

# SEA LINK

EN020026

## Post-Hearing Submission for Compulsory Acquisition Hearing 1

Suffolk County Council



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## Glossary of Acronyms

<i>DCO</i>	<i>Development Consent Order</i>
<i>EA1N</i>	<i>East Anglia One North</i>
<i>EA2</i>	<i>East Anglia Two</i>
<i>ES</i>	<i>Environmental Statement</i>
<i>ExA</i>	<i>The Examining Authority</i>
<i>LLFA</i>	<i>Lead Local Flood Authority</i>
<i>LHA</i>	<i>Lead Highway Authority</i>
<i>LIR</i>	<i>Local Impact Report</i>
<i>NSIP</i>	<i>Nationally Significant Infrastructure Project</i>
<i>PEIR</i>	<i>Preliminary Environment Impact Report</i>
<i>PPA</i>	<i>Planning Performance Agreement</i>

*“The Council” / “SCC” refers to Suffolk County Council.*

## **Purpose of this Submission**

The document has been prepared by Suffolk County Council to provide a written summary of the representations made by the Council at the Compulsory Acquisition Hearing 1 (CAH1) held on 27 January 2026. Examination Library references are used throughout to assist readers. Tables are numbered in line with the CAH1 agenda, items which were not relevant to Suffolk County Council have not been included in this submission.

## Written Summary of Representations made at Compulsory Acquisition Hearing 1 (CAH1)

Agenda Item	Title of Matter and SCC's Written Summary of Representation	References
1	<b>Welcome, introductions, arrangements for the Hearing</b>	
1.1	Suffolk County Council were represented by the following team virtually:  Michael Bedford – Kings Counsel  Zachary Farndon – Senior Planning Officer	

Agenda Item	Title of Matter and SCC's Written Summary of Representation	References
2	<b>Section 122 and 123 of the Planning Act 2008 (PA2008)</b>	
2.1	<p><u>Issues relating to the lack of consideration of an alternative access route to Saxmundham Converter Station</u></p> <p>To give a background, the Council stated that, as Local Highways Authority, it was not persuaded that there had adequate investigation of alternative access routes to the Saxmundham Converter Station.</p> <p>The Council noted that this issue had been addressed in the Local Impact Report paras. 11.225-11.227 [REP1-130] and its Relevant Representation [RR-5209] specifically in relation to the proposed Fromus crossing, which is in the southern access corridor to the converter station.</p> <p>In relation to the access routes to the Saxmundham Converter Station and, in particular, the issue of the use of the Benhall Rail Bridge and the use of the B1121, the position of the applicant and SCC has been maintained as an outstanding area of disagreement in the latest Principal Areas of Disagreement Summary Statement (PADSS) Item 1.1-1.3 [REP3-081].</p> <p>The acquisition of land or rights to provide an access route to the development, whether as a construction access route or as an operational access route for the future operation and maintenance of Sea Link would be capable of being the acquisition of land and rights required to facilitate the development. Also to meet the test of Section 122 Subsection 2 of the Planning Act 2008, the issue as to whether there is a compelling case in the public interest to meet the test of Section 122 Subsection 3 would depend on a range of matters, including whether there are reasonable alternatives to what has been proposed by the Applicant.</p> <p>If the Examining Authority was to conclude that what is currently being proposed by the Applicant would either cause undue harm, in respect of the proposed Fromus Crossing or is demonstrably not deliverable,</p>	<p>[REP1-130]</p> <p>[RR-5209]</p> <p>[REP3-081]</p>

Agenda Item	Title of Matter and SCC's Written Summary of Representation	References
	<p>in respect of the proposed use of the Benhall Rail Bridge, then it would be legitimate for consideration to be made for alternative access arrangements for the Saxmundham Converter Station.</p> <p>As have been set out in the Council's Local Impact Report and subsequent representations, the Council believes that the Applicant has not given adequate consideration to a northern access route to the converter station site as a means of resolving the shortcomings and issues related to the Applicant's preferred access route.</p> <p>If the ExA concluded that the proposed route was not deliverable, then the Applicant would be required to address those concerns by considering how an alternative access route could be delivered, which would likely require the consideration of the acquisition of additional land and/or rights, whether on a permanent or temporary basis, in order to undertake works to provide an alternative access route.</p> <p>This scenario would result in timescale implications, but the Council does not believe this is an issue which could be left until the ExA's final report, as, by that point, it would be too late for those concerns to be addressed by the Applicant and therefore would create practical difficulties in terms of the ExA's final recommendation to the Secretary of State.</p> <p>The Council requests that the ExA considers whether they share the Council's concerns regarding the deliverability of the preferred access route to the Saxmundham Converter Station, and if that is the case to seek a response from the Applicant to address these concerns by proposing measures that could provide an alternative access route. This would mean the Applicant would need to consider the compulsory acquisition or rights implications of an alternative route.</p>	

