

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

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Lake Lothing  
**THIRD  
CROSSING**

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## **Document SCC/LLTC/EX/92: Consultation Report on the Proposed Non- Material Changes to the Application**

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**Planning Act 2008**

**Infrastructure Planning**

**The Infrastructure Planning (Examination Procedure) Rules 2010**

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## Foreword

This Consultation Report relates to a request for non-material changes to the application (“the Application”) submitted by Suffolk County Council (“the Applicant”) to the Secretary of State (through the Planning Inspectorate) for a development consent order (“DCO”) under the Planning Act 2008.

If made by the Secretary of State, the DCO would grant development consent for the Applicant to construct, operate and maintain a new bascule bridge highway crossing, which would link the areas north and south of Lake Lothing in Lowestoft, and which is referred to in the Application as the Lake Lothing Third Crossing (or “the Scheme”).

CONTENTS	PAGE No.
<b>Foreword .....</b>	<b>i</b>
<b>Tables .....</b>	<b>3</b>
<b>Figures .....</b>	<b>4</b>
<b>Abbreviations .....</b>	<b>5</b>
<b>Executive Summary .....</b>	<b>6</b>
<b>1 Introduction .....</b>	<b>7</b>
1.1 Purpose of this report .....	7
1.2 Summary of changes .....	8
<b>2 Non-statutory consultation on the proposed changes .....</b>	<b>10</b>
2.1 Legislation and guidance .....	10
2.2 Consultation overview .....	10
2.3 Engagement with relevant parties on the proposed changes .....	11
<b>3 Summary of consultation responses .....</b>	<b>13</b>
3.2 Stakeholder Responses .....	13
3.3 Return to senders .....	14
3.4 Responses to the request for 'additional land' .....	15
<b>4 Summary of the Applicant's response to issues raised .....</b>	<b>16</b>
<b>5 Conclusion .....</b>	<b>19</b>
<b>Appendix A: Copy of the NMC Consultation Notice .....</b>	<b>20</b>
<b>Appendix B: Copies of the NMC Consultation Notice as published in local newspapers .....</b>	<b>21</b>
<b>Appendix C: Site notices and deposit locations .....</b>	<b>25</b>
<b>Appendix D: Copy/sample of letter sent to consultees .....</b>	<b>30</b>
<b>Appendix E: Schedule of prescribed consultees .....</b>	<b>34</b>
<b>Appendix F: Schedule of local authorities .....</b>	<b>53</b>
<b>Appendix G: Section 42(1)(d) interests .....</b>	<b>57</b>
<b>Appendix H: Website promoting NMC consultation .....</b>	<b>64</b>
<b>Appendix I: Responses to consultation .....</b>	<b>65</b>
<b>Appendix J: Responses to NMC1 changes to land take .....</b>	<b>99</b>
<b>Appendix K: Response to Nexen's Consultation Response .....</b>	<b>118</b>
<b>Appendix L: Nexen Swept Path Analysis .....</b>	<b>123</b>
<b>Appendix M: Anglian Water's withdrawal of objection .....</b>	<b>125</b>

## Tables

Table 3-1 List of consultation responses received	13
Table 3-2 List of return to sender letters and actions	14

## Figures

Figure 1-1 Location of each of the proposed changes to the Application.....	9
Figure B-1 NMC Lowestoft Journal, 1 February 2019.....	22
Figure B-2 NMC Notice Eastern Daily Press, 1 February 2019 .....	25
Figure B-3 NMC Notice Waveney Advertiser, 1 February 2019.....	23
Figure B-4 NMC Notice Beccles and Bungay Journal 1 February 2019 .....	24

## Abbreviations

<b>AN</b>	Advice Note
<b>DCLG</b>	Department for Communities and Local Government (now referred to as the Ministry of Housing, Communities and Local Government)
<b>DCO</b>	Development Consent Order
<b>dDCO</b>	Draft Development Consent Order
<b>DfT</b>	Department for Transport
<b>ES</b>	Environmental Statement
<b>ExA</b>	Examining Authority
<b>HCLG</b>	Housing, Communities and Local Government
<b>LLTC</b>	Lake Lothing Third Crossing
<b>LPA</b>	Local Planning Authority
<b>MMO</b>	Marine Management Organisation
<b>NMC</b>	Non Material Change
<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>PINS</b>	Planning Inspectorate
<b>SCC</b>	Suffolk County Council
<b>SoCG</b>	Statement of Common Ground
<b>SoS</b>	Secretary of State
<b>The Act</b>	Planning Act 2008
<b>WDC</b>	Waveney District Council

## Executive Summary

This report provides an overview of the non-statutory consultation undertaken and responses received by the Applicant regarding eight proposed non-material changes ('the NMC consultation') to Suffolk County Council's ('the Applicant') application for development consent for the Lake Lothing Third Crossing Scheme ('the Scheme'), as outlined in the Applicant's Proposed Non-Material Changes to the Application (Document Reference SCC/LLTC/EX/69, PINS Reference REP4-013) ('the NMC Request').

The Applicant wrote to the Examining Authority ('ExA') on 15 January 2019 informing it of the Applicant's intention to request a number of proposed changes to the Application ('the Applicant's NMC letter'). The Applicant undertook publicity relating to the proposed non-material changes ('NMCs') in accordance with the Examining Authority's request dated 24 January 2019, as set out in the ExA's response to the Applicant's NMC letter ('the ExA's request').

In accordance with the ExA's request, this report includes:

- a list of prescribed parties and those with an interest in land affected by the potential changes;
- a summary of the consultation responses received by the Applicant;
- copies of the consultation responses received by the Applicant; and
- copies of the press and site notices featured in the NMC consultation.

The NMC consultation ran from Friday 1 February 2019 to Monday 4 March 2019, allowing consultees a period (exceeding 28 days) within which to consider the Applicant's NMC Request. The Applicant received seven NMC consultation responses.

Two of the responses outlined objections to and/or concerns with the changes; Anglian Water and the Nexen group of companies ("Nexen"). With respect to the former, the Applicant notes that Protective Provisions have been agreed with Anglian Water in respect of its apparatus affected by the Scheme, and, further, that development of the nature proposed (formation of an access) would present no different an impact on Anglian Water's apparatus than that presented by other extant accesses in the vicinity. Anglian Water has subsequently confirmed it is in agreement with the Applicant's perspective and has withdrawn its objection.

With regard to the position with Nexen, in the Applicant's view, the proposed change (NMC6) would be beneficial to Nexen in that it seeks to mitigate the impact of the Scheme on that affected party by providing a second, additional access to the site with a greater vertical height clearance. As such, while the Applicant's discussions remain ongoing with Nexen in respect of a number of matters, it remains the Applicant's view that this change as presented addresses a number of concerns raised by Nexen and should therefore be considered for acceptance as part of the Application.

The remaining consultation responses provided information to the Applicant or confirmed no objection to the Scheme.

The Applicant therefore concludes that, with Nexen being the notable exception, the majority of those persons who might potentially be considered to be interested in or affected by the proposed changes to the Scheme do not consider those changes to be material in nature (either individually or cumulatively) and nor do they oppose those proposed changes.

# 1 Introduction

## 1.1 Purpose of this report

- 1.1.1 The Lake Lothing Third Crossing scheme ('the Scheme') is the subject of an application for development consent ('the Application') that was submitted by Suffolk County Council ('the Applicant') to the Secretary of State for Housing, Communities and Local Government ('HCLG') via the Planning Inspectorate ('the Inspectorate') in July 2018.
- 1.1.2 The Application was accepted by the Inspectorate in August 2018 and the examination of the Application is currently underway.
- 1.1.3 Since the Application was submitted the Applicant has continued to engage and negotiate with those with an interest in land affected by the Scheme (including those with an interest in land which is proposed to be subject to powers of compulsory acquisition ('Affected Persons')) and with other Interested Parties, such as the local planning and highway authorities.
- 1.1.4 In addition, the Applicant has been taking constructability advice in relation to the preliminary design on the basis of which the Application was submitted.
- 1.1.5 As a result, the Applicant has proposed eight minor changes to the Application.
- 1.1.6 The Applicant wrote a letter to the Inspectorate on 15 January 2019, which was published on the Inspectorate's website on 24 January 2019, and which provided notice of the Applicant's intention to propose non-material changes ('NMCs') to the Application ('the Applicant's NMC letter').
- 1.1.7 As foreshadowed in the Applicant's NMC letter, the Applicant submitted to the Examining Authority ('ExA') at examination Deadline 4, on 29 January 2019, a request for Proposed Non-Material Changes to the Application (Document Reference SCC/LLTC/EX/69, PINS Reference REP4-013) ('the NMC Request'). The NMC Request aims to provide the ExA with sufficient information to enable it to make a decision on whether or not each of the proposed changes is material or non-material, and whether each change may be accepted for inclusion in the examination of the Application.
- 1.1.8 In response to the Applicant's NMC letter, the ExA published on its website, on 24 January 2019, a letter ('the ExA's NMC letter'), which set out a number of requirements – relating to non-statutory consultation and to the distinction between materiality and non-materiality.
- 1.1.9 In the ExA's NMC letter, the ExA stated that:

*“in order to ensure fairness, appropriate and proportionate non-statutory consultation should be carried out before the change request is submitted.*

*The ExA has decided that the consultation must engage all those person identified in the Planning Act 2008 under section 42(a) to (d) who would be affected by the proposed changes (giving a minimum of 28 days), including any section 42 persons **not** originally consulted on the application but who may now be affected by the*

*proposed changes. The Applicant should also consider whether or not persons not already participating in the Examination (and not falling within section 42) might need an opportunity to comment (such as persons living or commercial entities operating outside the Order limits) and whether or not any newspaper notices or site notices are necessary to inform these persons about the proposed changes.*

*When submitting the change request it is recommended that the Applicant submits a statement which:*

- lists the persons (affected by the changes) under section 42(1)(a) to (d) who have been consulted (identifying any new persons ie those who were consulted in relation to the proposed change but **not** in relation to the original application);*
- identifies (within the above list) those section 42(1)(d) persons who are “affected persons”, meaning those persons over whose land Compulsory Acquisition powers will be exercised. It is noted that if the procedure under the CA Regulations is to be followed the Applicant will also need to submit a request for additional land and identify the additional Affected Persons;*
- provides justification as to why any person under section 42(1)(a) to (d) is not affected by the proposed changes and has not therefore been consulted;*
- provides copies of any newspaper notices or site notices or justification as to why such general publicity is not required to ensure fairness, using case law as necessary to support the Applicant’s position; and appends as an annex comprising any consultation responses received.*

**1.1.10** With the exception of the copies of newspaper notices and site notices relating to the NMC consultation, the ExA's requests in the set of bullet point above were addressed in the Applicant's NMC Request (Document Reference SCC/LLTC/EX/69, PINS Reference REP4-013). By way of follow up to that document, this Consultation Report, together with its appendices, complements the Applicant's response to the ExA's requests relating to a non-statutory consultation on the proposed NMCs. It provides a summary of the consultation undertaken, a summary of the responses received, together with copies of all of the individual responses received; and it also includes copies of the newspaper and site notices which featured in the NMC consultation.

## **1.2 Summary of changes**

**1.2.1** There are eight proposed changes to the Scheme, full details of which are set out in the Applicant's NMC Request. In summary these are:

- **NMC1** – new turning head on Canning Road;
- **NMC2** – revised parking provision in Riverside Road and Canning Road;
- **NMC3** – application of clearway status to the new crossing and its approach roads;
- **NMC4** – amendment to or clarification of limits of deviation for particular elements of the Scheme;
- **NMC5** – addition of a new private means of access to Network Rail land;
- **NMC6** – addition of a new private means of access to the Nexen site;
- **NMC7** – addition of a new private means of access to the MotorLings site;
- **NMC8** – addition of a T-junction arrangement on the new access road.

1.2.2 The location of each of the proposed changes listed above is shown on the diagrammatic Scheme plan below.

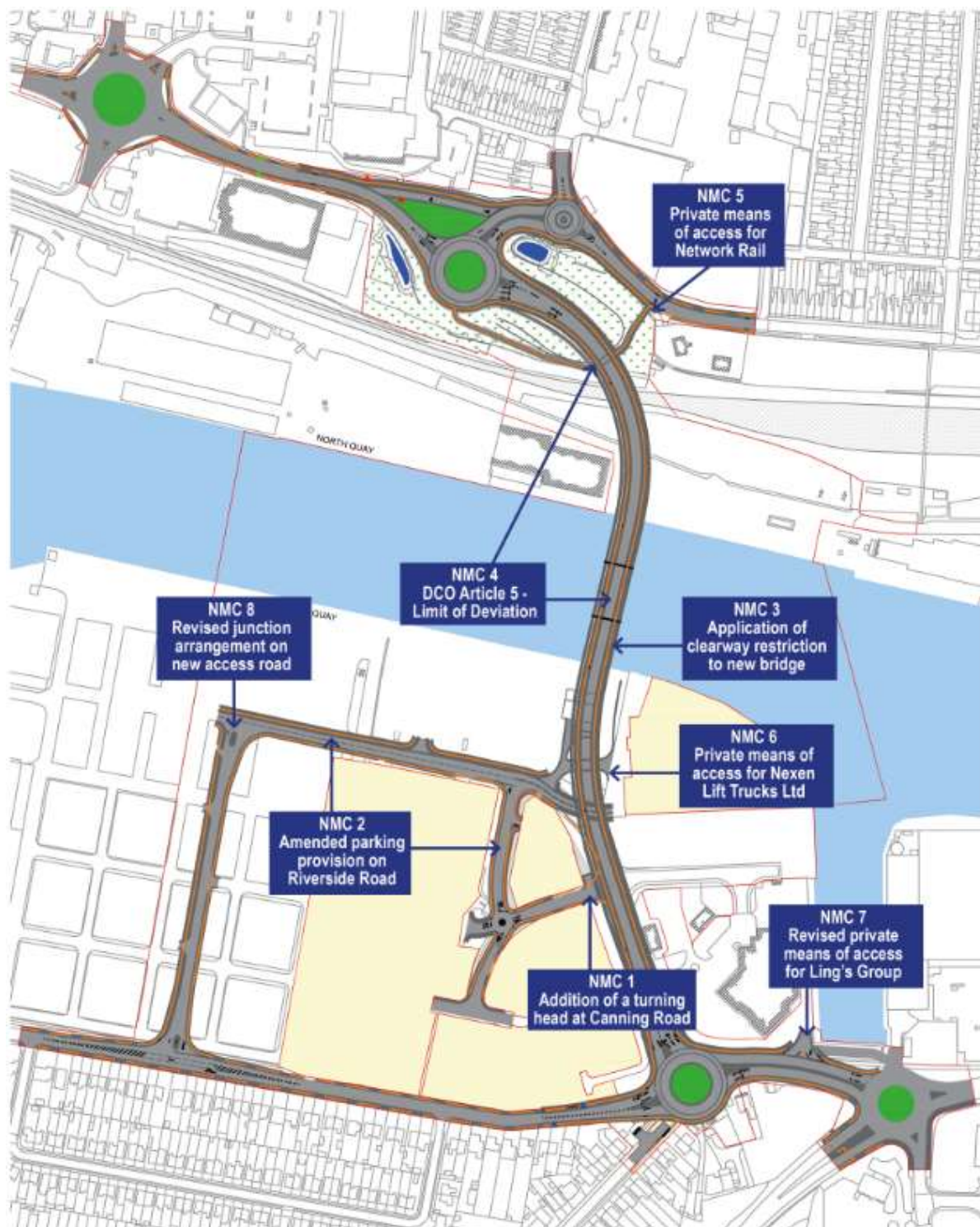


Figure 1-1 Location of each of the proposed changes to the Application

## 2 Non-statutory consultation on the proposed changes

### 2.1 Legislation and guidance

- 2.1.1 Government guidance, set out in the Department for Communities and Local Government's (now the Department for Housing, Communities and Local Government) Planning Act 2008: *Guidance for the examination of applications for development consent* (March 2015) ("the DCLG Guidance") advises that when considering a request for a change to a submitted application, an Examining Authority will need to ensure that it is able to act reasonably and fairly, in accordance with the principles of natural justice.
- 2.1.2 On that point, the Inspectorate's Advice Note 16 – *How to request a change which may be material* (Version 2, March 2018) ('AN16') (at paragraph 2.5) advises that an Examining Authority will want to ensure, in the interests of fairness, that no persons would be deprived of the opportunity to make any representation on the changed application.
- 2.1.3 A benchmark for fairness in relation to consultation on changed applications is set by the case of *R (on the application of Holborn Studios Ltd) –v- Hackney LBC* [2017] QBC, in which Judge Howell decided that the question which Hackney LBC should have asked itself, in considering a changed planning application, was "*whether, without re-consultation, any of those who were entitled to be consulted on the application would be deprived of the opportunity to make any representations that they may have wanted to make on the application as amended.*"
- 2.1.4 In the absence of re-consultation on the changed application, Judge Howell held that Hackney LBC had "*deprived the claimants and others of a fair opportunity to make such representations as they might have wanted to make about them and that materially prejudiced the claimants. The procedure followed in the circumstances was so unfair as to be unlawful.*"
- 2.1.5 In order to ensure that no party wanting to make representations on the proposed changes might be deprived of the opportunity to do so, the Applicant carried out non-statutory consultation on the NMCs (as recommended in the ExA's NMC letter).

### 2.2 Consultation overview

- 2.2.1 The non-statutory consultation ran from Friday 1 February 2019 to Monday 4 March 2019, allowing consultees a period (exceeding 28 days) within which to consider the Applicant's Proposed Changes Application.
- 2.2.2 The Applicant produced a notice outlining the changes, explaining where people could view the NMC Request, and how people could make representations about the proposed changes. A copy of the notice is included in Appendix A.
- 2.2.3 The notice was published in the Lowestoft Journal, the Eastern Daily Press, the Waveney Advertiser and the Beccles and Bungay Journal on Friday 1 February 2019. Copies of the published notices are included in Appendix B. These

publications were chosen as they are the same local newspapers used to advertise the statutory consultation locally.

2.2.4 Twenty-three on-site notices were posted around Lowestoft to help publicise the non-statutory consultation. Appendix C includes images of the notices in the locations where they were affixed. The notices were retained in these locations from 1 February to 4 March 2019.

2.2.5 Letters enclosing copies of the notice were sent by post on Thursday 31 January 2019 to the below parties informing them of the non-statutory consultation:

- the persons identified in the **Schedules of Engagement** included in the NMC Request and in Appendix G to this NMC Consultation Report, in respect of each proposed change (section 42(1)(d));
- the persons identified in Appendices E (**prescribed persons**) (section 42(1)(a)) and F (**local authorities**) (section 42(1)(b)) to the NMC Request; and
- the **MMO** (section 42(1)(aa))

2.2.6 A sample copy of this letter is included in Appendix D to this NMC Consultation Report. Appendices E to G show who was included in the NMC consultation.

2.2.7 As outlined in the notice, people were able to view the NMC Request online at <https://www.suffolk.gov.uk/roads-and-transport/transport-planning/lake-lothing-3rd-crossing/> or free of charge at Lowestoft Library and Suffolk County Council's offices in Lowestoft. The information was available from 1 February to 4 March 2019. Appendix H shows a screenshot of the webpages where people could view the NMC Request and the documents on deposit.

## 2.3 Engagement with relevant parties on the proposed changes

2.3.1 As explained above, the need for the proposed changes has arisen from the Applicant's ongoing engagement and negotiations with parties affected by, or having an interest in, the Scheme, or from the on-going design work relating to that engagement.

2.3.2 The Applicant's objective, in bringing forward each of the proposed changes, is to accommodate the needs of the relevant parties whilst delivering the optimum Scheme design, and in doing so, the Applicant seeks to balance those parties' needs and concerns against the impacts which would arise from the delivery of the Scheme.

2.3.3 The ExA's NMC letter recommends that the Applicant submits a statement listing the persons (affected by the proposed changes) who fall within sections 42(1)(a) to (d) of the Planning Act 2008.

2.3.4 In terms of **section 42(1)(a) – prescribed consultees** (as listed in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('the APFP Regulations')) – the Applicant has considered all of the prescribed consultees in relation to each of the proposed changes and, as a result of that exercise, is consulting prescribed consultees where one or more of the proposed changes might potentially be of interest to them, on the basis of one or

more of the following factors: because the prescribed consultee has shown a particular interest in the Scheme to date; or because one or more of the proposed changes may be relevant to their statutory functions or responsibilities; or because one or more of the proposed changes may be geographically proximate to their jurisdictional or operational area. The Applicant does not consider that any of the prescribed consultees would actually be 'affected' by any of the proposed changes, given their minor, non-material nature.

- 2.3.5** A schedule setting out which prescribed consultees have been consulted in relation to the proposed changes is included in Appendix E to this report.
- 2.3.6** **Section 42(1)(aa)** requires an Applicant to consult the **Marine Management Organisation ('MMO')** where the 'proposed development' (defined as the development for which the proposed application, if made, would seek development consent) would affect relevant waters.
- 2.3.7** The Applicant does not consider that any of the proposed changes will directly affect the tidal waters in which the MMO is interested in connection with the Scheme; however, as a matter of good practice, and to maintain transparency and good communication in its on-going collaborative liaison with the MMO, the Applicant has consulted the MMO in relation to all of the proposed changes.
- 2.3.8** In terms of **section 42(1)(b) - local authorities** (as defined in section 43 of the Planning Act 2008) the Applicant has consulted Suffolk County Council and Waveney District Council on the proposed changes.
- 2.3.9** A full list of the local authorities previously included in the Applicant's statutory pre-application consultation is included in Appendix F to this report; however, for the reasons set out in that Appendix, the Applicant does not consider that any local authorities other than Suffolk County Council and Waveney District Council would be affected by, or would take any interest in, any of the proposed changes.
- 2.3.10** In summary, the reasons set out in the Appendix turn on proportionality: the minor, localised nature of the changes is such that they are considered highly unlikely to be of any interest to local authorities responsible for administrative areas in which the Scheme is not located.
- 2.3.11** **Section 42(1)(c)** requires an Applicant to consult the **Greater London Authority** if the land in question is in Greater London. As the Scheme is located in Lowestoft, Suffolk, this requirement is not relevant.
- 2.3.12** In addition, the ExA's NMC letter recommended that the Applicant should consider whether or not any persons not already participating in the examination (and not falling within section 42), such as persons living, or commercial entities operating, outside the Order limits, might need an opportunity to comment on the proposed changes. The Applicant has considered whether or not there might be any such persons, but on the basis of the information currently available to it, has not identified any such persons.

## 3 Summary of consultation responses

**3.1.1** This chapter sets out a summary of the responses received by the Applicant following the publicity undertaken to promote the non-statutory consultation on the NMC Request. The deadline for responses to the consultation was 11.59pm on Monday 4 March 2019.

### 3.2 Stakeholder Responses

**3.2.1** A total of seven responses which specifically referenced the request for comments on NMCs were received by the Applicant during the response period. Appendix I provides copies of these responses, which were also provided to the ExA at Deadline 6 (Document Reference SCC/LLTC/EX/89, PINS Reference REP2-002).

*Table 3-1 List of consultation responses received*

Consultee	Consultee strand	Date response received
Historic England	Prescribed party	11.02.19
Virgin Media	Land interest in relation to <ul style="list-style-type: none"> <li>NMC 2</li> <li>NMC 3</li> <li>NMC 4 (i) Limits of deviation relating to the repositioning of the northern abutment</li> <li>NMC 4 (ii) Limits of deviation relating to the height of the blades on the bridge structure</li> <li>NMC 5</li> <li>NMC 6</li> </ul>	14.02.19
Lowestoft Town Council	Prescribed party	15.02.19
Suffolk Fire and Rescue Service	Prescribed party	18.02.19
First Group plc	Land interest (bus stops) in relation to NMC 3	25.02.19
	Land interest in relation to: <ul style="list-style-type: none"> <li>NMC 2</li> <li>NMC 3</li> <li>NMC 4</li> <li>NMC 5</li> <li>NMC 6</li> <li>NMC 7</li> <li>NMC 8</li> </ul>	03.03.19
Howes Percival LLP on	Land interest in relation to: <ul style="list-style-type: none"> <li>NMC 3</li> </ul>	04.03.19

behalf of Overseas Interests Inc, Waveney Fork Trucks Limited, Lift Truck Rentals Limited, Nexen Lift Trucks Limited, Oakes Recruitment Limited, Team Oakes Limited and Hitech Grand Prix Limited (Nexen Group)	<ul style="list-style-type: none"> <li>NMC 6</li> </ul>	
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### 3.3 Return to senders

**3.3.1** Two of the consultation letters sent to advertise the consultation were returned to the Applicant, having been marked as 'undeliverable'. These were investigated to see if further contact details could be identified. It was found that one party no longer had an interest in land affected by the Scheme. The other party was given an extended consultation period, closing on Thursday 21 March 2019, in order to ensure a 28-day response window. No response has been received from this interested party to date. If a response is received by the Applicant, it will be forwarded to the Examining Authority.

*Table 3-2 List of return to sender letters and actions*

Consultee	Related NMC	BoR Plots	Nature of Interest	Date letter returned	Reason for Undeliverable	Action
HSBC Bank plc	8	3-40, 3-41, 4-02, 4-05	Mortgagee for Statuslist Limited in respect of land and buildings, north of Waveney Drive	07.02.19	Refused by HSBC as address must quote: <ul style="list-style-type: none"> <li>Name</li> <li>Department</li> <li>Floor Number</li> </ul>	Letter resent. The consultation expiry date for this letter has been extended to Thurs 21st March to facilitate the 28 day response window.
Diss Investments Limited	1, 2, 3	5-05, 5-06, 5-27	Occupier in respect of access and parking	12.02.19	No longer at this address	No action required as party no longer has interest

### 3.4 Responses to the request for 'additional land'

- 3.4.1 As outlined in Section 2.3 of the NMC Request, one of the proposed changes – the addition of a new turning head at the eastern end of Canning Road (NMC1) – requires the additional permanent acquisition of a small area (38m<sup>2</sup>) of land ('the additional land'). All those with an interest in the additional land have been contacted and four of the five parties involved have provided written confirmation of their consent to the inclusion in the application of the additional land.
- 3.4.2 Responses confirming consent to the inclusion of additional land in the application for the purposes of NMC1 have been received by the Applicant from Waveney District Council, Suffolk County Council, Cadent Gas and UKPN / Eastern Power Networks. Copies of these written consents were provided to the ExA as part of the Deadline 6 Responses to the non-statutory consultation on proposed non-material changes to the Scheme (Document Reference SCC/LLTC/EX/89, PINS Reference REP2-002). For completeness, they are also included in this NMC Consultation Report at Appendix J.
- 3.4.3 Currently, the Applicant awaits written consent from Homes England, which is understood to be agreed in principle and to have been referred to Homes England's internal legal department for the purpose of identifying an appropriate signatory. The email dated 15 March 2019 from Homes England, a copy of which is included in Appendix J to this NMC Consultation Report, attests to this position and confirms that Homes England agrees in principle with the inclusion of the additional land in the Order for the purposes of NMC1 and is currently in the process of seeking internal approval and arranging for an appropriate signatory to provide formal written consent on behalf of Homes England.

