



Our ref: KM/JB

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11 February 2025

Via E-Mail to:

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Dear Mr Gould,

FIVE ESTUARIES OFFSHORE WIND FARM – EN010115

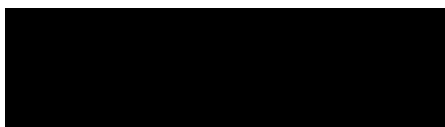
DEADLINE 6 SUBMISSION

National Highways raised several ongoing issues which remained outstanding at Issue Specific Hearing (ISH) 6 on 21 January 2025 and Issue Specific Hearing (ISH) 7 on 23rd January 2025, relating to terrestrial transport and traffic issues, and Protective Provisions respectively.

The attached written submission (SUBMISSION 1) confirms National Highways' position on those matters and provides an update regarding the current status of discussions with the Applicant.

A second written submission (SUBMISSION 2) is also appended to this letter. This deals with National Highways' response to Action Point 6 arising from ISH6; Submission of comments relating to the capacity of the A120's junctions east of the B1035 (Horsley Cross).

Yours sincerely,



Kelly Milburn
Spatial Planning Manager

Project: Five Estuaries Offshore Wind Farm (ref:EN010115)

Subject: Summary of the Issues raised by National Highways at Issue Specific Hearings (ISH) 6 and 7 and response to Action Point 6 of ISH 6 (SUBMISSION 1)

Date: 11 February 2025 (Deadline 6)

1. Introduction

- 1.1 This note summarises the issues raised by National Highways at Issue Specific Hearing 6 concerning Environmental Matters (specifically in relation to Effects for Terrestrial Traffic and Transportation) and Issue Specific Hearing 7 in respect of Protective provisions. Where progress has been made subsequently in discussions with the Applicant, the current position is summarised.

2. Traffic Modelling

- 2.1 At the time of ISH6, a small number of issues remained of concern, some of which was being addressed by further work being undertaken by the Applicant's consultants, SLR, which was due to be completed shortly.

- 2.3 The specific issues that had not yet been resolved were:

- Junction modelling of three junctions; A120/ Bentley Road, A120/ B1035 (Horsley Cross Roundabout) and A120/ Harwich Road to provide an assessment of their capacity regarding construction traffic movements.
- Further evidence to justify the car occupancy rate of 1.5 assumed for worker trips to site.

- 2.4 Action Point 6 arising from ISH 6 requested that National Highways provide a "submission of comments relating to the capacity of the A120's junctions east of the B1035 (Horsley Cross) at Deadline 6". The Junction modelling was completed by the Applicant's consultants, SLR during w/c 3 February and the preliminary results were presented to National Highways and Aecom on 7 February 2025. SLR plan to send the modelling details and outputs to Aecom for review imminently. National Highways will review the analysis in detail and **will aim to provide a submission at Deadline 7 (3 March 2025) on National Highways' position.**

- 2.5 Following further discussions with the Applicant and SLR, National Highways is content to accept the occupancy factor of 1.5 for construction works, subject to agreement on the measures included in the Outline Workforce Travel Plan (OWTP), and the enforceability thereof.
- 2.6 However, National Highways has further concerns that it requires the Applicant to address before agreeing to the OWTP. These issues are dealt with in Submission 2 below.

3. Proposed Mitigation at the A120 Junction with Bentley Road

- 3.1 The RSA1, undertaken by SLR on behalf of the Applicant, was signed off by National Highways on 29 January 2025. National Highways confirms that the current outline design for the junction is compliant with its safety requirements and is therefore acceptable from this perspective.
- 3.2 **National Highways' view on the acceptability of the proposal will depend also on the results of the junction modelling, which will be reported at Deadline 7.**

4. Abnormal Indivisible Loads (AIL)

- 4.1 A constructive meeting was held on 14 January 2025 between the Applicant, their consultants and National Highways specialists. During the meeting, National Highways explained the concerns they had about the ability of the road surface to withstand the vehicular movements of some of the particularly heavy AILs proposed during construction of the proposed wind farm. The Applicant and their consultants presented some initial thoughts about how the risks could potentially be mitigated.
- 4.2 National Highways' response was positive, and the specialists were encouraged by the thinking that had been undertaken to date. It was agreed that a more detailed assessment would be undertaken by the Applicant's consultants of the expected loadings and the potential mitigations that could be provided to assure National Highways that the proposed AILs would be able to operate safely on the A120. A draft report would be provided to National Highways for their consideration during early February 2025.

