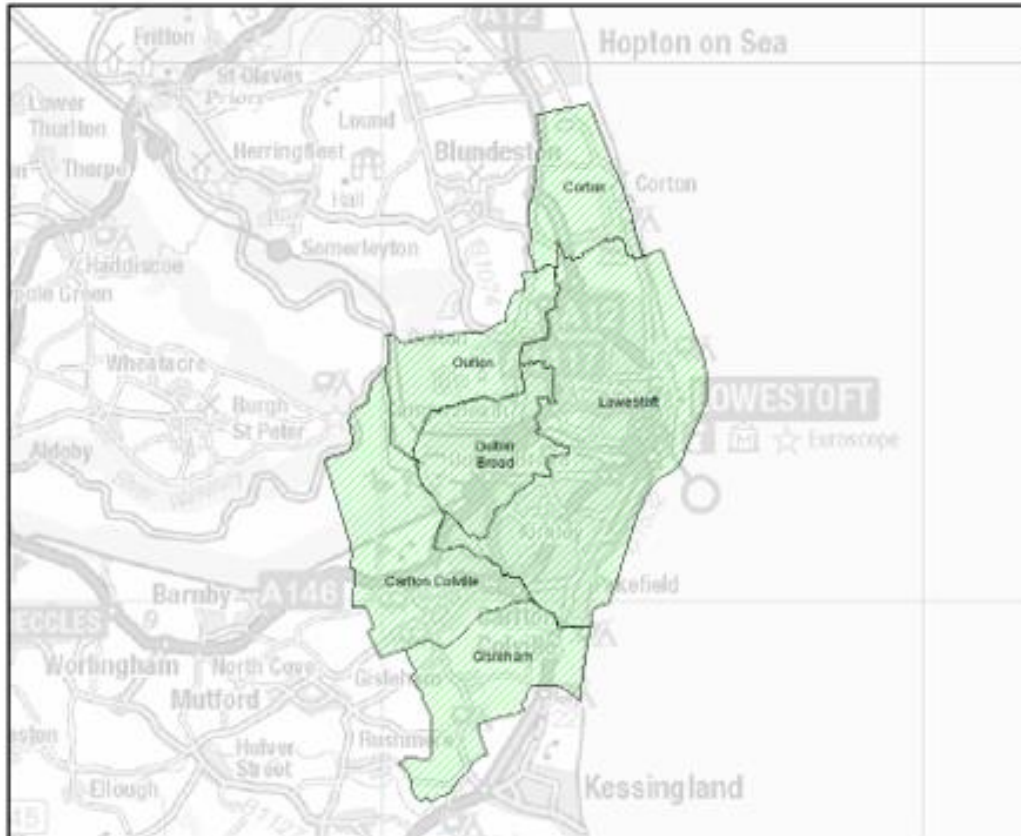
36. SCC may undertake further non-statutory consultation on specific/local issues or geographically targeted consultation prior to submitting the DCO application on the proposed scheme. This will be undertaken and publicised using such methods as SCC considers most appropriate.

37. SCC will continue to update the public and other stakeholders on the proposed scheme at appropriate stages. The project website will be kept up to date with the latest information.

38. Date: **(Date of SoCC)**



Appendix B – Consultation Area





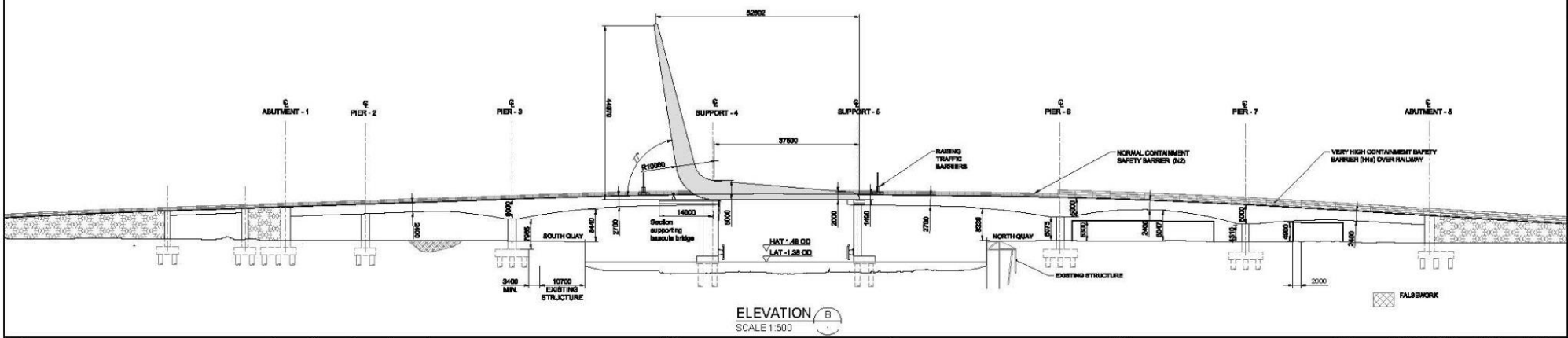
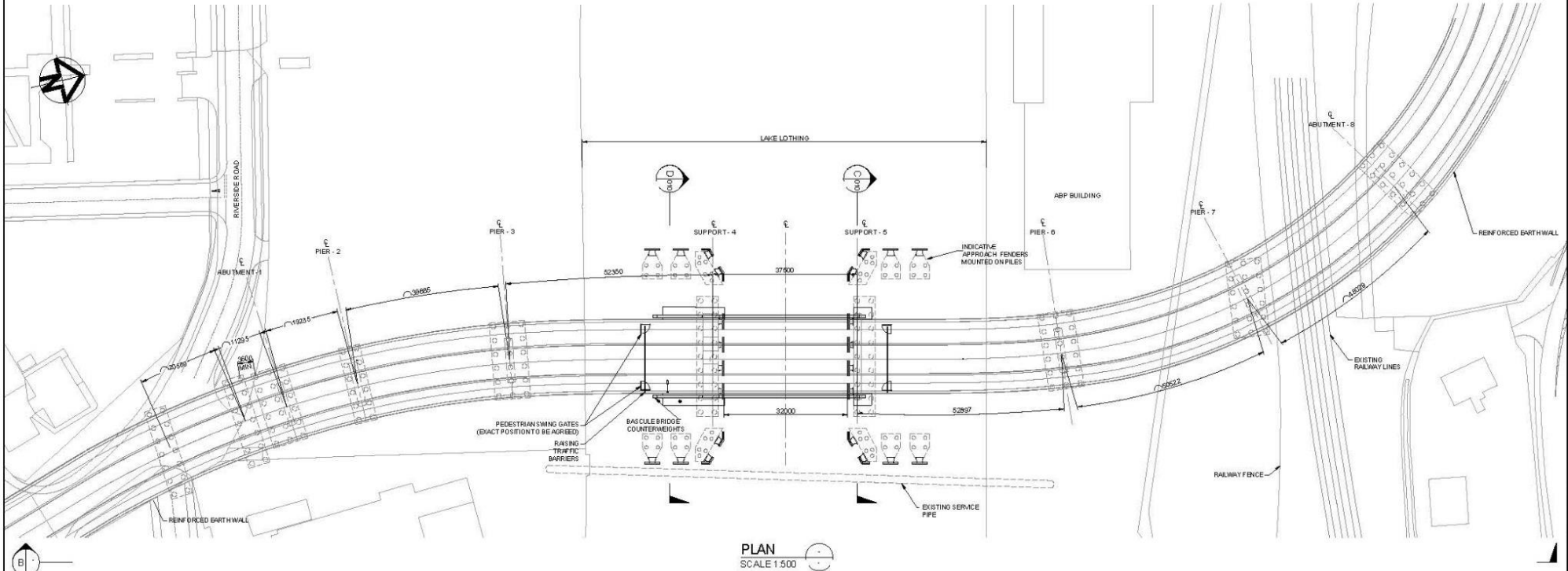
What does 'good design' mean for the Lake Lothing Third Crossing?

The Lake Lothing Third Crossing will improve connectivity for everyone in Lowestoft; it will be symbolic of Lowestoft rising to meet the aspirations for economic prosperity and embrace the proud maritime history of the town

1. The scheme shall enhance the identity, culture, character, and nature of Lowestoft and make a positive aesthetic and actual contribution to the conservation and enhancement of Lowestoft's natural, historic and built environment
2. The design shall acknowledge its role in place making and promoting regeneration particularly through its relationship to adjacent land
3. There shall be a cohesive design narrative bringing together the distinct elements of the scheme, the primary and secondary structures, including the control tower
4. The scheme shall result in a positive user experience for all users, be it vehicular, pedestrians, cyclists or less abled individuals, and water borne vessels through its own design and its practical connectivity to the existing network.
5. The design shall strive to minimise impacts on amenity and seek sustainability in its use of materials, and inclusion of multi-functional green infrastructure which encourages health and wellbeing.
6. The design shall respond to the external constraints imposed by statutory bodies and internal constraints including capital and maintenance costs

22nd May 2017

Appendix D – Lake Lothing Third Crossing PEIR Figure 6.3 Bridge elevations



NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
PO2	MINOR AMENDMENTS	15/09/2017	EL	MN	MN

NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED

**LAKE LOTHING
THIRD CROSSING**

**FIGURE 6.3 STRUCTURES
GENERAL ARRANGEMENT**

WSP

100 NORTH RD, SUITE 2, PARADE,
DUNDEE, SOUTH AUST. 5111, AUSTRALIA
TEL: (08) 296 2800
WWW.WSP.COM.AU

Lake Lothing
THIRD CROSSING

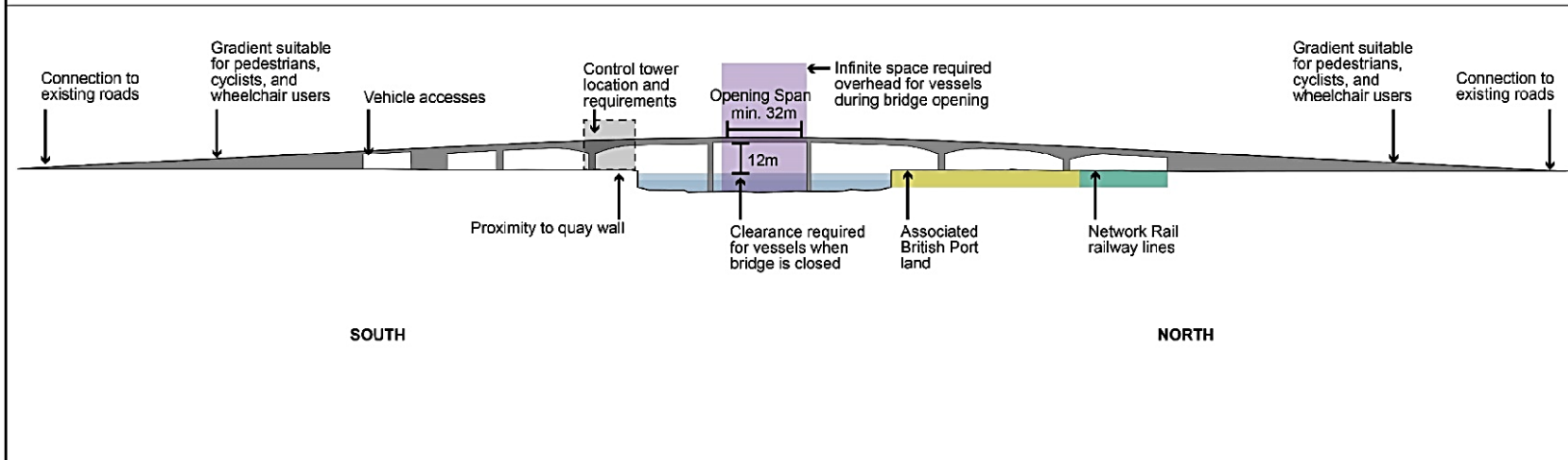
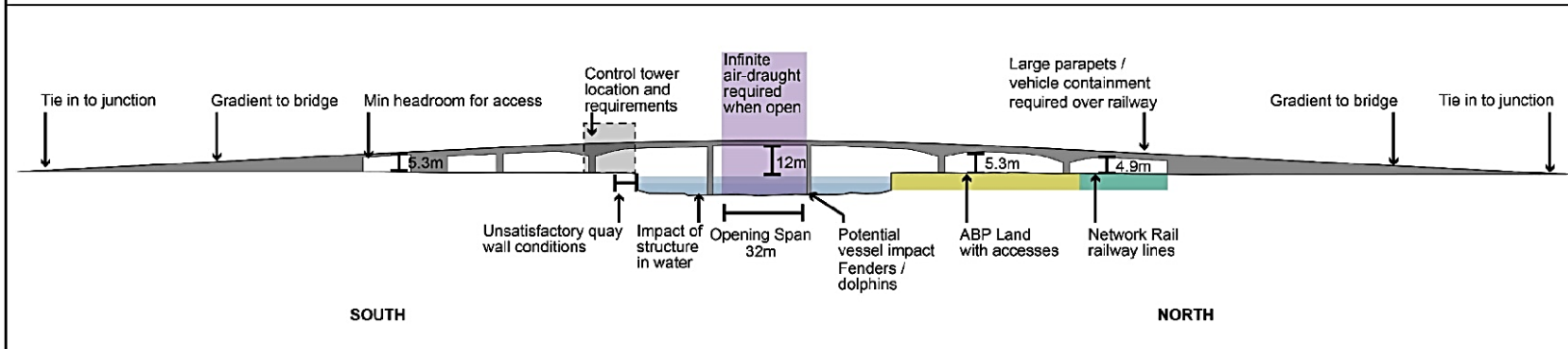
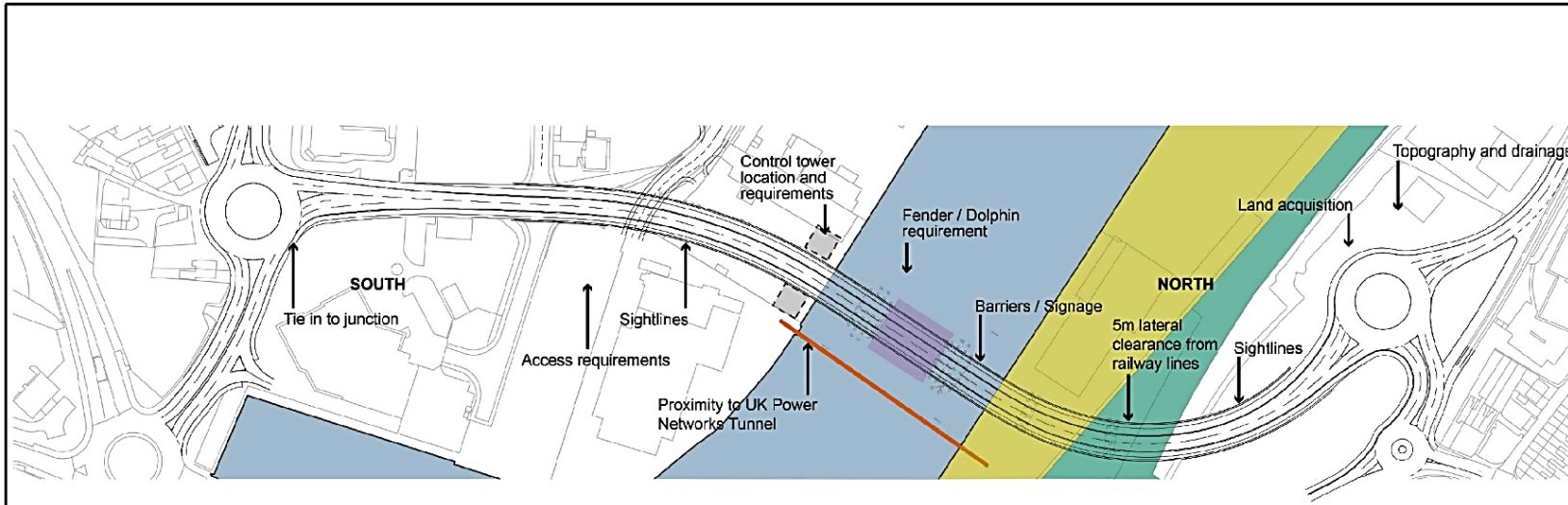
NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
As shown	EL	RR	MN	MN	MN
Original	A1	14/07/17	14/07/17	14/07/17	14/07/17

