

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



Lake Lothing
**THIRD
CROSSING**

Document SCC/LLTC/EX/5: Statements of Common Ground Report

Planning Act 2008

Infrastructure Planning

The Infrastructure Planning (Examination Procedure) Rules 2010

PINS Reference Number: TR010023

Author: Suffolk County Council

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Date: November 2018

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Acronyms

ABP	Associated British Ports
BA	Broads Authority
DBA	Desk Based Assessment
DfT	Department for Transport
DCO	Development Consent Order
DML	Deemed Marine Licence
DMRB	Design Manual for Roads and Bridges
EA	Environment Agency
EIA	Environmental Impact Assessment
ES	Environmental Statement
FRA	Flood Risk Assessment
GI	Ground Investigations
HAWRAT	Highways Agency Water Risk Assessment Tool
HE	Historic England
HRA	Habitat Regulations Assessment
MMO	Marine Management Organisation
NE	Natural England
NMU	Non-Motorised User
OBC	Outline Business Case
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
SCC	Suffolk County Council
SoCG	Statement of Common Ground
WFD	Water Framework Directive
SRN	Strategic Road Network
TA	Transport Assessment
WDC	Waveney District Council
WSI	Written Scheme of Investigation

1 Introduction

1.1 Purpose of this document

- 1.1.1 This report, and the appended Statements of Common Ground ("SoCG"), have been prepared in relation to the application by Suffolk County ("SCC") under section 37 of the Planning Act 2008 ("the Act") for an order granting development consent ("DCO") for the construction, operation and maintenance of a new bridge over Lake Lothing in Lowestoft, Suffolk ("the Scheme"). This report provides an overview of the Scheme and identifies those stakeholders where a SoCG has been prepared. The individual SoCGs are appended thereafter.
- 1.1.2 The application was submitted on 13 July 2018 and accepted on 9 August 2018 by the Planning Inspectorate on behalf of the Secretary of State.
- 1.1.3 The aim of this report and appended SoCGs is to provide a clear record of engagement between the stakeholders, identified in Table 1-1, including the issues discussed between the stakeholders and the current status of those discussions, being Matters Agreed, Matters under Discussion, and Matters not yet Agreed.
- 1.1.4 Further updates of this report and appended SoCGs will be submitted in accordance with the Examination Timetable as the Examination progresses, and the Applicant will continue to seek to reach an agreement with stakeholders (those identified in section 1.2).
- 1.1.5 Guidance about the purpose and possible content of SoCGs is given in paragraphs 58-65 of the Department for Communities and Local Government's 'Planning Act 2008: Guidance for the examination of applications for development consent' (March 2015). Paragraph 58 states:
- 'A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters in which they agree. As well as identifying matters which are not in real dispute, it may also be useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those, matters are dealt with in the written representations or other documentary evidence'.*
- 1.1.6 This guidance has been taken into account in the preparation and development of the SoCGs.

1.2 Stakeholders to the Appended Statements of Common Ground

1.2.1 The stakeholders are listed below in the order in which the documents are appended to this report.

Table 1-1 – Stakeholders included in the Statements of Common Ground

Document Reference	Stakeholder	Relevance
SoCG001	Associated British Ports (ABP)	ABP is the Statutory Harbour Authority (“SHA”) for the Port of Lowestoft. As SHA it has a variety of duties relating to the operation and maintenance of the port and the control and direction of vessels therein.
SoCG002	Broads Authority	The Broads Authority is the local planning, harbour and navigation authority for the protected area of Norfolk and Suffolk Boards.
SoCG003	Environment Agency	The Environment Agency is a public body sponsored by DEFRA with responsibility to protect the environment.
SoCG004	Highways England	Highways England is the government company in charge of the operation, maintenance and improving England’s Strategic Road Network (SRN). The A47 in Lowestoft is part of the SRN.
SoCG005	Historic England	Historic England is a public body with responsibility to protect the historic environment.
SoCG006	Marine Management Organisation (MMO)	The Marine Management Organisation (MMO) is a public body with responsibility to license, regulate and plan marine activities in the seas around England.
SoCG007	Natural England	Natural England acts as the Government’s adviser for the natural environment in England.
SoCG008	Suffolk County Council (SCC) and Waveney District Council (WDC)	The County and District planning authorities. SCC is the local highway authority, minerals and waste planning authority and the lead local flood authority. WDC is the coast protection authority.