## 4 Summary of the Applicant's response to issues raised

4.1.1 This chapter outlines the Applicant's response to the issues raised in consultation responses.

Consultee	Summary of comments	Applicant's response
Historic England	No comments or objections to the proposed changes	No comment.
Virgin Media	<p>Virgin media provided referenced drawings, marked to show the approximate position of plant owned and operated by Virgin Media.</p> <p>They provided information on the process that would be necessary if diversion work was required.</p>	The Applicant noted the information provided and will work collaboratively with Virgin Media if any diversion works are required.
Lowestoft Town Council	Lowestoft Town Council's Planning and Environment Committee considered the proposed changes at their meeting on 12 February and had no objections to any of them.	No comment.
Suffolk Fire and Rescue Service	Suffolk Fire and Rescue Service (SFRS) do not envisage additional service provision will need to be made in order to mitigate the impact of the work. SFRS will not have any objection with regards access, as long as access is in accordance with building regulation guidance. SFRS wish to have included adequate water supplies for firefighting, specific information as to the number and location can be obtained from SFRS's water officer via the normal consultation process.	Highway design will be in accordance with the relevant highway guidance and standards; the Scheme's detailed design is subject to the approval of the County Planning Authority.
First Group plc	No comments specific to the NMCs provided. Consultee asked that any further correspondence be sent to an	The consultee's contact details have been updated on the Applicant's database to

	alternative address.	ensure future correspondence is sent to the alternative address provided.
Anglian Water	<p>Anglian water provided information on its assets relating to the changes. It stated that it had no issues with NMC1, NMC2, NMC3 and NMC7. It made particular comments on:</p> <ul style="list-style-type: none"> <li>○ <b>NMC4:</b> Anglian Water has no objection to this in principle although it would welcome clarification of whether this would have any implications for the existing foul and surface water sewers in Anglian Water's ownership within parcels 2-07, 2-10 and 2-12.</li> <li>○ <b>NMC5:</b> 1a access appears to cross over a rising main in Anglian Water's ownership. As the relevant sewer is a rising main, Anglian Water object to the proposed additional highway access 1a as proposed. The second access referenced 1b appears to be in the vicinity of a surface water sewer in Anglian Water's sewer. Anglian Water requested clarification of what is intended by the Applicant in relation to 1b's relationship to the existing surface water sewer and how access would be maintained following construction.</li> <li>○ <b>NMC6:</b> The access referenced 4a appears to be in the vicinity of a surface water sewer in Anglian Water's sewer. It is not made clear in the consultation statement whether the proposed access is within the relevant easement width for this sewer – where the expectation is that works do not take place unless by agreement with Anglian Water.</li> <li>○ <b>NMC8:</b> The re-aligned section of access road appears to cross an existing surface water sewer in Anglian Water's ownership. Anglian Water welcome clarification from the Applicant whether it is intended</li> </ul>	<p>SCC contacted Anglian Water on 6 March 2019 to reaffirm that all the assets referred to in its consultation response are already affected by the Scheme, and thus work to them, diversion or otherwise is already protected by virtue of their protective provisions in the DCO, which have been agreed.</p> <p>With specific reference to the objection to access 1a, the rising main lies on a west-east direction on Denmark Road and therefore property accesses on the south side of the road already traverse it, including an access immediately adjacent to the location where the Applicant is proposing its access 1a, as such the Applicant queried why such a proposition is objectionable. The protective provisions, as noted above, apply to this work in any event.</p> <p>In summary, there are already measures in the Order that address Anglian Water's concerns.</p> <p>Anglian Water subsequently wrote to the Applicant on 15 March 2019, agreeing with the Applicant's perspective that these matters can be resolved pursuant to the protective provisions, and withdrawing its objection with respect to Access 1a. This correspondence is included in Appendix M.</p>

	<p>that the existing sewer would form part of the new public highway and how access would be maintained.</p> <p>Anglian Water would welcome further discussion with the Applicant on the proposed changes.</p>	
Nexen Group	<p>Nexen commented on NMC6 (Nexen's access) and NMC7 (Lings' access).</p> <p>Their response and accompanying technical report are summarised below:</p> <ul style="list-style-type: none"> <li>○ NMC6 would introduce additional reversing manoeuvres on site which have safety implications</li> <li>○ The positioning of NMC6 would intensify activity in a busy area of the site.</li> <li>○ Accessibility to the weighbridge will be affected</li> <li>○ A second access to the north of the control tower is preferred</li> <li>○ The land take for the Scheme is not clear or justified</li> <li>○ Access arrangements to the development site are inadequate and would affect the development potential of that land</li> <li>○ Nexen prefers an access through the Lings site via NMC7</li> </ul>	<p>The Applicant's response to the issues raised by Nexen Group are included in Appendix K.</p>

## 5 Conclusion

- 5.1.1 In response to the Examining Authority's request, the Applicant undertook consultation regarding the proposed NMCs. As detailed above, this involved the publication of notices in the local press; the erection and maintenance of site notices; the putting on deposit of documents for public inspection at the Applicant's offices and at the public library in Lowestoft, and online on the Council's website; and the sending of 148 letters to prescribed parties and those with an interest in the relevant land.
- 5.1.2 The non-statutory consultation ran from Friday 1 February 2019 to Monday 4 March 2019.
- 5.1.3 The Applicant received seven responses. Two of the responses expressed objection to particular changes (as detailed in Chapter 4 above). The remaining consultation responses provided information to the Applicant or confirmed no objection to the Scheme or to the Applicant's proposed changes to the Scheme.
- 5.1.4 Anglian Water has now withdrawn its objection agreeing that the matters are capable of being resolved through further discussions pursuant to its Protective Provisions to ensure that the nature of the development does not conflict with Anglian Water's statutory duties.
- 5.1.5 The Applicant will continue to engage with Nexen regarding its concerns over the access to its site, but maintains the position that NMC 6 in particular is an appropriate and proportionate response to Nexen's concerns and thus continues to take the view that NMC6 should be included as part of the Application.
- 5.1.6 The Applicant therefore concludes that the majority of those persons who might potentially be considered to be interested in or affected by the proposed changes to the Scheme do not consider those changes to be material in nature (either individually or cumulatively) and nor do they oppose those proposed changes.
- 5.1.7 As such, the Applicant respectfully requests the ExA to accept all of the proposed NMCs as part of the Application to be examined. The Applicant makes this request in the light of its conviction that each of the NMCs would bring a small but significant benefit to a particular aspect of the Scheme, which, in combination would help the Applicant to deliver an optimal Scheme for Lowestoft.

## Appendix A: Copy of the NMC Consultation Notice

**PLANNING ACT 2008 SUFFOLK COUNTY COUNCIL LAKE LOTHING THIRD CROSSING - APPLICATION FOR DEVELOPMENT CONSENT**  
**PLANNING INSPECTORATE REFERENCE: TR010023 NOTICE PUBLICISING PROPOSED CHANGES TO THE APPLICATION FOR A DEVELOPMENT CONSENT ORDER**

On 9 August 2018, the Secretary of State accepted an application by Suffolk County Council (the Council) of Endeavour House, 8 Russell Road, Ipswich IP1 2BX for a development consent order (DCO) under the Planning Act 2008 (the DCO Application) for the Lake Lothing Third Crossing scheme (the scheme). The DCO Application was submitted to the Planning Inspectorate (the Inspectorate), on behalf of the Secretary of State for Housing, Communities and Local Government and was given the reference number TR010023.

The DCO Application is currently being examined by a panel appointed by the Inspectorate (the Examining Authority) on behalf of the Secretary of State. If the Secretary of State decides to grant development consent for the scheme, the DCO would determine the construction, operation and maintenance of a new single-carriageway road crossing of Lake Lothing, consisting of a multi-span bridge with associated approach roads, and would comprise: an opening bascule bridge over the Port of Lowestoft, off Lake Lothing; on the north side, a bridge over Network Rail's East Suffolk Line; and a reinforced earth embankment joining that bridge, via a new roundabout junction, to the C870 Peth Way; and on the south side, a bridge and embankment linking to a new roundabout junction with the B1531 Waveney Drive, and enabling changes to the existing highway network to facilitate the integration of the scheme into the network, including a new access road from Waveney Drive west of Riverside Road.

**Notice is hereby given that:**

- On 29 January 2019, the Council submitted an application for eight proposed changes to the DCO Application which is currently being examined (the Proposed Changes Application).
- The Examining Authority is currently considering whether to accept the proposed changes for inclusion in the examination of the DCO Application and will issue a Procedural Decision on this in due course.
- Any representations on the proposed changes must be submitted to the Council (via the contact details below) by 11.59pm on Monday, 4 March 2019.

**Summary of the Proposed Changes**

The Proposed Changes Application sets out eight proposed changes to the scheme. The Council considers that each of the changes is relatively minor in the context of the scheme as a whole, and that whether taken individually or collectively, the proposed changes are non-material in scale and nature and do not change the scheme to which the DCO Application relates. The eight proposed non-material changes (NMCs) are briefly described below:

- NMC1 - the addition of a turning head at the eastern end of Canning Road.
- NMC2 - traffic regulation measures to allow for on-street parking in Riverside Road additional to that proposed in the DCO Application.
- NMC3 - traffic regulation measures to provide clearway status (i.e. no stopping) along the route of the new crossing instead of the parking restriction measures proposed along the route of the new crossing in the DCO Application.
- NMC4 - amendments to article 5 of the draft Development Consent Order regarding the limits of deviation applicable to (a) the position of the northern embankment (enabling it to be constructed further north of the railway line), and (b) to include limits of deviation relating to the height of the lifting elements of the new bridge superstructure.
- NMC5 - the addition of a new private means of access from railway land owned by Network Rail, across land owned by the Council, to Denmark Road.
- NMC6 - the addition of a new private means of access off the redesigned Riverside Road to premises owned and occupied by Nexen.
- NMC7 - revision of the layout of the new private means of access proposed in the DCO Application off Waveney Drive to premises owned and occupied by MotorLings.
- NMC8 - revision of the alignment of the proposed new access road, linking Waveney Drive to Riverside Road - the curved alignment proposed in the DCO Application located within the J-and-Ren site is proposed to be replaced by a T-junction.

**Full descriptions of the proposed changes are provided in the Council's Proposed Changes Application - details of how you can view this are set out below. The location of each of the eight proposed changes is shown on the plan on the right.**

**Additional land**

In the Proposed Changes Application, the Council seeks powers of compulsory acquisition over a small area (28 square metres) of land which was previously proposed in the DCO Application to be subject to a power to acquire new rights compulsorily. The additional land, which is owned by Waveney District Council, and which currently comprises handstanding adjacent to the Registrar's Office, is required for the provision of the turning head proposed in NMC1. None of the other NMCs (2-8) require land or rights over land additional to what is already proposed in the DCO Application.

**Environmental Appraisal**

The Council has reviewed and tested each proposed change (NMCs 1-8) in the context of each environmental topic previously assessed in the Lake Lothing Third Crossing Environmental Statement (Ref: APP-136 - APP-205) and has concluded that, whether considered individually or collectively, the proposed changes would be unlikely to result in any new or materially different likely significant environmental effects beyond those already assessed and reported in the Environmental Statement.

**Copies of the Proposed Changes Application**

Copies of the Proposed Changes Application are available for inspection free of charge from Friday, 1 February 2019 until Monday, 4 March 2019, at the Council's offices and at Lowestoft Library, at the locations and times set out below:

Venue	Lowestoft Library Clapham Road South, Lowestoft NR32 1DR	Suffolk County Council, Riverside 4 Canning Road, Lowestoft NR33 0EQ
Monday	9.00am - 6.00pm	9.00am - 5.00pm
Tuesday	9.00am - 7.00pm	9.00am - 5.00pm
Wednesday	9.00am - 6.00pm	9.00am - 5.00pm
Thursday	9.00am - 7.00pm	9.00am - 5.00pm
Friday	9.00am - 6.00pm	9.00am - 5.00pm
Saturday	9.00am - 5.00pm	Closed
Sunday	10.00am - 4.00pm	Closed

The Proposed Changes Application can also be viewed online through the Council's website: [www.suffolk.gov.uk/roads-and-transport/transport-planning/lake-lothing-third-crossing/lake-lothing-third-crossing-plans-and-updates/](http://www.suffolk.gov.uk/roads-and-transport/transport-planning/lake-lothing-third-crossing/lake-lothing-third-crossing-plans-and-updates/)

**Making representations about the Proposed Changes to the Application.**

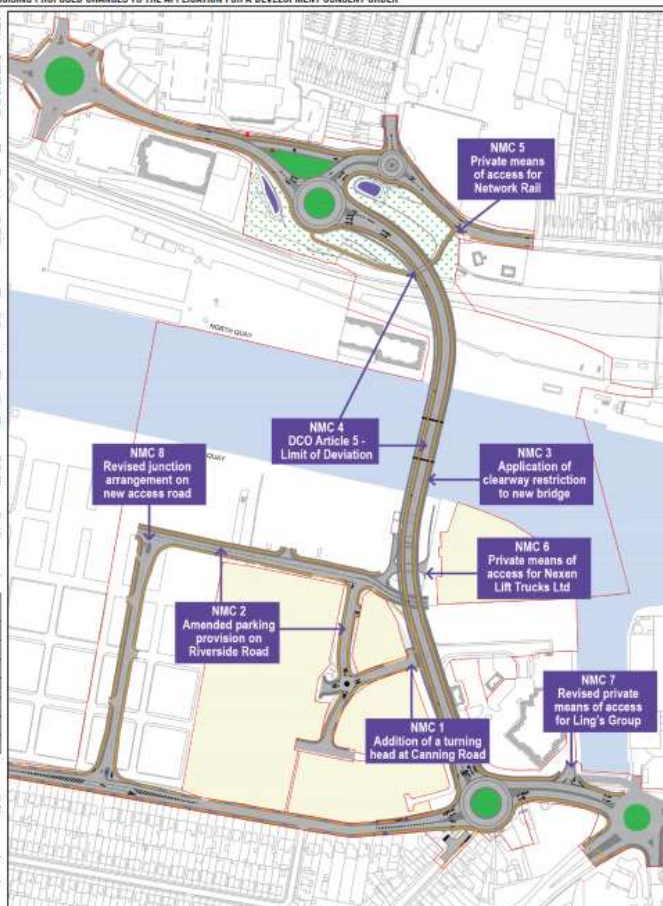
Any representations (giving notice of any interest in, or objection to, any of the changes set out in the Proposed Changes Application) must be made in writing, with the reference Lake Lothing Third Crossing - Application for Proposed Changes, and sent to the Council via either of the contact details below, by 11.59pm on Monday, 4 March 2019:

- Post: Suffolk County Council, Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX
- Email: [lakelothingthirdcrossing@suffolk.gov.uk](mailto:lakelothingthirdcrossing@suffolk.gov.uk)

Please note that following 4 March 2019, any representations received by the Council will be passed directly to the Examining Authority for consideration, and the content will be made publicly available on the Inspectorate's website.

Please note that any representations on the proposed changes to the scheme must be received by the Council via the contact details above no later than 11.59pm on Monday, 4 March 2019.

Date: 01/02/2019. Present Members LLP Solicitors and Parliamentary Agents for Suffolk County Council.



## Appendix B: Copies of the NMC Consultation Notice as published in local newspapers

[illegible]

Figure B-1 NMC Notice Lowestoft Journal, 1 February 2019

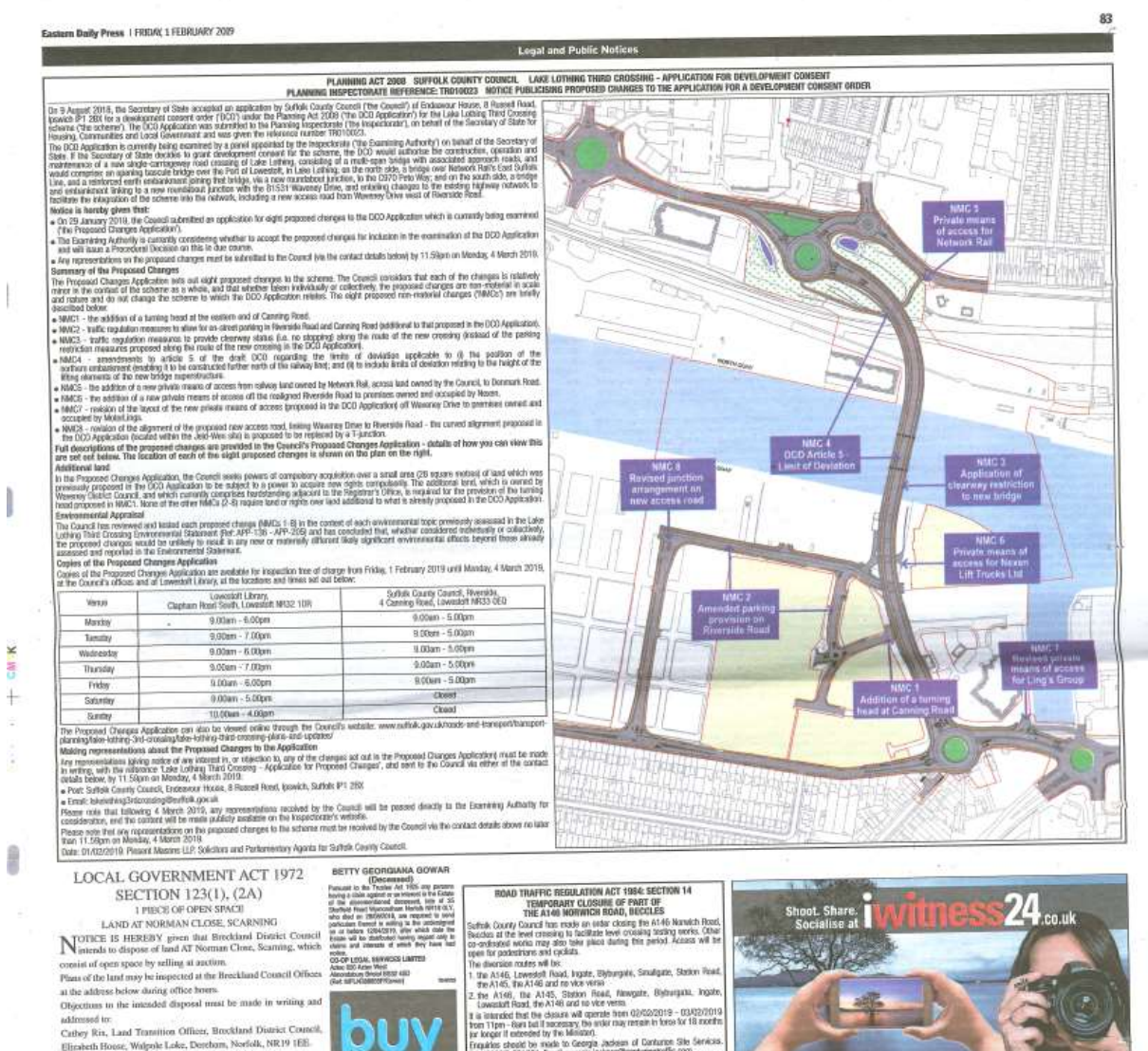


Figure B-2 NMC Notice Eastern Daily Press, 1 February 2019

1 February 2019

Legal and Public Notices

The Advertiser - Waveney edition 51

**PLANNING ACT 2008 SUFFOLK COUNTY COUNCIL LAKE LOTHING THIRD CROSSING - APPLICATION FOR DEVELOPMENT CONSENT**  
**PLANNING INSPECTORATE REFERENCE: 19010023 NOTICE PUBLICISING PROPOSED CHANGES TO THE APPLICATION FOR A DEVELOPMENT CONSENT ORDER**

On 9 August 2018, the Secretary of State accepted an application by Suffolk County Council (the Council) of Endeavour House, 8 Russell Road, Ipswich IP1 2BX for a development consent order (DCO) under the Planning Act 2008 (the DCO Application) for the Lake Lothing Third Crossing (the scheme). The DCO Application was submitted to the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State for Housing, Communities and Local Government and was given the reference number 19010023.

The DCO Application is currently being examined by a panel appointed by the Inspectorate (the Examining Authority) on behalf of the Secretary of State. If the Secretary of State decides to grant development consent for the scheme, the DCO would authorise the construction, operation and maintenance of a new single-span bridge crossing of Lake Lothing, consisting of a multi-span bridge with associated approach roads, and would comprise an opening bascule bridge over the River Lothing, in the north side, a bridge over Newnham Saffs (East Suffolk Line), and a reinforced earth embankment joining that bridge, via a new roundabout junction, to the DSO Petro Way, and on the south side, a bridge and embankment linking in a new roundabout junction with the B1517 Waveney Drive, and enabling changes to the existing highway network to facilitate the integration of the scheme into the network, including a new access road from Waveney Drive west of Riverside Road.

Notice is hereby given that:

- On 29 January 2019, the Council submitted an application for eight proposed changes to the DCO Application which is currently being examined (the Proposed Changes Application).
- The Examining Authority is currently considering whether to accept the proposed changes for inclusion in the examination of this DCO Application and will issue a Provisional Decision on this in due course.
- Any representations on the proposed changes must be submitted to the Council via the contact details below by 11.55pm on Monday, 4 March 2019.

**Summary of the Proposed Changes**

The Proposed Changes Application sets out eight proposed changes to the scheme. The Council considers that each of the changes is relatively minor in the context of the scheme as a whole, and that together taken individually or collectively, the proposed changes are non-material in scale and nature and do not change the scheme to which the DCO Application relates. The eight proposed non-material changes (NMCs) are briefly described below:

- NMC1 - the addition of a turning head at the eastern end of Carving Road.
- NMC2 - traffic regulation measures to allow for on street parking in Riverside Road and Carving Road (additional to that proposed in the DCO Application).
- NMC3 - traffic regulation measures to provide clearway status (i.e. no stopping) along the route of the new crossing instead of the parking restriction measures proposed along the route of the new crossing in the DCO Application.
- NMC4 - amendments to article 5 of the draft DCO (regarding the limits of deviation applicable to it) the position of the northern embankment leading to be constructed further north of Riverside Road, and to include limits of deviation relating to the height of the existing elements of the new bridge superstructure.
- NMC5 - the addition of a new private means of access from railway land owned by Network Rail, across land owned by the Council, to Denmark Road.
- NMC6 - the addition of a new private means of access off the realigned Riverside Road to premises owned and occupied by Nexen.
- NMC7 - revision of the layout of the new private means of access proposed in the DCO Application off Waveney Drive to premises owned and occupied by Mott MacDonald.
- NMC8 - revision of the alignment of the proposed new access road, linking Waveney Drive to Riverside Road - the curved alignment proposed in the DCO Application (located within the A44-Wen site) is proposed to be replaced by a T-junction.

Full descriptions of the proposed changes are provided in the Council's Proposed Changes Application - details of how you can view this are set out below. The location of each of the eight proposed changes is shown on the plan on the right.

**Additional land**

In the Proposed Changes Application, the Council seeks powers of compulsory acquisition over a small area (26 square metres) of land which was previously proposed in the DCO Application to be subject to a power to acquire new rights compulsorily. This additional land, which is owned by Waveney District Council, and which currently comprises hardstanding adjacent to the Registrar's Office, is required for the provision of the turning head proposed in NMC1. None of the other NMCs 2-8 require land or rights over land additional to what is already proposed in the DCO Application.

**Environmental Appraisal**

The Council has reviewed and tested each proposed change (NMCs 1-8) in the context of each environmental topic previously referenced in the Lake Lothing Third Crossing Environmental Statement (the E/S) - (PPR-320) and has concluded that, whether considered individually or collectively, the proposed changes would be unlikely to result in any new or materially different likely significant environmental effects beyond those already assessed and reported in the Environmental Statement.

**Copies of the Proposed Changes Application**

Copies of the Proposed Changes Application are available for inspection free of charge from Friday, 1 February 2019 until Monday, 4 March 2019, at the Council's offices and at Ipswich Library, at the locations and times set out below:

Day	Location	Hours
Monday	Chapman Road South, Ipswich IP1 1DR	9.00am - 6.00pm
Tuesday	Suffolk County Council, Riverside, 4 Carving Road, Ipswich IP1 2BX	9.00am - 5.00pm
Wednesday	Ipswich Library, 100 High Street, Ipswich IP1 1DR	9.00am - 5.00pm
Thursday	Ipswich Library, 100 High Street, Ipswich IP1 1DR	9.00am - 5.00pm
Friday	Ipswich Library, 100 High Street, Ipswich IP1 1DR	9.00am - 5.00pm
Saturday	Ipswich Library, 100 High Street, Ipswich IP1 1DR	Closed
Sunday	Ipswich Library, 100 High Street, Ipswich IP1 1DR	Closed

The Proposed Changes Application can also be viewed online through the Council's website: [www.suffolk.gov.uk/roads-and-transport/transport-planning/lake-lothing-third-crossing/lake-lothing-third-crossing-scheme](http://www.suffolk.gov.uk/roads-and-transport/transport-planning/lake-lothing-third-crossing/lake-lothing-third-crossing-scheme)

**Making representations about the Proposed Changes to the Application**

Any representations (being notice of any objection to, or support for, any of the changes set out in the Proposed Changes Application) must be made in writing, with the reference Lake Lothing Third Crossing - Application for Proposed Changes, and sent to the Council via either of the contact details below, by 11.55pm on Monday, 4 March 2019.

- Post: Suffolk County Council, Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX.
- Email: [lakelothing3rdcrossing@suffolk.gov.uk](mailto:lakelothing3rdcrossing@suffolk.gov.uk)

Please note that following 4 March 2019, any representations received by the Council will be passed directly to the Examining Authority for consideration, and the content will be made publicly available on the Inspectorate's website.

Please note that any representations on the proposed changes to this scheme must be received by the Council via the contact details above no later than 11.55pm on Monday, 4 March 2019.

Date: 01/02/2019. Prepared by: LJP. Solicitors and Parliamentary Agents for Suffolk County Council.



Figure B-3 NMC Notice Waveney Advertiser, 1 February 2019

Beccles and Bungay Journal | Friday 1 February 2019

45

**Legal and Public Notices**

**(LICENSING ACT 2003)**

Name of applicant:  
Mrs A M Gallop

Name of premises:  
Club Virage Cafe

Postal address of premises:  
Beccles Airfield, Beccles

Road, Elloreh, Beccles

NR34 7PJ

This application may be viewed at: Waveney District Council, Riverside 4

Canning Road, Lowestoft, Suffolk NR33 0EQ

Proposed Licensable Activities:

Sale by retail of alcohol on the premises only

Dates between which representations may be made to the Licensing Authority:

Start Date: 26/01/2019

Closing Date: 23/02/2019

Representations must be made in writing to the Licensing Team, Waveney District Council, (as the Licensing Authority) at the above address, or by e-mail to licensing@east.suffolk.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a

**CONSTANCE ADA GREIG**

Pursuant to the Trustee Act 1925 Section 27 any person having a claim against or interest in the Estate of the above named late of Broadlands Residential Care Home, Broadlands Road, Oulton Broad NR32 3PW, who died on 01/12/2018 is required to send written particulars of the claim or interest to the undersigned Solicitors on or before 02/04/2019 after which date the Personal Representatives will distribute the Estate among the persons entitled thereto having regard only to the claims and interests of which they have had notice.

**NORTON PENSLEY SOLICITORS**

Lowestoft NR32 1HF

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**EDWENEA JOY PLEDGER**

(Maiden name: GILLSMITH Previous name: GREGG) (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or interest in the Estate of the above named late of Oulton House Residential Care Home, Oulton Broad, Oulton, Suffolk, UK IP19 3PW, who died on 08/02/2018, are required to send written particulars of the claim or interest to the undersigned on or before 02/04/2019, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

**Kevin Cross,**

The London Gazette (1659),

PO Box 3584, Norwich NR2 7WD,

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**YOUR RIGHTS**

If you buy goods from a trader you have rights under the Consumer Rights Act. It is important, therefore, that you know whether you are buying from a trader or a private individual. To protect consumers, the Business Advertisements (Disclosure) Order 1977 states that trade advertisers must clearly identify themselves.

It is the responsibility of the advertiser to ensure that their advertisements comply with all codes, practices and legislation. In particular, any advertiser who seeks to sell goods in the course of business must comply with the Business Advertisements (Disclosure) Order 1977 and make that fact clear in the wording of their advertisements.

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It is the responsibility of the advertiser to ensure

## Appendix C: Site notices and deposit locations

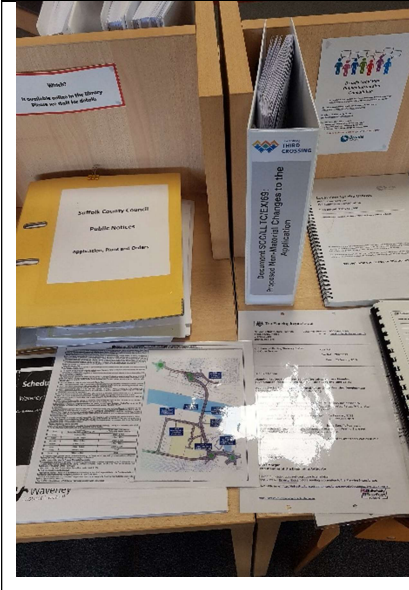
### February 2019 NMC Examination Notification Notice Locations

		
<p>Durban Road Outside BellaBlue</p>	<p>Durban Road Outside No. 38</p>	<p>Durban Road Outside Kevill Arms Public House</p>
		
<p>Kimberley Road Outside No. 49</p>	<p>Kimberley Road Outside No. 93</p>	<p>Kimberley Road Outside No. 130</p>

		
Kimberley Road Outside No. 201	Kimberley Road Opposite No. 219	Waveney Drive Opposite No. 130
		
Waveney Drive Outside No. 124	Waveney Drive Outside Compass House	Riverside Road Outside Registrar's Office

		
<p>Riverside Road Outside Trinity House</p>	<p>Riverside Road Registrar's Office Car Park</p>	<p>Riverside Road Outside MotorLings</p>
		
<p>Riverside Road Opposite MotorLings</p>	<p>Waveney Drive Traffic Lights by Riverside Road</p>	<p>Tom Crisp Way Roundabout Outside James Fisher</p>

		
Peto Way Roundabout Outside Wickes	Peto Way Roundabout Outside Costa	Peto Way Roundabout Outside Lidl
		
Rotterdam Road Outside Norse Entrance	Rotterdam Road Outside Lake Lothing Public House	NMC Document Folder Council Offices – Riverside, Lowestoft

		
<p>NMC Documents Folder Lowestoft Library</p>		

## Appendix D: Copy/sample of letter sent to consultees



«ProperOfficer»  
«ContactName»  
«AddressLine1»  
«AddressLine2»  
«AddressLine3»  
«AddressLine4»  
«AddressLine5»  
«Town»  
«Postcode»

Date: 30 January 2019

Enquiries to: Jon Barnard

Tel: 0345 606 6171

Email: lakelothing3rdcrossing@suffolk.gov.uk

Ref: «Reference»

Dear «Name»,

**LAKE LOTHING THIRD CROSSING, LOWESTOFT – PROPOSED NON-MATERIAL CHANGES TO THE DEVELOPMENT CONSENT ORDER APPLICATION**

We are writing to inform you about some minor changes that Suffolk County Council ("the Council") is proposing to make to the Lake Lothing Third Crossing scheme, which will provide a new bascule bridge highway crossing linking the areas north and south of Lake Lothing in Lowestoft ("the Scheme").