FOR INFORMATION

Drawing No.	1069948	MOU	SGN	
Project No.	LL_C13	DR	CB	008

Location: Type: Issue Number

Appendix E – Lake Lothing Third Crossing PEIR Figure 6.4 Design Summary



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REV	DATE	AMENDMENT	INITIALS
-	-	-	-
-	-	-	-
-	-	-	-

CLIENT



ENGINEERS



PROJECT



DRAWING TITLE

Design Summary

Figure 6.4

DESIGN BY	OE	CHECKED BY	HR
DATE	14/02/2017	DATE	14/02/2017
DRAWN BY	IW	APPROVED BY	HR
DATE	14/02/2017	DATE	14/02/2017
DRAFT	PRELIMINARY	TENDER	CONTRACT
SCALE - A3	DRAWINGS NO	REV	
N.T.S.	1073877-MOU-EQU-LL_017-SK-E-0018	#01	

Appendix F – Response from Waveney District Council’s Principal Design and Conservation Officer

From: [REDACTED]
Sent: 14 September 2017 09:50
To: [REDACTED]
Subject: Lake Lothing Third Crossing - public consultation

Phil – you have asked me to comment briefly on the public consultation that is currently underway on the proposals for a Third Crossing at Lake Lothing in Lowestoft. As you know, I have been involved with you alongside the design team for the bascule bridge design in preliminary design discussions. These have included the following:

- Meetings with Suffolk County Council as project promoter and Mouchel, as bridge designers
- Two design advice workshops held with Design Council CABE
- One design workshop held with Hemingway Design
- Two site visits to north and south landing areas

The outcome of these has included the agreement and adoption of a set of Design Principles, against which any final design can be tested; and support for the emerging scheme that is the subject of the current consultation.

In respect of the consultation documents I have the following comments to make:

Design Process Summary

I am in agreement with the theme of ‘Marine Tech’ from which the design concept of the bridge is derived. Although a bascule bridge, as an engineering concept, has a long tradition, its configuration and operation can be conceived anew, using new technologies and materials. The idea of marine tech relates strongly to the emerging role of Lowestoft in the forefront of renewable technologies and I judge it appropriate that the design should reference the future of the town rather than its past. In this way, the bridge will become an emblem of the evolution of the town’s commercial life. Further, the single rolling leaf bascule design will be unique in the UK and of such distinctive design and appearance that it shall add positively to its immediate and wider setting and to the surrounding townscape. As a dynamic, rather than a static feature, the bridge will become a distinguishing landmark of the town, that I predict will attract visitors to it. I judge it very welcome that the design proposal achieves these key outcomes and I do hope that SCC will continue the creative and inspired approach that has been adopted to ensure that the final design is truly outstanding.

In respect of the detail of the design I support the exciting idea of the ‘blade’ form for the vertical counterweights. The blade form has a clear correlation with wind turbines and should engender a refined, elegant and striking form which provides a physical and aesthetic expression of the opening and closing movement of the bascule. The final design of the blade form is yet to be achieved in terms of its profile, appearance, choice of materials, finish and colour but the

illustrations included in the consultation documents show a very promising direction of travel, which I support and encourage.

I strongly welcome the aspiration included in the Summary for all of the bridge components to achieve a 'unified and coherent design', including the support structure and piers. The aim is to translate the 'marine tech' concept or theme into the static design parts to ensure that the design achieves a unity of purpose. Although this design approach is not illustrated here, it is an important aspiration that I support and which is as critical to achieve as the design of the opening leaf.

I support the opportunity expressed for the control tower to incorporate a viewing platform of sorts. As the tower is essential, it does make sense for it to be a multi-purpose structure that can include the platform and a pedestrian link to the adjoining waterfront area. In this way, the bridge form remains as uncluttered as possible and retains its purity of its expression.

With respect to the north and south landings, it appears that more thought has been given to the former than the latter. This may be because the north landing area will be under the control of the County Council. The south landing creates many development and enhancement opportunities through the alignment of access roads and land around it, although these will largely be outside the scope of the Third Crossing project. There are also key constraints such as existing buildings, condition of the quayside, private owners and accesses. WDC has aspirations for the economic development of the wider area around the south landing and will, I hope, be able to exploit the catalytic opportunities that the bridge will bring to enhance connections and frontage. In my view, the greater access and connectivity to this area will make it more desirable for businesses to locate and relocate. The design and layout of new such business premises should follow the quality benchmark set by the new WDC offices and the new bridge, when built. I also think it would be desirable for some imaginative visioning to capture some of the land adjacent the bridge for a key building - i.e. a Lowestoft campus for the University of Suffolk or a major new cultural attraction. Consideration should also be given to the design of the sides and underside of the bridge to the south landing i.e. whether these will be solid and enclosed or open and available for alternative uses.

Design Council CABE

As you know, two design advice workshops were held with Design Council CABE (DCC). The first was held at the Orbis Energy Centre in Lowestoft and included a visit to the site. The second was held at DCC's offices in London. Following both workshops, written feedback was provided to the design team, of which we have had sight. The second written response (dated 29th June 2017) stated that DCC was 'very supportive of the positive progress made to design development' since the previous workshop in March. This was leading to some 'exciting ideas based on thorough analysis'. DCC took the view that the marine tech design concept provided a 'utilitarian, beautiful and contemporary' reference point that will bring cohesion to the separate elements of the structure. This is a significant endorsement of the scheme to date by DCC and it is very welcome to have this kind of support.

In taking account of DCC's comments, I advise that the following points will have to be addressed as part of the DCO application:

- Specify the choice of structural materials for the deck, supporting structure and the

bascule.

- Provide a full palette of materials for lighting, seating, surface signage, traffic signage, signalling, colour, surfacing, balustrading, barriers, acoustic beacons. Proposals for lighting should include luminaire design and lux levels.
- Full design of the control tower showing its agreed final position, appearance, materials, colour, access, lighting, security.
- Bridge layout design to include provision for location and design of viewing galleries and waiting areas when the bridge is in the open position.
- Full visualisations to illustrate the bridge in the open, closed and intermediate positions.
- Assessment of the final design proposal against the set of Design Principles agreed between SCC and WDC (dated 22nd May 2017).
- Assessment of the final design proposal against DCC's 'A design led approach to infrastructure' and its Ten Design Principles.

-

Preliminary Environmental Information Report

Chapter 9: Cultural Heritage

I can confirm that I have read Chapter 9 and Appendix 9A of the PEIR on Cultural Heritage in relation to historic buildings (but not archaeology, which is outside my remit).

I have the following specific comments to make on Chapter 9:

- 9.1.4 (p86) – I strongly agree with the suggestion here that impact of the proposal on the Oulton Broad Conservation Area arising from intervisibility should be re-introduced to the assessment.
- 9.3.2 (p88) – for clarity, the Historic Environment Good Practice Advice in Planning Policy Notes are published by Historic England.
- 9.3.12-9.3.18 (pp89-93) – I believe that I have previously stated my concerns about the generic approach to identifying significance, magnitude of impacts and sensitivity that is included here, which clearly have failed to make any impression, sadly. This formulaic approach does not always deliver a coherent and informed narrative of harm in relation to the policy tests established in the NPPF. It is worth noting that whilst the standardised DMRB matrices are a useful tool, I consider the analysis of impact, harm, significance and setting as a matter of qualitative and expert judgment which cannot be achieved solely by use of matrices or scoring systems. I suggest that the applicant does not rely upon this methodology alone, and that these tables should be seen primarily as supporting material. The applicant instead should seek to deliver a clearly expressed, iterative and non-technical narrative based approach to determining significance and harm, which is tailored to this specific scenario.
- 9.4.5 (p94) – I find the labelling of 'value' here as somewhat spurious. Who has decided that the South Lowestoft Conservation Area has 'medium' value? What does that actually mean? The Glossary to the NPPF defines 'significance' as the 'value of a heritage asset to this and future generations because of its heritage interest'. However, significance is a more commonly used term within Section 12 (Conserving and enhancing the historic environment) than value (which is not used at all). I am, therefore, concerned about the use here of a tabular value system with which I do not agree.
- 9.4.57 (p100ff) – I agree with the identification of the listed buildings included within this

section.

- 9.4.64 (p104ff) – I agree with the identification of locally listed buildings included within this section.
- 9.4.66 (p107ff) – I am happy to accept the other unlisted historic buildings and structures that have been identified here within the context of the preliminary study area.
- 9.4.67 (p110) – this section on Historic Landscape and Conservation Area provides good evidence of map regression and analysis, the content of which I accept.
- Table 9-7 (p112) – I agree with the assessment of impacts on designated and non designated heritage assets that are buildings or structures included here, where these are shown as negligible.
- 9.5.13 (p114) – actually, I judge that there will be no harmful impacts arising on the identified designated and non designated heritage assets - that is on their setting - contrary to the views here. I judge that paragraphs 134 and 135 of the NPPF will not, therefore, be engaged. I judge that the new bridge crossing will have only positive effects due to its outstanding design quality and its enhancement of the historic townscape of Lowestoft.

I have the following specific comments to make on Appendix 9A (Cultural Heritage Assessment):

- 3.1.3 (p3) – actually, conservation areas are designated by the local planning authority although they can also be designated by the Secretary of State.
- 5.2.4 (p6) – this document needs revision to match the content of Chapter 9. For example, it is stated here that the Oulton Broad conservation area is not considered in this report when Chapter 9 states that it may be re-introduced for assessment. It is clear from Chapter 10 (TVIA) that it must be.
- Chapter 7 (p14) – site visits. For the final iteration of this document to be included in the DCO application, I suggest that only the design option proposed is described here and not the original alternatives that were also considered. These options included here are now historical and no longer directly relevant.
- 9.4 (p16) - Undesignated buildings. Does this reference mean Non Designated Heritage Assets? If so, this is the correct terminology to use, rather than ‘undesignated buildings’. Also, if these are Non Designated Heritage Assets, what criteria have been used to identify them? I would expect the criteria for identification to be included here. Having said that, I am content with those buildings included here.
- 11.9 (p19) – Built Heritage. As stated above, I do not identify any adverse impacts on designated and non-designated heritage assets through the proposed bridge development within their setting. This view is contrary to that expressed here.
- Figure 1 (p60) – Location of heritage assets and events. The Legend to this Figure is wholly illegible. Further, it is not now necessary to show the original alternatives for the access routes and position of the bridge.