Agenda Item	Title of Matter and SCC's Written Summary of Representation	References
2.2	<p><u>Issues relating to Public Rights of Way (PRoW)</u></p> <p>SCC have raised issues regarding the impacts to the PRoW network, in particular, but not exclusively, in the vicinity of Saxmundham.</p> <p>The Applicant has stated in its response to ExQ1 (1TT16 [REP3-069]) that it would not be offering enhancements to the PRoW network, which the Applicant felt it was not able to do as it was not essential to deliver the project, and therefore could not exercise compulsory acquisition powers in relation to this work.</p> <p>In respect of this, the Council does not believe the Applicant has correctly interpreted the limiting of powers of compulsory acquisition in regards of it not being used to acquire land which does not deliver essential mitigation for a significant effect.</p> <p>The Council believes that the guidance in para. 4.1.8 or in para. 2.6.6 of EN-5, both of which, in the Council's view, take a wider view of the scope of matters that can be the subject of compulsory acquisition. It is the Council's opinion, that the guidance, when using the term mitigation, is intending its use to cover all elements of the mitigation hierarchy. This would not just cover items which mitigate an impact, but also those which offset or compensate for an impact, which the Council believes would also constitute a legitimate role for compulsory acquisition.</p> <p>If the ExA finds offsetting and compensation to be necessary to make the development acceptable in planning terms, the Council would suggest that this can include offsetting and compensation enhancement to the PRoW. Considering if there are impacts on one part of the PRoW network due to the construction works, which cannot be avoided, then the Council would suggest that a form of offsetting or</p>	

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	<p>compensation could be the enhancement of other parts of the PRow network, within a reasonable geographic proximity.</p> <p>If the ExA was minded to agree with the Council's viewpoint regarding compulsory acquisition and the scope to include potential enhancements to the PRow network, then this would have implications if the Applicant were to consider such works, then there would be rights issues and possible land issues which would need to be addressed if these were to be done via compulsory acquisition.</p> <p>The Council requests that if the ExA, having considered the concerns put forward, puts these points to the Applicant to respond to, the Council suggests this would need to be no later than the second round of written questions, otherwise there will not be enough time left within the Examination for the Applicant to address these points.</p>	

Agenda Item	Title of Matter and SCC's Written Summary of Representation	References
3	<b>Sections 130, 132 and 135 of the PA2008 – Special Category and Crown Land</b>	
3.1	SCC has no comments to make on this item.	
3.2	SCC has no comments to make on this item.	
3.3	SCC has no comments to make on this item.	

Agenda Item	Title of Matter and SCC’s Written Summary of Representation	References
4	<b>Sections 127 and 138 of the PA2008 and Schedule 15 of the dDCO – Protective Provisions</b>	
4.1	SCC did not comment on this agenda item	
4.2	SCC did not comment on this agenda item	

Agenda Item	Title of Matter and SCC's Written Summary of Representation	References
5	<b>Funding</b>	
5.1	SCC did not comment on this agenda item	
6	<b>The Equality Act 2010</b>	
	SCC did not comment on this agenda item	

Agenda Item	Title of Matter and SCC's Written Summary of Representation	References
7	<b>Any Other Business</b>	
7.1	SCC did not comment on this agenda item	