On 13 July 2018, the Council applied for a development consent order ("a DCO") under the Planning Act 2008 ("the Act") for consent to construct, operate and maintain the Scheme ("the Council's Application").

The Council's Application is currently being examined by an Examining Authority appointed by the Planning Inspectorate on behalf of the Secretary of State for Housing, Communities and Local Government, as set out in the procedure established under the Act, for the consideration of applications for development consent for nationally significant infrastructure projects.

We are writing to you now to advise you of some minor (or 'non-material') changes which we are proposing to make to the Council's Application, which may interest you as a prescribed or interested party or may affect land which you own, occupy, or in which you have a legal interest.

**Please read the enclosed notice** which outlines eight proposed minor (or 'non-material') changes to the Scheme and which explains how you can find out more about these proposed changes and comment on them, should you wish to.

Detailed information about the proposed non-material changes is set out in the Council's **Proposed Changes Application**, which is available online on Suffolk County Council's website <https://www.suffolk.gov.uk/roads-and-transport/transport-planning/lake-lothing-3rd-crossing/>. Copies of the Proposed Changes Application are also available for inspection at Suffolk County Council's offices in Lowestoft and at Lowestoft Library (see the details in the enclosed notice). Alternatively, an electronic copy of the Proposed Changes Application (which could be on USB or DVD) can be provided upon request.

The Examining Authority will decide in due course whether to accept the non-material changes into its examination of the Council's Application.

**If you would like to comment** on any of the proposed non-material changes, please send your comments to us **by 11:59pm on Monday 4 March 2019** via the contact details below:

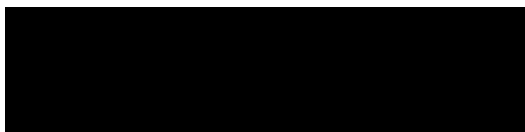
- **By email:** [lakelothing3rdcrossing@suffolk.gov.uk](mailto:lakelothing3rdcrossing@suffolk.gov.uk)
- **By phone:** 0345 606 6171 (open Mon-Fri 8:30am-6pm)
- **By post:** using the enclosed freepost envelope

Please note that any comments received will be passed to the Examining Authority for consideration, and the content will be made publicly available on the Planning Inspectorate's website.

As always, if you have any general questions or comments relating to the scheme, you can contact us by email at [lakelothing3rdcrossing@suffolk.gov.uk](mailto:lakelothing3rdcrossing@suffolk.gov.uk) or by telephone on 0345 603 1842 (open Mon-Fri 8:30am-6:00pm).

You can also register on the Planning Inspectorate's website if you are interested in receiving updates on the progress of the DCO examination.

Yours «sincerely / faithfully»,



Jon Barnard  
Project Manager, Lake Lothing Third Crossing

*Enc.*

*Non-statutory notice of proposed changes to the DCO Application, including plan showing locations of the proposed changes*

**PLANNING ACT 2008 SUFFOLK COUNTY COUNCIL LAKE LOTHING THIRD CROSSING - APPLICATION FOR DEVELOPMENT CONSENT**  
**PLANNING INSPECTORATE REFERENCE: TR010023 NOTICE PUBLICISING PROPOSED CHANGES TO THE APPLICATION FOR A DEVELOPMENT CONSENT ORDER**

On 9 August 2018, the Secretary of State accepted an application by Suffolk County Council ('the Council') of Endeavour House, 8 Russell Road, Ipswich IP1 2BX for a development consent order ('DCO') under the Planning Act 2008 ('the DCO Application') for the Lake Lothing Third Crossing scheme ('the scheme'). The DCO Application was submitted to the Planning Inspectorate ('the Inspectorate'), on behalf of the Secretary of State for Housing, Communities and Local Government and was given the reference number TR010023.

The DCO Application is currently being examined by a panel appointed by the Inspectorate ('the Examining Authority') on behalf of the Secretary of State. If the Secretary of State decides to grant development consent for the scheme, the DCO would authorise the construction, operation and maintenance of a new single-carriageway road crossing of Lake Lothing, consisting of a multi-span bridge with associated approach roads, and would comprise: an elevated access bridge over the Port of Lowestoft, in Lake Lothing, on the north side, a bridge over Network Rail's East Suffolk Line, and a reinforced earth embankment joining that bridge, via a new roundabout junction, to the C970 Peto Way; and on the south side, a bridge and embankment linking to a new roundabout junction with the B1531 Waveney Drive, and entailing changes to the existing highway network to facilitate the integration of the scheme into the network, including a new access road from Waveney Drive West of Riverside Road.

**Notice is hereby given that:**

- On 29 January 2019, the Council submitted an application for eight proposed changes to the DCO Application which is currently being examined (the Proposed Changes Application).
- The Examining Authority is currently considering whether to accept the proposed changes for inclusion in the examination of the DCO Application and will issue a Procedural Decision on this in due course.
- Any representations on the proposed changes must be submitted to the Council (via the contact details below) by 11.59pm on Monday, 4 March 2019.

**Summary of the Proposed Changes**

The Proposed Changes Application sets out eight proposed changes to the scheme. The Council considers that each of the changes is relatively minor in the context of the scheme as a whole, and that whether taken individually or collectively, the proposed changes are non-material in scale and nature and do not change the scheme to which the DCO Application relates. The eight proposed non-material changes ('NMCs') are briefly described below:

- NMC1 - the addition of a turning head at the eastern end of Canning Road.
- NMC2 - traffic regulation measures to allow for on-street parking in Riverside Road and Canning Road (additional to that proposed in the DCO Application).
- NMC3 - traffic regulation measures to provide clearway status (i.e. no stopping) along the route of the new crossing instead of the parking restriction measures proposed along the route of the new crossing in the DCO Application.
- NMC4 - amendments to article 5 of the draft Development Consent Order regarding the limits of deviation applicable to (i) the position of the northern embankment enabling it to be constructed further north of the railway line; and (ii) to include limits of deviation relating to the height of the lifting elements of the new bridge superstructure.
- NMC5 - the addition of a new private means of access from railway land owned by Network Rail, across land owned by the Council, to Denmark Road.
- NMC6 - the addition of a new private means of access off the realigned Riverside Road to premises owned and occupied by Nexen.
- NMC7 - revision of the layout of the new private means of access (proposed in the DCO Application) off Waveney Drive to premises owned and occupied by MotorLings.
- NMC8 - revision of the alignment of the proposed new access road, linking Waveney Drive to Riverside Road - the curved alignment proposed in the DCO Application (located within the Jand-Wen site) is proposed to be replaced by a T-junction.

Full descriptions of the proposed changes are provided in the Council's Proposed Changes Application - details of how you can view this are set out below. The location of each of the eight proposed changes is shown on the plan on the right.

**Additional land**

In the Proposed Changes Application, the Council seeks powers of compulsory acquisition over a small area (28 square metres) of land which was previously proposed in the DCO Application to be subject to a power to acquire new rights compulsorily. The additional land, which is owned by Waveney District Council, and which currently comprises hardstanding adjacent to the Registrar's Office, is required for the provision of the turning head proposed in NMC1. None of the other NMCs (2-8) require land or rights over land additional to what is already proposed in the DCO Application.

**Environmental Appraisal**

The Council has reviewed and tested each proposed change (NMCs 1-8) in the context of each environmental topic previously assessed in the Lake Lothing Third Crossing Environmental Statement (Ref. APP-136 - APP-205) and has concluded that, whether considered individually or collectively, the proposed changes would be unlikely to result in any new or materially different likely significant environmental effects beyond those already assessed and reported in the Environmental Statement.

**Copies of the Proposed Changes Application**

Copies of the Proposed Changes Application are available for inspection free of charge from Friday, 1 February 2019 until Monday, 4 March 2019, at the Council's offices and at Lowestoft Library, at the locations and times set out below:

Venue	Lowestoft Library, Clapham Road South, Lowestoft NR32 1DR	Suffolk County Council, Riverside, 4 Canning Road, Lowestoft NR33 0EQ
Monday	9.00am - 6.00pm	9.00am - 5.00pm
Tuesday	9.00am - 7.00pm	9.00am - 5.00pm
Wednesday	9.00am - 6.00pm	9.00am - 5.00pm
Thursday	9.00am - 7.00pm	9.00am - 5.00pm
Friday	9.00am - 6.00pm	9.00am - 5.00pm
Saturday	9.00am - 5.00pm	Closed
Sunday	10.00am - 4.00pm	Closed

The Proposed Changes Application can also be viewed online through the Council's website: [www.suffolk.gov.uk/roads-and-transport/transport-planning/lake-lothing-third-crossing/lake-lothing-third-crossing-plans-and-updates/](http://www.suffolk.gov.uk/roads-and-transport/transport-planning/lake-lothing-third-crossing/lake-lothing-third-crossing-plans-and-updates/)

**Making representations about the Proposed Changes to the Application.**

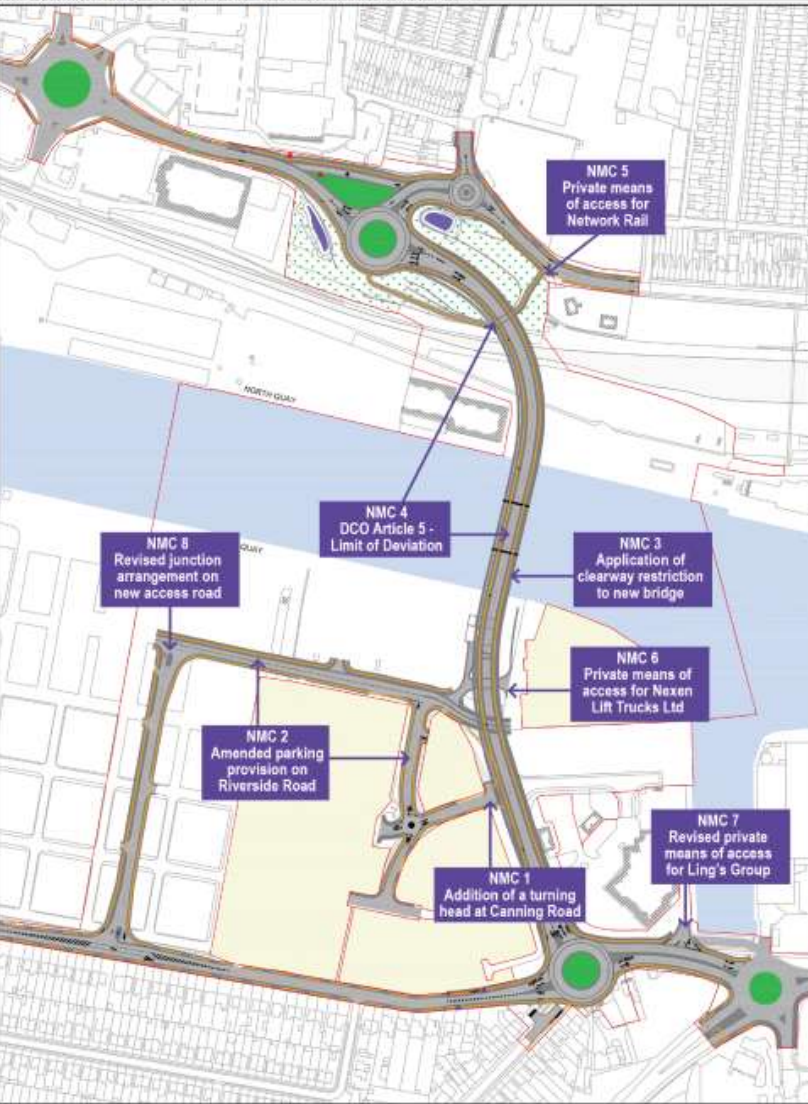
Any representations (giving notice of any interest in, or objection to, any of the changes set out in the Proposed Changes Application) must be made in writing, with the reference 'Lake Lothing Third Crossing - Application for Proposed Changes', and sent to the Council via either of the contact details below, by 11.59pm on Monday, 4 March 2019:

- Post: Suffolk County Council, Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX
- Email: [lakelothingthirdcrossing@suffolk.gov.uk](mailto:lakelothingthirdcrossing@suffolk.gov.uk)

Please note that following 4 March 2019, any representations received by the Council will be passed directly to the Examining Authority for consideration, and the content will be made publicly available on the Inspectorate's website.

Please note that any representations on the proposed changes to the scheme must be received by the Council via the contact details above no later than 11.59pm on Monday, 4 March 2019.

Date: 01/02/2019, Present Moxon LLP Solicitors and Parliamentary Agents for Suffolk County Council.



## Appendix E: Schedule of prescribed consultees

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
The Health and Safety Executive	The Chief Executive	Rosebery Court	2nd Floor	Norwich	United Kingdom	NR7 0HS	Post	No. Applicant does not consider changes will be of interest
	The Chief Executive	Osprey House	Hedgerows Business Park	Springfield	United Kingdom	CM2 5PF	Post	No. Applicant does not consider changes will be of interest
		NSIP Consultations,	Building 2.2, Redgrave Court	Merton Road	Bootle, Merseyside, United Kingdom	L20 7HS	Post	No. Applicant does not consider changes will be of interest
NHS England	The Chief Executive	NHS Commissioning Board	PO Box 16728	Redditch	United Kingdom	B97 9PT	Post	No. Applicant does not consider changes will be of interest
NHS England East Anglia	The Chief Executive	Capital Park	Fulbourn	Cambridge	United Kingdom	CB21 5XA	Post	No. Applicant does not consider changes will be of interest
Great Yarmouth and Waveney Clinical Commissioning Group	The Chief Executive	Beccles House	1 Common Lane North	Beccles	United Kingdom	NR34 9BN	Post	No. Applicant does not consider changes will be of interest
Natural England	The Chief Executive	Head Office	4th Floor, Foss House	Kings Pool, 1-2 Peasholme	York, United Kingdom	YO1 7PX	Post	Yes

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
				Green				
	The Chief Executive	Consultation Service	Hornbeam House	Electra Way	Crewe Business Park, Crewe, United Kingdom	CW1 6GJ	Post	Yes
Historic England	The Chief Executive	1 Waterhouse Square	138-142 Holborn	London	United Kingdom	EC1N 2ST	Post	Yes
		Brooklands	24 Brooklands Avenue	Cambridge	United Kingdom	CB2 8BU	Post and email	Yes
Suffolk Fire and Rescue Service		Suffolk County Council	Endeavour House	8 Russell Road	Ipswich, United Kingdom	IP1 2BX	Post and email	Yes
Police and Crime Commissioner for Suffolk		Police Headquarters	Portal Avenue	Martlesham Heath	Ipswich, United Kingdom	IP5 3QS	Post	Yes
Lowestoft Town Council Clerk		Suffolk Association of Local Councils	11a Hillview Business Park	Claydon	United Kingdom	IP6 0AJ	Post and email	Yes
		Battery	Lowestoft		United	NR32 1DE	Post	Yes

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
	██████	Green Road			Kingdom			
Environment Agency	The Chief Executive	Horizon House		Bristol	United Kingdom	BS1 5AH	Post	Yes
Environment Agency - East Anglia	██████ ██████	Iceni House	Cobham Road	Suffolk	Ipswich, United Kingdom	IP3 9JD	Post and email	Yes
Homes England	The Chief Executive	50 Victoria Street	Westminster	London	United Kingdom	SW1H 0TL	Post	No. Applicant does not consider changes will be of interest
	██████	Fry Building	2 Marsham Street	Westminster	London, United Kingdom	SW1P 4DF	Post and email	No. Applicant does not consider changes will be of interest
The Joint Nature Conservation Committee	██████	Monkstone House	City Road	Peterborough	United Kingdom	PE1 1JY	Post and email	No. Applicant does not consider changes will be of interest
Maritime and Coastguard Agency	The Chief Executive	Rosebery Court	Central Avenue	St. Andrews Business Park	Norwich United Kingdom	NR7 0HS	Post	No. Applicant does not consider changes will be of interest
Maritime and Coastguard Agency	██████ ██████	Navigation Specialist Support	Bay 2/04, Spring Place	105 Commercial Road	Southampton, United Kingdom	SO15 1EG	Post	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
The Marine Management Organisation	The Chief Executive	Lowestoft Office	Pakefield Road	Lowestoft	United Kingdom	NR33 0HT	Post	Yes
	The Chief Executive	Licensing Support Team	Lancaster House	Hampshire Court	Newcastle-Upon-Tyne, United Kingdom	NE4 7YH	Post	Yes
	The Chief Executive	Lancaster House	Hampshire Court	Newcastle upon Tyne	Tyne and Wear, United Kingdom	NE4 7YH	Post	Yes
Civil Aviation Authority	The Chief Executive	Directorate of Airspace Policy	CAA House	45-59 Kingsway	London, United Kingdom	WC2B 6TE	Post	No. Applicant does not consider changes will be of interest
Department for Transport	██████████ ██████████	Great Minster House	33 Horseferry Road	London	United Kingdom	SW1P 4DR	Post	No. Applicant does not consider changes will be of interest
	██████ ██████████						Email	No. Applicant does not consider changes will be of interest
Highways England	The Chief Executive	National Traffic Operations Centre	3 Ridgeway	Quinton Business Park	Birmingham, United Kingdom	B32 1AF	Post	Yes
	The Chief	Bridge	1 Walnut Tree Close	Guildford	Surrey, United	GU1 4LZ	Post	Yes

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
	Executive	House			Kingdom			
	██████████	Woodlands	Manton Lane	Manton Industrial Estate	Bedford, United Kingdom	MK41 7LW	Post	Yes
The Coal Authority	The Chief Executive	200 Lichfield Lane		Mansfield	United Kingdom	NG18 4RG	Post	No. Applicant does not consider changes will be of interest
Waveney, Lower Yare & Lothingland Internal Drainage Board	The Chief Executive	C/o Nicholsons Solicitors	23 Alexandra Road	Lowestoft	United Kingdom	NR32 1PP	Post	No. Applicant does not consider changes will be of interest
Canal and River Trust	██████████ ██████████	The Toll House	Little Venice	Dalamere Terrace	London, United Kingdom	W2 6ND		No. Canal and River Trust has confirmed it has no land or waterspace in the area affected, and therefore do not need to be involved in the consultation
Canal and River Trust	The Chief Executive	Head Office, First Floor North	Station House	500 Elder Gate	Milton Keynes, United Kingdom	MK9 1BB		
Trinity House	██████████ ██████████	Navigation Directorate	Tower Hill		London, United Kingdom	EC3N 4DH	Post	No. Applicant does not consider changes will be of interest
Public Health England	██████████ ██████████	Regional Director, 1st	St Philip's Place	Birmingham	United Kingdom	B3 2PW	Post	No. Applicant does not consider changes will be of

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
		Floor 5		m				interest
Public Health England	The Chief Executive	NSIP Team	Wellington House	133-155 Waterloo Road	London, United Kingdom	SE1 8UG	Post	No. Applicant does not consider changes will be of interest
ESP Networks Ltd		Hazledean	Station Road	Leatherhead	Surrey, United Kingdom	KT22 7AA	Post and email	No. Applicant does not consider changes will be of interest
ESP Networks Ltd	The Secretary	Bluebird House	Mole Business Park	Leatherhead	Surrey, United Kingdom	KT22 7BA	Post	No. Applicant does not consider changes will be of interest
Associated British Ports		2nd Floor	25 Bedford Street	London	United Kingdom	WC2E 9ES	Post	Yes
		Harbour Master	Bridge Control Building	Station Square	Lowestoft, United Kingdom	NR32 1BA	Post	Yes
	The Chief Executive	25 Bedford Street		London	United Kingdom	WC2E 9ES	Post	Yes
Utility Distribution Networks Limited	The Secretary	Ship Canal House	98 King Street	Manchester	United Kingdom	M2 4WU	Post	No. Applicant does not consider changes will be of interest
Energetics Electricity	The	International	Stanley Boulevard	Hamilton International	Glasgow, United	G72 0BN	Post	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
Limited	Secretary	House		al Technolog y Park	Kingdom			interest
Energetics Electricity Limited	The Secretary	Fenick House	Lister Way	Hamilton International Technolog y Park	Glasgow, United Kingdom	G72 0FT	Post	No. Applicant does not consider changes will be of interest
ESP Electricity Limited	The Secretary	1st Floor	Bluebird House	Mole Business Park	Leatherhead, United Kingdom	KT22 7BA	Post	No. Applicant does not consider changes will be of interest
G2 Energy IDNO Limited	The Secretary	1 Osier Way	Olney Office Park	Olney	United Kingdom	MK46 5FP	Post	No. Applicant does not consider changes will be of interest
Harlaxton Energy Networks Limited	The Secretary	Toll Bar Road	Marston	Grantham	United Kingdom	NG32 2HT	Post	No. Applicant does not consider changes will be of interest
Independent Power Networks Limited	The Secretary	Energy House	Woolpit Business Park	Windmill Avenue, Woolpit	Bury St. Edmunds United Kingdom	IP30 9UP	Post	No. Applicant does not consider changes will be of interest
Peel Electricity Networks	The	Peel Dome	The Trafford Centre	Mancheste	United	M17 8PL	Post	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
Limited	Secretary			r	Kingdom			interest
Leep Electricity Networks Limited	The Secretary	Peel Dome	Intu Trafford Centre	Trafford City	Manchester, United Kingdom	M17 8PL	Post	No. Applicant does not consider changes will be of interest
Leep Electricity Networks Limited	The Secretary	The Greenhouse,	Mediacity UK,	Salford,	United Kingdom,	M50 2EQ	Post	No. Applicant does not consider changes will be of interest
The Electricity Network Company Limited	The Secretary	Energy House	Woolpit Business Park	Bury St. Edmunds	United Kingdom	IP30 9UP	Post	No. Applicant does not consider changes will be of interest
UK Power Distribution Limited	The Secretary	22-26 King Street		King's Lynn	United Kingdom	PE30 1HJ	Post	Yes
UK Power Networks Limited	The Secretary	Newington House	237 Southwark Bridge Road	London	United Kingdom	SE1 6NP	Post	Yes
London Power Networks	The Secretary	237 Southwark Bridge Rd	Camberwell	London	United Kingdom	SE1 6NP	Post	No. Applicant does not consider changes will be of interest
Utility Assets Limited	The Secretary	53 High Street	Cheveley	Newmarket	United Kingdom	CB8 9DQ	Post	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
National Grid Plc	Wayne Smith	National Grid House	Technology Park	Gallows Hill	Warwick, United Kingdom	CV34 6DA	Post	No. Applicant does not consider changes will be of interest
National Grid Plc	The Chief Executive	1-3 Strand		London	United Kingdom	WC2N 5EH	Post	No. Applicant does not consider changes will be of interest
National Grid Electricity Transmission Plc	The Chief Executive	1-3 Strand		London	United Kingdom	WC2N 5EH	Post	No. Applicant does not consider changes will be of interest
National Grid Interconnectors Limited	The Secretary	1-3 Strand		London	United Kingdom	WC2N 5EH	Post	No. Applicant does not consider changes will be of interest
Northern Gas Networks Limited	The Secretary	1100 Century Way		Leeds	United Kingdom	LS15 8TU	Post	No. Applicant does not consider changes will be of interest
Energetics Gas Limited	The Secretary	International House	Stanley Boulevard	Hamilton International Technology Park	Glasgow, United Kingdom	G72 0BN	Post	No. Applicant does not consider changes will be of interest
Energetics Gas Limited	The Secretary	Fenick House	Lister Way	Hamilton International	Glasgow, United Kingdom	G72 0FT	Post	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
				Technology Park	Kingdom			interest
Energy Assets Pipelines Limited	The Secretary	Ship Canal House	98 King Street	Manchester	United Kingdom	M2 4WU	Post	No. Applicant does not consider changes will be of interest
ES Pipelines Ltd	The Secretary	1st Floor	Bluebird House	Mole Business Park	Leatherhead, United Kingdom	KT22 7BA	Post	No. Applicant does not consider changes will be of interest
ES Pipelines Ltd	██████	Hazledean	Station Road	Leatherhead	Surrey, United Kingdom	KT22 7AA	Post and email	No. Applicant does not consider changes will be of interest
ESP Connections Ltd	The Secretary	1st Floor	Bluebird House	Mole Business Park	Leatherhead, United Kingdom	KT22 7BA	Post	No. Applicant does not consider changes will be of interest
ESP Connections Ltd	██████	Hazledean	Station Road	Leatherhead	Surrey, United Kingdom	KT22 7AA	Post and email	No. Applicant does not consider changes will be of interest
ESP Pipelines Ltd	The Secretary	1st Floor	Bluebird House	Mole Business Park	Leatherhead, United Kingdom	KT22 7BA	Post	No. Applicant does not consider changes will be of interest
ESP Pipelines Ltd	██████	Hazledean	Station Road	Leatherhead	Surrey, United Kingdom	KT22 7AA	Post and email	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
Fulcrum Pipelines Limited	The Secretary	2 Europa View	Sheffield Business Park	Sheffield	United Kingdom	S9 1XH	Post	No. Applicant does not consider changes will be of interest
GTC Pipelines Limited	The Secretary	Energy House	Woolpit Business Park	Bury St. Edmunds	United Kingdom	IP30 9UP	Post	No. Applicant does not consider changes will be of interest
Independent Pipelines Limited	The Secretary	Energy House	Woolpit Business Park	Windmill Avenue	Bury St. Edmunds, Suffolk, United Kingdom	IP30 9UP	Post	No. Applicant does not consider changes will be of interest
Indigo Pipelines Limited	The Secretary	17 Blythswood Square		Glasgow	United Kingdom	G2 4AD	Post	No. Applicant does not consider changes will be of interest
Indigo Pipelines Limited	The Secretary	1 Fleet Place	London		United Kingdom	EC4M 7WS	Post	No. Applicant does not consider changes will be of interest
Cadent Gas Limited		Property & Land Services	Ashbrook Court	Prologis Park Central Boulevard	Coventry, United Kingdom	CV7 8PE	Post and email	Yes
National Grid Gas plc	The Chief Executive	1-3 Strand	London	London	United Kingdom	WC2N 5EH	Post	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
Quadrant Pipelines Limited	The Secretary	Energy House	Woolpit Business Park	Woodmill Avenue, Woolpit	Bury St Edmunds United Kingdom	IP30 9UP	Post	No. Applicant does not consider changes will be of interest
Scotland Gas Networks Plc	The Chief Executive	Inveralmond House	200 Dunkeld Road	Perth	United Kingdom	PH1 3AQ	Post	No. Applicant does not consider changes will be of interest
Scotland Gas Networks Plc	The Chief Executive	Axis House	5 Lonehead Drive	Newbridge	Edinburgh United Kingdom	EH28 8TG	Post	No. Applicant does not consider changes will be of interest
Southern Gas Networks Plc	The Chief Executive	Inveralmond House	200 Dunkeld Road	Perth	United Kingdom	PH1 3AQ	Post	No. Applicant does not consider changes will be of interest
Southern Gas Networks Plc	The Chief Executive	Station Approach	Horley	Surrey	United Kingdom	RH6 3HJ	Post	No. Applicant does not consider changes will be of interest
Wales and West Utilities Ltd	The Secretary	Wales & West House	Spooner Close	Celtic Springs	Newport United Kingdom	NP10 8FZ	Post	No. Applicant does not consider changes will be of interest
Abellio East Anglia Limited	The Secretary	1 Ely Place		London	United Kingdom	EC1N 6RY	Post	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
Abellio East Anglia Limited	The Secretary	2nd Floor, St Andrew's House	18-20 St Andrew Street	London	United Kingdom	EC4A 3AG	Post	No. Applicant does not consider changes will be of interest
Freightliner	The Secretary	3rd Floor	90 Whitfield Street	Fitzrovia	London United Kingdom	W1T 4EZ	Post	No. Applicant does not consider changes will be of interest
GB Railfreight	The Secretary	3rd Floor	55 Old Broadstreet	London	United Kingdom	EC2M 1RX	Post	No. Applicant does not consider changes will be of interest
DB Schenker	The Secretary	Juniper Park	Mayne House	2 Fenton Way	Basildon United Kingdom	SS15 6TD	Post	No. Applicant does not consider changes will be of interest
DB Schenker	The Secretary	Lakeside Business Park,	Carolina Way,	Doncaster,	South Yorkshire United Kingdom	DN4 5PN	Post	No. Applicant does not consider changes will be of interest
Highways England Historical Railways Estate	The Secretary	37 Tanner Row		York	United Kingdom	YO1 6WP	Post	Yes
Network Rail	■■■■ ■■■■■■■■■■	Floor 5	1 Eversholt Street	London	United Kingdom	NW1 2DN	Post	Yes