Chapter 10: Townscape and Visual Impact Assessment

I understand that our landscape manager colleague, Nicholas Newton, has provided you with comments in respect of this section which I have also perused, myself. My only comment is in respect of the conclusion (10.5.9, p147), which suggests that mitigation of the visual impacts of the new bridge crossing on the surrounding townscape and, more specifically, the Broads National Park, would be through a ‘sympathetic design ... that ... integrates into the surrounding landscape’. The proposed design is intended to stand out from the surrounding landscape as a

deliberate design intention. The wording of this conclusion seems somewhat at odds with the expressed design aspirations for the bridge crossing.

Design Principles

As you know, a set of Design Principles were agreed in May between WDC and SCC (as project promoter and as planning authority). These will provide a useful benchmark against which the success of the design can be measured at the DCO stage and this is what was understood as the way they would be used when they were finally agreed between WDC and SCC.

In respect of the current design proposal - which is, of course, incomplete – the following is my own assessment:

1. The scheme shall enhance the identity, culture, character, and nature of Lowestoft and make a positive aesthetic and actual contribution to the conservation and enhancement of Lowestoft's natural, historic and built environment.

I judge that the design of the bridge crossing to date is well on the way to meeting this key design aspiration.

2. The design shall acknowledge its role in place making and promoting regeneration particularly through its relationship to adjacent land

This is currently work in progress, with greater detail being provided for the area around the north landing compared to the south landing. The responsibility for regeneration opportunities around the south landing area will lie chiefly with WDC and will be consequent upon completion of the bridge crossing. However, the design should still attempt to achieve the maximum contribution that it is capable of and should not inhibit future redevelopment of the south landing area.

3. There shall be a cohesive design narrative bringing together the distinct elements of the scheme, the primary and secondary structures, including the control tower

This is currently work in progress. This key principle is acknowledged as an important design aspiration in the Design Process Summary.

4. The scheme shall result in a positive user experience for all users, be it vehicular, pedestrians, cyclists or less abled individuals, and water borne vessels through its own design and its practical connectivity to the existing network.

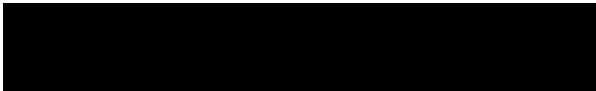
This is currently work in progress but the design does exhibit positive attributes to date that will meet this principle on completion.

5. The design shall strive to minimise impacts on amenity and seek sustainability in its use of materials, and inclusion of multi-functional green infrastructure which encourages health and wellbeing.

This is currently work in progress but the design does exhibit positive attributes to date that will meet this principle on completion.

6. The design shall respond to the external constraints imposed by statutory bodies and internal constraints including capital and maintenance costs.

This is currently work in progress.



14th September 2017

Any requests made under the Freedom of Information Act or the Environmental Information Regulations should be redirected to foi@eastsoffolk.gov.uk clearly stating whether the request applies to Suffolk Coastal District Council, Waveney District Council or both authorities.

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Appendix G – Suffolk County Council Highway Development Management

The following provides the Highway Authorities response to the consultation on the Lake Lothing 3rd Crossing rev 1 dated 20th September 2017. Where applicable the relevant clauses of the PIER or Appendix 19A of that document, the Preliminary Transport Assessment, are included in brackets.

Transport Modelling and Assessment

The Highway Authority has advised the applicant during initial scoping that data is required to confirm that the weekday am and pm peaks are the highest traffic flows. Data was provided on by WSP on the 1st March 2017 that showed several sites (6, 19, 20 and 21) did have higher peaks on Saturday. The PIER (19.1.2) and the Preliminary Transport (5.5.10) do not comment on this data.

The Highways Authority accepts an assessment date of 2036 in the PIER (19.1.10) as this agrees with the period considered in the emerging WDC Local Plan.

It is Acknowledged that a more recent model of Saturn has been developed but has not yet been used to assess the impact (PIER19.1.11). It is understood that the most recent Saturn model will be used for the Transport Assessment. All modelling presented in the Transport Assessment shall clearly state which version has been used.

The traffic data in PIER (19.4.8 and table 19.6 shows a significant gap in the data for the A12 Katwijk Way since 2012 but no explanation given for the absence of this data.

If, as proposed (Preliminary Transport Assessments 3.52), Durban Road is to be closed to vehicular traffic at the junction with Waveney Drive it will be necessary to model the impacts on the Kimberly Road / Waveney Drive and Notley Road / Kirkley Run junctions. It is noted that in the Preliminary Transport Assessment Table 6-19 this junction has been modeled as four-way signalized junction an not the tree arm roundabout shown in more recent documents.

In the PIER (19.5.13 and 19.3.8) it is proposed to use micro-simulation modelling such as Vissim to assess the impact of the proposed scheme on the highway network in Lowestoft. This is welcomed although the Highways Authority would like to be involved in the selection of study routes. It is considered more representative to model the significant north-south and east-west routes rather than restrict the links investigated to only those showing a 30% increase or decrease (as PIER 19.5.30).

For clarity PIER paragraph 19.5.5, table 19.7 and table 19.8 should state which years the scenarios refer.

Within the PIER (19.3.44) reference is made to IEMA guidelines that state that environmental impact studies will not normally triggered where road links experience change in traffic level greater than 30%, or 10% where links contain sensitive interest. The report does not scope out the presence of links with a sensitive impact and justify the magnitude of change of traffic and effects in table 19.4.

Table 19.9 in the PIER presents details on the relief from existing severance. This table excludes Rotterdam Road as it has an AADT of less than 8000, the trigger point given in PIER 19.5.19. However, it is noted that the traffic on Rotterdam Road is only marginally below 8000 (AADT 7081 in 2036 pm peak) and the proportional increase in traffic high (190%). It is recommended that Rotterdam Road be included in PIER table 19.9.

Data presented in the PIER indicates there is a significant increase in traffic using Waveney Drive. It is recommended that additional data is presented for the Victoria Road link to understand if this is diverted traffic from the A146 or local traffic from committed development along the south bank of Lake Lothing or existing and future development in Carlton Colville.

There may be a error in the data presented in Table 6-11 of the Preliminary Transport Assessment for Junction 8c Blackheath Road NB Right / Left in the 2021 DS scenario. A DoS of 88.9% appears at odds with the other data for this junction.

Highway Layout and Design

The Highways Authority accepts the proposed DMRB design parameters (widths) referenced in Preliminary Transport Assessment (4.6). Although no reference is made to highway gradients it is understood that these will also comply with DMRB guidance.

PIER (19.5.10) and the Preliminary Transport Assessment (3.52) state that modelling indicates that closing Durban Road will be beneficial to capacity. This should not be detrimental to highway safety and sustainable access for pedestrians and cyclists should be retained. The Transport Assessment must include further data to assess the impacts of this closure particularly at the junctions of Kirkey Run and Kimberly Road with the B1531 Waveney Drive.

The Preliminary Transport Assessment Fig 3-2 does not show recent renumbering of A12 north of Lowestoft as the A14.

The presence of white lines on Waveney Drive referred to in the Preliminary Transport Assessment (3.14.8 and 3.14.9) denote the edge of carriageway and have no relevance to any parking restrictions. It is also noted that single yellow lines are present at the junction of Waveney Drive / Kimberly Road.

The traffic signals on the A12 Belvedere Road form part of an Intelligent Transport System. Any signals to the south of Lake Lothing should be linked to this system.

Powers available to the Applicant

In the PIER (19.2.3) the powers available to the applicant in the Highways Act 1980 are not fully listed. There are many other powers under the highways act that may be

applicable to the DCO, for example:

- 24 Construction of new highways and provision of road-ferries
- 62 General power of improvement
- 91 Construction of bridge to carry existing highway maintainable at public expense
- 106 Orders and schemes providing for construction of bridges over or tunnels under navigable waters

Air Quality

Additional benefits (PIER [19.2.5](#)) may be reduction in NO₂ near Pier Terrace which although not an AQMA is monitored by the District Council.

Committed Development

Neither the PIER (19.3.9) nor Preliminary Transport Assessment provide details of the adjacent committed sites. Within the central area of Lowestoft the committed developments in the Adopted [Lowestoft Lake Lothing and Outer Harbour Area Plan](#) include SSP3, SSP6, SSP5 (south of Lake [Lothing](#)) and SSP2 and SSP9 (north of the river).

[Non Motorised Users](#)

In PIER (19.3.32) it is noted that diversion lengths for NMU's have not been assessed but that these will be assessed in the full Transport Assessment.

The Preliminary Transport Assessment (3.7.10) refers to a NMU audit. It is not clear when this audit was undertaken and therefore how representative the number of holiday trips is representative.

Information in the PIER (19.5.16 and Figure 6.4) does not agree with the NMU crossing points shown on the indicative plan in the Brochure which suggest crossings at Rotterdam Road, Denmark Road, [Peto Way](#) north of the bridge [and](#) [Waveney Drive](#) and the southern approach to the bridge on the south side.

Construction Traffic

Construction traffic impacts assessed in the PIER (19.53) are as gross movements only and it does not identify numbers of construction HGV movements respective to background HGV movements. It is noted that this is included in the assessments still to be undertaken (PIER 19.8.1).

Road Safety

The latest road safety data should be used if available at the time the Transport Assessment is compiled

Summary of Conjunction Data

Junction			Base 2016		2021 DM		2021 DS		2036 DM		2036 DS	
			am	pm	am	pm	am	pm	am	pm	am	pm
1	A12 Yarmouth Road / B1385 Corton Long Lane / A1117 Millennium Way	RFC	0.45	0.5	0.48	0.55	0.49	0.55	0.57	0.63	0.59	0.63
2a	A12 St Peters Street / A12 Katwijk Way / A1144	RFC	0.5	0.39	0.55	0.41	0.54	0.36	0.63	0.47	0.6	0.41
2b	A12 Jubilee Way / Dukes Head Street / A12 Artillery Way / A12 St Peters Street	RFC	0.36	0.54	0.39	0.56	0.33	0.43	0.49	0.61	0.38	0.49
3	A12 Waveney Road ? Station Square / Commercial Road	DoS	67.4	83.3	69.1	87.5	57.2	65.8	72.8	91.4	58.8	67.4
4a	A12 Pier Terrace / B1532 London Road South	DoS	48.8	61.8	51.1	64.9	33.9	49	55.6	70	36.3	52.3
4b	A12 Pier Terrace / B1532 London Road / A12 Beldevere Road	DoS	73.5	62.2	77.7	62.4	48.5	49.5	86.3	70.3	53.2	52.5
5	A12 Beldevere Road / Mill Road / Kirkely Rise Rbt	RFC	0.92	0.8	0.96	0.91	0.68	0.61	1.03	1.19	0.73	0.75
6	A12 Tom Crisp Way / A12 Horn Hill / B1531 Waveney Drive	RFC			0.63	0.75	0.71	0.82	0.65	0.81	0.75	0.9
7	B1531 Victoria Road / B1531 Waveney Drive / Kirkley Run Mini-rbt	RFC	0.57	0.83	0.62	0.88	0.56	0.83	0.72	1.02	0.73	0.95
8a	A12 Tom Crips Way / Blackheath Road	DoS	79.2	86.5	81.2	89	79.6	93.8	86.7	96.7	85.2	101.8
8b	Kirkley Run/ Blackheath Road / Long Road	DoS	14.4	22.3	14.7	22.6	8.8	18	15.2	24.1	10.6	19.8
8c	Blackheath Road / Carlton Road	DoS	13.2	20.5	13.7	21.1	14.8	88.9??	14.7	30	16.9	25.1
9a	A12 Tom Crips Way / B1384 Stradbroke Road / A12 Bloodmoor Road / A1117 Bloodmoor Road / Ribblesdale / A1145 Castleton Avenue	RFC	0.72	0.66	0.78	0.71	0.71	0.75	0.83	0.8	0.86	0.79
9b	A1117 Elm Tree Road / Long Road / A1117 Bloodoor Road	RFC	0.7	0.69	0.75	0.73	0.58	0.59	0.75	0.79	0.59	0.67
10	A1117 Bridge Road / A1117 Saltwater Way / B1531 Victoria Road Rbt	RFC	0.97	0.95	1.08	1.01	0.71	0.7	1.36	1.24	0.79	0.74
11	A1117 Normanston Drive / B1375 Goreston Road Rbt	RFC	1.01	1.16	1.09	1.28	0.59	0.73	1.33	1.5	0.7	0.89
12												
13	Denmark Road / Rotterdam Road	RFC			0.21	0.2	0.8	0.57	0.24	0.25	0.88	0.64
14	A1117 Normanton Drive / A1117 Peto Way Rbt	RFC	0.61	0.52	0.68	0.58	0.46	0.48	0.84	0.69	0.57	0.59
15	A1144 Normanton Drive / Rotterdam Road	RFC	0.64	0.4	0.71	0.43	0.63	0.53	0.85	0.49	0.75	0.61
16	B1531 Waveney Drive/ Riverside Road / Durban Road (Ped)	DoS			57.8	78.6			76.9	90.6		
	B1531 Waveney Drive/ Riverside Road / Durban Road (No Ped)				41.3	59.8			54.8	68.9		
17	New N Roundabout	RFC									0.89	0.83
18												
19	Denmark Road / A12 Katwijk Way	DoS	78.8	68.2	84.1	72	55.3	47.2	85.2	75	53.7	39.4



Strategic Development
Resource Management
Endeavour House
8 Russell Road
Ipswich, Suffolk
IP1 2BX