### Response to ExA Action Points

No	Action Point	SCC Response
2.	Provide further detail of potential alternative access routes to Saxmundham converter station.	<p>The potential alternative access route to the Saxmundham converter station is based on the one considered by the Applicant as “Sizewell Relief Road /B1122” in section 3.8 of [APP-044].</p> <p>The lower part of this route (from Theberton to the converter station site) is shown (yellow route) in Figure 6.4.1.3.20 in [APP-206].</p> <p>The upper part of the route (from the A12 to Theberton) is shown by the upper part of the Applicant’s route for transformer and cable drum ALLs (purple route) in Figure 6.4.2.7.3 of [APP-234]. The route shown utilises the existing B1122 as far as Theberton but if the near parallel Sizewell Link Road (which is the same as the Sizewell Relief Road) becomes available for use, this would supersede the need to use the B1122.</p> <p>As regards the timing of the availability of the Sizewell Link Road, the Applicant has suggested that it is unlikely to be available at the time needed, but this contention is dependent on the correctness of the</p>

		<p>Applicant’s construction programme, as to which SCC still has an outstanding concern (due to the apparent reliance on a DCO consent by Q2/2026 when the Examination will be still underway). SCC is not yet persuaded that the Sizewell Link Road will not be available for at least a substantial part of the Applicant’s construction period.</p> <p>In its consideration of main alternatives [APP-044], the Applicant considers this route in section 3.8.11 to 3.8.16. Stated challenges for this route include potential for additional vegetation loss, concern over Sizewell C’s Saxmundham level crossing improvements clashing with Sea Link’s programme and the route being in the vicinity of Grade II listed buildings. The summary of appraisal of these options in paragraph 3.18.18 also mentions the longer travel time and increased emissions were this route used.</p> <p>However, the Applicant’s appraisal does not consider the negative impacts and challenges of its proposed access route which need to be balanced against those of this alternative. In particular, the negative impacts associated with the proposed permanent bridge over the River Fromus and the associated works including embankments and the haul road, within the setting of Hurts Hall need to be considered and balanced against the positives and negatives of any alternative access route.</p> <p>SCC considers this aspect of the proposed access route to be disproportionate on account of the permanent nature of the bridge despite its primarily temporary use during construction. Whilst the Applicant has indicated that an access route would also be required during the operational period for maintenance of the converter station,</p>
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		<p>this would be on a very infrequent basis (see para 7.9.82 of [APP-054] and para 6.7.2 of [CR1-041]), such that there is no reason why, if the route used the B1121 and a crossing of the Fromus, a temporary bridge crossing could not be provided (and subsequently removed) for those infrequent occasions.</p> <p>The Applicant has already indicated an intention to retain rights to reinstate a construction compound in the vicinity of the Fromus crossing and such rights could be utilised to provide a working area associated with the occasional installation of a temporary bridge. SCC has detailed these concerns in various previous submissions including its LIR [REP1-130] and PADSS updated for Deadline 3 [REP3-081].</p> <p>The increase in travel time/distance of SCC's preferred route also needs to be seen in context: -</p> <ul style="list-style-type: none"><li>i) Any such increase would be a small proportion of the total travel time/distance of construction traffic during the construction of the project.</li><li>ii) The Applicant is content to countenance similar travel times and distances in order for AIL traffic to be able to access the Friston substation site, as if apparent from comparing the SCC preferred route (as shown on Figure 6.4.1.3.20 of [APP-206]) with the Applicant's route for transformers and cable drums to the Friston site in Figure 6.4.2.7.3 of [APP-234].</li><li>iii) Whilst SCC would prefer that its suggested route was used by all HGV construction traffic (so obviating a need for a Fromus crossing), even if that route was confined to AILs, it would</li></ul>
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		<p>overcome the outstanding issues in relation to the use of the Benhall Bridge by weight restricted HGVs (including AILs), as discussed below, and in this scenario any additional travel time/distance would be limited to AIL movements.</p> <p>A similar line of reasoning applies in relation to the impacts of crossing the Benhall Bridge with AILs, particularly in terms of traffic and transport impacts on the diversion route. This concern is amplified if repeated closures of the bridge are needed, which cannot yet be ruled out, both in terms of this project and the lack of resilience provided for future projects seeking to use this access route for AILs as proposed by Lion Link in its Statutory Consultation documents. SCC has detailed its concerns with the reliance on the Benhall Bridge for the project’s access route to the Suffolk converter station in previous submissions such as its LIR [REP1-130] and representation on the Change Request [REP3A-031].</p> <p>The point being made is that these considerations have not been reflected in the Applicant’s appraisal of alternative access routes. In any case, SCC does not consider that the Applicant’s appraisal adequately justifies rejection of this alternative without further investigation into the likely environmental effects of this alternative route. Advantages of this alternative include long term improvements to the B1119 and provision of a resilient route for construction traffic and AILs with the additional stretch of road needed for the route utilising a former runway/taxiway (Leiston airfield).</p> <p>Conversely, it is acknowledged that use of the B1119 could have adverse implications on its use as an emergency access route for Sizewell B.</p>