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
Royal Mail Group Lowestoft	The Secretary	Quay View Business Park	Barnards Way	Lowestoft	United Kingdom	NR32 2ER	Post	No. Applicant does not consider changes will be of interest
Royal Mail Group	██████████ ██████	100 Victoria Embankment	London		United Kingdom	EC4Y 0HQ	Post and email	No. Applicant does not consider changes will be of interest
Energy Asset Networks Limited	The Secretary	Ship Canal House	98 King Street	Manchester	United Kingdom	M2 4WU	Post	No. Applicant does not consider changes will be of interest
Energy Assets Power Networks Limited	The Secretary	Ship Canal House	98 King Street	Manchester	United Kingdom	M2 4WU	Post	No. Applicant does not consider changes will be of interest
Fulcrum Electricity Assets Limited	The Secretary	2 Europa View		Sheffield	South Yorkshire United Kingdom	S9 1XH	Post	No. Applicant does not consider changes will be of interest
Murphy Power Distribution Limited	The Secretary	Hiview House	Highgate Road	London	United Kingdom	NW5 1TN	Post	No. Applicant does not consider changes will be of interest
Vattenfall Networks Limited	The Secretary	First Floor	1 Tudor Street	London	United Kingdom	EC4Y 0AH	Post	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
Anglian Water Services Limited	The Secretary	Lancaster House Lancaster Way	Ermine Business Park	Huntingdon	United Kingdom	PE29 6XU	Post	Yes
Anglian Water Services Limited	██████████						Email	Yes
Anglian Water Services Limited	██████████ ██████████	Thorpe Wood House	Thorpe Wood	Peterborough	United Kingdom	PE3 6WT	Post	Yes
Essex and Suffolk Water Limited	The Secretary	Customer Centre	PO Box 292	Durham	United Kingdom	DH1 9TX	Post	Yes
Essex And Suffolk Water Limited	The Secretary	Northumbria House, Abbey Road	Pity Me	Durham	United Kingdom	DH1 5FJ	Post	Yes
The Crown Estate	██████████ ██████████	1 st James's Market		London	United Kingdom	WS1Y 4AH	Post	no. Crown Estate has notified that they have no interests in the land and therefore have no comments to make on the proposal. They asked to be removed from the distribution list
	The Chief Executive	The Crown Commissioners	16 Burlington Place	London	United Kingdom	W1S 2HX	Post	

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
East of England Ambulance Service NHS Trust	The Chief Executive	Trust Headquarters	Whiting Way	Melbourn	United Kingdom	SG8 6EN	Post	Yes
Norfolk & Suffolk Foundation Trust	The Chief Executive	7 Walker Close		Ipswich	United Kingdom	IP3 8LY	Post	No. Applicant does not consider changes will be of interest
Norfolk & Suffolk NHS Foundation Trust	The Chief Executive	Trust Headquarters	Hellesdon Hospital	Drayton High Road	Norwich United Kingdom	NR6 5BE	Post	No. Applicant does not consider changes will be of interest
James Paget University Hospitals NHS Foundation Trust	The Chief Executive	Lowestoft Road	Gorleston	Great Yarmouth	United Kingdom	NR31 6LA	Post	No. Applicant does not consider changes will be of interest
NHS England Sustainable Improvement Team	The Chief Executive	4th Floor North	Quarry House	Quarry Hill	Leeds United Kingdom	LS2 7UA	Post	No. Applicant does not consider changes will be of interest
Health and Social Care Information	The Secretary	1 Trevelyan Square	Boar Lane	Leeds	United Kingdom	LS1 6AE	Post	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
Centre								
Health Education England	The Chief Executive	Stewart House	32 Russell Square	Bloomsbury	United Kingdom	WC1B 5DN	Post	No. Applicant does not consider changes will be of interest
Health and Research Authority	The Secretary	Skipton House	80 London Road	London	United Kingdom	SE1 6LH	Post	No. Applicant does not consider changes will be of interest
National Institute for Health and Clinical Excellence	The Chief Executive	10 Spring Gardens		London	United Kingdom	SW1A 2B	Post	No. Applicant does not consider changes will be of interest
National Patient Safety Agency	The Chief Executive	Wellington House	133-155 Waterloo Road		London United Kingdom	SE1 8UG	Post	No. Applicant does not consider changes will be of interest
National Treatment Agency	The Chief Executive	2nd Floor	Skipton House	London	United Kingdom	SE1 6LH	Post	No. Applicant does not consider changes will be of interest
NHS Blood and Transplant	The Chief Executive	Oak House	Reeds Crescent	Watford	United Kingdom	WD24 4QN	Post	No. Applicant does not consider changes will be of interest
NHS Litigation	The Chief	151 Buckingham		London	United	SW1W	Post	No. Applicant does not consider changes will be of interest

Organisation Name	Name	Address line 1	Address line 2	Address line 3	Town	Postcode	Post/ email	NMC Consult
Authority	Executive	Palace Road			Kingdom	9SZ		interest
NHS Business Services Authority	The Chief Executive	152 Pilgrim Street		Newcastle upon Tyne	United Kingdom	NE1 6SN	Post	No. Applicant does not consider changes will be of interest
NHS Trust Development Authority	The Chief Executive	Wellington House	133-155 Waterloo Road		London United Kingdom	SE1 8UG	Post	No. Applicant does not consider changes will be of interest
Ministry of Defence	The Rt Hon Sir Michael Fallon MP	Whitehall	London		United Kingdom	SW1A 2HB	Post	No. Applicant does not consider changes will be of interest
NATS En-Route Safeguarding	The Chief Executive	4000 Parkway	Whiteley	Fareham	United Kingdom	PO15 7FL	Post	No. Applicant does not consider changes will be of interest
Cambridgeshire and Peterborough Combined Authority	The Chief Executive	The Incubator 2, First Floor	Alconbury Weald Enterprise Campus	Alconbury Weald	Huntingdon United Kingdom	PE28 4WX	Post	No. Applicant does not consider changes will be of interest
Royal National Lifeboat Institution	The Chief Executive	Royal National Lifeboat Institution	RNLI Headquarters	West Quay Road	Poole United Kingdom	BH15 1HZ	Post	No. Applicant does not consider changes will be of interest

## Appendix F: Schedule of local authorities

Local authority	Contact name	Address line 1	Address line 2	Address line 3	Country	Postcode	Post/Email	NMC Consult
Suffolk County Council	The Chief Executive	Endeavour House	8 Russell Road	Ipswich	United Kingdom	IP1 2BX	Post	Yes
	██████████	Endeavour House	8 Russell Road	Ipswich	United Kingdom	IP1 2BX	Post	Yes
	██████████	Endeavour House	8 Russell Road	Ipswich	United Kingdom	IP1 2BX	Post	Yes
Waveney District Council	The Chief Executive	Riverside	4 Canning Road	Lowestoft	United Kingdom	NR33 0EQ	Post	Yes
Cambridge shire County Council	The Chief Executive	Shire Hall	Castle Street	Cambridge	United Kingdom	CB3 0AP	Post	No. Bordering local authority, Applicant does not consider changes will be of interest
Essex County Council	The Chief Executive	County Hall	Market Road	Chelmsford	United Kingdom	CM1 1QH	Post	No. Bordering local authority, Applicant does not consider changes will be of interest
Great Yarmouth Borough Council	The Chief Executive	Town Hall	Hall Plain	Great Yarmouth	United Kingdom	NR30 2QF	Post	No. Bordering local authority, Applicant does not consider changes will be of interest

Local authority	Contact name	Address line 1	Address line 2	Address line 3	Country	Postcode	Post/Email	NMC Consult
Mid Suffolk District Council	The Chief Executive	Council Offices	131 High Street	Needham Market	United Kingdom	IP6 8DL	Post	No. Bordering local authority, Applicant does not consider changes will be of interest
Mid Suffolk District Council	The Chief Executive	Endeavour House	8 Russell Road	Ipswich	United Kingdom	IP1 2BX	Post	No. Bordering local authority, Applicant does not consider changes will be of interest
Norfolk County Council	The Chief Executive	County Hall	Martineau Lane	Norwich	United Kingdom	NR1 2DH	Post	No. Bordering local authority, Applicant does not consider changes will be of interest
South Norfolk District Council	The Chief Executive	South Norfolk House	Cygnat Court	Long Stratton	Norwich, United Kingdom	NR15 2XE	Post	No. Bordering local authority, Applicant does not consider changes will be of interest
Suffolk Coastal District Council	The Chief Executive	East Suffolk House	Riduna Park	Station Road	Melton, Woodbridge, United Kingdom	IP12 1RT	Post	No. Bordering local authority, Applicant does not consider changes will be of interest

Local authority	Contact name	Address line 1	Address line 2	Address line 3	Country	Postcode	Post/Email	NMC Consult
The Broads Authority	The Chief Executive	Yare House	62-64 Thorpe Road	Norwich	United Kingdom	NR1 1RY	Post	No. Bordering local authority, Applicant does not consider changes will be of interest

## Appendix G: Section 42(1)(d) interests

Contact Name	NMC 1	NMC 2	NMC 3	NMC 4 1.4.1	NMC 4 1.4.2	NMC 5	NMC 6	NMC 7	NMC 8
Adrian Nicolae Iliescu			√						
AD-Venture Media Limited			√						
██████████			√						
Aldi Stores Limited			√						
All Hallows Healthcare Trust	√	√	√						
Amy Louise Photography	√	√	√						
██████████			√						
████████████████████			√						
██████████			√						
██████████████ —			√						
██████████			√						
Anglian Water Services Limited		√	√	√		√	√	√	√
ASDA Stores Limited			√						
Associated British Ports			√		√				√
Attleborough Motor Works Limited			√						
B.S. Pension Fund Trustee Limited			√						
Bannatyne's Health Club Limited			√						
Barbara Robb Family Mediation	√	√	√						
Barclays Bank plc			√					√	
██████████			√						

Contact Name	NMC 1	NMC 2	NMC 3	NMC 4 1.4.1	NMC 4 1.4.2	NMC 5	NMC 6	NMC 7	NMC 8
Blue Marine Travel	√	√	√						
British Gas Services Limited			√						
Broadland Housing Association Limited			√						
Brookhouse (Lowestoft) Nominees V Limited			√						
Brookhouse (Lowestoft) Nominees VI Limited			√						
Bulldog Developments & Consultancy			√						
Cadent Gas Limited	√	√	√	√		√	√		√
Cambridgeshire Community Services NHS Trust	√	√	√						
██████████			√						
██████████████			√						
██████████████			√						
██████████			√						
██████████████			√						
Digital Select Limited	√	√	√						
Diss Investments Limited	√	√	√						
Eastern Power Networks plc		√	√				√		
██████████			√						
Enterprise Rent-A-Car UK Limited			√					√	
Essex And Suffolk Water Limited	√	√	√	√		√	√	√	
FirstGroup plc			√						
Flight Services SA									√


Contact Name	NMC 1	NMC 2	NMC 3	NMC 4 1.4.1	NMC 4 1.4.2	NMC 5	NMC 6	NMC 7	NMC 8
[REDACTED]			√						
Heritage Care at Home Limited	√	√	√						
Highways England Historical Railways Estate		√	√	√		√			
Hitec Products AS	√	√	√						
Homes and Communities Agency (Homes England)	√	√	√		√		√		
HSBC Bank plc									√
Ipswich Building Society			√						
J.T. Mackley & Co. Limited			√						
James Fisher and Sons plc (trading as Fendercare Marine)			√						
[REDACTED]			√						
[REDACTED]			√						
[REDACTED]			√						
[REDACTED]			√						
LIDL UK GmbH			√						
Lift Truck Rentals Limited			√				√		
Lings Motor Group			√					√	
Lisa's Homes	√	√	√						
[REDACTED]			√						
[REDACTED]			√						
[REDACTED]			√						
[REDACTED]			√						

Contact Name	NMC 1	NMC 2	NMC 3	NMC 4 1.4.1	NMC 4 1.4.2	NMC 5	NMC 6	NMC 7	NMC 8
██████████			√						
██████████			√						
McLagan Investments Limited			√						
MGN Building & Facilities Management Services Limited	√	√	√						
██████████			√						
Mobile Broadband Network Limited	√	√							
N G Training	√	√	√						
National Grid Gas plc			√		√				
National Oilwell Varco UK Limited			√						
National Westminster Bank plc			√						
Navitas International Solutions Limited	√	√	√						
Network Rail Infrastructure Limited			√	√		√			
New Anglia Local Enterprise Partnership		√	√				√	√	
Nexen Lift Trucks Limited			√				√		
Norfolk and Suffolk NHS Foundation Trust – Wellbeing Services	√	√	√						
Northumbrian Water Limited	√	√	√		√		√		
NWES Property Services Limited		√	√		√				
Oakes Recruitment Limited			√				√		
Openreach Limited		√	√	√		√	√	√	√
Overseas Interests Inc		√	√				√		
Packrobot Automation Limited	√	√	√						

Contact Name	NMC 1	NMC 2	NMC 3	NMC 4 1.4.1	NMC 4 1.4.2	NMC 5	NMC 6	NMC 7	NMC 8
PD Joinery			√						
██████████			√						
██████████████			√	√		√			
██████████			√						
PFK Ling Limited		√	√		√		√	√	
██████████████			√						
Prestige Holidays Limited	√	√	√						
R2M Limited	√	√	√						
Rentokil Initial (1896) Limited									√
Riverside Children and Families Centre	√	√							
██████████	√	√	√						
Royal Mail Group Limited			√						
██████████████			√						
██████████			√						
██████████████			√						
Select Credit Management Limited	√	√	√						
██████████████			√						
██████████████			√						
██████████████			√						
SMS (Lowestoft) Limited			√						
Statuslist Limited									√
Suffolk Careline Social Enterprise CIC	√	√	√						

Contact Name	NMC 1	NMC 2	NMC 3	NMC 4 1.4.1	NMC 4 1.4.2	NMC 5	NMC 6	NMC 7	NMC 8
Suffolk County Council	√	√	√	√	√	√	√	√	
Sunny Camper Limited			√						
Team Oakes Limited			√				√		
The Occupier (3 Durban Road)			√						
The Occupier (34 Durban Road)			√						
The Owner (3 Durban Road)			√						
The Window Cleaning Co.			√						
██████████			√						
Tor Solar PV Limited		√	√						
UK Power Networks Limited	√	√	√	√	√	√	√	√	√
Virgin Media Limited		√	√	√	√	√	√		
Waveney District Council	√	√	√		√		√		
Waveney Fork Trucks Limited			√				√		
Wickes Building Supplies Limited			√						
██████████			√						
Your Mortgage Solutions Limited	√	√	√						

## Appendix H: Website promoting NMC consultation


**Suffolk**  
County Council

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Page Colour: [A](#)


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# Lake Lothing Third Crossing plans and updates

Images, Q&As, updates and background information for residents and businesses about the Lake Lothing Third Crossing proposals.



Lake Lothing  
**THIRD  
CROSSING**

On 29 January 2019, Suffolk County Council submitted an application for eight proposed changes to the DCO Application which is currently being examined ('the Proposed Changes Application'). The **full report** (PDF, 4.5MB) gives detail on the eight proposed minor changes to the scheme and also gives details about where you are able to comment on these should you wish to. Comments are accepted between 1 February 2019 and 4 March 2019.

Read about plans and get latest updates below.

[Proposal, location and benefits](#)

[Images](#)

[Q&A and newsletters](#)

[Project documents](#)

[Governance](#)

Suffolk County Council

Roads and transport

Transport strategy and planning

Lake Lothing Third Crossing

Lake Lothing Third Crossing plans and updates

Lake Lothing Third Crossing Key Stakeholder Group

Lake Lothing Third Crossing development consent order process

Lake Lothing Crossing message from Councillor Matthew Hicks

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## Appendix I: Responses to consultation



Jon Barnard  
Suffolk County Council  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk

Our ref: PL00075248  
Ref: TR010023  
Telephone 01223 582710

11 February 2019

Dear Jon Barnard

### **Lake Lothing Third Crossing – Application for Proposed Changes**

Many thanks for your letter dated 30 January 2019 and the enclosed notice dated 01 February 2019 relating to eight proposed changes to the development consent order application for Lake Lothing Third Crossing scheme.

We do not have any comment in relation to these changes and do not object to the amendments being made.

Kind regards,



Dr William Fletcher  
Inspector of Ancient Monuments  
Will.Fletcher@HistoricEngland.org.uk



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 5BU  
Telephone 01223 55 2749 HistoricEngland.org.uk  
Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



Dear Sir/Madam,

Thank you for your recent enquiry regarding the above location.

The Plant Enquiries Team has now completed your search, and the results are attached. Please note that we try to provide maps where ever available. On occasions where our records show the area is not affected, you may receive a map showing apparatus in the close proximity.

Should you require any further assistance in this matter, please email - [plant.enquiries.team@virginmedia.co.uk](mailto:plant.enquiries.team@virginmedia.co.uk) or call: 0870 888 3116 (Option 2)

Thanks & Regards,



**Stephy Jalson**

Virgin Media | Plant Enquiries |  
Mayfair Business Park, Broad Lane, Bradford, BD4 8PW  
**T 0870 888 3116 Opt 2**  
[Plant.enquiries.team@virginmedia.co.uk](mailto:Plant.enquiries.team@virginmedia.co.uk)



Suffolk County Council

Virgin Media  
Field Services  
Units 1-12  
Broad Lane  
Mayfair Business Park  
Bradford  
Yorkshire  
BD4 8PW

Tel: 0870 888 3116 Opt 2

Plant Enquiry Ref: VM.1127687  
Letter Date 08.02.2019  
Your Ref: NA  
Date: 14.02.2019

Dear Sir/Madam,

Enquiry Location: Lake Lothing Third Crossing Lowestoft NR33 0TU

Thank you for your enquiry regarding work at the above location.  
I enclose a copy of our above referenced drawing, marked to show the approximate position of plant owned and operated by Virgin Media.

You will be aware that you have a duty to ensure that no damage results to this equipment as a result of your proposed works. Please note that this apparatus may contain Fibre Optic, Coaxial and/or 240v Power Cables and as such, special care must be taken when excavating this area.

Should you require Virgin Media apparatus to be diverted we must agree a specification of works and provide a detailed estimate of costs. The costs are £720 (Business) or £240 (Residential) Inc VAT and the charge applies to each individual scheme requested. Both the estimate and specification will be sent to you within 25 working days of when the payment was received.

This initial payment will cover the following: -

- Detailed site visit by an experienced planning engineer, (Up to 10 hours planning time)
- Detailed specification of works.
- Detailed breakdown of costs.

Payment is required in advance for the estimated cost of detailed design work and the charge applies whether or not your works proceed. Please supply us with your payment and a copy of your plans or drawings and quote 'Our Ref' as above.

The address to send the cheque is:

Diversionary Works, Virgin Media, 1 Dove Wynd, Strathclyde Business Park Bellshill ML4 3AL

Or if you prefer to talk, please call the Diversionary Team on: 0800 408 0088 Option 1

Yours faithfully

National Plant Enquiries Team,



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Important information - please read The purpose of this plan is to identify Virgin Media apparatus. We have tried to make it as accurate as possible but we cannot warrant its accuracy. In addition, we caution that within Virgin Media apparatus there may be instances where mains voltage power cables have been placed inside green, rather than black ducting. Further details can be found using the "Affected Postcodes.pdf", which can be downloaded from this website. Therefore, you must not rely solely on this plan if you are carrying out any excavation or other works in the vicinity of Virgin Media apparatus. The actual position of any underground service must be verified by cable detection equipment, etc. and established on site before any mechanical plant is used. Accordingly, unless it is due to the negligence of Virgin Media, its employees or agents, Virgin Media will not have any liability for any omissions or inaccuracies in the plan or for any loss or damage caused or arising from the use of and/or any reliance on this plan. This plan is produced by Virgin Media Limited (c) Crown copyright and database rights 2019 Ordnance Survey 100019209.

Duct, Trench



Chamber



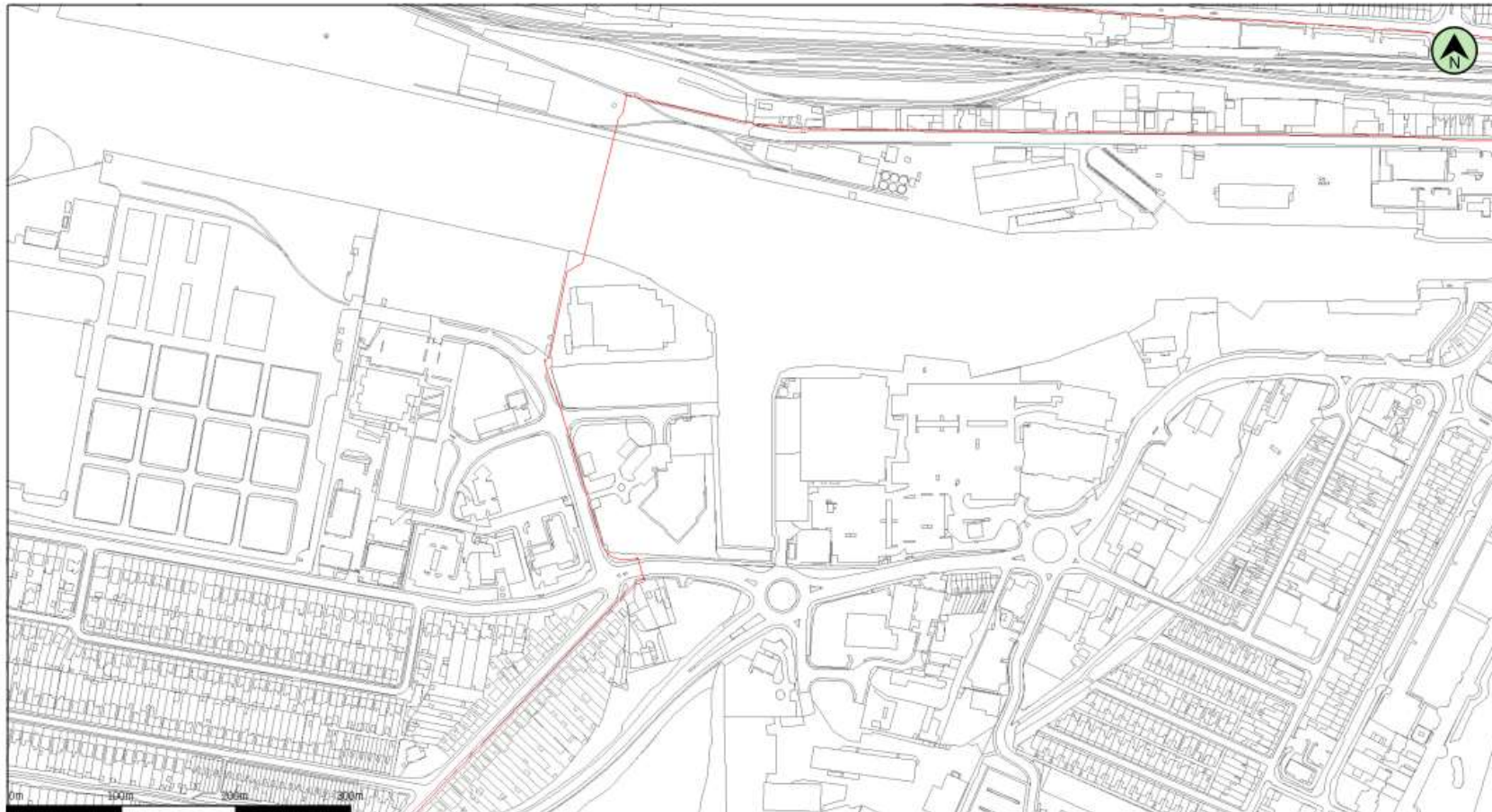
Cabinet



stephy.jaison@virginmedia.co.uk

VM.1127687 a





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Important Information - please read The purpose of this plan is to identify Virgin Media apparatus. We have tried to make it as accurate as possible but we cannot warrant its accuracy. In addition, we caution that within Virgin Media apparatus there may be instances where mains voltage power cables have been placed inside green, rather than black ducting. Further details can be found using the "Affected Postcodes.pdf", which can be downloaded from this website. Therefore, you must not rely solely on this plan if you are carrying out any excavation or other works in the vicinity of Virgin Media apparatus. The actual position of any underground service must be verified by cable detection equipment, etc. and established on site before any mechanical plant is used. Accordingly, unless it is due to the negligence of Virgin Media, its employees or agents, Virgin Media will not have any liability for any omissions or inaccuracies in the plan or for any loss or damage caused or arising from the use of and/or any reliance on this plan. This plan is produced by Virgin Media Limited (c) Crown copyright and database rights 2019 Ordnance Survey 100019209.

Duct, Trench



Chamber



Cabinet



stephy.jaison@virginmedia.co.uk

VM.1127687



**From:** Lauren Elliott [REDACTED]  
**Sent:** 15 February 2019 16:10  
**To:** RM Lake Lothing Third Crossing <[lakelothing3rdcrossing@suffolk.gov.uk](mailto:lakelothing3rdcrossing@suffolk.gov.uk)>  
**Subject:** Lake Lothing Third Crossing, Lowestoft - Proposed Non-Material Changes to the Development Consent Order Application

Good afternoon,

Thank you for contacting Lowestoft Town Council regarding the minor changes Suffolk County Council is proposing to make to the Lake Lothing Third Crossing Scheme.

Lowestoft Town Council's Planning and Environment Committee considered the proposed changes at their meeting on 12 February and had no objections to them.

The Council would like to wish you every success with the project.

Kind Regards,

*Lauren Elliott*

Committee Clerk and Customer Services Assistant  
Lowestoft Town Council  
First Floor  
Hamilton House  
Battery Green Road  
Lowestoft  
Suffolk  
NR32 1DE

---

**From:** [REDACTED]  
**Sent:** 18 February 2019 09:22  
**To:** RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>  
**Subject:** LAKE LOTHING

Good morning

Sent on behalf of Area Commander Ken Williamson.

Thank you for your letter dated 30<sup>th</sup> January 2019.

Our response is as follows.

Suffolk Fire & Rescue Service has considered the plan and are of the opinion that, given the level of growth proposed, we do not envisage additional service provision will need to be made in order to mitigate the impact. However, this will be reconsidered if service conditions change. As always, SFRS would encourage the provision of automated fire suppression sprinkler systems in any new development as it not only affords enhanced life and property protection but if incorporated into the design/build stage it is extremely cost effective and efficient. SFRS will not have any objection with regard access, as long as access is in accordance with building regulation guidance. We will of course wish to have included adequate water supplies for firefighting, specific information as to the number and location can be obtained from our water officer via the normal consultation process.

Please do not hesitate to contact me should you require anything further.

Kind regards

Angela Kempen  
Water officer  
Suffolk Fire and Rescue Service  
Public Health and Protection  
Endeavour House  
Russell Road  
Ipswich  
IP1 2BX

[Water.hydrants@suffolk.co.uk](mailto:Water.hydrants@suffolk.co.uk)

---

**From:** Caroline Parish [REDACTED] >  
**Sent:** 25 February 2019 13:58  
**To:** RM Lake Lothing Third Crossing <[lakelothing3rdcrossing@suffolk.gov.uk](mailto:lakelothing3rdcrossing@suffolk.gov.uk)>  
**Subject:** Lake Lothing 3rd Crossing Lowestoft. FAO Jon Barnard

Thank you for your letter of the 30<sup>th</sup> January on the above, which was sent to the Aberdeen Group address.

Could you please address all further correspondence regarding this to;

Steve Wickers  
Managing Director  
First Essex Buses Ltd  
Davey House  
7B Castle Meadow  
Norwich  
NR1 3DE

Many thanks

Regards

Caroline Parish  
PA to Steve Wickers  
Managing Director First Eastern Counties Buses and First Essex Buses

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From: Patience Stewart <sp[REDACTED]>  
Sent: 03 March 2019 21:25  
To: RM Lake Lothing Third Crossing <lakelothing3rdcrossing@suffolk.gov.uk>  
Subject: Lake Lothing Third Crossing - Non Material Changes

Dear Sir/Madam,

Thank you for the opportunity to comment on the proposed non material change to the Lake Lothing Third Crossing Project. The following response is submitted on behalf of Anglian Water.

I would be grateful if you could confirm that you have received this response.

Should you have any queries relating to this response please let me know.

Regards,  
**Stewart Patience**  
Spatial Planning Manager

**Anglian Water Services Limited**  
Mobile: 07764989051  
Thorpe Wood House, Thorpe Wood, Peterborough, PE3 6WT  
[www.anglianwater.co.uk](http://www.anglianwater.co.uk)

FAO: Jon Barnard - Project Manager, Lake Lothing Third Crossing  
Suffolk County Council  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk IP1 2BX

**By e-mail to lakelothing3rdcrossing@suffolk.gov.uk**

Our Ref : JZC/PJW/227775.1  
Your Ref : 1069948-NMC-20190130-193330  
Date : 4 March 2019

Dear Sir/ Madam

**Lake Lothing Third Crossing – Application for Proposed Changes**

We act for Overseas Interests Inc, Waveney Fork Trucks Limited, Lift Truck Rentals Limited, Nexen Lift Trucks Limited, Oakes Recruitment Limited, Team Oakes Limited and Hitech Grand Prix Limited. For ease of reference in this letter, we shall refer to our clients in this letter collectively as the “**Nexen Group**”.

**Background**

- 1 As Suffolk County Council (“**Applicant**”) shall be aware, Overseas Interests Inc is the registered proprietor of land registered under title number SK264748 (“**the Land**”). A significant proportion of the Land falls within the Order limits. Waveney Fork Trucks Limited, Lift Truck Rentals Limited, Nexen Lift Trucks Limited, Oakes Recruitment Limited, Team Oakes Limited and Hitech Grand Prix Limited carry on various business activities on the Land.
- 2 Overseas Interests Inc are the registered proprietors of land registered under title number SK264748 (“**the Land**”). A significant proportion of the Land falls within the draft Order limits as amended in April 2018. Waveney Fork Trucks Limited, Lift Truck Rentals Limited, Nexen Lift Trucks Limited, Oakes Recruitment Limited and Team Oakes Limited carry on various business activities on the Land.
- 3 This letter is written in response to the Applicant’s letter dated 30 January 2019 informing us of eight changes that the Applicant is proposing to make to the Lake Lothing Third Crossing scheme which has been assigned reference RT010023 by the Planning Inspectorate (“**Scheme**”).
- 4 We understand that the Examining Authority examining the Scheme is currently considering whether to accept the proposed changes to the Scheme and will issue a Procedural Decision on this in due course.
- 5 In terms of the changes proposed by the Applicant it is “Non-Material Change 6 – Private means of access for Nexen Lift Trucks Ltd” (“**NMC 6**”) and “Non-Material Change 7 –

Revised private means of access for Lings' Group" (**NMC 7**) which are most relevant to the Nexen Group.