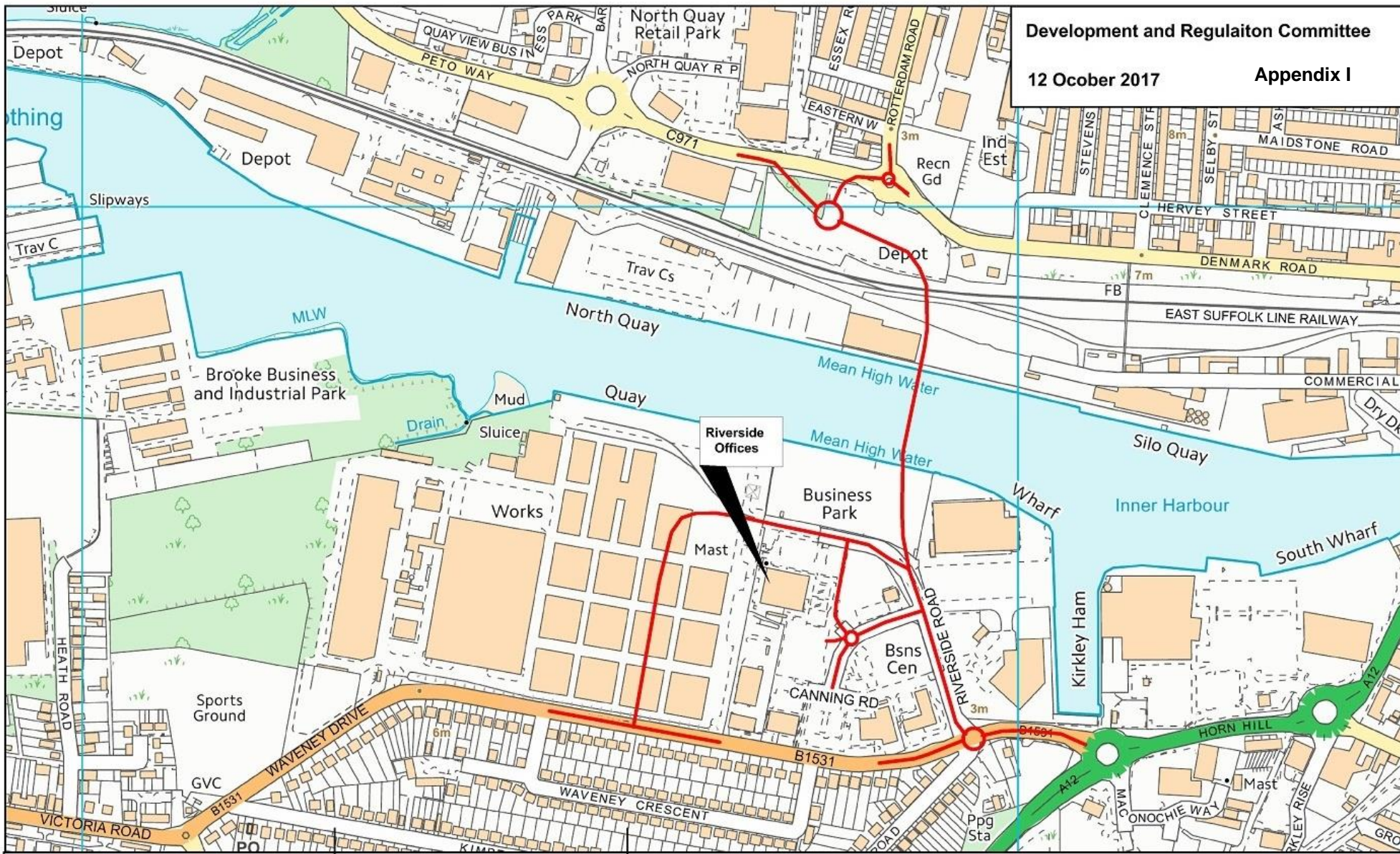
Development & Regulation Committee

12 October 2017

Appendix H

AERIAL PHOTO - Lake Lothing Third Crossing,
Lowestoft





 **Suffolk**
County Council
Scale 1:4000

Strategic Development
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

LAKE LOTHING THIRD CROSSING, LOWESTOFT

Site Location Plan

Appendix 33.10

Waveney District Council

Date: 19 October 2017

Enquiries to: [REDACTED]

Tel: [REDACTED]

Email: [REDACTED]

Mr [REDACTED]
[REDACTED]

Ipswich and Lowestoft Crossings
Transport Strategy
Suffolk County Council
Constantine House
5 Constantine Road
Ipswich
IP1 2DH

Dear [REDACTED]

Lake Lothing Third Crossing Consultation

May I take this opportunity to thank you for consulting Waveney District Council on the proposed Third Crossing of Lake Lothing. The Planning Committee considered this proposal at its meeting on 10 October 2017 and the attached report sets out the Council's formal and detailed response as a statutory consultee to the public consultation on the proposed crossing.

In particular I wish to draw your attention to the Planning Considerations section of the report and the following paragraphs:

Paragraph 10.3 refers to the central objective of the Lake Lothing and Outer Harbour Area Action Plan to improve pedestrian and cycle connections and opening up public access to the waterfront and that a Third Crossing provides an opportunity to help achieve this.

Consideration of links between the bridge and the waterfront on the south side will be an important consideration (although I acknowledge your email of 11 October 2017 that this could have implications for WDC land as the crossing is high at this point so any ramp would be very long).

Paragraph 10.6 highlights the risk that the new crossing could divert custom away from the town centre. Therefore the application should identify how access to the town centre car parks can be encouraged and demonstrate this in further consultation.

The design of the bridge is addressed in Paragraphs 10.18-10.22 and in Appendix 1. I am pleased to note how the design of the bridge has evolved to date and would wish this positive progress to be reflected in the application submission and ultimately the final design stages. A formal design approach document is recommended to help us to help you to achieve this.

Waveney District Council would welcome the opportunity to discuss the contents of our attached detailed response with you at the earliest opportunity and additionally to work with you and your colleagues to secure the earliest submission of the DCO application that is possible.

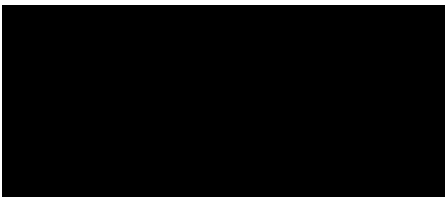
Key objectives of the project, which Waveney District Council wholeheartedly support, include the opening up of opportunities for regeneration and development in Lowestoft and the provision of capacity needed to accommodate planned growth in the District. These key drivers are features in the Lake Lothing and Outer Harbour AAP (Jan 2012) and the draft Waveney Local Plan which it is intended to adopt late 2018.

In continuing to participate in the pre-application process, and in order to drive the project to earliest DCO submission, Waveney District Council, in conjunction with Suffolk County Council (as host authorities), would appreciate being directly engaged throughout the process ahead of the DCO application.

In order to enable officers to provide the appropriate amount of time and input it would be helpful to have an early indication of timescales for consideration of the various elements of the proposal that need to be resolved/agreed upon prior to the submission of the application.

At this point discussions will be required to establish an appropriate funding mechanism to compensate for WDC officer time spent in pre-application engagement. An appropriately worded planning performance agreement would be suggested in order to ensure the appropriate level of expertise and resource is available to meet SCC's timescale's as promoter of this nationally significant proposal.

Yours sincerely,

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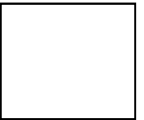
Suffolk Coastal and Waveney District Councils

PLANNING COMMITTEE – 10 OCTOBER 2017

APPLICATION NO DC/17/3902/CCC

LOCATION

The Lake Lothing Third Crossing
Lowestoft



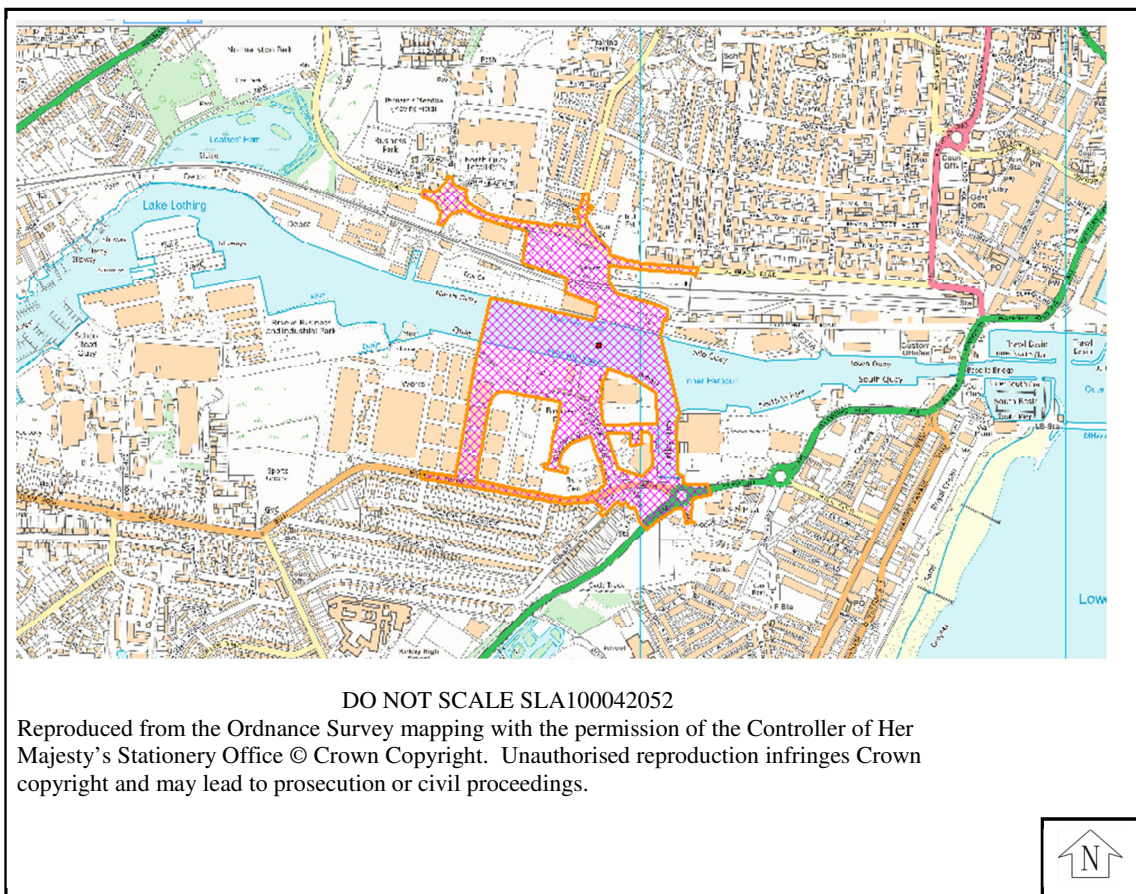
EXPIRY DATE 23 October 2017

APPLICATION TYPE Nationally Significant Infrastructure Project County Council Consultation

APPLICANT Suffolk County Council

PARISH Lowestoft

PROPOSAL The Lake Lothing Third Crossing public consultation.



SUMMARY

1.1 Suffolk County Council are proposing to build a new crossing over Lake Lothing (Lake Lothing Third Crossing), Lowestoft. It intends to submit an application under section 37 of the Planning Act 2008 to the Secretary of State for Transport for a Development Consent Order to authorise the construction, operation and maintenance of a new bascule bridge highway crossing of Lake Lothing.

- 1.2 The proposed scheme, consists of a new single carriageway road across Lake Lothing by way of an opening bridge over Lake Lothing itself and a further bridge over the railway line linking the B1531 Waveney Drive on the south side of Lake Lothing to the C971 Peto Way on the north side. On the north side the road will join Peto Way between Rotterdam Road and Barnards Way. On the south side the new road will follow the alignment of the existing Riverside Road.
- 1.3 Before the application can be submitted for examination by the Planning Inspectorate, SCC as developer must consult with a variety of persons and bodies about the proposed application in accordance with the requirements of the 2008 Act and related Regulations. Suffolk County Council and Waveney District Council are statutory consultees under the Act.
- 1.4 Consultation documents are available to view on line at www.suffolk.gov.uk/lakelothing3rdcrossing
- 1.5 The two Councils' officers have produced a draft Joint Response to SCC Highways public consultation on their emerging proposals. Members are asked to consider if they are content to endorse the responses set out in Recommendation. Evidence to support these recommendations is set out in the Planning Considerations section of the report.

THE PROPOSAL

- 2.1 The proposed scheme, consists of a new single carriageway road across Lake Lothing linking the B1531 Waveney Drive on the south side of Lake Lothing to the C971 Peto Way on the north side of Lake Lothing. On the north side the road will join Peto Way between Rotterdam Road and Barnards Way. On the south side of Lake Lothing the new road will follow the alignment of the existing Riverside Road from a remodelled junction with Waveney Drive. The remodelling of the junction will involve the closure of Durban Road at its junction with Waveney Drive.
- 2.2 The new crossing consists of a multi-span bridge which includes a new opening bridge in Lake Lothing (Port of Lowestoft), a new rail bridge on the north side over the existing East Suffolk Line and a new road bridge on the south side. The new crossing of Lake Lothing will provide facilities for pedestrians and cyclists which tie into the existing networks.
- 2.3 On the south side there will be a new access road from Waveney Drive west of Riverside Road leading to the road bridge which is required to provide access to existing property that would otherwise become inaccessible due to changes in level on Riverside Road.
- 2.4 The proposed scheme may require further improvements to the existing local highway network, as informed by traffic modelling. This could include improvements within the current highway boundary to some existing junctions. New landscaping will also be incorporated into the scheme.