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		<p>However, SCC considers that this could be mitigated through adequate provision of road improvements to reduce likelihood of any delay for emergency responders and the application of similar systems as that used by SZC project, and or contribution to resourcing of Emergency Planning in Suffolk to coordinate and communicate with the Applicant to ensure they are alerted should emergency services need to use the B1119. Moreover, in the operational phase the proposed alternative could provide additional long-term resilience for emergency planning in the area due to its potential use as an alternative emergency access route for Sizewell.</p> <p>Therefore, in summary, whilst the applicant's current proposal is superficially attractive and highways terms, simply because it is the shortest route to site from the A12 (for the majority north-bound traffic), Suffolk County Council considers that these benefits are outweighed, by:</p> <p>-</p> <ul style="list-style-type: none"><li>i) the disproportionate harms of the Fromus crossing and the Benhall road over rail bridge routing, on the environment and communities (cite relevant contributions from SCC ESC White Arch Residents Benhall and Sternfeld PC etc etc)</li><li>ii) The functional and consequential highways challenges of:-<ul style="list-style-type: none"><li>a) overbridging the Benhall Rail bridge</li><li>b) the risks to the delivery of SZC, and the operation of the East Suffolk Line, posed by the repair and reinforcement of the Benhall road over rail bridge, including the impacts of any closure in terms</li></ul></li></ul>
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		<p>of increased road haulage use by SZC Co due to the closure of the railway</p> <p>iii) That the issues at i and ii above would persist for the subsequent development of the Lion Link project, which is currently undergoing its statutory consultation and during the operation of the converter station site.</p> <p>Whereas, an integrated access solution incorporating the Sizewell Link Road and a permanent haul road, built to a non-adoptable standard across Leiston airfield, would eliminate all three of these issues, also has the potential to provide greater resilience for emergency planning and secure a permanent strategic haul road which can reduce the impacts of future energy projects on communities and the environment.</p> <p>The risks of any rail disruption would be easier to manage, and quantify, as further work may be required only to the Saxmundham Level Crossing, therefore any potential rail disruption would be confined to the Leiston Branch Line.</p> <p>However, the Council recognises that: -</p> <ul style="list-style-type: none"> <li>• The Saxmundham Level Crossing may require further work in addition to that which will be completed this year (2026) by SZC Co.</li> <li>• There would be a need for the Joint Emergency Planning Unit (JEPU) to coordinate with National Grid, to facilitate the operation of the SZB Emergency Plan, to manage the implementation of both the improvement works to the B1119, and the movement of vehicles during construction and operation, as JEPU already does</li> </ul>
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		<p>with SZC Co. Sufficient resourcing would need to be provided to JEPUs, or towards the appropriate governance body, to facilitate this.</p> <ul style="list-style-type: none"> <li>• The applicant would need to coordinate effectively with other energy developers, in particular SZC Co.</li> <li>• There would be some tree loss along the B1119</li> <li>• UXO on Leiston Airfield may need to be dealt with</li> <li>• Travel times for construction would be extended</li> <li>• Additional construction traffic would use the Sizewell Link Road</li> </ul> <p>In conclusion, SCC remains wholly unpersuaded that the Applicant has adequately explored the comparative merits of the access options to the Saxmundham Converter Station site, and SCC considers that its preferred route remains a realistic alternative that is likely to provide a better long-term solution and would overcome the current uncertainties over the feasibility of using the Benhall Bridge for AILs, which could prejudice the delivery of the project as a whole. For these reasons SCC would urge the ExA to require the Applicant to provide a comprehensive comparative appraisal of the access options, as an urgent priority, in order that there remains scope within the Examination for the Applicant to adopt SCC’s preferred route if that should be the outcome of the appraisal.</p>
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