- 6 The Applicant is aware of the Nexen Group's development aspirations on the Land and for the purposes of this letter the area within the Land which the Nexen Group intend to develop is (identified as Plot 3-56 on the Land Plan Sheet 3 of 5 (1069948-WSP-LSI-LL-DR-GI-0004)) is referred to as the "**Development Land**".

#### **Nexen Group's position**

- 7 As set out in a number of representations that have been made on behalf of the Nexen Group and reiterated orally at hearings convened by the Examining Authority, the Nexen Group welcome continued engagement and negotiation with the Applicant regarding the impact of the Scheme on the Land and the Nexen Group. In this regard, the Nexen Group welcome changes to the Scheme which are designed to address the concerns of Nexen Group and the impacts that the Scheme could have on the current and future operation and development on the Land.
- 8 We are conscious that the Applicant is required to regularly update and submit a Compulsory Acquisition Negotiations and Objections Tracker to the Examining Authority. From this document, the Examining Authority will be aware that negotiations between representatives of the Nexen Group and the Applicant are on-going and progressing.
- 9 As indicated at the oral hearing on 13 February 2019, the Nexen Group was surprised to see that NMC 7 proposes an access along the eastern edge of the Lings' site. The Nexen Group have consistently stressed that an access to the east of the Lings site to the south of the Land was the most satisfactory solution to the access issues arising from the Proposed Scheme on the Land and related compulsory acquisition of part of the Land. It is the position of the Nexen Group that, following the consideration of technical advice from a civil engineer, a form of access to the Land over the eastern edge of the Lings' site is the only way in which continuity of acceptable access/egress and movements within the Land can be guaranteed in the event that the Scheme is developed.
- 10 For completeness, the Nexen Group's proposition for an access to the east of the Lings' site was raised by us shortly following our instruction in this matter in May 2018. The Applicant failed to enter into discussions with the Nexen Group's technical consultant at that time. The application for the Scheme was submitted without engagement with the Nexen Group's technical consultants and the Scheme as submitted does not include sufficient land within the Order Limits for the Applicant to facilitate an access to the east of the Lings site through to the Land.
- 11 It is for the reasons set out above that the Nexen Group is of the view that whilst the Applicant may consider that the changes that are proposed are as a result of concerns arising from representations that we and others have made, the changes to the Scheme were entirely preventable. Nexen Group consider that if the Applicant had engaged with the Nexen Group and Lings in greater depth to understand the access/egress and operational requirements of these parties before the submission of the application for the Scheme the current changes to the scheme proposed under NMC 6 and NMC 7 would not be necessary.
- 12 In order to fully understand the impact of the non-material amendments proposed by the Applicant the Nexen Group have engaged a civil engineer to consider these and a technical report is enclosed which evaluates the impact of the non-material amendments on the Land in technical terms. This letter is not intended to repeat that technical report - which we

request is closely considered in itself – but instead highlights some key points which we wish to draw to the attention of the Applicant and the Examining Authority.

- 13 The changes proposed do not change the area of the Land which is proposed to be compulsorily acquired under the Scheme. The proposed changes also do not alter the extent of Plot 3-56 on the Land (i.e. the entirety of the Development Land) which the Applicant proposed to take temporary possession of, apparently to provide to Lings to facilitate the reconfiguration of the Lings site. We still await justification of why the entirety of this Plot 3-56 is required for such a purpose, what type of works will be carried out on this area of land or how long this part of the Land may be required for.
- 14 We summarise the key points raised in the enclosed technical report as follows:
- 14.1 The changes do not alter the removal of the existing separate and unrestricted access to the Land, through land owned by Lings, to Riverside Road over which the Nexen Group have a right of way.
- 14.2 The change proposed by NMC 6 will lead to the direct effects set out at paragraph 4.1 of the report.
- 14.3 There remains an element of uncertainty about the NMC 6 proposals as set out at paragraphs 4.4 to 4.5 of the report.
- 14.4 The report finds that NMC 6 would lead to a worse situation operationally, rather than an improvement, in relation to the HGV access location. The report discusses this and a potential remedy in detail at paragraphs 4.6 to 4.15.
- 14.5 The access to the Development Land is of crucial importance to the Nexen Group. The implications of NMC 6 are set out at paragraphs 4.16 to 4.20 of the report. The report concludes that the Scheme will remain of significant material detriment to the access, services provision, land area available and costs of developing the Development Land.
- 14.6 At paragraphs 4.21 to 4.26 the report highlights a missed opportunity in these changes to provide a comprehensive and satisfactory access solution to both the Land and Lings site through the use of a strategy involving three access locations.
- 15 As clearly indicated in previous representations, the Nexen Group has concerns with regard to the impact of the Scheme and the accesses proposed on the safe operation of the current businesses on the Land and also the operation of the Land moving forward in light of the Nexen Group's aspirations to develop the southern part of the Land. This is a matter which the Nexen Group do not consider the Applicant has fully appreciated to date and to this end the Nexen Group has instructed a national health and safety consultancy to advise them in this regard. Given the timescales for the submission of this letter it has not been possible to secure a report from the health and safety consultancy in time for it to accompany this letter but the Nexen Group intend to provide this in due course once available.

Yours faithfully,

  
**Howes Percival LLP**

Direct Dial : 01603 580087

Fax : 01603 762104

E-mail : [Jamie.childs@howespercival.com](mailto:Jamie.childs@howespercival.com)

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**NEXEN  
RIVERSIDE ROAD  
LOWESTOFT**

**LAKE LOTHING THIRD  
CROSSING**

**IMPACT ON ACCESS AND  
OPERATIONS**

**RESPONSE TO  
APPLICANT'S NOTICE OF  
NON-MATERIAL CHANGES**

**REPORT 3**

**FEBRUARY 2019**

**the journey is the reward**



**NEXEN  
RIVERSIDE ROAD, LOWESTOFT**

**LAKE LOTHING THIRD CROSSING**

**IMPACT ON ACCESS AND OPERATIONS**

**RESPONSE TO APPLICANT'S NOTICE OF NON-  
MATERIAL CHANGES**

**REPORT 3**

**FEBRUARY 2019**

<b>Project Code:</b>	NEX-LOW.1
<b>Prepared by:</b>	TPM
<b>Position:</b>	Director
<b>Issue Date:</b>	28-02-2019
<b>Status:</b>	ISSUED

## **Contents**

1. Introduction
2. Description of Proposed Scheme Changes to the Lake Lothing Third Crossing
3. Description of Nexen Property and Operations
4. Impact of LLTC NMC #6 and NMC #7 on Nexen Site Access and Operation
5. Summary

## **Appendix A**

Suffolk County Council Drawings

## **Appendix B**

Mayer Brown Drawings

## **1 Introduction**

- 1.1 This report supplements two earlier reports by Mayer Brown (September 2018 and January 2019), which assessed the impact of the published LLTC highway and access proposals on the Nexen properties and operations.
- 1.2 This report provides an assessment of changes to the LLTC scheme proposals as notified by the Planning Inspectorate on 24<sup>th</sup> January 2019. In particular this report considers 'Proposed change #6 – Revised private means of access to Nexen's premises and change to portal design.'
- 1.3 This report also makes consideration of a proposed change to the access arrangements for the adjacent property as set out in 'Proposed change #7 – Revised private means of access to Ling's premises'.
- 1.4 The geometric design of LLTC and associated private means of access is provided on drawings prepared for SCC.
- 1.5 The Nexen premises layout and constraints are as provided and described by the management of Nexen. These factors are also as observed on site by the author.
- 1.6 The operations of Nexen and of associated companies based at the property are as described to the author by the management representatives of Nexen.

## **2 Description of Proposed Scheme Changes to the Lake Lothing Third Crossing**

- 2.1 The general proposals for the LLTC are as described in the earlier Mayer Brown reports (September 2018 and January 2019).
- 2.2 The scheme as presented will take up land from the western side of the Nexen property, including the site access gates and entrance, and will have impact on the movement of vehicles in to, around and out of the property.
- 2.3 The scheme as presented removes separate and unrestricted access to the southern parcel of the Nexen land holding, which is identified for future development. It is understood that this area of the Nexen land holding currently benefits from an unrestricted right of access (including services) over a west-east service road within the ownership of Lings which is shown as being included within Plots 3-31, 3-32 and 3-57 on the Land Plans for the scheme.
- 2.4 The original scheme proposals include for a new access route to the Nexen property through one of the open spans of the bridge structure. A standard highway headroom for vehicles of 5.3m is identified.
- 2.5 Alternative Scheme (Option 2 – October 2018)
- Plans and drawings of an alternative access arrangement (Option 2) for the Nexen warehouse and factory site were provided on 31/10/2018. The following drawings were provided.
- |                               |  |
|-------------------------------|--|
| 1069948-SCC-HGN-LL-DR-KK-0007 | ALTERNATIVE NEXEN ACCESS OPTION 2                                      |
| 1069948-SCC-HGN-LL-DR-KK-0008 | ALTERNATIVE NEXEN ACCESS OPTION 2<br>SWEPT PATH ANALYSIS               |
| 1069948-SCC-HGN-LL-DR-KK-0009 | NEXEN ACCESS (BASE DESIGN)<br>HEIGHT CLEARANCE AND SWEPT PATH ANALYSIS |
- 2.6 The Option 2 proposals illustrated that the horizontal and vertical alignments of the LLTC across the bridge structure were not changed. Hence, the scheme continued to take up land from the Nexen properties and will have an impact on the movement of vehicles in to, around and out of the properties.
- 2.7 The Option 2 proposal drawings illustrated amended headroom clearance under the LLTC bridge structure spans, for the original Nexen access and for other spans.
- 2.8 The Option 2 scheme included an alternative heavy goods vehicle access to the Nexen warehouse and factory site, located further to the north and through a different open span of the bridge structure. This span provides an increased headroom for vehicle access when compared to the original scheme proposal; 7.01m c/w 5.3m.
- 2.9 It is noted that the Option 2 proposals did not provide for a new and separate access for the southern parcel of the Nexen land holding (the Development Land). The inference is that the existing Nexen factory site access, to be maintained through the LLTC by an underpass, would be required to provide access to the Development Land and the Nexen offices. No detail has been provided of the gating, security or junction arrangements that this would require, or of the additional land take from the Development Land for an access road. In addition, this access arrangement would require a fundamental alteration of previously drawn plans of development proposals.

2.10 Proposed Non-Material Change #6 – January 2019

Drawings of an alternative access arrangement (NMC #6) for the Nexen warehouse and factory site were provided on 24 January 2018. The following drawings were provided.

1069948-SCC-HGN-LL-DR-KK-0006	NON-MATERIAL CHANGE – NEXEN ACCESS SWEPT PATH ANALYSIS
1069948-WSP-SGN-LL-DR-CB-0202	ENGINEERING SECTION DRAWINGS AND PLANS MAINLINE SECTION

- 2.11 The NMC #6 proposals illustrate that the horizontal and vertical alignments of the LLTC mainline across the bridge structure are not changed. Hence, the scheme continues to take up land from the Nexen properties and will have an impact on the movement of vehicles in to, around and out of the properties.
- 2.12 The NMC #6 proposal drawings illustrate the available headroom clearance under the LLTC bridge structure spans, for the original Nexen access and for other spans.
- 2.13 The NMC #6 scheme includes an alternative heavy goods vehicle access to the Nexen warehouse and factory site, located to the north of the existing factory site access. This is provided between Abutment-1 and Pier-2 of the bridge structure. This span provides an increased headroom for vehicle access when compared to the original scheme proposal; 6.5m c/w 5.3m.
- 2.14 It is noted that the private means access of NMC #6 scheme is different to that of the Option 2 scheme, which was provided between Pier-2 and Pier-3. See paragraph 2.8 above. The Option 2 access proposal was considered in the earlier Mayer Brown report; Report 2 of January 2019.
- 2.15 It is noted that the NMC #6 proposals do not provide for a new and separate access for the southern parcel of the Nexen land holding (the Development Land). It is noted that the Non-Material Change #7, with regard to access to the adjacent Ling's property, does provide for a new access route to that property, which extends to the boundary of Nexen's Development Land.

### **3 Description of Nexen Property and Operations**

- 3.1 The Nexen land holding is located immediately to the east of Riverside Road. It is bounded to the north by Lake Lothing, to the east by Kirkley Ham (an inlet of Lake Lothing) and to the south by property occupied by Lings Motor Group.
- 3.2 The land holding is formed of two distinct parcels with different uses.
- 3.3 The north parcel, of 2.50 acres, is occupied principally by the factory, offices, warehousing and yards; used for the manufacturing, assembly and warehousing activities of Nexen Lift Trucks and associated companies.
- 3.4 This Nexen property provides a base for the HiTech GP Formula 3 motor racing team. This company uses articulated vehicles at the property for the transport of their cars, support teams and equipment. The company occupies space at the east end of the Nexen building.
- 3.5 The southern parcel (Riverside Business Park), of 1.27 acres, is currently undeveloped but is within an Enterprise Zone and is part of a 59.8ha site proposed for a Sustainable Urban Neighbourhood in Waveney District Council's 2012 Lowestoft Lake Lothing & Outer Harbour Area Action Plan Development Plan Document ("AAP"). Policy SSP3 of the AAP includes support for approximately 12ha of reconfigured employment land including B1 office floorspace, research and development and workshop space in the area surrounding Riverside Road. This parcel was granted planning permission for development as offices in March 2007 (Ref DC/06/1331/OUT) with access from the adjoining road to the south, flanking Lings premises.
- 3.6 The operation of and access arrangements for the two Nexen land parcels are described in the earlier Mayer Brown reports (September 2018 and January 2019).
- 3.7 In addition to the vehicular access, the Nexen landholdings have the benefit of quayside moorings from Lake Lothing and Kirkley Ham. These facilities allow, and have been used in the past, for delivery of shipborne freight to the property; either for direct use in the Nexen operations or for storage and then onward transfer by road. Freight storage and transfer to road vehicles requires use of the southern parcel and access via the west-east service road.
- 3.8 The space and layout constraints of the heavy vehicle access route within the Nexen factory site are well known to the company and are managed accordingly, to ensure operational safety and efficiency.
- 3.9 Nexen have looked at ways and means to improve the access arrangements in to the factory. In the recent past they have sought to purchase a parcel of land, of some 4 acres, situated immediately to the west of the factory. This land would have been used by Nexen to allow the following: -
- immediately, to provide more space at the west end of the factory for goods inward, production line operations, vehicle waiting area;
  - to allow for complete separation of the vehicle movements of i) hgv access generally and ii) vehicle manoeuvres up to the goods inward and production line doors;
  - more space to allow a 2-way hgv site access / egress route;
  - separation of heavy goods vehicles and car traffic on the site generally;

- relocation of the weighbridge to a more suitable location away from a congested part of the site, including pedestrian routes, and on to a defined entry / exit route;
- future development, expansion and re-configuration of the factory operations.

3.10 As recently as 2016, Nexen had Exchanged Contracts and lodged deposits with the landowner, Waveney District Council, for this land purchase. The purchase was not completed because of announcements made at that time of the preferred route of the LLTC being at this location and for the land to be reserved for the proposed bridge.

#### **4 Impact of LLTC NMC #6 on Nexen Site Access and Operation**

4.1 The LLTC scheme generally (all options presented to date) will have the following direct effects on the Nexen property: -

- Removal and/or relocation of existing entrance gates.
- Removal of electricity transformer located immediately to the west of the entrance gates.
- Restriction in use of part of the access road and vehicle turning space at the west end of the property.
- Disruption of continuous access for Nexen at times when LLTC bridge structure is being constructed.
- Disruption of continuous access for Nexen at times when service diversions associated with LLTC are being undertaken.
- Easement rights over other land at the west end of the property for future access and maintenance of the LLTC bridge structure.
- Complete removal of access route to the southern development land parcel.
- Reduced area available for the development of the southern parcel.
- Increased costs of development of the southern parcel, due to replacement of access and services lost by removal of the west-east service road.

4.2 The impact of the original LLTC scheme and Option 2 are described in more detail in the earlier Mayer Brown reports (September 2018 and January 2019).

4.3 NMC #6 is presented in an attempt by SCC to overcome some of the adverse impacts of the original scheme, notably by looking to achieve the following: -

- Improved headroom clearance through the LLTC bridge structure to accommodate passage of heavy goods vehicles and specialist fork lift trucks and container loaders.
- Alternative plan layout of access road to better accommodate (compared with original LLTC proposal) low-loader swept path for routes in to and out of the Nexen warehouse and factory site.
- Provision of separation access routes for heavy goods vehicle traffic (to warehouse / factory) and car traffic (to offices) on to the Nexen site.

4.4 The precise land to be taken up by the LLTC proposals has not been clearly identified by SCC on their drawings. In particular, the intentions for securing an easement for maintenance alongside the bridge are not known. The drawings do not indicate any proposals for the relocation of the Nexen access gates, although the very close proximity of these to the new bridge structure would require that relocation is necessary. This would have an impact also on the property security fencing and boundary.

4.5 The LLTC proposals, including NMC #6, do not indicate the extent of land or easement that would be required on the Nexen site for the construction of the bridge structure. It is inconceivable that the bridge could be constructed using only land within the shadow or footprint of the finished structure. It is inevitable that plant, scaffold, other safety measures and safety zones will extend beyond the shadow and footprint of the bridge structure and in to the Nexen property. Any such

facility or arrangement within the vicinity of the Nexen access will close the factory site to vehicle traffic (with potentially damaging impact on the Nexen business), unless a suitable and uncontested new access is provided in advance of the bridge construction works in this area.

#### HGV Access location

- 4.6 The LLTC NMC #6 plans illustrate a new heavy goods vehicle access route on to the Nexen site (see drawing 1069948-SCC-HGN-LL-DR-KK-0006). This is provided to the north of the existing site access and approaches the flank of the Nexen warehouse / factory building. The main 'goods-inward' and 'production line' doors for the Nexen factory are located immediately in front of the new proposed access.
- 4.7 The swept path analysis for a low-loader using the proposed access illustrates that this vehicle when entering or leaving the site will pass in very close proximity to the factory doors and any vehicle parked up and waiting at these. Based upon the drawing provided and with consideration of relative vehicle sizes, it is apparent that this situation will be repeated for any other heavy good vehicle entering or leaving the site.
- 4.8 The changed access location will also impact on the way that vehicles approach the 'goods inward' and 'production line' doors. The existing site arrangement allows vehicles to enter the site and drive forward to the doors. After loading / unloading, the vehicles can then continue forward to the site turning area, turn around and exit the site in forward gear. The new access location will require that, after entering the site, the vehicles will turn in the site turning area and then reverse up to the factory doors. After loading / unloading the vehicles would then have to drive forward into the site turning area for a second time and then turn around to leave the site. In effect, the proposed site access of NMC #6 will add a reversing manoeuvre into the vehicle approach to the factory doors, with associated safety implications.
- 4.9 Taking account of 4.6 and 4.8 above, the LLTC NMC #6 access would create a worse situation, rather than an improvement, for vehicles entering or exiting the site. The proposed arrangement would place the turning movement of vehicles entering and exiting the site at the precise location of the greatest activity at the factory. This location already presents a safety hazard with regard to vehicles passing the factory doors. To add in the complication of vehicles making a turning manoeuvre and reversing to the factory doors will increase the risk of a collision with another vehicle or with a worker in the vicinity.
- 4.10 To overcome the situation described at 4.6 to 4.9, an alternative access route further to the north should be considered, to allow heavy goods vehicle access directly in to the Nexen service yard and turning area and remote as possible from the factory building. A sketch proposal is shown at MBSK 190102-3 at Appendix B. This provides for an access running to the west of the LLTC, passing the Control Tower and then turning east towards Nexen alongside the Lake Lothing south quay.
- 4.11 Another benefit of providing the access route as described at 4.10 above, would lie in the timing of creating this new access in advance of works to construct the LLTC bridge structure in the vicinity of the existing Nexen access. By ensuring that the new northerly access is provided at an early stage then the potential for any adverse impact on access to the Nexen factory can be mitigated (refer to paragraph 4.5 above).
- 4.12 The effect of separating the new access as far to the north as possible, as shown on MBSK 190201-3, will be to provide flexibility in the construction sequence of the LLTC, allowing access to

Nexen at a new northerly route to be provided whilst works in the vicinity of the existing Nexen access are undertaken; and vice versa.

- 4.13 It is considered to be of reasonable likelihood that the builder of the LLTC will want to create a new access in the most northerly location, to provide temporary access to Nexen during the construction works. It is feasible for this temporary construction stage route to then become a permanent access for Nexen. For reasons of economy the access could be constructed once to a final permanent form and specification.
- 4.14 The LLTC NMC #6 access arrangement will mean that the weighbridge on the site is no longer on the principal access / egress route for heavy goods vehicles visiting the site. Heavy goods vehicles required to use the weighbridge would have to perform a new forward-then-reverse manoeuvre. Following on from para 4.8 above, a second reversing manoeuvre would be introduced. The reversing manoeuvre would also be in close proximity to the cars and pedestrians using the offices on the southern side of the Nexen factory building
- 4.15 For reasons of operational safety and efficiency, the new access arrangement proposals should also include for relocation of the weighbridge to a position that places it more directly on the new heavy goods vehicle egress route.

#### Access to Nexen Development Site

- 4.16 As noted in the earlier Mayer Brown reports (September 2018 and January 2019), the southern parcel of the Nexen site (the Development Land) has access arrangements on to the west-east service road that lies further to the south and which provides a route directly on to Riverside Road. The LLTC removes the access route of the southern parcel.
- 4.17 It is also noted that the west-east service road contains within it services and drainage facilities that would serve the Development Land. Hence, severance of the service road from Riverside Road would also sever the services provided and require that they are replaced for the development on the land.
- 4.18 SCC intend that access to the Development Land is gained from the existing access location of the Nexen warehouse and factory site. This arrangement is retained in NMC #6. This arrangement therefore continues the concerns raised in the earlier Mayer Brown reports; being:
1. Increased traffic use of a single point of access. This should also take account of potential freight movement from the use of quayside moorings (see para 3.7 above).
  2. Increased conflict of hgvs / car traffic / pedestrians (unless properly mitigated by the proposal for a new more northerly access for heavy goods vehicles; see 4.9 above).
  3. No consideration has been given to the matter of how to accommodate open and direct access arrangements for the proposed office development, whilst maintaining secure fencing and gates for the factory/warehouse site.
  4. Reduction of the effective area of land available for office development; requiring a new access road across the development area starting from the existing Nexen access. In effect, the removal of the west-east service road to the south will require that a new access road is required across and wholly within the Development Land.
  5. Increased cost of developing on the Development Land, as a consequence of providing a new access road and service routes on to and across the site.

- 4.19 Commentary on the legal and town planning aspects of the access rights of the Development Land as existing are provided by other professionals acting on behalf of Nexen. However, it is understood by the author that Nexen and their legal advisors can provide evidence to substantiate that the Development Land does have existing rights of access on to Riverside Road via the service road. Similarly, it is understood that the Development Land has benefit of being part of the local Enterprise Zone and development plan policies are supportive of employment development on the Development Land.
- 4.20 Taking account of 4.16 to 4.19 above, it is clear that the LLTC proposals generally, and including NMC #6, will be of significant material detriment to the access, services provision, land area available and costs of development of the Development Land.

Other observations – NMC #7 - Revised private means of access to Lings' premises

- 4.21 The earlier Mayer Brown report (September 2018) included a suggested alternative proposal for a new access road to be provided in to the Nexen parcels from the south, alongside Kirkley Ham and through the adjacent Lings site. This would serve to replace the separate access arrangement for the southern parcel, provide suitable access for Lings and accommodate the movement of heavy goods vehicles to and from the Nexen factory site and quayside. See drawing MBSK180720 at Appendix B.
- 4.22 It is noted that the new proposals from SCC in NMC #6 do not take on board this suggested alternative. However, the NMC #7 proposals as presented, for the benefit of Lings, do now include for a north-south access road to be provided alongside Kirkley Ham. The alignment is very much that proposed in the earlier Mayer Brown report.
- 4.23 It is readily apparent that the new north-south road proposed for the Lings premises could also serve the requirements of access necessary for both Nexen land parcels. There is sufficient space between the buildings of the Lings property and Kirkley Ham to upgrade the NMC #7 proposal of a 4.5m wide access to a 6.5m or 7.3m wide road and associated footway, and effectively create a road to normal 'adoptable' standards.

Other observations - Co-ordinated Access Strategy for Nexen and Lings

- 4.24 Taking account of all of the observations and findings in this section, it is apparent that a co-ordinated access strategy for Nexen, Lings and LLTC could be provided which better serves all the land and business interests.
- 4.25 A strategy for the Nexen and Lings landholdings could include the following three access locations and facilities, as illustrated on drawing MBSK 190226 in Appendix B: -
1. A 2-lane, north-south access from Waveney Drive, to the east of the Lings building, and extended north across the Nexen Development Area and to the Nexen factory site and quayside. The route would include spurs leading west for the Lings premises and for the Nexen Development Land
  2. Continued use of existing Nexen access, via an underpass of LLTC.
  3. A new northerly access to the Nexen factory site, adjacent to the Lake Lothing south quay.
- 4.26 The benefits of this three-access strategy are summarised as follow: -

- A. Full access for the Development Land and Nexen quayside; to replace the access rights, and services / street apparatus, that are lost by severance of the east-west service road from Riverside Road. This avoids the imposition of increased traffic at the existing Nexen factory access.
- B. Provision of a serviced estate road to retain the integrity of the Development Land as a standalone site, suitable and capable as proven of being developed for third party tenants and/or Nexen's operational needs.
- C. Separation of heavy goods vehicles and car traffic to the Nexen factory site; to overcome restrictions imposed by impact of the LLTC on the existing Nexen access.
- D. 2-way access route for Lings, to avoid potential problems and disruption of the 4.5m route proposed by NMC #7.
- E. Potential 'through-route' between access 1 and 2 (in 4.24 above), to allow some re-routing of car traffic in case of congestion or disruption at the Waveney Drive access.
- F. Potential 'occasional through route' between access 1 and 3 (in 4.24 above), by agreement between Lings and Nexen, for heavy good vehicles in exceptional circumstances.
- G. Flexible routing of traffic during the LLTC construction stage, to ensure that unhindered access can be maintained for Nexen and Lings at all times.

## **5 Summary**

- 5.1 The following paragraphs describe the key items highlighted by this appraisal of the impact of the LLTC NMC #6 and NMC #7 proposals on the property and operations of Nexen.
- 5.2 SCC has not undertaken appropriate or adequate assessment of the vehicular access or movement arrangements for the existing Nexen factory / warehouse premises. There has been limited consideration of the operational use of the site; e.g. access doors and their use, vehicle circulation and routeing, vehicle turning, weighbridge location, separation of hgv's and car traffic. This has resulted in presentation in NMC #6 of a scheme for HGV access that provides for a worse arrangement than currently exists, with potential increased health and safety risks and implications.
- 5.3 The full impact of the LLTC structure and maintenance access have not been adequately assessed or presented. The SCC proposals do not show rights of way and maintenance access requirements. A far greater impact in terms of land take from the Nexen parcels might be inferred from the LLTC road and bridge scheme layout plans.
- 5.4 Similarly, the full extent of plant, scaffold and safety zone requirements for the construction phase of LLTC have not been presented. It would appear inevitable that the construction of LLTC will require a safety zone some metres in to the Nexen site with consequential damaging impact on Nexen operations and movement of vehicles.
- 5.5 The LLTC NMC #06 proposals provide for a new access proposal for the Nexen northern parcel. There is no new access arrangement shown for the southern parcel development area.
- 5.6 The LLTC severs the Development Land of the Nexen southern parcel from the highway network and provides no confirmed alternative means of access.
- 5.7 The LLTC NMC #7, presented for the benefit of the adjacent Lings property, illustrates the potential for a new north-south access road that could be utilised for the benefit of both Nexen land parcels also.
- 5.8 Overall, it is considered that the LLTC proposals as presented will have a severe and damaging impact on the operational use of the existing Nexen factory and warehouse premises on their northern parcel. Insufficient and inadequate consideration has been given to the way that the site currently operates and of the vehicles that enter and are used at the site. The land to be taken and the alternative means of access presented do not allow the site to continue to be operated as Nexen currently so do.
- 5.9 The potential for the access to Nexen to be obstructed during the LLTC construction phase has not been addressed by SCC. As a consequence, Nexen have no comfort or assurance from SCC that hgv access can be maintained unhindered at all times.
- 5.10 A co-ordinated access strategy for Nexen, the Development Land and Lings, based upon three access locations actions, could be promoted which would replace all of the existing access facilities and mitigate the adverse impact of the LLTC. This would apply for both the LLTC construction stage and post construction.