- 4.3 The Applicant provided National Highways on 7 February 2025 with an excerpt of the report describing the assessment of the loading calculation. National Highways will review this document and the rest of the report containing the proposed mitigation measures when this is provided.
- 4.4 National Highways is working with the Applicant to reach a position before the end of the Examination whereby National Highways is assured that the risk to the A120 can be managed safely.

5. Protective Provisions

- 5.1 National Highways stated at ISH7 that a small number of matters in the draft Protective Provisions were unresolved and expressed confidence that they were likely to be agreed before the end of the Examination. Meetings are continuing to be held between National Highways and the Applicant's legal team to resolve issues between the parties with the most recent taking place on 5 February.
- 5.2 Excellent progress has been made on the outstanding matters in the draft Protective Provisions and National Highways and the Applicant will provide a full update on the position for the ExA for D7. The Applicant has agreed to the Protective Provisions being included on the face of the DCO and to enter into side agreement to deal with commercial issues.

Project: Five Estuaries Offshore Wind Farm (ref:EN010115)

Subject: National Highways Comments on the Applicants' Deadline 5 Submission concerning Revisions to the Outline Construction Traffic Management Plan (OCTMP) and Outline Workforce Travel Plan (OWTP) (SUBMISSION 2)

Date: 11 February 2025 (Deadline 6)

1. Introduction

- 1.1 The Applicant provided updated versions of the Outline Construction Traffic Management Plan (OCTMP) and Outline Workforce Travel Plan (OWTP) at Deadline 5 on 10 January 2025.
- 1.2 This note summarises National Highways' further comments on these documents, which reflect continuing concerns about the potential impact of construction on the Strategic Road Network (SRN).
- 1.3 The following comments relate to the updated Outline Construction Traffic Management Plan (OCTMP) (Revision D, dated January 2025) and updated Outline Workforce Travel Plan (OWTP) (Revision B, dated January 2025).
- 1.4 The latest iterations of these documents have been produced following Deadline 5 of the Development Consent Order (DCO) process to reflect comments raised by National Highways.

2. Outline Construction Traffic Management Plan (OCTMP)

- 2.1 The comments below refer to Volume 9, Report 9.24: Outline Construction Traffic Management Plan (OCTMP).
- 2.2 The changes in the OCTMP primarily relate to issues affecting the Local Road Network and are therefore not relevant to National Highways. However, the following points are of particular note to National Highways.
 - There are a number of clarifications which either provide detail regarding the delivery specifics or timescales, which are welcomed.
 - The main change affecting Strategic Road Network (and therefore National Highways) is the inclusion of paragraph 4.2.4, which discusses the need for the Principal Contractor to undertake junction capacity assessments for the SRN junctions east of Horsley Cross should there

be a requirement for HGV movements to exceed 30 two-way movements. This is aimed to address one of the concerns raised by National Highways.

- 2.3 The wording of paragraph 4.2.4 indicates that junction capacity assessments would only be undertaken should the number of two-way HGV movements routed from Harwich exceed 30 movements in any peak hour. National Highways concern as previously stated is that capacity assessments should be undertaken when additional vehicle movements at a junction exceed 30 in a peak hour, with the value of 30 vehicles applying to an aggregate of both HGVs and workforce vehicles.

National Highways requires that the OCTMP paragraph 4.2.4 is updated to reflect that the 30 vehicle movements applies to a combination of HGVs and workforce movements.

- 2.4 There are also three appendices to the latest version of the OCTMP which include drawings of the construction accesses and swept path drawings for HGVs from Harwich. We note that a swept path drawing for the A120 / Bentley Road junction has not been included in the OCTMP, although we understand that one has been undertaken.

National Highways requires that the OCTMP is updated to include a swept path drawing of the A120/Bentley Road Junction.

- 2.5 Paragraph 6.2.4 states that the management of the delivery of any works on Bentley Road will be approved by the Local Highway Authority. As the works to be undertaken on Bentley Road include changes to the A120 / Bentley Road junction, it is important that the works are also agreed with National Highways as the Highways Authority for part of the affected route.