THE OBJECTIVES

- 3.1 The objectives of the scheme are to;
 - To reduce congestion and delay on the existing bridges over Lake Lothing.
 - To reduce congestion in the town centre and improve accessibility.
 - To reduce community severance between north and south Lowestoft.

- To encourage more people to walk and cycle, and reduce conflict between cycles, pedestrians and other traffic.
- To improve bus journey times and reliability.
- To reduce accidents.
- To open up opportunities for regeneration and development in Lowestoft.
- To provide the capacity needed to accommodate planned growth.

THE DESIGN

- 4.1 The new crossing will be designed using the Design Manual for Roads and Bridges (DMRB) , and is currently being designed to have a:
- Design speed of 30mph (50kph);
 - Carriageway width of 7.3m (2 x 3.65m wide traffic lanes);
 - Safety strip of 0.5m between the proposed footway and carriageway to the east of the crossing and
 - the combined footway/cycleway to the west of the crossing; and
 - Dedicated footway on one carriageway and a segregated footway and cycleway on the other.

The opening section

- 4.2 The design of the bridge needs to take account of many considerations whilst optimising opportunities, accessibility and experience for all users, including wheelchair users, pedestrians and cyclists, taking account of constraints including railway and port operations both during the construction period and the lifetime of the bridge.
- 4.3 A 'rolling lift bascule bridge' design has been chosen. The bridge would be opened using hydraulic pistons to lift the deck, which rolls back on the vertical part of the structure that contains a counterweight. The counterweight and hydraulics lift the bridge deck to a specific angle, allowing vessels to pass safely through, before rolling back to its original position. This design enables the size of the in-water PEIRs to be reduced as the counterweight is located in the air above the bridge deck which would produce a visually striking design. The emerging design looks to represent the future of Lowestoft as one of the UK's key centres for off-shore renewable energy.
- 4.4 The new bridge would be a minimum of 12 metres above high tide levels, which is significantly higher than the existing Bascule Bridge, this would allow a larger number of vessels using the lake to pass below the new bridge without the need to open it.
- 4.5 When required to open, traffic will be alerted and the safety barriers would move into place. A control tower would be located adjacent to the bridge but there are no final decisions yet as to its exact location. No decisions have been made on opening schedules and discussions are ongoing with Associated British Ports (ABP) who would be operating the bridge.
- 4.6 The control tower would be two storeys in height above the bridge deck to provide visibility over the deck. It would contain the operating room for the bridge and potentially

a plant room. Opportunities for a viewing platform or information point for pedestrians and cyclists at deck level are being investigated.

- 4.7 A summary of the design progress has been produced and made available during the public consultation.
- 4.8 The project looks to incorporate planting and sustainable urban drainage solutions to deal with the surface water run off from the roads. This could include specially planted pond areas designed to collect the water and release it into the main drainage system slowly.
- 4.9 Both north and south of the lake, new facilities for pedestrians and cyclists would be provided and this could include controlled and uncontrolled crossing points.

Northern Layout

- 4.10 Two new roundabouts are proposed on the north side of the lake to connect to Peto Way. The existing roundabout at the junction of Rotterdam Road and Denmark Road will be reconstructed as part of the project.
- 4.11 The design will include a dedicated left lane on Peto Way for those travelling east towards Denmark Road, which will utilise the existing road following construction of the new roundabout.
- 4.12 The existing play park on Denmark Road is in close proximity to northern bridge approach. It is proposed to provide a new crossing point to provide access to the new public space

Southern Layout

- 4.13 It is proposed to construct a new roundabout at the intersection of Waveney Drive and Riverside Road on the south side of the lake to connect the bridge to the existing road network.
- 4.14 There is insufficient room in the highway to accommodate an appropriately sized roundabout. Therefore, it is proposed to close Durban Road at its junction with Waveney Drive. Access to and from Durban Road at this location would however continue for cyclists and pedestrians. A turning head would be added to Durban Road to allow vehicles to turn in the road.
- 4.15 The carriageway between the new roundabout and Tom Crisp Way would be widened to become a dual carriageway with a central reserve.

Riverside Road

- 4.16 To achieve the necessary gradients, the new crossing will start rising from the current Riverside Road/Waveney Drive traffic lights. This would sever the existing access to Riverside Business Park via Canning Road.
- 4.17 A new access road from Waveney Drive, west of Riverside Road, is proposed to provide access to the businesses off Canning Road and those that front Waveney Drive.
- 4.18 The new junction would connect to the retained section of Riverside Road at the northern entrance to Waveney District Council offices. Pedestrian and cycle facilities will be provided.
- 4.19 It is proposed that tree planting could be added to the access to create a sense of entering a different space

THE PROCESS

- 5.1 In March 2016, the Secretary of State for Transport (SoS) directed that the proposed scheme and any associated measures would be treated as a project of national significance for the purposes of the Planning Act 2008 (“Act”).
- 5.2 The SoS confirmed that he was satisfied that the proposed scheme was nationally significant for the following reasons:
- It provides a connection to/from the Trans European Network–Transport (TEN-T) and the Strategic Road Network. The TEN-T link is to the A12/A47, one of only a limited number of routes in the East of England which is recognised as such; and
 - It would act as a tactical diversion route for the strategic road network (SRN), the A12/A47 when the Bascule Bridge, a nationally recognised pinch point, is closed thereby reducing delays and congestion on the SRN;
- 5.3 In addition, it was the SoS’s view that the proposed scheme;
- Supports national growth potential by directly delivering over 9,000 jobs with a further 3,500 indirect jobs, thus supporting the proposed employment growth;
 - Improves connection to/from the Great Yarmouth and Lowestoft Enterprise Zone; and
 - Delivers the Port of Lowestoft’s role in being the hub for the off-shore wind farms that are part of the East Anglia Array, a major energy supplier for the UK.
- 5.4 The developer is therefore required to make an application to the Secretary of State for Transport (through the Planning Inspectorate) for a Development Consent Order (DCO) in order to obtain the necessary consents to construct, operate and maintain the proposed scheme. The DCO would also contain powers to compulsorily acquire land, to override easements and other rights in connection with land and to use land temporarily.
- 5.5 It is anticipated that a DCO application for the proposed scheme will be submitted to the Planning Inspectorate in early 2018.
- 5.6 When the DCO application is submitted, the Planning Inspectorate will first consider whether to accept the DCO application for examination and will only do so if all the relevant statutory requirements and procedures have been followed.
- 5.7 If the DCO application is accepted, the proposed scheme will be the subject of further publicity by the developer. During the pre-examination stage, which is expected to last approximately three months, those with an interest in the scheme will be able to register with the Planning Inspectorate and provide a written summary of their views on the DCO application.
- 5.8 During the Examination of the DCO application, which lasts up to six months, those who have registered (including Suffolk County Council and Waveney District Council) to have their say will be invited by the Planning Inspectorate to provide more details of their views in writing.
- 5.9 The Planning Inspectorate may decide to hold hearings to seek further information.
- 5.10 Following the Examination, the Planning Inspectorate will make a recommendation to the Secretary of State (SoS) who will then decide whether to make the DCO.

- 5.11 Subject to approval, construction is anticipated to start in 2019/20 and would take between 2 and 3 years to complete.

Waveney District Council and Suffolk County Council Role

- 6.1 Host local authorities have an important role in the process. Whilst participation is not obligatory it is strongly advised. Local Authorities provide an important local perspective at the pre-application stage.
- 6.2 Under the Act the process of consultation is undertaken and “owned” by the development promoter and not by the local authorities. However, Suffolk County Council and Waveney District Council (referred to below as “the Councils”) are statutory consultees.
- 6.3 The public consultation subject of this report started on 4 September 2017, with a closing date of 16 October 2017. The Councils will be asked at a later date by the SoS to comment on the adequacy of the consultation.
- 6.4 After this consultation, it will be for the developer to decide whether to submit its application for a Development Consent Order (DCO) to the Secretary of State for consideration via the National Infrastructure Planning section of the Planning Inspectorate (<https://infrastructure.planninginspectorate.gov.uk/>)
- 6.5 The Councils will be asked by the Planning Inspectorate to prepare and submit a Local Impact Report setting out details of the likely impact of the proposed scheme on the authority’s area with regard to local and economic development planning policies for the Examination of the application by the Planning Inspectorate. In this context, the roles of the two Councils are equal
- 6.6 The County Council will also, as Highways Authority in consultation with Waveney District Council, will be responsible for discharging the Requirements (planning conditions) on the DCO and be responsible for the monitoring and enforcement of any DCO made.

What has happened to date

- 7.1 The Councils have been engaging with the promoter on all aspects of the scheme. Agreement has for example been reached on Noise and Air Quality monitoring points, viewpoints for Landscape Visual Impact Assessment and scope of transport and ecological assessments.
- 7.2 Due to its nature and size, the scheme is Environmental Impact Assessment Development for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. The developer submitted a request for a Scoping Opinion as required by the Environmental Impact Assessment (EIA) Regulations to the Planning Inspectorate. The Councils were consulted on this submission. Under delegated authority, a joint response from the Councils was sent to the Planning Inspectorate dated 24 March 2017 giving our comments and opinion on the submission. This was taken into consideration by the Planning Inspectorate in the formal Scoping Opinion published in April 2017.
- 7.3 This Scoping Opinion sets out the required contents of the Environmental Statement necessary to accompany the DCO submission and which will need to address all matters set out therein, including evidence for the respective choices that SCC Highways has undertaken together with cumulative effects.

- 7.4 The developer has also consulted the Councils about their Statement of Community Consultation (SoCC). The SoCC sets out how the developer proposes to consult the community. The Councils responded to this consultation in March 2017 under delegated authority.
- 7.5 The Councils continue to have discussions with the developer on the scheme, in particular on aspects of the design. The design of the opening element of the bridge and other structures is being supported by an architect consultant and being reviewed by the Design Council, Commission for Architecture and Built Environment (CABE).

POLICY CONTEXT

National Policies

- 8.1 The Planning Act 2008 requires that major infrastructure proposals must be considered in accordance with a relevant National Policy Statement (NPS). These relate to different topics and have been ratified by Parliament. In the context of this proposal, the relevant NPS is the overarching National Policy Statement for National Networks (December 2014). Reference should also be made to the NPS for Ports (January 2012) although no new port development is proposed the development potentially impacts on port and rail infrastructure.
- 8.2 The National Policy Statements set out a series of criteria against which the Planning Inspectorate should test applications. In large part these replicate the types of test that would be used for any development proposal, including environmental impacts, Alternatives, climate change adaptation, pollution control.
- NPS for National Networks (2014)
- 8.3 This states that in considering any proposed development, and, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account;
- Its potential benefits, including the facilitation of economic development, including job creation, housing and environmental improvement, and any long term or wider benefits;
 - Its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for adverse impacts.
- 8.4 On design the NPS states that “Applicants should include design as an integral consideration from the outset of a proposal”.
- 8.5 Paragraph 4.31 acknowledges that “A good design should meet the principal objectives of the scheme by eliminating or substantially mitigating the identified problems by improving operational conditions and simultaneously minimising adverse impacts. It should also mitigate any existing adverse impacts wherever possible, for example, in relation to safety or the environment. A good design will also be one that sustains the improvements to operational efficiency for as many years as is practicable, taking into account capital cost, economics and environmental impacts”
- 8.6 Paragraph 4.33 concludes that “The applicant should therefore take into account, as far as possible, both functionality (including fitness for purpose and sustainability) and aesthetics (including the scheme’s contribution to the quality of the area in which it would be located). Applicants will want to consider the role of technology in delivering new national

networks projects. The use of professional, independent advice on the design aspects of a proposal should be considered, to ensure good design principles are embedded into infrastructure proposals.”

- 8.7 Although the National Policy Statements provide the main policy context for the Planning Inspectorate, the Examining Authority should also refer to other matters which it thinks are both important and relevant to its recommendations to the Secretary of State. This could include the Development Plan of the local planning authority. However, in the event of a conflict between the National Policy Statement and any other matter, the National Policy Statement prevails.

Planning Inspectorate Advice Notes

Advice Note nine

- 8.8 This Advice Note provides guidance on the use of the ‘Rochdale Envelope’; a term used to describe those elements of a scheme that have not yet been finalised but yet can be constrained within certain limits and parameters hence allowing a determination of likely significant effects to be presented in the Environmental Statement.
- 8.9 When using the Rochdale Envelope to apply for flexibility within a DCO application, the developer should use a worst case approach to identifying likely significant effects and should incorporate mitigation accordingly within the parameters of their scheme. Greater information is included within Chapter 6 on how SCC intends to make use of the Rochdale Envelope in the consenting process for the proposed scheme

Advice Note seventeen

- 8.10 This sets out the recommended approach to Cumulative Effects Assessment (CEA) for NSIP projects including guidance on the relative weight to be applied to other developments depending upon how progressed they are through the consenting process.

Local policies

- 8.11 As mentioned above, the National Policy Statements state that it is appropriate for other matters to be considered by the Planning Inspectorate, including the Suffolk Local Transport Plan 2011-2031 (SLTP), New Anglia Strategic Economic Plan and the Waveney Development Plan.

Suffolk Local Transport Plan 2011-2031 (SLTP)

- 8.12 The SLTP sets out a 20 year strategy which highlights the County Council's long-term ambitions for the transport network. It includes several long standing aspirations for highway improvements in Lowestoft including the Third Lake Lothing crossing for which it acknowledges there is a very strong desire in the local community.