1.3 Structure of the Appended Statements of Common Ground

1.3.1 The structure of each of the appended Statements of Common Ground is generally as follows:

- Section 1 – Introduction
- Section 2 – Consultation to date
- Section 3 – Summary of topics covered by the SoCG
- Section 4 – List of matters agreed
- Section 5 – List of matters under discussion
- Section 6 – List of matters not agreed

1.3.2 Throughout each of the appended SoCG:

- Where a Table is entitled 'Matters Agreed', this signifies matters that have been stated as agreed by Suffolk County Council and the stakeholder.
- Where a Table is entitled 'Matters under Discussion', this signifies matters still under discussion.
- Where a Table is entitled 'Matters not Agreed', this specifies that both parties are confident that no agreement can be reached.

1.4 Summary of the Scheme

1.4.1 The Scheme involves the construction, operation and maintenance of a new bascule bridge highway crossing linking the areas north and south of Lake Lothing in Lowestoft, hereafter referred to as the Lake Lothing Third Crossing ("the Scheme").

1.4.2 The Scheme would provide 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, in Lake Lothing;
- on the north side of Lake Lothing, 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, between Rotterdam Road and Barnards Way; and
- on the south side of Lake Lothing, a bridge over the northern end of Riverside Road including the existing access to commercial property (Nexen Lift Trucks) and a reinforced earth embankment (following the alignment of Riverside Road) joining this bridge to a new roundabout junction with the B1531 Waveney Drive.

1.4.3 The Scheme would be approximately 1 kilometre long and would be able to accommodate all types of vehicular traffic as well as non-motorised users ("NMUs"), such as cyclists and pedestrians.

1.4.4 The opening bascule bridge design would allow large vessels to continue to use the Port of Lowestoft. A new control tower building would be located immediately to the south of Lake Lothing, on the west side of the new highway crossing, to facilitate the operation of the opening section of the new bascule bridge.

1.4.5 The Scheme would also entail:

- the following changes to the existing highway network:
 - the closure of Durban Road to vehicular traffic at its junction with Waveney Drive
 - the closure of Canning Road at its junction with Riverside Road, and the construction of a replacement road between Riverside Road and Canning Road to the west of the Registry Office; and
 - a new Access Road from Waveney Drive west of Riverside Road, to provide access to property at Riverside Business Park;
 - improvements to Kimberley Road at its junction with Kirkley Run; and
 - part-signalisation of the junction of the B1531 Victoria Road / B1531 Waveney Drive with Kirkley Run;
- the provision of a pontoon for use by recreational vessels, located to the east of the new highway crossing, within the Inner Harbour of Lake Lothing; and
- works to facilitate the construction, operation and maintenance of the Scheme, including the installation of road drainage systems; landscaping and lighting; accommodation works for accesses to premises; the diversion and installation of utility services; and temporary construction sites and access routes.

1.4.6 The works required for the delivery of the Scheme are set out in Schedule 1 to the draft DCO (document reference 3.1 / PINS document reference APP-005), where they are referred to as "the authorised development", with their key component parts being allocated reference numbers, which correspond to the layout of the numbered works as shown on the Works Plans (document reference 2.4 / PINS document reference APP-022-024). The General Arrangement Plans (document reference 2.2 / PINS document reference APP-013-015) illustrate the key features of the Scheme.

2 Principal Issues Covered by the Statements of Common Ground

2.1 Principal Issues Covered

2.1.1 The table below identifies the key and recurring principal issues only and is not a comprehensive list. Similar issues have been grouped for simplicity.

Table 2-1 – Principal Issues Covered in the Statements of Common Ground

Document reference	Stakeholder	DML & DCO	Scheme Design	Scheme Operation	A47 Bascule Bridge	Design Guidance Manual	Assessment Methodology	Environmental Statement	Disposal at sea	Survey Information	Bathymetric Survey	Synergistic Effects	Air Quality	Noise and Vibration	Biodiversity	Cultural Heritage / Archaeology	WSI	Landscape / Visual Impact	Flood Risk Assessment /Modelling	Sediment Transport Model	Water Framework Directive	Water Environment	Surface Water Drainage	Groundwater & Contamination	Non-Motorised Users	Transport/Highways (including Transport Assessment)	Regeneration	Code of Construction Practice	
SoCG001	ABP																												
SoCG002	Broads Authority			✓						✓					✓			✓							✓				
SoCG003	Environment Agency	✓													✓				✓	✓	✓	✓		✓				✓	
SoCG004	Highways England			✓	✓																					✓			
SoCG005	Historic England						✓	✓								✓	✓												
SoCG006	MMO	✓					✓	✓	✓	✓	✓	✓			✓													✓	
SoCG007	Natural England						✓						✓	✓	✓														
SoCG008	SCCWDC		✓			✓							✓	✓	✓	✓	✓	✓	✓				✓	✓	✓	✓	✓	✓	