National Highways requires that paragraph 6.2.4 of the OCTMP is updated to reflect National Highways' status as the Highway Authority responsible for part of the Bentley Road Junction with the A120.

- 2.6 Monitoring Reporting and Enforcement are described in paragraphs 8.2.8 to 8.3.4. **In National Highways' view, the term "exceedance" in paragraph 8.3.1 needs to be more clearly defined.** There needs to be clarity on what is meant by an "exceedance" so that it is not open to interpretation by different parties.

2.7 In addition, the OCTMP should provide the following commitments:

- **Prior to construction beginning: to undertake further junction capacity assessments if, once the Principal Contractor has been appointed, the peak hour traffic flows (both HGV and worker traffic) are in excess of what has been assessed to date (and in excess of 30 additional vehicles at each SRN junction) – and a commitment that effective mitigation measures will be put in place prior to start of construction.**
- **Once construction has begun: to monitor peak hour HGV and workforce traffic flows and if the assessed/ agreed flows are exceeded, put mitigation in place within 24 hours.**

3. Outline Workforce Travel Plan (OWTP)

- 3.1 The comments below refer to Volume 9, Report 9.26: Outline Workforce Travel Plan (OWTP).
- 3.2 The changes to the OWTP primarily relate to the assumed car occupancy level of 1.5 people per vehicle. Clarification is provided within a footnote that, assuming no other modes of travel are used to access the sites, a car occupancy of 1.5 equates to a car (driver) mode share of 67%.
- 3.3 Clarification is provided in paragraph 3.2.5 regarding the target car (driver) mode share, which is stated to be 61%, 10 percentage points lower than the average car (driver) mode share (71%) for the relevant Tendring middle-layer super output areas (MSOA). It is stated that this would be achieved through the implementation of the measures set out in Section 4 of the OWTP.
- 3.4 Two additional measures aimed at reducing the car (driver) mode share were included within the package of measures since the previous version of the OWTP, that being the inclusion of an information pack that emphasises that e-scooters are illegal to use on the public highway and an accommodation register that would be set up by the Principal Contractor to encourage employees working at the same location who live near each other to car share.
- 3.5 The OWTP states that the Principal Contractor will also seek to encourage the workforce to travel outside of the network peak hours, with staff requiring to arrive to each site before 07:00 and depart before 16:15 or after 18:15, where possible. This is welcomed by National Highways.

- 3.6 Notwithstanding this, it is now noted within the OWTP that the list of measures included within the OWTP is not an exhaustive list and that new measures may be included by the Principal Contractor. We reiterate our previous comment that further details of potential additional measures should be included at this stage.
- 3.7 The OWTP also contains a number of paragraphs concerning enforcement. National Highways general view is that the commitments as described are insufficiently strong to enforce compliance with the agreed capped level of traffic and that this presents a risk that the SRN could be adversely affected by the amount of traffic accessing the site.
- 3.8 Paragraph 3.3.2, for example, explains that there is a possibility that the Principal Contractor may request that more workforce vehicles are permitted on the highway network during the peak periods. Whilst National Highways welcomes the suggested approach for dealing with such an issue, we wish see mechanism put in place whereby the relevant highway authority is consulted should the Principal Contractor require staff to travel during the peak hours, and the scope of assessments agreed.

National Highways requires that this should be covered by Requirement in the DCO ensuring the assessments are undertaken and concluded (i.e mitigation measures in place) prior to the start of construction.

- 3.9 Paragraph 5.2.7 refers to Enforcement specifically and, as with the OTCMP, states that regular exceedances of agreed vehicle numbers would be considered a breach. **In National Highways' view, the term "regular exceedance" needs to be more clearly defined.** There needs to be clarity on what is meant by "regular" and "exceedance" as they are open to interpretation by different parties). **In addition, the OWTP should provide the following commitments:**
- **Prior to construction beginning: to undertake further junction capacity assessments if, once the Principal Contractor has been appointed, the peak hour workforce traffic flows are in excess of what has been assessed to date (and in excess of 30 additional vehicles at each SRN junction), there is a commitment that effective mitigation measures will be put in place prior to start of construction.**
 - **Once construction has begun: to monitor peak hour workforce traffic flows and if the assessed/ agreed flows are exceeded, mitigation should be put in place within 24 hours, or the work should be ceased.**