New Anglia Norfolk and Suffolk Economic Strategy 2017 (NALEP)

- 8.13 This document makes the case for investment in many major transport, infrastructure, skills and housing projects which the NALEP believes are required to help the East Anglian economy provide:

- 88,000 net new jobs by 2036
- 140,000 new homes by 2036
- 30,000 new businesses by 2036

- 8.14 It acknowledges that Lowestoft suffers from congestion arising from the bottleneck created at the existing Bascule Bridge. And identifies a 3rd crossing as a key transport priority to aid regeneration and growth in the town.

Waveney Core Strategy The Approach to Future Development in Waveney to 2021 adopted January 2009

- 8.15 Policy CS05 - Lake Lothing and Outer Harbour Area Action Plan. Seeks the delivery of an Area Action Plan. An objective of the plan is better connections between the communities north and south of Lake Lothing
- 8.16 Paragraph 5.105 sets out the District Council's support of the creation of a third road crossing of Lake Lothing, as an integral part of dealing with regeneration and transport problems and issues in Lowestoft.
- 8.17 Policy CS15 – Sustainable Transport – States that the Council will continue to promote the creation of a third crossing of Lake Lothing, as an integral part of dealing with transport problems and issues in Lowestoft and the wider sub-region of Waveney and Great Yarmouth. The supporting text to CS05 on the regeneration of Lake Lothing also highlights the importance of a third crossing as a means of providing connections between communities.

Lake Lothing and Outer Harbour Area Action Plan Adopted January 2012 (AAP)

- 8.18 The AAP helps to guide development in the area surrounding Lake Lothing and the Outer Harbour in Lowestoft.
- 8.19 The plan supports the creation of jobs, particularly in the energy sector, new homes, improved pedestrian, cycle and vehicle links, flood risk management measures and better connections to the waterfront.
- 8.20 Paragraph 3.5.22 New Streets and Vehicular Routes states that “as a longterm ambition for the town a third crossing has been identified to provide a further vehicular connection across Lake Lothing., it will be expected that developers will work with the Council to ensure that proposals will not restrict the future potential for a new road crossing”.
- 8.21 Policy SSP3 - Kirkley Waterfront and Sustainable Urban Neighbourhood, furthermore states that development should not preclude a potential third crossing.
- 8.22 Core Strategy Policy CS10 states that the vitality and viability of all town centres will be maintained and enhanced.
- 8.23 Policy SSP2 of the Area Action Plan identifies land at Peto Square for town centre use regeneration.
- 8.24 Policy SSP9 of the Area Action Plan allocates land on the north side of Lake Lothing for Class B use

New Waveney Local Plan

- 8.25 Waveney District Council is consulting on the First Draft of a new Local Plan. The plan identifies that the Lake Lothing Third Crossing is a strategic piece of infrastructure which is expected to be delivered during the plan period, to deliver and support the growth plans outlined within the plan.
- 8.26 Proposed Policy WLP1.4 – Infrastructure, supports the Lake Lothing Third Crossing.

CONSULTATION DOCUMENTATION

9.1 The following Information has been provided and is available at; www.suffolk.gov.uk/lakelothing3rdcrossing

- Consultation Leaflet – including a summary of the proposed scheme and details of Consultation Events
- Consultation Brochure – more detailed summary of the proposed scheme and its potential impact
- Design Process Summary – explaining the design rationale
- Questions and Answers – providing answers to commonly asked questions
- Preliminary Environmental Information Report (PEIR) setting out currently available information about the likely significant effects of the proposed scheme on the environment.
- Non-technical Summary of the PEIR.

PLANNING CONSIDERATIONS

Need for the Scheme and planning policy

- 10.1 The PEIR sets out the historic need for the scheme identified by both Councils. The proposals as identified in chapter 2 of the PEIR are considered consistent with the existing and emerging Waveney Local, Suffolk Local Transport Plan and objectives of the New Anglia Strategic Economic Plan.
- 10.2 The southern landing point of the bridge falls within the area allocated by Policy SSP3 of the Lowestoft Lake Lothing and Outer Harbour Area Action Plan (Adopted 2012). This policy allocates the area for a mixed-use development including housing, employment and community uses. More specifically, the policy suggests employment use around the Riverside Road area, where the southern landing point of the crossing is located. Point Xii states that development on the SSP3 site should not preclude the potential for a third crossing and that new access routes should be designed to have the potential to be widened. This in effects gives priority to the construction of a third crossing in this location over other potential developments. As such the crossing and landing point is considered to be in conformity with this policy. The separate access road proposed for the existing businesses will also help directly support the development of the new employment uses and housing on the former Jeld Wen Site. Indirectly the crossing will help stimulate regeneration of the area by making the area more accessible and resilient in terms of traffic.
- 10.3 A central objective to the Area Action Plan is improving pedestrian and cycle connections and opening up public access to the waterfront. The Third Crossing provides an opportunity to help achieve this. The pedestrian and cycle provision on the bridge and at either end is supported, although measures should be included to show how links between the bridge and the waterfront on the south-side of Lake Lothing can be accommodated.

- 10.4 The northern landing point of the bridge falls within the area allocated by Policy SSP9 of the Area Action Plan. This policy allocates the area for B class use. The policy also requires regard to be had to the latest proposals for Denmark Road improvements. Whilst the Third Crossing will remove some land allocated for B class uses, this land has already been considered surplus to requirements when considered at appeal for a retail warehouse scheme (DC/13/0110/OUT).
- 10.5 Policy CS10 of the Core Strategy states that the vitality and viability of all town centres will be maintained and enhanced. Policy SSP2 of the Area Action Plan identifies land at Peto Square for town centre use regeneration. By reducing traffic flows over the Bascule Bridge, this could potentially help improve the environmental amenity of the area and improve pedestrian and cycle connections between the town centre, the station and the waterfront. This could therefore help stimulate regeneration of the Peto Square site and help support the vitality and viability of Lowestoft Town Centre.
- 10.6 The existing Bascule Bridge crossing provides convenient access to town centre car parks. There is a risk that the new central crossing will not only divert traffic away from the Bascule Bridge, but will also potentially divert custom away from the town centre. Therefore the DCO application should identify how access to the town centre car parks should be encouraged, facilitated and managed.
- 10.7 The first draft of the new Waveney Local Plan sets out significant levels of growth for Lowestoft including nearly 5,000 new homes over the period to 2036. Transport modelling has been undertaken to test the effects of this growth. This modelling has been undertaken on the basis that a third crossing is in place. Without a third crossing in place, there is a significant risk that the level of growth for the town could exceed the capacity of the junctions at the existing crossings. Therefore, the third crossing is considered an essential piece of infrastructure to allow the town to continue to grow. The First Draft Local Plan also continues the regeneration strategy outlined in the Area Action Plan. A key part of this is the regeneration of the town centre and reducing the effects of traffic around Station Square.

Consultation

- 10.8 It is considered that the consultation undertaken by the promoter is in accordance with the Scheme of Community Consultation agreed with the Councils. The documentation clearly sets out the background to the scheme, progress to date and identifies the additional information required.
- 10.9 The questions included within the questionnaire are considered relevant to the scheme so as to elicit an appropriate level and detailed response.

Alternatives considered

- 10.10 The 2017 Regulations require a “comparison” of environmental effects of the reasonable alternatives that have been studied when providing an indication of the main reasons for

selecting the chosen option. The consideration of alternatives is set out in chapter 4 of the PEIR.

10.11 Four types of alternatives have been considered: The broad location of the proposed

- scheme i.e. an eastern, western or central
- crossing of Lake Lothing;
- The constraints associated with the chosen option corridor;
- Waveney Drive Access Arrangements; and
- Bascule Bridge Design Alternatives

10.12 These options have been considered against a series of objectives for the scheme as set out in paragraph 3.1 of this report and The requirements of the scheme listed below:

- Provide a 7.3m single carriageway road with footways and a cycle lane;
- Connect to the existing network with at-grade junctions, wherever possible;
- Provide clearance above the railway line;
- Allow large vessels to turn within the confines of the channel;
- Relate logically to the existing network;
- Have minimal impact on existing development; and
- Avoid conflicting with planned new development, as envisaged in the Lake Lothing and Outer Harbour Area Action Plan.

10.13 The rationale provided and assessment is considered robust. The Councils acknowledge that further refinements to the scheme are ongoing and wish to be consulted on any significant changes.

The Existing Environment

10.14 Chapter 5 of the PEIR provides an overview of the existing environment in the vicinity of the proposed scheme, which is described in detail in chapters 8 to 19 in respect of each individual environmental aspects.

10.15 The PEIR includes in chapter 6 a description of the scheme including Figure 6.1 which shows the red line for the proposed scheme (including land required permanently, temporarily for construction, and over which rights are sought for, and the proposed arrangement.

10.16 Figure 6.3 shows the plan and elevation of the proposed bascule bridge and Figure 6.4 provides a diagrammatic image of the proposed scheme.

10.17 The Councils consider that the information set out in chapter 6 provides for a robust assessment of the potential environmental impacts considering a worst-case scenario of the project, with reference to the 'Rochdale Envelope' which allows a project description to be broadly defined within a number of agreed parameters. This approach provides a certain level of flexibility while a project is in the early stages of development and all the detailed aspects are not known.

CONSULTEE RESPONSES

Design

- 10.18 The Councils have to date been involved in discussion with the developer on the design of the opening section of the bridge. The form of structure proposed is set against the Councils aspiration to seek a striking design that draws upon Lowestoft's maritime history and which would align with the Councils aspirations for economic growth in the area.
- 10.19 The Principal Design and Conservation Officer has been closely involved in the evolving design of the bridge and is in agreement with the theme of 'Marine Tech' from which the design concept of the bridge is derived and which is considered to be of such distinctive design and appearance that it shall add positively to its immediate and wider setting and to the surrounding townscape. The exiting idea of the 'blade' form for the vertical counterweights is supported and it is important that consideration is also given to the design of the sides and underside of the bridge.
- 10.20 The detailed comments of the Principal Design and Conservation Officer are attached in Appendix 1 and the developer is advised to have regard to these as part of the DCO application.
- 10.21 Whilst the design of the 'lifting' element has progressed to the satisfaction of the Councils as documented in the "Lake Lothing Third Crossing Design Progress Summary", the councils seek assurances from the developer that discussions will continue on the other elements of the structure.
- 10.22 Furthermore the Councils would like to see the developer's commitment to a formal design approach document to cover key site specific infrastructure, such as street furniture, signage, public open space and landscaping features.

Air Quality

- 10.23 The information contained within the PEIR sets out clearly the study area and sensitive receptors relevant for the assessment of local air quality impacts. It is considered that the assessment modelling parameters are described adequately, and will address the air quality impacts associated with emissions arising from dust during the construction phase of the project; and impact of vehicle emissions during the operational phase of the scheme. The relevant guidance to be followed is discussed and regulatory requirements outlined.
- 10.24 Sensible dust mitigation measures are mentioned which are to be incorporated into the Code of Construction practice.

Cultural Heritage – Historic Buildings

- 10.25 There is agreement within the PEIR with the listed and locally listed buildings that have been identified within the study area and agreement that the impact of the proposal on the Oulton Broad Conservation Area arising from intervisibility should be re-introduced to the assessment. With regards to the methodology used to significance, magnitude of impacts and sensitivity it is suggested that a less formulaic approach that does not rely solely on the DMRB matrices should be adopted. It is however considered that there will

be no harmful impacts arising on the identified designated and non-designated heritage assets, and that paragraphs 134 and 135 of the NPPF will not be engaged.

- 10.26 With regards to the Cultural Heritage Assessment it is considered that the Oulton Broad conservation area needs to be re-introduced for assessment (para. 5.2.4).

Archaeology

- 10.27 The PEIR represents a sound approach to assessment to date in relation to below-ground archaeological heritage.
- 10.28 The approach to assessment to date, as summarised in the PEIR, recognises that the development has potential to impact buried and tidal zone archaeological deposits and features, and the work undertaken towards the Environmental Statement is sound. The proposals set out in the PEIR for the Environmental Statement will provide appropriate assessment on below ground archaeological impacts to determine the planning application, and the PEIR outlines good initial proposals for further investigation and mitigation further to any consent.
- 10.29 A comment is that table 9.7 perhaps doesn't reflect the full impacts that are set out in the text in terms of assets and in terms of construction effects.
- 10.30 Impacts may be considered minor in assessment terminology (9.5.10 and 9.7.1) but the ground impacts are large, and as identified archaeological remains will require the mitigation set out.
- 10.31 Additionally, and subsequent to the Desk Based Assessment, we have received correspondence, flagging the potential for earlier Saxon and Late Saxon/Scandinavian settlement in the area of the northern proposed roundabout, based on his assessment of the evolution of Lowestoft and the possible use of a former inlet leading northwards in the area of Rotterdam Road. The sections of the ES relating to these periods should therefore incorporate a revised consideration of this period (relating to section 9.4.31 and 9.4.55 of the PEIR), which can be discuss further. The proposals set out for investigation and mitigation, however, would address this potential.
- 10.32 Additionally to those mitigation proposals referenced in the PEIR 9.3.19, further palaeoenvironmental assessment may be appropriate.
- 10.33 Continued discussion with SCCAS and Historic England will facilitate the factoring of archaeological work in to project timetables. Specific impacts to draw attention to which are not explicitly set out in section 9.5.2 of the PEIR would include demolition and site clearance, remediation work, construction set up and compounds, piling, new roundabouts and road works, SUDS and planting, utilities and drainage.
- 10.34 We would encourage consideration of local heritage and distinctiveness inspired design in the open space areas, for example, where appropriate.