**NEXEN, RIVERSIDE ROAD, LOWESTOFT  
IMPACT OF LAKE LOTHING THIRD CROSSING  
ON NEXEN ACCESS AND OPERATIONS  
REPORT 3**



**APPENDIX A**

**SUFFOLK COUNTY COUNCIL DRAWINGS**

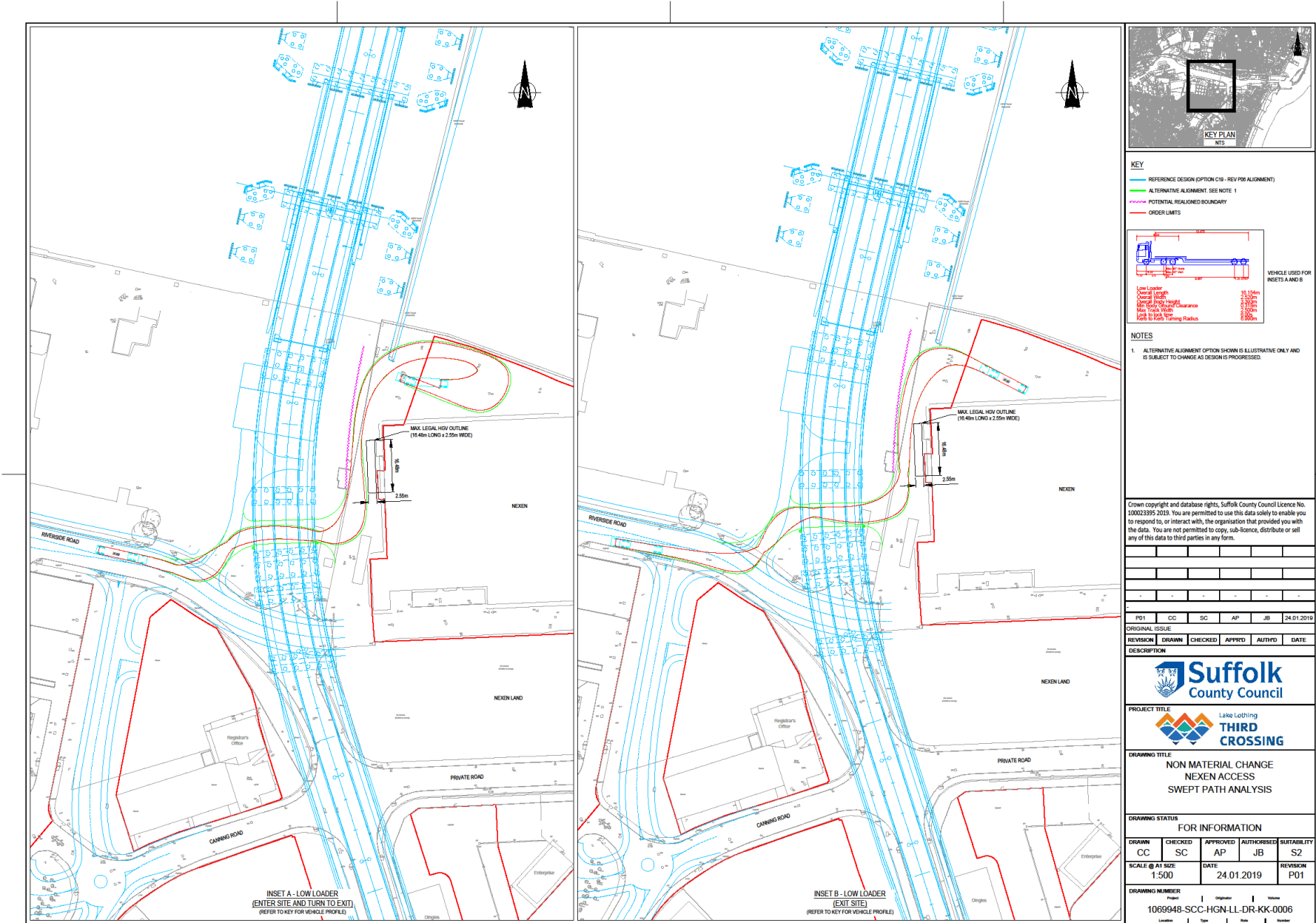
**1069948-SCC-HGN-LL-DR-KK-0006**

**NON-MATERIAL CHANGE – NEXEN ACCESS  
SWEPT PATH ANALYSIS**

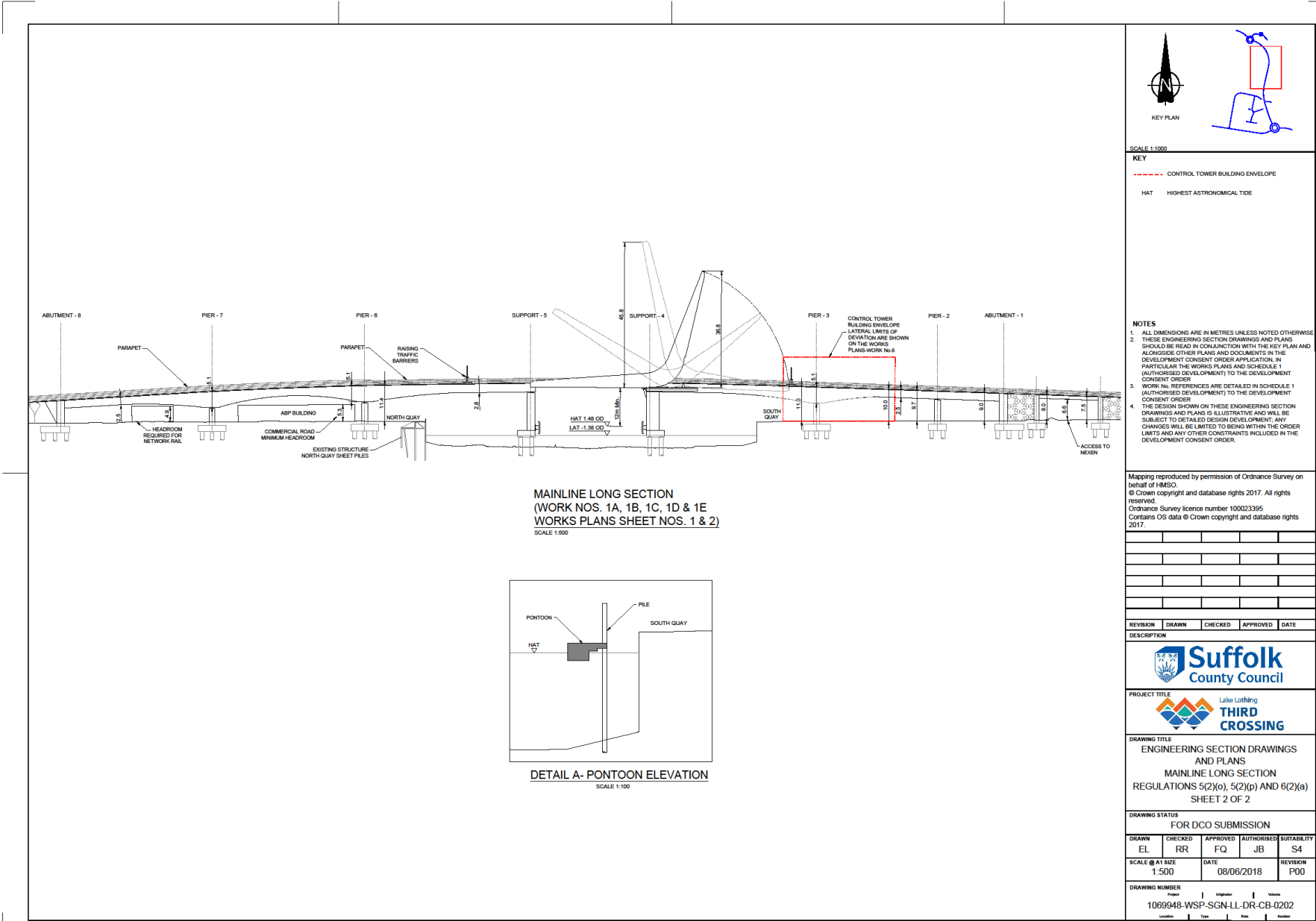
**1069948-WSP-SGN-LL-DR-CB-0202**

**ENGINEERING SECTION DRAWINGS AND PLANS  
MAINLINE SECTION**

NEXEN, RIVERSIDE ROAD, LOWESTOFT  
IMPACT OF LAKE LOTHING THIRD CROSSING  
ON NEXEN ACCESS AND OPERATIONS  
REPORT 3



NEXEN, RIVERSIDE ROAD, LOWESTOFT  
IMPACT OF LAKE LOTHING THIRD CROSSING  
ON NEXEN ACCESS AND OPERATIONS  
REPORT 3



## **APPENDIX B**

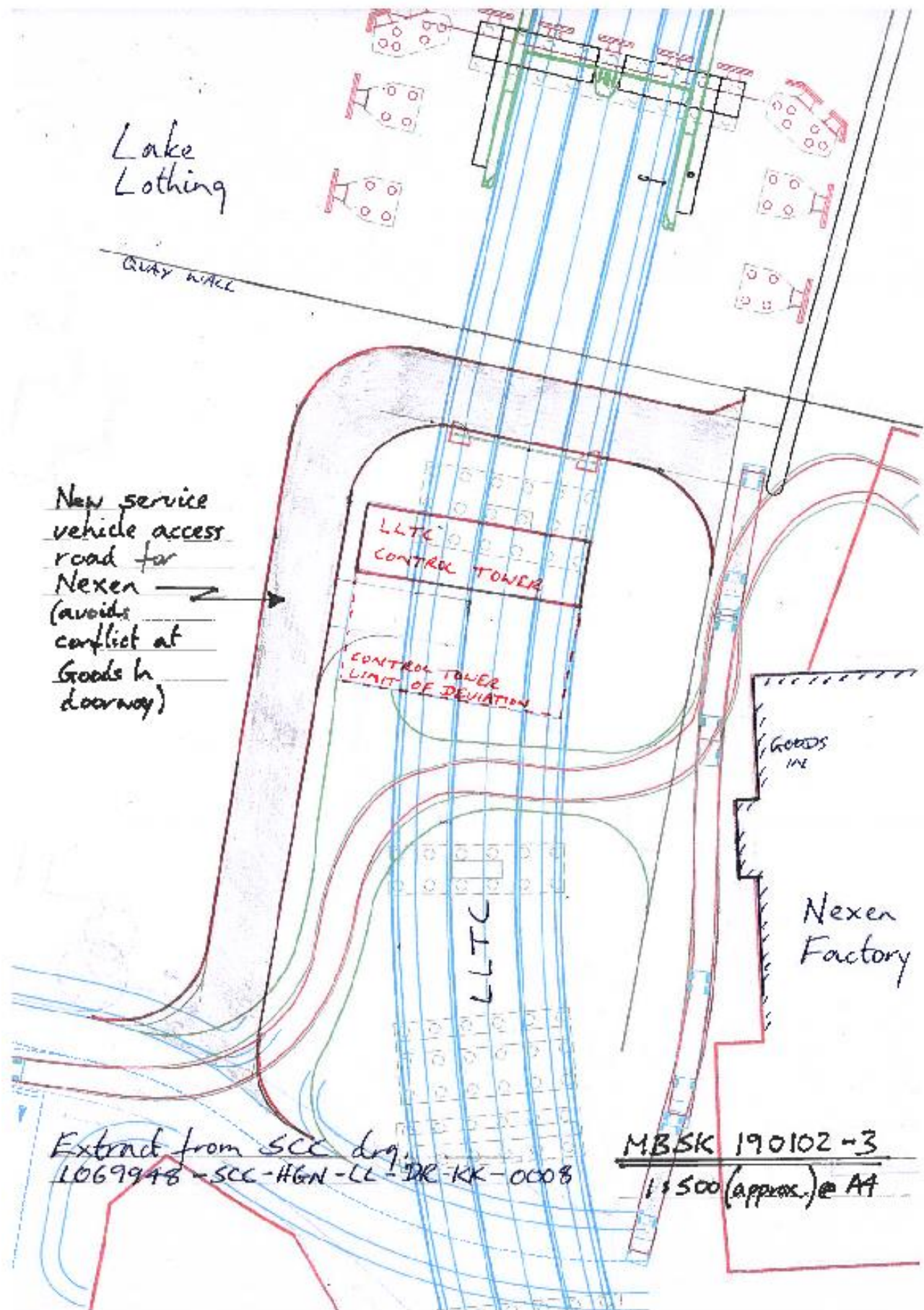
### **MAYER BROWN DRAWINGS**

**MBSK 190102-3**

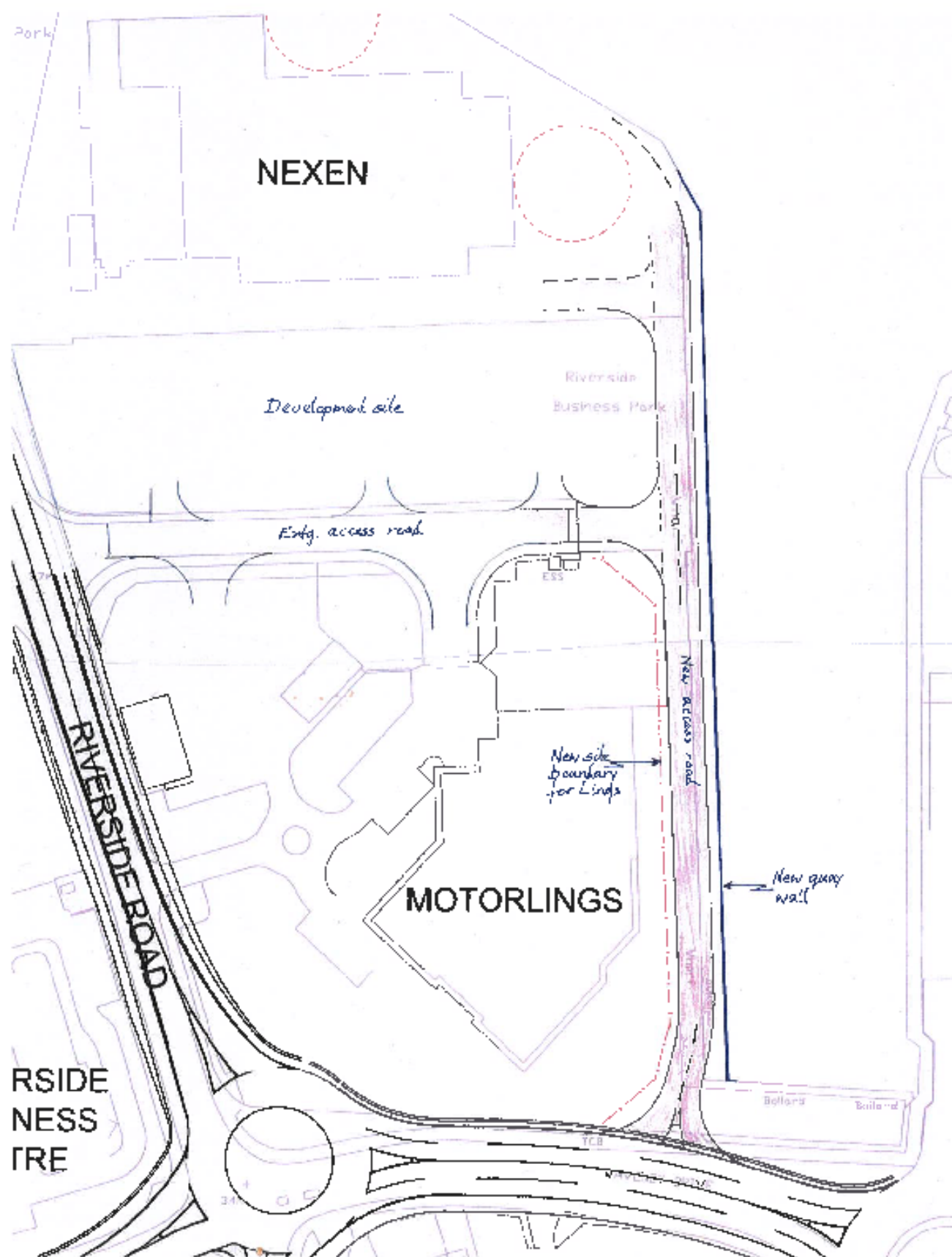
**MBSK 180720**

**MBSK 190228**

NEXEN, RIVERSIDE ROAD, LOWESTOFT  
IMPACT OF LAKE LOTHING THIRD CROSSING  
ON NEXEN ACCESS AND OPERATIONS  
REPORT 3



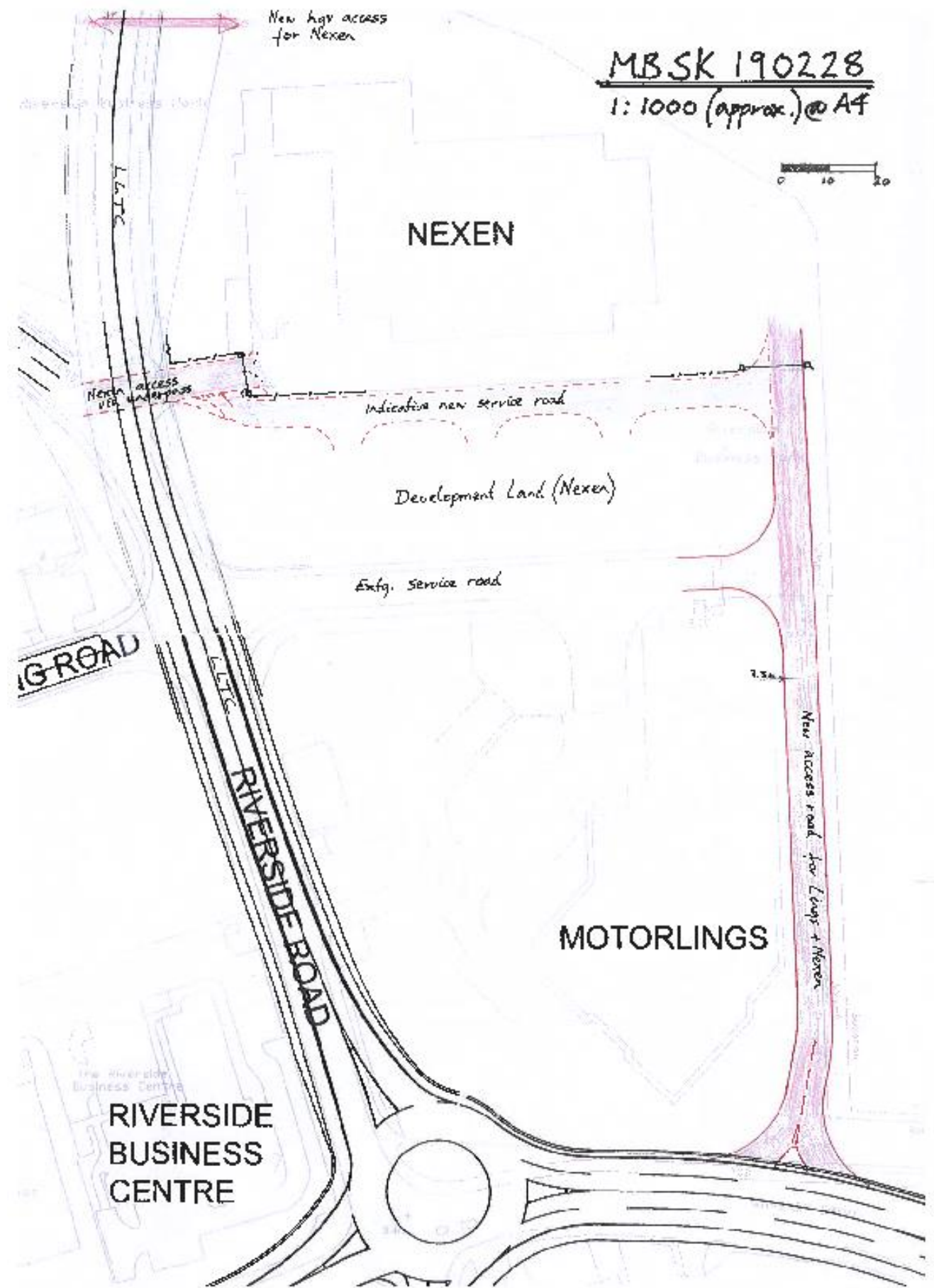
NEXEN, RIVERSIDE ROAD, LOWESTOFT  
IMPACT OF LAKE LOTHING THIRD CROSSING  
ON NEXEN ACCESS AND OPERATIONS  
**REPORT 3**



MB SK 180720

1:1000 approx. @ A4

NEXEN, RIVERSIDE ROAD, LOWESTOFT  
IMPACT OF LAKE LOTHING THIRD CROSSING  
ON NEXEN ACCESS AND OPERATIONS  
**REPORT 3**



## Appendix J: Responses to NMC1 changes to land take

Simon Cartmell  
Corporate Landlord Manager  
Suffolk County Council

Date: 28 January 2019  
Enquiries to: Jon Barnard  
Tel: 0345 603 1842

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

*By email*

Ref: NMC1

## **URGENT**

Dear Simon

### **Lake Lothing Third Crossing – Application for Development Consent**

#### **Proposed Non-Material Changes to the Application**

#### **REQUEST FOR CONSENT TO INCLUSION OF ADDITIONAL LAND IN THE DEVELOPMENT CONSENT ORDER (NMC1)**

I write in connection with Suffolk County Council's application for development consent for the Lake Lothing Third Crossing ('the scheme') which was accepted for examination by a panel ('the Examining Authority') appointed by the Planning Inspectorate, on behalf of the Secretary of State for Housing, Communities and Local Government on 9 August 2019. As you will be aware, the examination of the application is currently underway.

At Deadline 4 of the examination on 29 January 2019, the Council will be submitting to the Examining Authority a request to make eight proposed minor or 'non-material' changes ('NMCs') to the scheme ('Proposed Changes Application'). The need for the proposed changes has arisen from: comments made by interested parties in relevant representations submitted to the Planning Inspectorate regarding the scheme; the Council's ongoing negotiations with persons affected by the scheme; and the Council's ongoing work in connection with the development of the design of the scheme.

The Proposed Changes Application will include full details of the changes which are proposed to be made to the scheme. I will write to you again shortly to explain how you can view and comment on the Proposed Changes Application. A plan showing the location and nature of each of the proposed changes (NMCs numbered 1 to 8) is appended to this letter.

I am writing to you now because one of the proposed changes – the addition of a turning head at the eastern end of Canning Road ('NMC1' as shown on the plan appended to this letter) – requires the additional permanent acquisition of a small area of land.

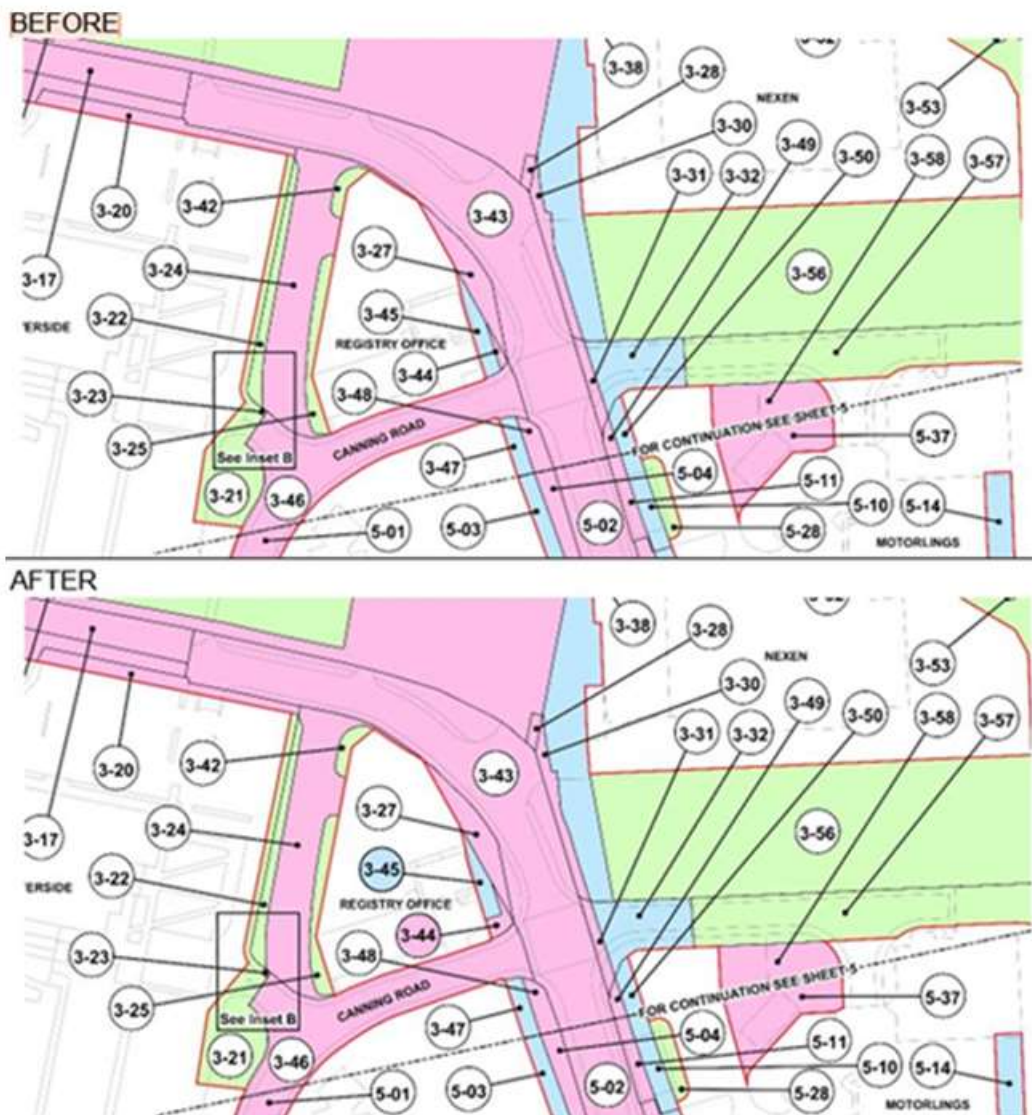
**For the reasons set out below, the Council now seeks consent to this proposal.**

The land in question is already included in the Order limits for the scheme, where it forms part of plot 3-45, which is currently proposed to be subject to new rights created and acquired through the development consent order ('DCO') for the purposes of constructing, protecting and maintaining the scheme and providing for the diversion, protection and maintenance of statutory undertakers' apparatus.

Plot 3-45 is shown shaded blue in the 'before' excerpt (below) from the Land Plans (document reference APP-016 – APP-021) comprised in the Council's DCO application.

To provide the turning head on Canning Road (requested in relevant representations submitted by interested parties), the Council would need to acquire approximately 28 square metres of land currently forming part of plot 3-45 ('the additional land').

This could be achieved through the extension of plot 3-44, which is proposed to be subject to powers of compulsory acquisition, and which is shown shaded pink in the below 'before' excerpt from the Land Plans. The 'after' excerpt below shows the proposed increase in plot 3-44 (and the corresponding reduction in the area of plot 3-45) which would be required to secure the additional land needed for the delivery of the new turning head on Canning Road (NMC1).



The land in plots 3-44 and 3-45 is currently within the curtilage of the Registrar's Office and is in the freehold ownership of Waveney District Council ('WDC') registered at HM Land Registry under title number SK260637 (attached for reference).

The Book of Reference (document reference APP-009) included in the Council's DCO application also identifies Suffolk County Council as an occupier of the land in plots 3-44 and 3-45, in respect of its functions in relation to the Registrar's Office and the associated car parking area.

### **Requirement for consent to the inclusion of additional land in the DCO application**

The Council is required to obtain the written consent of all relevant affected persons to the inclusion of the additional land in the DCO application. As a formality, therefore, given the position presented in the Book of Reference, as outlined above, the Council now seeks written confirmation of its consent to the increase in the area of plot 3-44 as outlined above.


If SCC's property department is minded to consent to the inclusion of the additional land as described in this letter it would be helpful if you could **provide me with confirmation of that consent, on behalf of the Council, as soon as possible please.**

You can do this by signing and returning the enclosed copy of this letter to me (either in hard copy or as a scanned copy by email) no later than **11:59pm on Monday 4 March 2019**, to enable me to report to the Examining Authority at the close of the Council's non-statutory consultation on the proposed changes to the DCO application.

In addition, if possible please it would be helpful if you could send a scanned copy of this signed letter by email to [heidi.slater@pinsentmasons.com](mailto:heidi.slater@pinsentmasons.com).

As always, if you have any general questions or comments relating to the scheme, you can contact the Council by email at [lakelothing3rdcrossing@suffolk.gov.uk](mailto:lakelothing3rdcrossing@suffolk.gov.uk) or by telephone on 0345 603 1842 (open Mon-Fri 8:30am-6:00pm).