Key	
✓	Matter Agreed
✓	Matter Under Discussion
✓	Some matters related to this issue agreed, some under discussion

3 Current Status of the Statements of Common Ground

- 3.1.1** For some of the SoCGs, discussions are still ongoing between the Applicant and the stakeholder. Some of the SoCGs have been signed by both parties as all matters having been agreed. Some SoCGs remain unsigned by the third party, but have been submitted to the Examining Authority as they are agreed, but the signing process could not be concluded in time for the submission of this document. A signed copy will be provided as soon as practical.
- 3.1.2** Table 3-1 below shows the Matters under Discussion in each SoCG.

Table 3-1 –Matters under Discussion in the Statements of Common Ground

Document Reference	Stakeholder	Matters under discussion
SoCG001	ABP	A meeting was held between the Applicant and ABP on the 19 th November 2018 with the aim of finalising the SoCG to enable its submission with this report. Matters were unable to be fully agreed for submission at that meeting; however good progress was made. As such the Applicant anticipates that a draft will be able to be submitted prior to the Preliminary Meeting.
SoCG002	Broads Authority	All Matters Agreed.
SoCG003	Environment Agency	<ul style="list-style-type: none"> • Protective Provisions • Flood Risk and Flood Modelling • Sediment Transport Model • Water Framework Directive Assessment • Contaminates/ Contamination Impacts
SoCG004	Highways England	All Matters Agreed.
SoCG005	Historic England	<ul style="list-style-type: none"> • Written Scheme of Investigation
SoCG006	MMO	<ul style="list-style-type: none"> • Deemed Marine Licence & Development Consent Order • Disposal at sea • Bathymetric Survey • Synergistic Effects

Document Reference	Stakeholder	Matters under discussion
SoCG007	Natural England	All Matters Agreed.
SoCG008	SCCWDC	<ul style="list-style-type: none"> • Design Guidance Manual • Highways/transport • Surface Water Drainage • Air Quality • Noise • Written Scheme of Investigation • Code of Construction Practice • Contaminated Land

4 Appendices

Appendix 1	SoCG001	Associated British Ports
Appendix 2	SoCG002	Broads Authority
Appendix 3	SoCG003	Environment Agency
Appendix 4	SoCG004	Highways England
Appendix 5	SoCG005	Historic England
Appendix 6	SoCG006	Marine Management Organisation
Appendix 7	SoCG007	Natural England
Appendix 8	SoCG008	Suffolk County Council and Waveney District Council

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



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Document SCC/LLTC/EX/5: Statement of Common Ground Report Appendix 1: SoCG001 Statement of Common Ground Between Suffolk County Council and Associated British Ports

Planning Act 2008

Infrastructure Planning

The Infrastructure Planning (Examination Procedure) Rules 2010

PINS Reference Number: TR010023

Author: Suffolk County Council

Document Reference: SCC/LLTC/EX/5

Date: November 2018

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**This document is to follow, pending
further discussions with Associated
British Ports**

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



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Document SCC/LLTC/EX/5: Statement of Common Ground Report Appendix 2: SoCG002 Statement of Common Ground Between Suffolk County Council and the Broads Authority

Planning Act 2008

Infrastructure Planning

The Infrastructure Planning (Examination Procedure) Rules 2010

PINS Reference Number: TR010023

Author: Suffolk County Council

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in relation to the application by Suffolk County ("SCC") under section 37 of the Planning Act 2008 ("the Act") for an order granting development consent ("DCO") for the construction, operation and maintenance of a new bridge over Lake Lothing in Lowestoft, Suffolk ("the Scheme").

1.2 Aim of this document

- 1.2.1 The aim of this SoCG between SCC and the Broads Authority is to provide a clear record of engagement between the parties, including of the issues discussed between the parties and the current status of those discussions. The SoCG can be used as evidence of engagement for the purposes of the examination into the DCO application.