Townscape and Visual Impact Assessment

- 10.35 The PEIR includes a preliminary baseline study and assessment of the visual envelope of the project has been included. The information provided and approach proposed is robust and acceptable, containing a more refined sub-division of townscape character areas

suggested during previous consultation, which more accurately reflect the more subtle differences in the local urban character.

- 10.36 It is particularly helpful that the further work required to finalise the townscape character (paras 10.4.8 and 10.7) and the scope and details of the assessment landscape and visual effects and photomontages, with the Local Authorities and the Broads Authority, is clearly set out.

Nature Conservation

- 10.37 The PEIR acknowledges that the data is at a preliminary stage and that more detailed assessments will be undertaken to inform the Environmental Statement. A comprehensive suite of surveys has been completed and a number are on-going (having been discussed with SCC and Natural England).
- 10.38 A detailed mitigation strategy would be expected to be included in the DCO submission. Consultation with SCC Ecologists on the mitigation strategy for the scheme is recommended.
- 10.39 The Habitat Regulation Assessment (HRA) Stage 1 Screening document is well set out. We would suggest however, that the HRA screening is revisited (in consultation with Natural England) once the detailed work plan is available

Geology, Soils and Contamination

- 10.40 With regard to contaminated land the scope of the proposed work in the PEIR appears comprehensive and should address any issues. The proposal to consult directly with the Council on potentially contaminated sites is noted although this hasn't happened yet.

Noise and Vibration

- 10.41 The assessments contained within the PEIR consider potential impacts relating to noise and vibration on Noise Sensitive Receptors (NSR) during the construction phase and confirmation that an assessment of noise impacts during the operational phase will be presented in the submitted Environmental Statement. The level of information for a detailed assessment of noise and vibration however, is not available to date. The noise sensitive receptors (NSR'S) nearest to the development site have been indicated and are considered accurate.
- 10.42 The relevant guidance to be followed which was previously agreed with WDC is discussed and regulatory requirements are outlined.
- 10.43 It is noted that further consultation with Waveney District Council Environment Protection Team will be undertaken in order to agree an appropriate level of assessment for the construction phase within the Environmental Statement, based upon the background noise measurements and the degree of information that is available on the construction program, activities and plant which will be employed. This further consultation opportunity is welcomed.

Materials

- 10.44 Chapter 14 of the PEIR sets out how the ES will assesses the materials resources required during the construction phase of the scheme and the generation and management and disposal of waste from the site. The approach is considered adequate at this stage. Ground

investigation works will inform the resources required and it is suggested that the developer seeks advice from Suffolk and Norfolk Minerals and Waste Planning Authorities to identify suitable sites for disposal of hazardous and inert wastes arising from the development. It is noted in Table 14.1 that Wangford Landfill site is listed as a potential recipient for waste arising from the scheme it should be noted that this site has closed for receipt of waste and is in the final stages of restoration.

- 10.45 The preparation of an interim Construction Code of Practice to identify suitable mitigation measures in line with the waste hierarchy is welcomed.

Socio-Economic including Regeneration

- 10.46 The proposal is supported in that it supports the regeneration and growth objectives of the Lake Lothing and Outer Harbour Area Action Plan (AAP), Town Centre regeneration and the Enterprize Zone Delivery Plan. The regeneration plans aim to transform the image and perception of central Lowestoft, and a new high quality design crossing within the area will assist its success.

- 10.47 One of the major challenges for the delivery of regeneration in Lowestoft is that the areas in most need of inward investment, ie the AAP sites, are also where the transport networks have significant problems due to congestion of the two existing bridges and subsequent impact of the surrounding road networks. A third crossing should address this issue (and other objectives as set out in the consultation document), and will greatly improve access (including improved pedestrian and cycle access) to the proposed developments.

Riverside Road Enterprize Zone

- 10.48 The southern landing point is within the Riverside Road Enterprize Zone aimed at promoting inward investment into the area with a specific focus on supporting the energy, ports and logistics and offshore engineering sectors as well as the services which support them. Riverside Road also houses a new 'civic quarter' with Suffolk County Council and Waveney District Council shared office, along with Trinity House a new customer centre for Essex and Suffolk Water. It is important to ensure that the new crossing proposals ensure that there is sufficient access into these sites.
- 10.49 It is important that the new 'avenue' style access road should be able to accommodate the future employment land development both within the Enterprize Zone and the adjacent former Jeld Wen site to the west.
- 10.50 The proposed construction compound is the largest undeveloped space within the Enterprize Zone. It is desirable that in the longer term this site has waterfront access for pedestrians and has pedestrian access onto the bridge. Previous design discussions have included joint access combined with the control tower, although not detailed in the consultation document. It would be desirable to see this access or an alternative re-established as this would help integrate the bridge into the Enterprise Zone, assist with aspirations for waterfront access throughout the AAP and would encourage employees in the area to walk to work.
- 10.51 The regeneration delivery around the south landing will mainly be the responsibility of Waveney District Council working in partnership with the Enterprise Zone team (including Suffolk County Council and NALEP) once the crossing is completed, however we would like to ensure that the crossing design assists with the future redevelopment and supports the

objectives of the area as set out in the Kirkley Waterfront and Sustainable Urban Neighbourhood Design Brief including the enhancement of waterfront access in the longer term, which will eventually link to access along the Asda site to the east, and to Brooke Peninsular to the west. The Design Guide for the area states that a 5m wide pedestrian/cycle route shall be constructed alongside the waterfront unless it can be demonstrated that this would undermine safe/secure business operations.

Town Centre

- 10.52 The new crossing is likely to reduce traffic on the other bridges and connecting roads in Lowestoft and Oulton Broad. This should have a positive impact on the town centre and historic High Street where there will be opportunities to improve the pedestrian and cycling environment; increase permeability from existing residential areas back into the town centre; encourage new retail and leisure development and improve access and signage to carparks from the new crossing/road network.
- 10.53 Peto Square and South Quay are strategic sites in the AAP in close proximity to the new bridge. The area currently suffers from the effects of through traffic and poor environmental quality. By removing the volume of traffic from the existing bascule bridge there is an opportunity to encourage inward investment into this area, improve pedestrian and cycle connections and create new public space.
- 10.54 The impact of the crossing should also support regeneration plans within the northern end of the town centre with traffic reduction and improved permeability between the historic High Street and London Road North. Waveney District Council has recently applied to Historic England for this part of North Lowestoft to become a Heritage Action Zone.

Flood Risk

- 10.55 SCC Flood and Water Management's main concern at this stage is the treatment of surface water from the proposed development, this is presented within Appendix 17A: Preliminary Water Framework Directive (WFD) Assessment. Compliance with the WFD and best practice guidelines is critical in this instance in order to protect water quality within Lake Lothing. Details on how surface water is being discharged are suitable at this stage, with further details to be submitted later in the process.
- 10.56 The site plan encompasses the last few metres and outfall of the Kirkley Stream into Kirkley Ham. It does not appear any works are proposed which affect this watercourse. However the Kirkley Stream is a highly sensitive watercourse and we would advise against works and that clearance on the channel remains. Significant works are being undertaken as part of the Lowestoft Flood Risk Management Project to reduce flood risk downstream.
- 10.57 The Lowestoft Flood Risk Management Project will be responding separately to this consultation on the following points:
- Welcoming their comments about the importance of flood risk management but seeking confirmation that their plans do not increase flood risk be that tidal, fluvial or pluvial.

- Acknowledging their comments about environmental impacts and transport impacts and seeking clarification in combination effects linking to other projects have been considered.

Traffic and Transport

10.58 The views of Suffolk County Council Highway Authority are awaited.

Cumulative effects

10.59 Cumulative impacts are considered in the PEIR. And include impacts resulting from incremental changes caused by other past, present or reasonably foreseeable developments together with the proposed scheme. Five projects have been identified including;

- East Anglia Array;
- Sizewell C Nuclear Power Station;
- Sanyo Development Site;
- Brooke Peninsula and Jeld Wen Development; and
- Lowestoft Tidal Barrier.

10.60 At this stage the PEIR concludes given the information available that adverse cumulative effects are unlikely.

10.61 The Councils welcome the developer's commitment to updating the Cumulative Effects Assessment and review of any new projects that may come into scope prior to submission of the application.

Conclusion

11.1 The existing bridges over the lake at Mutford Lock and the A47 Bascule Bridge are inadequate to meet current and future traffic demand. The Council considers that the proposed third crossing is essential infrastructure required to overcome delays and congestion that is a common occurrence for drivers, particularly during peak hours, and pedestrians and cyclists often have long and difficult journeys as they travel across the town. A new crossing will open up opportunities for regeneration and improved links between north and south Lowestoft.

11.2 The theme design concept of 'Marine Tech' for the bridge is supported. It is considered that the single rolling leaf bascule design will be a striking design that will become a distinguishing landmark feature in the surrounding townscape.

11.3 Drawing on the consultee responses above, whilst the proposed third crossing is very much supported and welcomed it is considered that in addition to those issues identified in the PEIR there are some matters that require further resolution/inclusion within the DCO application as follows:

Pedestrian and Cycle Links

- The DCO application should include measures to show how links between the bridge and the waterfront on the south side of Lake Lothing can be accommodated

Design

The following provides the Highway Authorities response to the consultation on the Lake Lothing 3rd Crossing rev 1 dated 20th September 2017. Where applicable the relevant clauses of the PIER or Appendix 19A of that document, the Preliminary Transport Assessment, are included in brackets.

Transport Modelling and Assessment

The Highway Authority has advised the applicant during initial scoping that data is required to confirm that the weekday am and pm peaks are the highest traffic flows. Data was provided on by WSP on the 1st March 2017 that showed several sites (6, 19, 20 and 21) did have higher peaks on Saturday. The PIER (19.1.2) and the Preliminary Transport (5.5.10) do not comment on this data.

The Highways Authority accepts an assessment date of 2036 in the PIER (19.1.10) as this agrees with the period considered in the emerging WDC Local Plan.

It is Acknowledged that a more recent model of Saturn has been developed but has not yet been used to assess the impact (PIER19.1.11). It is understood that the most recent Saturn model will be used for the Transport Assessment. All modelling presented in the Transport Assessment shall clearly state which version has been used.

The traffic data In PIER (19.4.8 and table 19.6 shows a significant gap in the data for the A12 Katwijk Way since 2012 but no explanation given for the absence of this data.

If, as proposed (Preliminary Transport Assessments 3.52), Durban Road is to be closed to vehicular traffic at the junction with Waveney Drive it will be necessary to model the impacts on the Kimberly Road / Waveney Drive and Notley Road / Kirkley Run junctions. It is noted that in the Preliminary Transport Assessment Table 6-19 this junction has been modeled as four-way signalized junction an not the tree arm roundabout shown in more recent documents.

In the PIER (19.5.13 and 19.3.8) it is proposed to use micro-simulation modelling such as Vissim to assess the impact of the proposed scheme on the highway network in Lowestoft. This is welcomed although the Highways Authority would like to be involved in the selection of study routes. It is considered more representative to model the significant north-south and east-west routes rather than restrict the links investigated to only those showing a 30% increase or decrease (as PIER 19.5.30).

For clarity PIER paragraph 19.5.5, table 19.7 and table 19.8 should state which years the scenarios refer.

Within the PIER (19.3.44) reference is made to IEMA guidelines that state that environmental impact studies will not normally triggered where road links experience change in traffic level greater than 30%, or 10% where links contain sensitive

interest. The report does not scope out the presence of links with a sensitive impact and justify the magnitude of change of traffic and effects in table 19.4.

Table 19.9 in the PIER presents details on the relief from existing severance. This table excludes Rotterdam Road as it has an AADT of less than 8000, the trigger point given in PIER 19.5.19. However, it is noted that the traffic on Rotterdam Road is only marginally below 8000 (AADT 7081 in 2036 pm peak) and the proportional increase in traffic high (190%). It is recommended that Rotterdam Road be included in PIER table 19.9.

Data presented in the PIER indicates there is a significant increase in traffic using Waveney Drive. It is recommended that additional data is presented for the Victoria Road link to understand if this is diverted traffic from the A146 or local traffic from committed development along the south bank of Lake Lothing or existing and future development in Carlton Colville.

There may be an error in the data presented in Table 6-11 of the Preliminary Transport Assessment for Junction 8c Blackheath Road NB Right / Left in the 2021 DS scenario. A DoS of 88.9% appears at odds with the other data for this junction.

Highway Layout and Design

The Highways Authority accepts the proposed DMRB design parameters (widths) referenced in Preliminary Transport Assessment (4.6). Although no reference is made to highway gradients it is understood that these will also comply with DMRB guidance.

PIER (19.5.10) and the Preliminary Transport Assessment (3.52) state that modelling indicates that closing Durban Road will be beneficial to capacity. This should not be detrimental to highway safety and sustainable access for pedestrians and cyclists should be retained. The Transport Assessment must include further data to assess the impacts of this closure particularly at the junctions of Kirkey Run and Kimberly Road with the B1531 Waveney Drive.

The Preliminary Transport Assessment Fig 3-2 does not show recent renumbering of A12 north of Lowestoft as the A14.

The presence of white lines on Waveney Drive referred to in the Preliminary Transport Assessment (3.14.8 and 3.14.9) denote the edge of carriageway and have no relevance to any parking restrictions. It is also noted that single yellow lines are present at the junction of Waveney Drive / Kimberly Road.

The traffic signals on the A12 Belvedere Road form part of an Intelligent Transport System. Any signals to the south of Lake Lothing should be linked to this system.