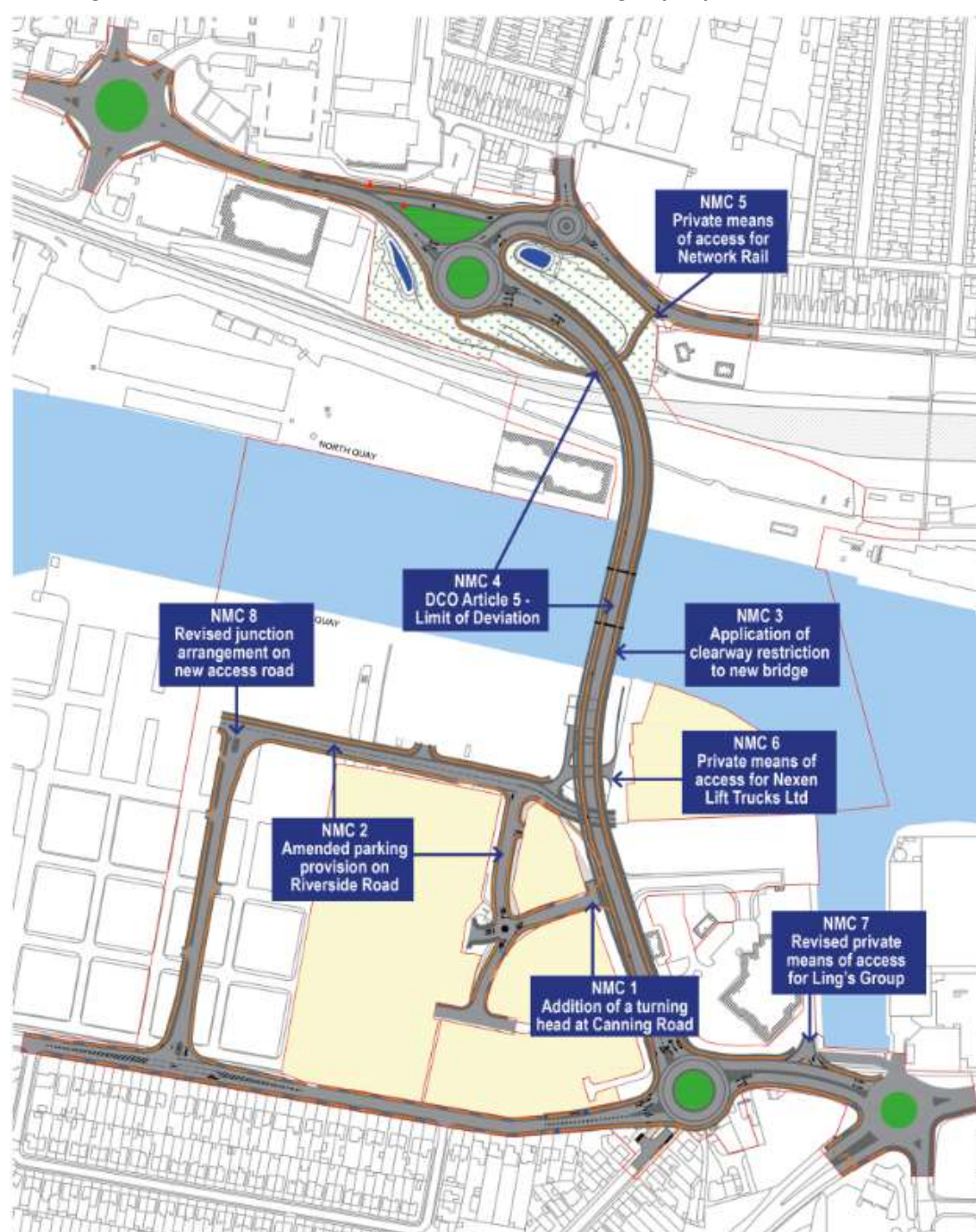
Yours sincerely

A handwritten signature in black ink, appearing to read 'Jon Barnard'.

Jon Barnard  
Project Manager, Lake Lothing Third Crossing

Enc. Copy of title number SK260637

*Plan showing the location and nature of each of the eight proposed non-material changes*



**Consent to inclusion in the DCO application of additional land required for NMC1**

**Affected Person:** Suffolk County Council

**Signed on behalf of and**



authorised by the Affected Person: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ 28-01-2019 \_\_\_\_\_

Richard Price  
Case Manager  
The Planning Inspectorate  
National Infrastructure  
Temple Quay House  
Temple QUAY  
Bristol  
BS1 6PN

Date: 30 January 2019  
Enquiries to: Jon Barnard  
Tel: 0345 603 1842  
Email: [jon.barnard@suffolk.gov.uk](mailto:jon.barnard@suffolk.gov.uk)

Your ref: TR010023  
Our ref: SCC/LLTC/EX/72

Dear Richard,

**Lake Lothing Third Crossing ('LLTC') – DCO Application – Reference TR010023**

**Applicant's Additional Submission relating to Proposed Non-Material Changes Application (Document Reference SCC/LLTC/EX/69)**

I write further to my letter of 29 January 2019, which listed the documents submitted by the Applicant at Deadline 4 of the Examination.

As you will be aware, the documents submitted included **SCC/LLTC/EX/69: Proposed Non-Material Changes to the Application** ('the NMC Application').

The NMC Application includes information relating to a small area of 'additional land' (as defined in the Infrastructure Planning (Compulsory Acquisition) Regulations 2010). The NMC Application also identifies the five parties which are believed to have an interest in the additional land.

The Applicant is seeking the written consent of those five parties to the inclusion of the additional land in the Application for the purposes of proposed change 'NMC1', details of which are set out in the NMC Application. The NMC Application already includes evidence of consent granted by one of those parties: Suffolk County Council.

The Applicant has today received written confirmation of consent from another of the five parties: Waveney District Council ('WDC'), which owns the freehold interest in the additional land.

Please find enclosed a copy of WDC's consent, which we should be grateful if the Examining Authority would accept as an 'Additional Submission' from the Applicant, supplemental to the NMC Application.

We will, of course, keep the Inspectorate updated should further progress be made in securing the consents sought; and, as outlined in the NMC Application, we will provide a follow-up report on consents and non-statutory consultation in due course.

If you have any questions in relation to the above, please do not hesitate to contact me.

Yours sincerely



Jon Barnard  
Project Manager, Lake Lothing Third Crossing

*Enc. Copy of Waveney District Council's scanned signed consent to inclusion in the LLTC DCO Application of additional land required for NMC1.*

Tony Rudd  
Valuer  
Asset Management Team  
Suffolk Coastal and Waveney District  
Councils

Date: 28 January 2019  
Enquiries to: Jon Barnard  
Tel: 0345 603 1842  
Email: [lakelothing3rdcrossing@suffolk.gov.uk](mailto:lakelothing3rdcrossing@suffolk.gov.uk)

*By email*

Ref: NMC1

**URGENT**

Dear Tony

**Lake Lothing Third Crossing – Application for Development Consent**

**Proposed Non-Material Changes to the Application**

**REQUEST FOR CONSENT TO INCLUSION OF ADDITIONAL LAND IN THE  
DEVELOPMENT CONSENT ORDER (NMC1)**

I write in connection with Suffolk County Council's application for development consent for the Lake Lothing Third Crossing ('the scheme') which was accepted for examination by a panel ('the Examining Authority') appointed by the Planning Inspectorate, on behalf of the Secretary of State for Housing, Communities and Local Government on 9 August 2019. As you will be aware, the examination of the application is currently underway.

At Deadline 4 of the examination on 29 January 2019, the Council will be submitting to the Examining Authority a request to make eight proposed minor or 'non-material' changes ('NMCs') to the scheme ('Proposed Changes Application'). The need for the proposed changes has arisen from: comments made by interested parties in relevant representations submitted to the Planning Inspectorate regarding the scheme; the Council's ongoing negotiations with persons affected by the scheme; and the Council's ongoing work in connection with the development of the design of the scheme.

The Proposed Changes Application will include full details of the changes which are proposed to be made to the scheme. I will write to you again shortly to explain how you can view and comment on the Proposed Changes Application. A plan showing the location and nature of each of the proposed changes (NMCs numbered 1 to 8) is appended to this letter.

I am writing to you now because one of the proposed changes – the addition of a turning head at the eastern end of Canning Road ('NMC1' as shown on the plan appended to this letter) – requires the additional permanent acquisition of a small area of land.

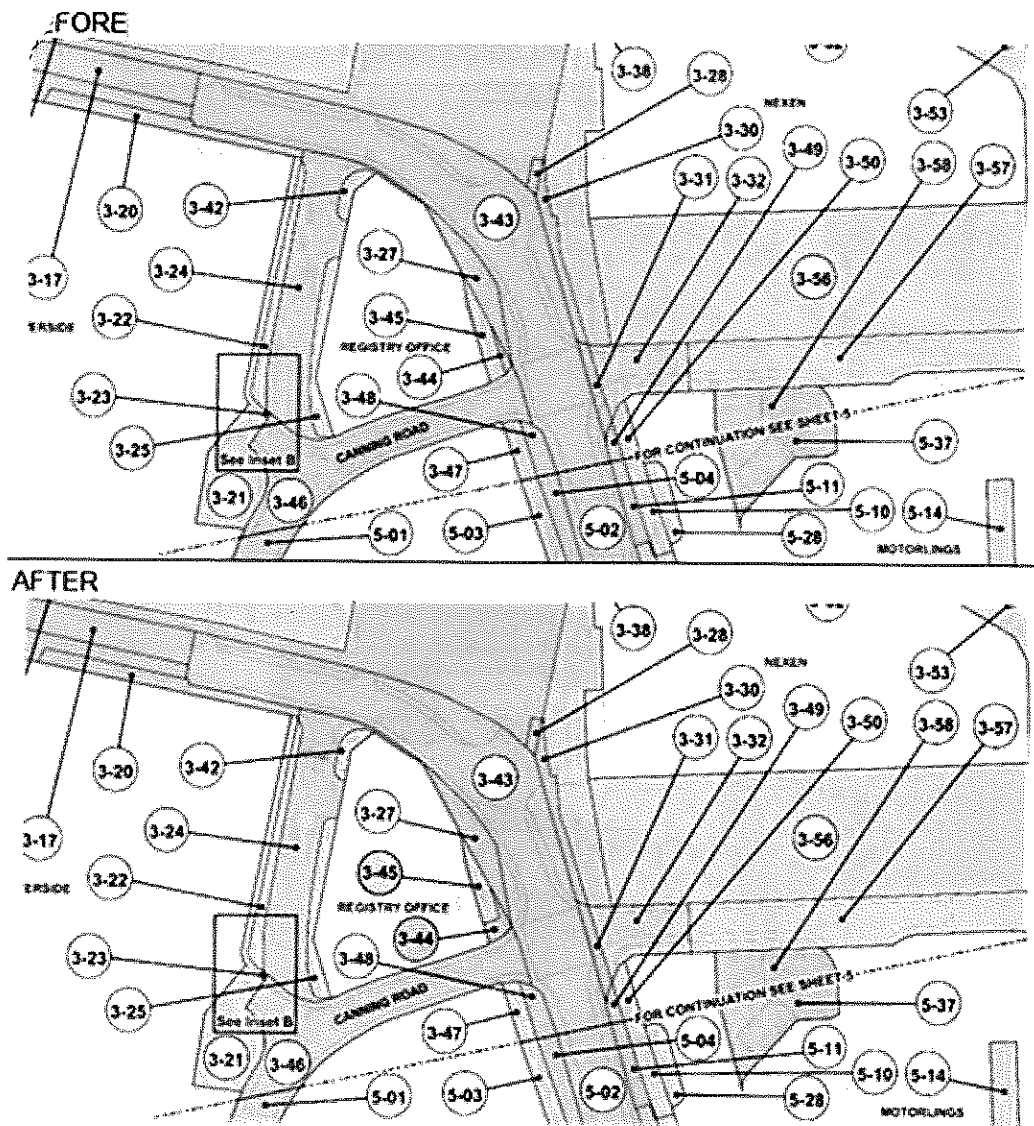
**For the reasons set out below, the Council seeks your consent to this proposal.**

The land in question is already included in the Order limits for the scheme, where it forms part of plot 3-45, which is currently proposed to be subject to new rights created and acquired through the development consent order ('DCO') for the purposes of constructing, protecting and maintaining the scheme and providing for the diversion, protection and maintenance of statutory undertakers' apparatus.

Plot 3-45 is shown shaded blue in the 'before' excerpt (below) from the Land Plans (document reference APP-016 – APP-021) comprised in the Council's DCO application.

To provide the turning head on Canning Road (requested in relevant representations submitted by interested parties), the Council would need to acquire approximately 28 square metres of land currently forming part of plot 3-45 (**'the additional land'**).

This could be achieved through the extension of plot 3-44, which is proposed to be subject to powers of compulsory acquisition, and which is shown shaded pink in the below 'before' excerpt from the Land Plans. The 'after' excerpt below shows the proposed increase in plot 3-44 (and the corresponding reduction in the area of plot 3-45) which would be required to secure the additional land needed for the delivery of the new turning head on Canning Road (NMC1).



The land in plots 3-44 and 3-45 is currently within the curtilage of the Registrar's Office and is in the freehold ownership of Waveney District Council ('WDC') registered at HM Land Registry under title number SK260637 (attached for reference).

### Requirement for consent to the inclusion of additional land in the DCO application

The Council is required to obtain the written consent of all relevant affected persons to the inclusion of the additional land in the DCO application. As the WDC is the owner of the freehold interest in the additional land, the Council now seeks its consent to the increase in the area of plot 3-44 as outlined above.

If WDC is minded to consent to the inclusion of the additional land as described in this letter it would be helpful if you could **provide me with confirmation of that consent, on behalf of WDC, as soon as possible please.**

You can do this by signing and returning the enclosed copy of this letter to me (either in hard copy or as a scanned copy by email) no later than **11:59pm on Monday 4 March 2019**, to enable me to report to the Examining Authority at the close of the Council's non-statutory consultation on the proposed changes to the DCO application.

In addition, if possible please it would be helpful if you could send a scanned copy of this signed letter by email to [heidi.slater@pinsentmasons.com](mailto:heidi.slater@pinsentmasons.com).

As always, if you have any general questions or comments relating to the scheme, you can contact the Council by email at [lakelothing3rdcrossing@suffolk.gov.uk](mailto:lakelothing3rdcrossing@suffolk.gov.uk) or by telephone on 0345 603 1842 (open Mon-Fri 8:30am-6:00pm).

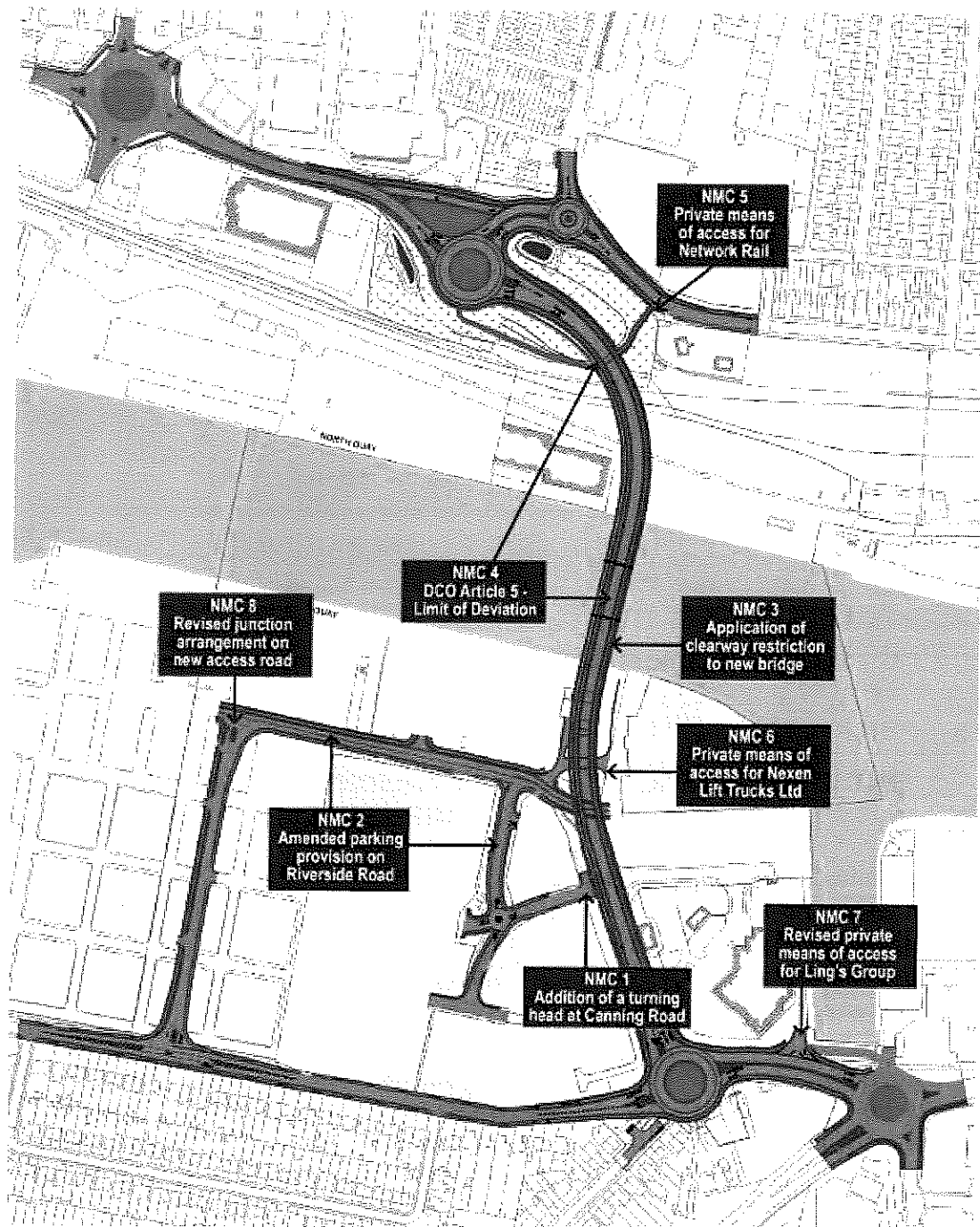
Yours sincerely



Jon Barnard  
Project Manager, Lake Lothing Third Crossing

Enc. Copy of title number SK260637

*Plan showing the location and nature of each of the eight proposed non-material changes*



Consent to inclusion in the DCO application of additional land required for NMC1

Affected Person: Waveney District Council

Signed on behalf of and  
authorised by the Affected Person:

*[Signature]*

HEAD OF OPERATIONS

Date:

30th Jan 2019

Vicky Stirling  
Senior Land Officer  
Cadent  
Ashbrook Court  
Central Boulevard  
Prologis Park  
Coventry CV7 8PE

Date: 28 January 2019  
Enquiries to: Jon Barnard  
Tel: 0345 603 1842

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

BY EMAIL

Ref: HS06/SU0035.07002

**FAO Vicky Stirling**

**URGENT**

Dear Ms Stirling

**Lake Lothing Third Crossing – Application for Development Consent**

**Proposed Non-Material Changes to the Application**

**REQUEST FOR CONSENT TO INCLUSION OF ADDITIONAL LAND IN THE  
DEVELOPMENT CONSENT ORDER (NMC1)**

I write in connection with Suffolk County Council's application for development consent for the Lake Lothing Third Crossing ('the scheme') which was accepted for examination by a panel ('the Examining Authority') appointed by the Planning Inspectorate, on behalf of the Secretary of State for Housing, Communities and Local Government on 9 August 2019. As you will be aware, the examination of the application is currently underway.

At Deadline 4 of the examination on 29 January 2019, the Council will be submitting to the Examining Authority a request to make eight proposed minor or 'non-material' changes ('NMCs') to the scheme ('Proposed Changes Application'). The need for the proposed changes has arisen from: comments made by interested parties in relevant representations submitted to the Planning Inspectorate regarding the scheme; the Council's ongoing negotiations with persons affected by the scheme; and the Council's ongoing work in connection with the development of the design of the scheme.

The Proposed Changes Application will include full details of the changes which are proposed to be made to the scheme. I will write to you again shortly to explain how you can view and comment on the Proposed Changes Application. A plan showing the location and nature of each of the proposed changes (NMCs numbered 1 to 8) is appended to this letter.

I am writing to you now because one of the proposed changes – the addition of a turning head at the eastern end of Canning Road ('NMC1' as shown on the plan appended to this letter) – requires the additional permanent acquisition of a small area of land.

**For the reasons set out below, the Council seeks your consent to this proposal.**

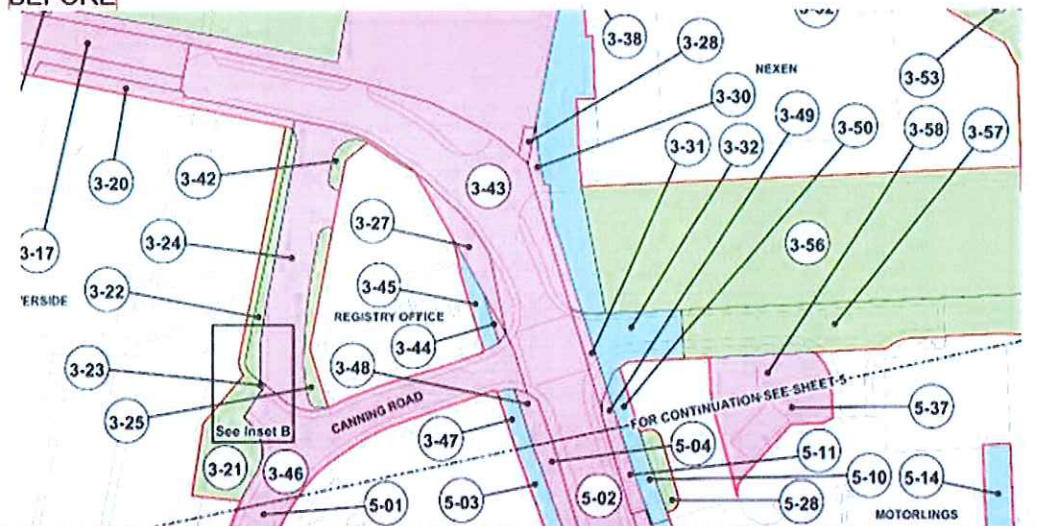
The land in question is already included in the Order limits for the scheme, where it forms part of plot 3-45, which is currently proposed to be subject to new rights created and acquired through the development consent order ('DCO') for the purposes of constructing, protecting and maintaining the scheme and providing for the diversion, protection and maintenance of statutory undertakers' apparatus.

Plot 3-45 is shown shaded blue in the 'before' excerpt (below) from the Land Plans (document reference APP-016 – APP-021) comprised in the Council's DCO application.

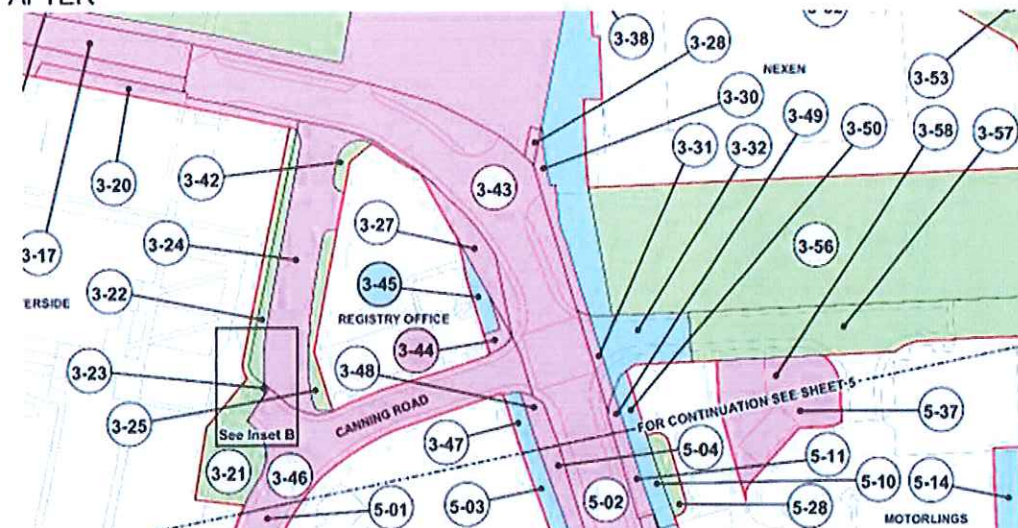
To provide the turning head on Canning Road (requested in relevant representations submitted by interested parties), the Council would need to acquire approximately 28 square metres of land currently forming part of plot 3-45 ('the additional land').

This could be achieved through the extension of plot 3-44, which is proposed to be subject to powers of compulsory acquisition, and which is shown shaded pink in the below 'before' excerpt from the Land Plans. The 'after' excerpt below shows the proposed increase in plot 3-44 (and the corresponding reduction in the area of plot 3-45) which would be required to secure the additional land needed for the delivery of the new turning head on Canning Road (NMC1).

#### BEFORE



#### AFTER



The land in plots 3-44 and 3-45 is currently within the curtilage of the Registrar's Office and is in the freehold ownership of Waveney District Council registered at HM Land Registry under title number SK260637.

As noted in the Book of Reference included in the DCO Application (document reference APP-009), Cadent Gas Limited is understood to have an interest in the additional land (insofar as it currently forms part of Plot 3-45) in respect of apparatus.

The Council considers that any existing or proposed rights for the benefit of Cadent Gas Limited in or over the additional land would not be affected by the proposed addition to the scheme of the turning head on Canning Road: the rights proposed to be acquired over plot 3-45 would be granted out of the additional land (once acquired by the Council); and the draft DCO contains bespoke Protective Provisions (at Part 7 of Schedule 13) for the protection of Cadent Gas Limited.

### **Requirement for consent to the inclusion of additional land in the DCO application**

The Council is required to obtain the written consent of all relevant affected persons to the inclusion of the additional land in the DCO application. As Cadent Gas Limited is understood to have an interest (as outlined above) in the additional land, the Council now seeks its consent to the increase in the area of plot 3-44 as outlined above.

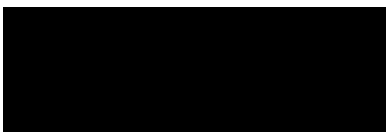
If Cadent Gas Limited is minded to consent to the inclusion of the additional land as described in this letter it would be helpful if you could **provide me with confirmation of that consent, on behalf of Cadent Gas Limited, as soon as possible please.**

You can do this by signing and returning the enclosed copy of this letter to me (either in hard copy or as a scanned copy by email) no later than **11:59pm on Monday 4 March 2019**, to enable me to report to the Examining Authority at the close of the Council's non-statutory consultation on the proposed changes to the DCO application.

In addition, if possible please it would be helpful if you could send a scanned copy of this signed letter by email to [heidi.slater@pinsentmasons.com](mailto:heidi.slater@pinsentmasons.com).