1.3 Structure of this Statement of Common Ground

- 1.3.1 This structure of this SOCG is as follows:

Section 1 – Introduction

Section 2 – Consultation to date

Section 3 – Summary of topics covered by the SoCG

Section 4 – List of matters agreed

2 Consultation to Date

2.1 Overview of Consultation to Date

- 2.1.1 Set out in Table 2-1 is a summary of consultation that has taken place with the Broads Authority over the duration of the project.

Table 2-1 – Consultation to Date

Date	Format	Key Topics Discussed and Key Outcomes
20/09/16	Telecon	Discussion between Andy Bascombe, Hywel Roberts (both WSP) and Andrea Kelly (Broads Authority Ecologist) on the scope of the ecology assessments that are proposed. Suggestions for enhancements were made by Andrea Kelly.
13/10/17	Letter	Broads Authority response to the s42 consultation
25/10/17	Telecon	Discussion between Lachlan Wood of WSP and Cally Smith (Head of Planning, Broads Authority) on the scope of the photomontages and the visual impact assessment. Confirmed to WSP in an email of the 17 th November 2017
03/10/2018	Email	Broads Authority were sent the first draft of this Statement of Common Ground to comment upon.

3 Summary of Topics Covered by the Statement of Common Ground

3.1 Covered in the Statement of Common Ground

3.1.1 The following topics discussed between SCC and the Broads Authority are commented on further in this SoCG:

- Survey Information
- Terrestrial Ecology
- Bridge Operation
- Public Right of Way
- Landscape and Visual Impact Assessment Viewpoints

3.2 Not Covered in the Statement of Common Ground

3.2.1 For the avoidance of doubt, matters not covered in this SoCG have not been discussed between the parties as they have not been raised by the Broads Authority.



4 List of Matters Agreed

Table 4-1 – List of Matters Agreed

Ref	Description of matter	Details of agreement
Scheme		
[1]	Need for the Scheme	It is agreed that the Scheme will help address the issues of congestion and delay which impacts adversely on the use and development of Lowestoft. Furthermore, it is agreed that the Scheme will provide significant enhancements to the town, support the leisure industry and commercial sector and be helpful for the area's future economy.
Survey Information		
[2]	Habitat Surveys	It is agreed that the Phase 1 Habitat Survey, the Preliminary Ecological Appraisal ("PEA") and species-specific surveys appended in 6A and 11A respectively and Appendices 11D-11G and the description of the baseline in Chapter 11 of the Environmental Statement, ("ES") appropriately describe the existing habitats within the area of the Broads.
[3]	Baseline	It is agreed that the ecological study areas described in Chapter 11 of the ES are appropriate.
Terrestrial Ecology		
[4]	Effects on bats	It is agreed that the bat survey has sufficiently informed the assessment of impacts upon bat species in Chapter 11 of the ES.
[5]	Effects on nesting bird species	It is agreed that the Wintering Bird Survey in Appendix 11D of the ES has appropriately assessed the effects of the Scheme and the temporary impacts in relation to additional noise source and visual disturbance during construction to the existing habitats adjacent to the Scheme.
[6]	Nesting Bird Protection	It is agreed that nesting bird species have been adequately protected by the Interim Code of Construction Practice (Appendix 5A of the ES).

Ref	Description of matter	Details of agreement
Bridge Operation		
[7]	Navigational Clearance Impacts	It is agreed that the clear span width of 32m between fenders is acceptable allowing recreational vessels to navigate west of the Scheme and will not serve as an impediment to navigation.
[8]	Clearance Height	It is agreed that the 12m clearance above HAT appropriately mitigates the impact of the Scheme on maritime traffic, enabling the majority of vessels wishing to visit the Broads to pass through without restriction and contributes to the bridge having to open less frequently than the existing A47 Bascule Bridge.
[9]	Vessel Movements	It is agreed that the vessel survey is appropriate upon which to base consideration of the scheme of operation for the bridge and to assess the impact of the Scheme on recreational vessel navigation.
[10]	Bridge opening frequency	It is agreed that the assessed frequency of opening of the Scheme is correct and appropriate.
Public Right of Way		
[11]	Public Right of Way and National cycle routes	It is agreed that appropriate provision has been made for non-motorised users within the Scheme design.
Landscape and Visual Impact Assessment Viewpoints		
[12]	Landscape and Visual Impact Assessment Viewpoints	It is agreed that viewpoints assessing impacts on the Broads have been undertaken and set out in Paragraph 10.4.64 and Table 10.15 of the ES and are appropriate.
[13]	Visual Impact	It is agreed that the Scheme would not have any visual impact on the Broads landscape.