Powers available to the Applicant

In the PIER (19.2.3) the powers available to the applicant in the Highways Act 1980 are not fully listed. There are many other powers under the highways act that may be applicable to the DCO, for example:

- 24 Construction of new highways and provision of road-ferries
- 62 General power of improvement
- 91 Construction of bridge to carry existing highway maintainable at public expense
- 106 Orders and schemes providing for construction of bridges over or tunnels under navigable waters

Air Quality

Additional benefits (PIER 19.2.5) may be reduction in NO₂ near Pier Terrace which although not an AQMA is monitored by the District Council.

Committed Development

Neither the PIER (19.3.9) nor Preliminary Transport Assessment provide details of the adjacent committed sites. Within the central area of Lowestoft the committed developments in the Adopted Lowestoft Lake Lothing and Outer Harbour Area Plan include SSP3, SSP6, SSP5 (south of Lake Lothing) and SSP2 and SSP9 (north of the river).

Non Motorised Users

In PIER (19.3.32) it is noted that diversion lengths for NMU's have not been assessed but that these will be assessed in the full Transport Assessment.

The Preliminary Transport Assessment (3.7.10) refers to a NMU audit. It is not clear when this audit was undertaken and therefore how representative the number of holiday trips is representative.

Information in the PIER (19.5.16 and Figure 6.4) does not agree with the NMU crossing points shown on the indicative plan in the Brochure which suggest crossings at Rotterdam Road, Denmark Road, Peto Way north of the bridge and Waveney Drive and the southern approach to the bridge on the south side.

Construction Traffic

Construction traffic impacts assessed in the PIER (19.53) are as gross movements only and it does not identify numbers of construction HGV movements respective to background HGV movements. It is noted that this is included in the assessments still to be undertaken (PIER 19.8.1).

Road Safety

The latest road safety data should be used if available at the time the Transport Assessment is compiled

— you have asked me to comment briefly on the public consultation that is currently underway on the proposals for a Third Crossing at Lake Lothing in Lowestoft. As you know, I have been involved with you alongside the design team for the bascule bridge design in preliminary design discussions. These have included the following:

- Meetings with Suffolk County Council as project promoter and Mouchel, as bridge designers
- Two design advice workshops held with Design Council CABE
- One design workshop held with Hemingway Design
- Two site visits to north and south landing areas

The outcome of these has included the agreement and adoption of a set of Design Principles, against which any final design can be tested; and support for the emerging scheme that is the subject of the current consultation.

In respect of the consultation documents I have the following comments to make:

Design Process Summary

I am in agreement with the theme of 'Marine Tech' from which the design concept of the bridge is derived. Although a bascule bridge, as an engineering concept, has a long tradition, its configuration and operation can be conceived anew, using new technologies and materials. The idea of marine tech relates strongly to the emerging role of Lowestoft in the forefront of renewable technologies and I judge it appropriate that the design should reference the future of the town rather than its past. In this way, the bridge will become an emblem of the evolution of the town's commercial life. Further, the single rolling leaf bascule design will be unique in the UK and of such distinctive design and appearance that it shall add positively to its immediate and wider setting and to the surrounding townscape. As a dynamic, rather than a static feature, the bridge will become a distinguishing landmark of the town, that I predict will attract visitors to it. I judge it very welcome that the design proposal achieves these key outcomes and I do hope that SCC will continue the creative and inspired approach that has been adopted to ensure that the final design is truly outstanding.

In respect of the detail of the design I support the exciting idea of the 'blade' form for the vertical counterweights. The blade form has a clear correlation with wind turbines and should engender a refined, elegant and striking form which provides a physical and aesthetic expression of the opening and closing movement of the bascule. The final design of the blade form is yet to be achieved in terms of its profile, appearance, choice of materials, finish and colour but the illustrations included in the consultation documents show a very promising direction of travel, which I support and encourage.

I strongly welcome the aspiration included in the Summary for all of the bridge components to achieve a 'unified and coherent design', including the support structure and piers. The aim is to translate the 'marine tech' concept or theme into the static design parts to ensure that the design achieves a unity of purpose. Although this design approach is not illustrated here, it is an important aspiration that I support and which is as critical to achieve as the design of the opening leaf.

I support the opportunity expressed for the control tower to incorporate a viewing platform of sorts. As the tower is essential, it does make sense for it to be a multi-purpose structure that can include the platform and a pedestrian link to the adjoining waterfront area. In this way, the bridge form remains as uncluttered as possible and retains its purity of its expression.

With respect to the north and south landings, it appears that more thought has been given to the former than the latter. This may be because the north landing area will be under the control of the

County Council. The south landing creates many development and enhancement opportunities through the alignment of access roads and land around it, although these will largely be outside the scope of the Third Crossing project. There are also key constraints such as existing buildings, condition of the quayside, private owners and accesses. WDC has aspirations for the economic development of the wider area around the south landing and will, I hope, be able to exploit the catalytic opportunities that the bridge will bring to enhance connections and frontage. In my view, the greater access and connectivity to this area will make it more desirable for businesses to locate and relocate. The design and layout of new such business premises should follow the quality benchmark set by the new WDC offices and the new bridge, when built. I also think it would be desirable for some imaginative visioning to capture some of the land adjacent the bridge for a key building - i.e. a Lowestoft campus for the University of Suffolk or a major new cultural attraction. Consideration should also be given to the design of the sides and underside of the bridge to the south landing i.e. whether these will be solid and enclosed or open and available for alternative uses.

Design Council CABE

As you know, two design advice workshops were held with Design Council CABE (DCC). The first was held at the Orbis Energy Centre in Lowestoft and included a visit to the site. The second was held at DCC's offices in London. Following both workshops, written feedback was provided to the design team, of which we have had sight. The second written response (dated 29th June 2017) stated that DCC was 'very supportive of the positive progress made to design development' since the previous workshop in March. This was leading to some 'exciting ideas based on thorough analysis'. DCC took the view that the marine tech design concept provided a 'utilitarian, beautiful and contemporary' reference point that will bring cohesion to the separate elements of the structure. This is a significant endorsement of the scheme to date by DCC and it is very welcome to have this kind of support.

In taking account of DCC's comments, I advise that the following points will have to be addressed as part of the DCO application:

- Specify the choice of structural materials for the deck, supporting structure and the bascule.
- Provide a full palette of materials for lighting, seating, surface signage, traffic signage, signalling, colour, surfacing, balustrading, barriers, acoustic beacons. Proposals for lighting should include luminaire design and lux levels.
- Full design of the control tower showing its agreed final position, appearance, materials, colour, access, lighting, security.
- Bridge layout design to include provision for location and design of viewing galleries and waiting areas when the bridge is in the open position.
- Full visualisations to illustrate the bridge in the open, closed and intermediate positions.
- Assessment of the final design proposal against the set of Design Principles agreed between SCC and WDC (dated 22nd May 2017).
- Assessment of the final design proposal against DCC's 'A design led approach to infrastructure' and its Ten Design Principles.

Preliminary Environmental Information Report

Chapter 9: Cultural Heritage

I can confirm that I have read Chapter 9 and Appendix 9A of the PEIR on Cultural Heritage in relation to historic buildings (but not archaeology, which is outside my remit).

I have the following specific comments to make on Chapter 9:

- 9.1.4 (p86) – I strongly agree with the suggestion here that impact of the proposal on the Oulton Broad Conservation Area arising from intervisibility should be re-introduced to the assessment.
- 9.3.2 (p88) – for clarity, the Historic Environment Good Practice Advice in Planning Policy Notes are published by Historic England.
- 9.3.12-9.3.18 (pp89-93) – I believe that I have previously stated my concerns about the generic approach to identifying significance, magnitude of impacts and sensitivity that is included here, which clearly have failed to make any impression, sadly. This formulaic approach does not always deliver a coherent and informed narrative of harm in relation to the policy tests established in the NPPF. It is worth noting that whilst the standardised DMRB matrices are a useful tool, I consider the analysis of impact, harm, significance and setting as a matter of qualitative and expert judgment which cannot be achieved solely by use of matrices or scoring systems. I suggest that the applicant does not rely upon this methodology alone, and that these tables should be seen primarily as supporting material. The applicant instead should seek to deliver a clearly expressed, iterative and non-technical narrative based approach to determining significance and harm, which is tailored to this specific scenario.
- 9.4.5 (p94) – I find the labelling of ‘value’ here as somewhat spurious. Who has decided that the South Lowestoft Conservation Area has ‘medium’ value? What does that actually mean? The Glossary to the NPPF defines ‘significance’ as the ‘value of a heritage asset to this and future generations because of its heritage interest’. However, significance is a more commonly used term within Section 12 (Conserving and enhancing the historic environment) than value (which is not used at all). I am, therefore, concerned about the use here of a tabular value system with which I do not agree.
- 9.4.57 (p100ff) – I agree with the identification of the listed buildings included within this section.
- 9.4.64 (p104ff) – I agree with the identification of locally listed buildings included within this section.
- 9.4.66 (p107ff) – I am happy to accept the other unlisted historic buildings and structures that have been identified here within the context of the preliminary study area.
- 9.4.67 (p110) – this section on Historic Landscape and Conservation Area provides good evidence of map regression and analysis, the content of which I accept.
- Table 9-7 (p112) – I agree with the assessment of impacts on designated and non designated heritage assets that are buildings or structures included here, where these are shown as negligible.
- 9.5.13 (p114) – actually, I judge that there will be no harmful impacts arising on the identified designated and non designated heritage assets - that is on their setting - contrary to the views here. I judge that paragraphs 134 and 135 of the NPPF will not, therefore, be engaged. I judge that the new bridge crossing will have only positive effects due to its outstanding design quality and its enhancement of the historic townscape of Lowestoft.

I have the following specific comments to make on Appendix 9A (Cultural Heritage Assessment):

- 3.1.3 (p3) – actually, conservation areas are designated by the local planning authority although they can also be designated by the Secretary of State.
- 5.2.4 (p6) – this document needs revision to match the content of Chapter 9. For example, it is stated here that the Oulton Broad conservation area is not considered in this report when Chapter 9 states that it may be re-introduced for assessment. It is clear from Chapter 10 (TVIA) that it must be.

- Chapter 7 (p14) – site visits. For the final iteration of this document to be included in the DCO application, I suggest that only the design option proposed is described here and not the original alternatives that were also considered. These options included here are now historical and no longer directly relevant.
- 9.4 (p16) - Undesignated buildings. Does this reference mean Non Designated Heritage Assets? If so, this is the correct terminology to use, rather than ‘undesigned buildings’. Also, if these are Non Designated Heritage Assets, what criteria have been used to identify them? I would expect the criteria for identification to be included here. Having said that, I am content with those buildings included here.
- 11.9 (p19) – Built Heritage. As stated above, I do not identify any adverse impacts on designated and non-designated heritage assets through the proposed bridge development within their setting. This view is contrary to that expressed here.
- Figure 1 (p60) – Location of heritage assets and events. The Legend to this Figure is wholly illegible. Further, it is not now necessary to show the original alternatives for the access routes and position of the bridge.

Chapter 10: Townscape and Visual Impact Assessment

I understand that our landscape manager colleague, Nicholas Newton, has provided you with comments in respect of this section which I have also perused, myself. My only comment is in respect of the conclusion (10.5.9, p147), which suggests that mitigation of the visual impacts of the new bridge crossing on the surrounding townscape and, more specifically, the Broads National Park, would be through a ‘sympathetic design ... that ... integrates into the surrounding landscape’. The proposed design is intended to stand out from the surrounding landscape as a deliberate design intention. The wording of this conclusion seems somewhat at odds with the expressed design aspirations for the bridge crossing.

Design Principles

As you know, a set of Design Principles were agreed in May between WDC and SCC (as project promoter and as planning authority). These will provide a useful benchmark against which the success of the design can be measured at the DCO stage and this is what was understood as the way they would be used when they were finally agreed between WDC and SCC.

In respect of the current design proposal - which is, of course, incomplete – the following is my own assessment:

1. The scheme shall enhance the identity, culture, character, and nature of Lowestoft and make a positive aesthetic and actual contribution to the conservation and enhancement of Lowestoft’s natural, historic and built environment.

I judge that the design of the bridge crossing to date is well on the way to meeting this key design aspiration.

2. The design shall acknowledge its role in place making and promoting regeneration particularly through its relationship to adjacent land

This is currently work in progress, with greater detail being provided for the area around the north landing compared to the south landing. The responsibility for regeneration opportunities around the south landing area will lie chiefly with WDC and will be consequent upon completion of the bridge crossing. However, the design should still attempt to achieve the maximum contribution that it is capable of and should not inhibit future redevelopment of the south landing area.

3. There shall be a cohesive design narrative bringing together the distinct elements of the scheme, the primary and secondary structures, including the control tower

This is currently work in progress. This key principle is acknowledged as an important design aspiration in the Design Process Summary.

4. The scheme shall result in a positive user experience for all users, be it vehicular, pedestrians, cyclists or less abled individuals, and water borne vessels through its own design and its practical connectivity to the existing network.



This is currently work in progress but the design does exhibit positive attributes to date that will meet this principle on completion.

5. The design shall strive to minimise impacts on amenity and seek sustainability in its use of materials, and inclusion of multi-functional green infrastructure which encourages health and wellbeing.

This is currently work in progress but the design does exhibit positive attributes to date that will meet this principle on completion.

6. The design shall respond to the external constraints imposed by statutory bodies and internal constraints including capital and maintenance costs.

This is currently work in progress.



14th September 2017