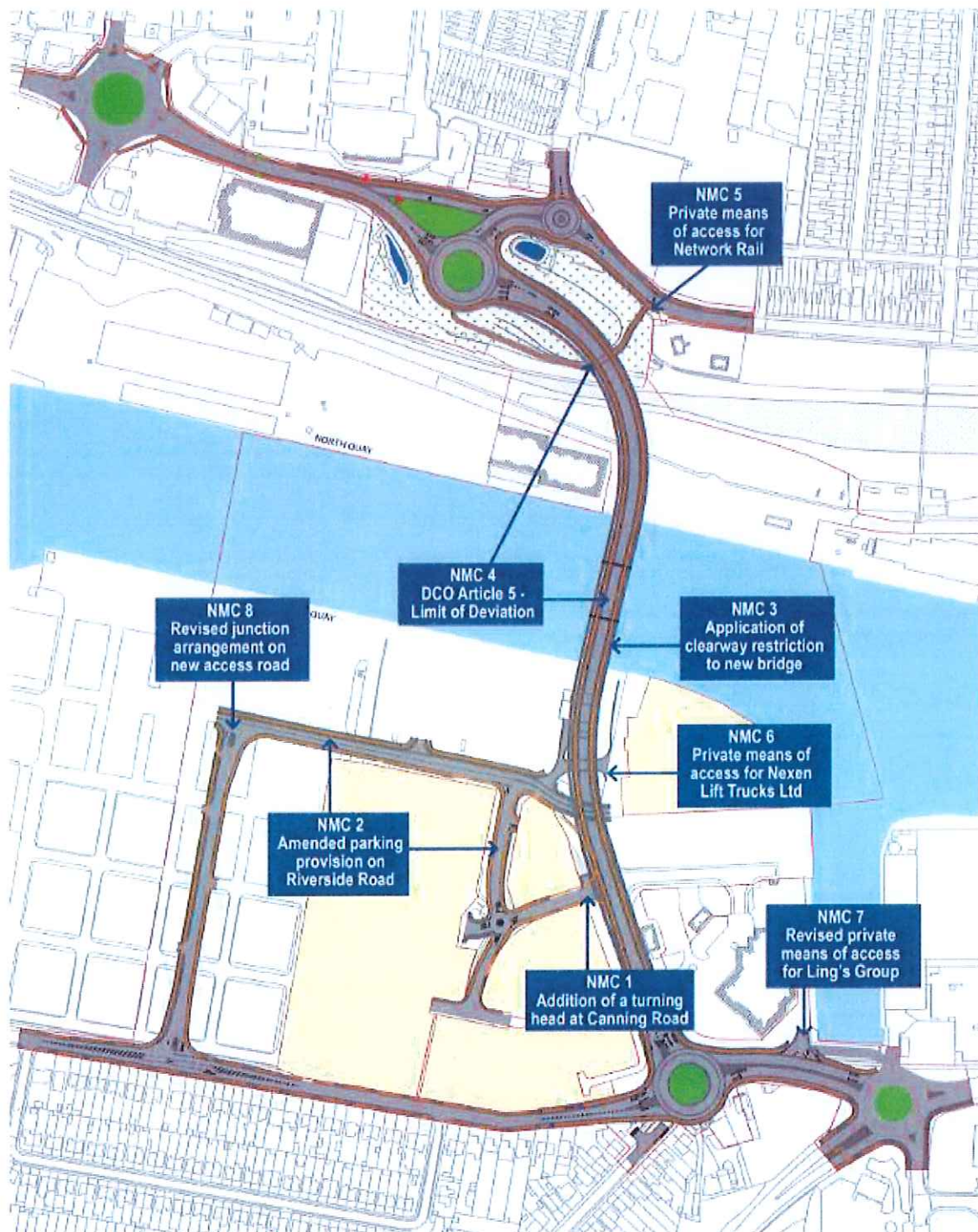
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Yours sincerely



Jon Barnard  
Project Manager, Lake Lothing Third Crossing

Plan showing the location and nature of each of the eight proposed non-material changes



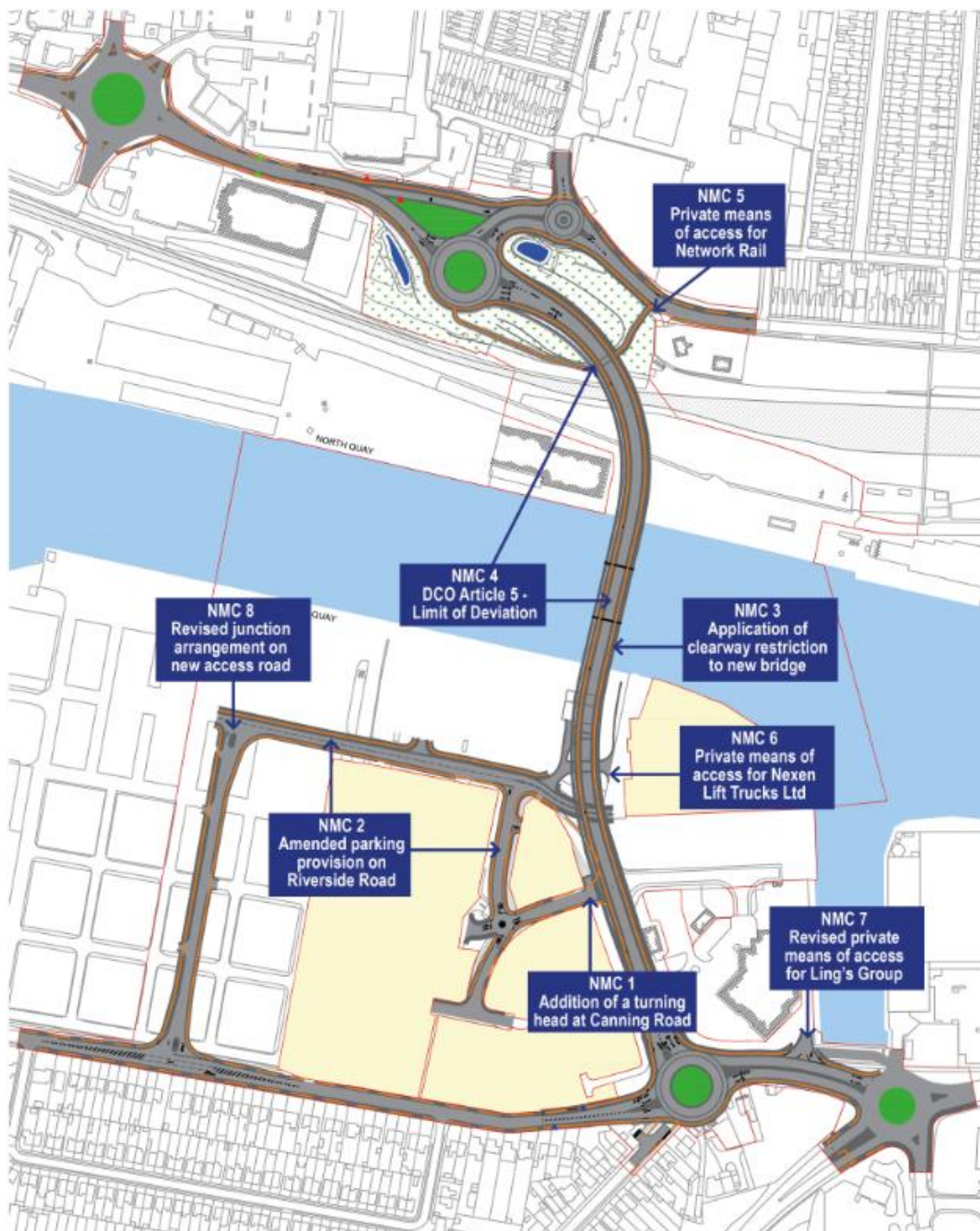
Consent to inclusion in the DCO application of additional land required for NMC1

Affected Person: Cadent Gas Limited

Signed on behalf of and  
authorised by the Affected Person: Shakespeare Martinson on behalf of  
Cadent Gas Limited

Date: 13/02/2019

*Plan showing the location and nature of each of the eight proposed non-material changes*



**Consent to inclusion in the DCO application of additional land required for NMC1**

**Affected Person:** Eastern Power Networks plc

**Signed on behalf of and  
authorised by the Affected Person:** \_\_\_\_\_

*R. A. Baker*

**Date:** 04/02/19

**From:** Richard Bulger <[Richard.Bulger@homesengland.gov.uk](mailto:Richard.Bulger@homesengland.gov.uk)>

**Sent:** 15 March 2019 10:34

**To:** Liam O'Connor <[LiamO'Connor@ardent-management.com](mailto:LiamO'Connor@ardent-management.com)>

**Subject:** Lake Lothing Third Crossing - HCA Land at Canning Road and Riverside Way, Lowestoft - Subject to Contract and Without Prejudice

Dear Liam,

I refer to our telephone conversation earlier this afternoon in connection with the above matter and can provide the following.

Homes England has an interest (as explained in Suffolk County Council's letter dated 30<sup>th</sup> January 2019) in the 38 square metres of 'additional land' now required to provide the new turning head proposed in non-material change NMC1, details of which are set out in the Council's Report on Proposed Non-Material Changes to the Application (Document Reference SCC/LLTC/EX/69; PINS Reference REP4-069). Homes England notes that the additional land is already included within the Order limits for the Lake Lothing Third Crossing scheme and that in accepting the inclusion of the additional land as proposed for the purposes of NMC1, there would be an increase of 38 square metres in the current area of plot 3-44 (which is shown on the Land Plans), and that the Council would seek powers of compulsory acquisition over that additional land rather than (as currently) seeking powers to acquire new rights over it.

Homes England agrees in principle with the inclusion of the additional land in the Order as outlined above for the purposes of NMC1, and is currently in the process of seeking internal approval and arranging an appropriate signatory to provide formal written consent in the format previously requested by the Council. In the meantime, please take this email as confirmation that it is anticipated that written consent will be provided on the basis internal approval is obtained and as soon as an appropriate signatory can be identified and arranged.

I hope this e-mail will suffice but if I can be of any further assistance in the meantime please do not hesitate to contact me.

Kind regards

Richard

Richard Bulger BSc (Hons) PgDipSurv MRICS  
RICS Registered Valuer  
Specialist – CAL

Tel: (01925) 644644  
Mob: 07880 475456



Homes England was launched by the Secretary of State on 11 January 2018. Homes England is the trading name of Homes and Communities Agency (the legal entity).

## Appendix K: Response to Nexen's Consultation Response

K.1. The Applicant notes that Nexen's representations (submitted at Deadline 6 to comment on the Applicant's proposed non-material changes, as presented in the NMC report) raised a number of matters which are beyond the scope of the particular changes proposed in the NMC report; these matters are nonetheless addressed below.

### NMC 6

K.2. In the Mayer Brown report, appended to Nexen's representations, it is noted at paragraph 3.9 that Nexen has previously sought to acquire adjacent land to the west of its site for the following reasons:

1. To provide more space at the west end of the factory for goods inward, production line operations, vehicle waiting area
2. To allow for complete separation of the vehicle movements of i) hgv access generally and ii) vehicle manoeuvres up to the goods inward and production line doors
3. To provide more space to allow a 2-way hgv site access / egress route
4. To allow the separation of heavy goods vehicles and car traffic on the site generally
5. To permit the relocation of the weighbridge to a more suitable location away from a congested part of the site, including pedestrian routes, and on to a defined entry / exit route.

K.3. The Applicant has indicated to Nexen that it is willing to transfer rights in land to Nexen to the extent that they are required to permit safe two-way movements of HGVs along the western side of Nexen's building.

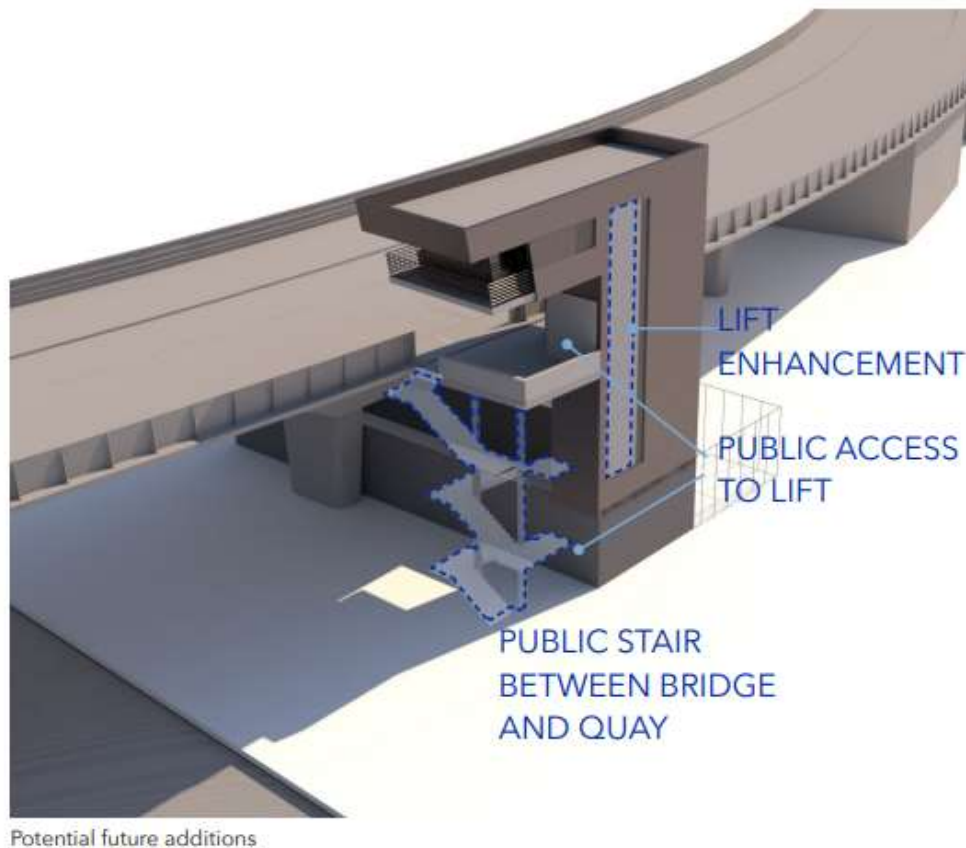
K.4. Two-way HGV movements on the western side of the Nexen building are not currently possible, owing to the narrow width of the available land here and it is understood this point is accepted by Nexen, having regard to Mr Moore's comments at the recent Issue Specific Hearing.

K.5. The extent of land required to facilitate this is a matter under discussion with Nexen and will be informed by relevant vehicular tracking information. Based on the vehicular tracking information already submitted to the examination (Appendix G to the Applicant's Response to Written Representations (document reference REP4-014)), the area which the Applicant anticipates being able to make available to Nexen is likely to be a strip of land on the eastern side of plot 3-13, a plot in which the Applicant is already seeking a freehold interest.

K.6. On that basis points 1 and 3 above are addressed by the Scheme, offering a material improvement to site operations.

- K.7. Nexen has suggested that NMC6 is objectionable in view of its positioning near to the goods inward door. As explained above, currently, if an HGV is parked at the goods inward door, no other HGV can pass it, due to an existing pinch point that exists between the goods inward door and the site's western boundary fence. As such activity in this area is inherently limited today by the current site layout.
- K.8. The Applicant is content, alternatively, not to provide additional land to Nexen to allow movements of vehicles past a parked HGV if Nexen so requires and this would leave the situation as existing, where a single HGV is able to enter the site and park at the goods inward door. It is Nexen's suggestion that they would wish to enable HGVs to pass vehicles parked at the goods inward door and therefore Nexen's requirement which would increase activity in that location and this is not a consequence of the Scheme.
- K.9. Nexen has also suggested that NMC6 introduces the need for additional reversing manoeuvres on site to access the goods inward door. The Applicant has undertaken further vehicular tracking and does not believe that such manoeuvres are likely to be required. The Applicant's additional vehicular tracking study is included in Appendix L to this report.
- K.10. With respect to points 2 and 4 above, in providing a second access to the site in the form of NM6, the aspiration of separating out HGVs from other site traffic is achieved.
- K.11. With regard to the positioning of the weighbridge (point 5 above) the Applicant has accepted in discussions with Nexen that the existing on-site weighbridge may need to be repositioned and, as such, this would again achieve the previous intention of Nexen to locate the weighbridge to a more suitable location away from a congested part of the site, including pedestrian routes, and on to a defined entry / exit route.
- K.12. Nexen has suggested an alternative second access to the site (as distinct from the NMC6 proposal), referred to in the remainder of this report as "Nexen's proposal". The Applicant has considered Nexen's proposal following the submission by Nexen of similar comments in previous representations.
- K.13. However, Nexen's proposal will not be pursued by the Applicant for the following reasons (in addition to the fact that the Applicant considers NMC6 is appropriate):
- It would necessitate the permanent acquisition of land for the sole purpose of accessing the Nexen site, which has been evidenced can be resolved by alternative means. While the alignment set out in plan MBSK190102-3 (appended to the Mayer Brown report) may be contained by plot 3-13, the Applicant is seeking to minimise the footprint of the Scheme through the detailed design to minimise the taking of land. This particular parcel of land (plot 3-13) is allocated for employment development in the Local Plan and as such, unnecessary land take within that allocation would be undesirable.
  - As can be seen from sheet 3 of the Land Plans (document reference APP-019), the Applicant is not seeking to acquire land adjacent to the quay edge. Rights only are sought by the Applicant over plot 3-12 for the purpose of constructing, protecting, accessing, operating and maintaining the new A12 Lake Lothing Third Crossing. The Applicant has not sought to acquire a greater interest in this area owing to the condition of the quay wall, which would require strengthening works if HGVs were to be repeatedly passing in close proximity to it.

- As noted in the Design Report Appendix 7 – Control Tower Report (document reference APP-130), the control tower is being ‘future proofed’ such that, once the aforementioned Waveney District Council site is brought forward for development and thus becomes publicly accessible, minor modifications can be made to the structure of the control tower to permit access from the quay side to the bridge deck, as shown in the extract below. Adopting Nexen's proposal would mean that pedestrians and cyclists would then be brought in to conflict with an HGV route at their entry point to the public stair, shown below.



- Additionally, as the Examining Authority noted, an access at this point would certainly require a reversing movement from the goods inward door, and in this case apparently in to what is the HGV turning area north of the Nexen building. It is difficult to conceive how this would be an improvement on the Applicant's proposals, in particular as set out in NMC6.

K.14. The Applicant has undertaken in the Code of Construction Practice (document reference REP4-017) to maintain access to the Nexen site through the construction process and considers that the Application (including NMC6) provides sufficient opportunity for this to be achieved.

K.15. With respect to the Nexen development site, the Applicant accepts that the existing service road, over which Nexen states it has rights, will be severed from the highway network as a consequence of the LLTC scheme. However, the Applicant remains of the view that the existing current access into the Nexen site, once unburdened by HGV movements serving Nexen's current operations on-site, could provide a suitable

access to the development land. Nexen has itself identified how a reconnection can be made to that road on Plan MBSK190228, appended to the Mayer Brown Report.

- K.16. The Applicant notes in this drawing how Nexen has proposed a repositioning of the existing gates to the site, i.e. at right angles to where they are today and the Applicant considers that if this is the positioning required by Nexen, this can be secured within the developing Heads of Terms for a side agreement between the parties.
- K.17. The Mayer Brown reports raises a number of points in relation to potential increased development costs of the development land, a reduction in the amount of developable land etc. These are clearly matters of compensation that will be resolved through the relevant processes in due course. As such, they are not considered further in this report.
- K.18. The Applicant considers that through the Application, including NMC6, it has, as far as is reasonably possible, sought to provide appropriate mitigation for the effect of the LLTC scheme on Nexen's interests. The Applicant does not accept Nexen's suggestions that the site access strategy proposed by the Applicant would negatively impact Nexen's existing operations on site. Indeed, the Applicant is of the opinion that its proposals in respect of NMC6, including the offer to transfer rights over additional land to widen and improve an existing pinch point between the goods inwards door and western boundary of Nexen's site, would actually improve site operations.

#### NMC 7

- K.19. NMC 7 – the Applicant clarifies that there is no proposal currently, nor will there be, to include within the application for development consent any access to Nexen's land via land to the east of the Lings' buildings. The reasoning for this has previously been explained in the Applicant's Response to Written Representations (p50) (REP4-014), but in essence the Applicant considers this would be a disproportionate use of powers of compulsory acquisition, where alternative means of access can adequately be provided without interfering with land interests held by third parties.
- K.20. NMC 7, as explained in paragraph 9.1.2 of the NMC report and illustrated by way of the 'before' and 'after' excerpts of the General Arrangement drawings (see Figure 15), is simply the removal of the left turn in to the site; the proposal for access to the Lings site is otherwise unchanged. As noted in the Statement of Reasons (document reference APP-007), plot 5-14 is required for the "Acquisition of new rights (including the imposition of restrictive covenants) for the diversion, protection and maintenance of and access to statutory undertakers' apparatus and the construction of a new access". The northern extent of this plot beyond the immediate formation of the access is to accommodate utility reconnections. It is not for the Applicant to construct an extended access along the eastern side of the Lings building.
- K.21. The Applicant does not accept Nexen's assertion that a form of access over the Lings site is the "only way in which continuity of acceptable access/egress and movements within the [Nexen] land can be guaranteed". As is set out above, the Applicant has proposed workable solutions which address all the points raised by Nexen.

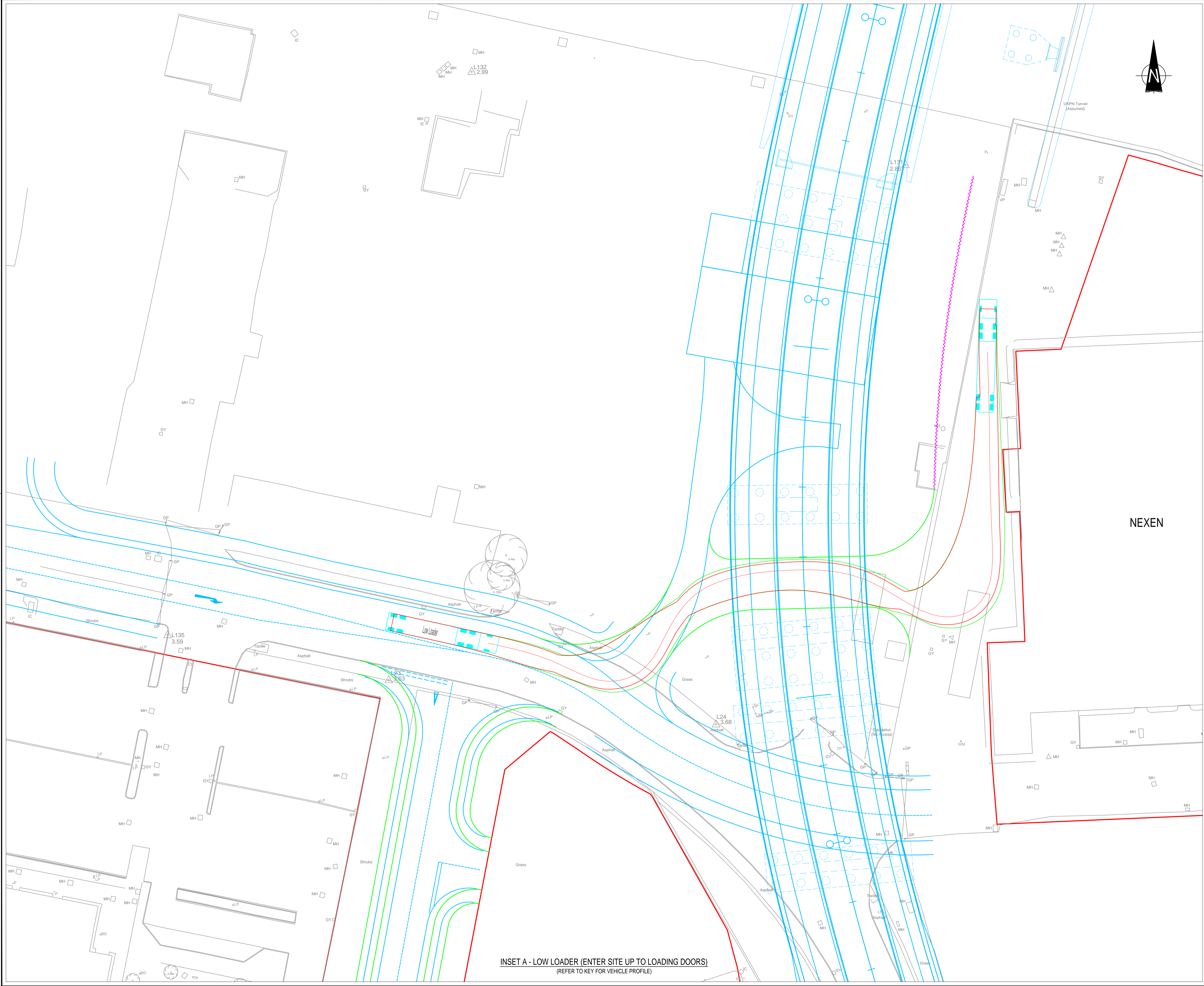
### Land take

- K.22. With respect to plot 3-56, the nature of NMC6 is to improve access arrangements to the Nexen site, they do not alter the Scheme requirement for plot 3-56. The need for that plot was discussed at the first compulsory acquisition hearing. Please refer to p31 of the Summary of the Applicant's Oral Submissions made in the Compulsory Acquisition Hearing held on 13 February 2019 (document reference REP5-010). The matter was also discussed in section 13 of the Applicant's Response to Written Representations.
- K.23. The Mayer Brown report suggests that the precise land to be taken by the LLTC proposals has not been clearly identified in its drawings, nor the extent of the land required to construct the Scheme. The Applicant would note the land requirements for the Scheme are accurately shown in the Land Plans – of which sheet 3 is relevant to Nexen (document reference APP-019), quantified in the Book of Reference (document reference REP4-003) and justified in the Statement of Reasons. The matter was also discussed in section 13 of the Applicant's Response to Written Representations.
- K.24. The Applicant would also advise that these documents should be read alongside the DCO (document reference REP5-003), in particular the articles in Part 3 which relate to Powers of Acquisition and Possession of Land. It should be noted that article 32 provides for the Applicant to take temporary possession of any land in the Order limits, i.e. including that which is ultimately proposed to be subject to permanent acquisition or the acquisition of rights in order to construct the Scheme. Therefore, the Order limits comprise the entirety of the land that may be used for the construction of the Scheme. The Applicant recognises the Order limits include part of Nexen's operational land and thus there is potential for competing activities in that area, which is why the Applicant has proposed to Nexen Heads of Terms for a Land and Works Agreement to regulate the interaction between the two parties and thus mitigate the impact on Nexen's activities, once construction methodology, phasing and timing is determined.

### Summary

- K.25. The Applicant continues discussions to resolve the outstanding concerns that Nexen has with the Scheme, though the Applicant remains firmly of the view that NMC6 is an important part of the mitigation strategy for Nexen's current operations and future aspirations and therefore should be included as part of the Application.

## Appendix L: Nexen Swept Path Analysis



**KEY**

- REFERENCE DESIGN (OPTION C19 - REV P06 ALIGNMENT)
- ALTERNATIVE ALIGNMENT. SEE NOTE 1
- POTENTIAL REALIGNED BOUNDARY
- ORDER LIMITS

VEHICLE USED FOR INSET A

Low Loader	16.154m
Overall Length	16.154m
Overall Width	2.520m
Overall Body Height	3.383m
Min Body Ground Clearance	0.318m
Max Track Width	2.500m
Lock to lock time	6.00s
Kerb to Kerb Turning Radius	6.990m

- NOTES**
- ALTERNATIVE ALIGNMENT OPTION SHOWN IS ILLUSTRATIVE ONLY AND IS SUBJECT TO CHANGE AS DESIGN IS PROGRESSED.

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P01	CC	SC	MW	JB	13.03.2019

REVISION	DRAWN	CHECKED	APPR'D	AUTH'D	DATE

**DESCRIPTION**

**Suffolk**  
County Council

**PROJECT TITLE**

Lake Lothing  
**THIRD**  
**CROSSING**

**DRAWING TITLE**

NEXEN ACCESS  
SWEEP PATH ANALYSIS  
UP TO LOADING DOORS

**DRAWING STATUS**

FOR INFORMATION

DRAWN	CHECKED	APPROVED	AUTHORISED	SUITABILITY
CC	SC	MW	JB	S2
SCALE @ A1 SIZE		DATE	REVISION	
1:250		13.03.2019	P01	

DRAWING NUMBER			
Project	Originator	Volume	
1069948-SCC-HGN-LL-DR-KK-0031			
Location	Type	Role	Number

## Appendix M: Anglian Water's withdrawal of objection

**From:** Patience Stewart <[REDACTED]>  
**Sent:** 15 March 2019 16:46  
**To:** Michael Wilks <[REDACTED]>  
**Cc:** Sam Cliff <[REDACTED]>  
**Subject:** RE: Lake Lothing Third Crossing - Non Material Changes

Hi Michael,

Thanks for your e-mail

Apologies I wasn't able to respond before now – I was on annual leave last week and have been catching up since.

In relation to access 1a I have sought further advice from a colleague on this issue as my understanding that we don't normally allow buildings or structures to be constructed over rising mains as these are pressurised sewers.

I can confirm that a public/private highway access unlike buildings etc. is unlikely to raise an issue subject to agreeing with Anglian Water the form of mitigation to be provided to ensure the sewer is not damaged by vehicle movements.

We would ask that this matter be discussed further with ourselves in the context of the agreed protective provisions.

As such I am writing to confirm that we withdraw our previous objection to access 1a as set out in the recent Non Material Changes consultation.

More generally the point I was trying to make in the response is would welcome further detail regarding the proposed works which are in the vicinity of Anglian Water assets about what is intended.

A number of the proposed works included in the consultation appeared to cross existing sewers. We are content for this to be picked up as part of further discussions relating to diversions and/or mitigation for Anglian Water's assets required as a result of the scheme (outside of the examination process).

Regards,  
**Stewart Patience**  
Spatial Planning Manager

**Anglian Water Services Limited**

Mobile: 07764989051  
Thorpe Wood House, Thorpe Wood, Peterborough, PE3 6WT  
[www.anglianwater.co.uk](http://www.anglianwater.co.uk)

**From:** Michael Wilks <[REDACTED]>  
**Sent:** 06 March 2019 11:13  
**To:** Patience Stewart  
**Cc:** Sam Cliff  
**Subject:** FW: Lake Lothing Third Crossing - Non Material Changes

**\*EXTERNAL MAIL\*** - Please be aware this mail is from an external sender - THINK BEFORE YOU CLICK

Hi Stewart,

Thanks for your email.

I have a quick look through here, but I just wanted to reaffirm that all the assets you have referred to in here are already affected by the Scheme, and thus work to them, diversion or otherwise is already protected by virtue of your protective provisions in the DCO, which we have agreed.

With specific reference to your objection to access 1a, you will be aware that the rising main lies on a west-east direction on Denmark Road and therefore property accesses on the south side of the road already traverse it, including an access immediately adjacent to the location where we are proposing our access, so it's not clear why that is objectionable in principle. The protective provisions, as noted above, of course still apply to this work in any event

To that end our response is that there is already measures in the Order that address your concerns.

Do you have any further comments, noting that the hearing is tomorrow?

Thanks

Michael

**From:** Patience Stewart [REDACTED] >

**Sent:** 03 March 2019 21:25

**To:** RM Lake Lothing Third Crossing <[lakelothing3rdcrossing@suffolk.gov.uk](mailto:lakelothing3rdcrossing@suffolk.gov.uk)>

**Subject:** Lake Lothing Third Crossing - Non Material Changes

Dear Sir/Madam,

Thank you for the opportunity to comment on the proposed non material change to the Lake Lothing Third Crossing Project. The following response is submitted on behalf of Anglian Water.

I would be grateful if you could confirm that you have received this response.

Should you have any queries relating to this response please let me know.

Regards,

**Stewart Patience**

Spatial Planning Manager

**Anglian Water Services Limited**

Mobile: 07764989051

Thorpe Wood House, Thorpe Wood, Peterborough, PE3 6WT

[www.anglianwater.co.uk](http://www.anglianwater.co.uk)