5 Signatures

	Broads Authority	Suffolk County Council
Signature		
Printed Name		Jon Barnard
Title		Project Manager
On Behalf of		Suffolk County Council
Date		8 November 2018

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



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Document SCC/LLTC/EX/5 Appendix 3: SoCG003: Statement of Common Ground Report Statement of Common Ground Between Suffolk County Council and the Environment Agency

Planning Act 2008

Infrastructure Planning

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<i>Table 2-1</i>	<i>Consultation to Date</i>	<i>2</i>
<i>Table 4-1</i>	<i>List of Matters Agreed</i>	<i>5</i>
<i>Table 5-1</i>	<i>List of Matters Under Discussion</i>	<i>8</i>

1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in relation to the application by Suffolk County ("SCC") under section 37 of the Planning Act 2008 ("the Act") for an order granting development consent ("DCO") for the construction, operation and maintenance of a new bridge over Lake Lothing in Lowestoft, Suffolk ("the Scheme").

1.2 Aim of this document

- 1.2.1 The aim of this SoCG between SCC and the Environment Agency is to provide a clear record of engagement between the parties, including of the issues discussed between the parties and the current status of those discussions. The SoCG can be used as evidence of engagement for the purposes of the examination into the DCO application.

1.3 Structure of this Statement of Common Ground

- 1.3.1 This structure of this SOCG is as follows:

Section 1 – Introduction

Section 2 – Consultation to date

Section 3 – Summary of topics covered by the SoCG

Section 4 – List of matters agreed

Section 5 – List of matters under discussion

Section 6 – Signatures

2 Consultation to Date

2.1 Overview of Consultation to Date

2.1.1 Set out in Table 2-1 is a summary of consultation that has taken place with the Environment Agency over the duration of the project.

Table 2-1 – Consultation to Date

Date	Format	Key Topics Discussed and Key Outcomes
19/05/16	Meeting	'Defra group' meeting at Ipswich Town Football Club where the broad approach to both the Lake Lothing and Upper Orwell schemes were discussed in principle and high-level feedback received. Final minutes issued by SCC on 11th July 2016.
09/09/16	Letter	Flood Risk Assessment ("FRA") methodology circulated to the EA and East Suffolk District Council.
23/11/16	Letter	EA response to the FRA methodology.
09/12/16	Letter	Clarity on the role of the definition of 'safety critical' received from the EA.
11/04/17	Email	Requesting clarification on the EA's response to the scoping report.
25/05/17	Letter	EA response to the Interim Flood Risk Assessment. WSP responded subsequently on the 6th of June 2017.
19/06/17	Email	EA confirmation that wave overtopping does not require assessment. Further clarifications also received.
23/06/17	Email	Comments on ecology records and the road drainage methodology received from the EA.
31/07/17	Letter	EA response to the WFD assessment scope of works. Minor clarification received from the EA by email on the 3rd of August 2017.
19/09/17	Email	Confirmation of technical queries with regard to the baseline model received from the EA.

Date	Format	Key Topics Discussed and Key Outcomes
13/10/17	Letter	EA response to the s42 consultation.
03/11/17	Email	Confirmation of authorised landfills that accept construction waste received from the EA.
10/11/17	Email	Confirmation that a Flood Risk Activity Permit is required received from the EA.
08/11/17	Email	Confirmation from the EA that they have no objections or concerns regarding sediment sampling and testing methodology.
09/03/18	Report	Draft FRA submitted to EA for comment.
08/05/18	Report	Comments upon the Draft FRA received from the EA.
12/10/18	Telecon	The EA's comments on the FRA within the Relevant Representation.
15/11/18	Telecon	To discuss this SoCG
19/11/18	Telecon	To discuss sediment transport modelling

3 Summary of Topics Covered by the Statement of Common Ground

3.1 Covered in the Statement of Common Ground

3.1.1 The following topics discussed between SCC and the Environment Agency are commented on further in this SoCG:

- Flood Risk Assessment
- Groundwater and Contamination
- Water Environment
- Biodiversity
- Flood Risk and Flood Modelling
- Protective Provisions
- Sediment transport
- Water Framework Directive

3.2 Not Covered in the Statement of Common Ground

3.2.1 For the avoidance of doubt, matters not covered in this SoCG have not been discussed between the parties as they have not been raised by the Environment Agency.

4 List of Matters Agreed

Table 4-1 – List of Matters Agreed

Ref	Description of matter	Details of agreement
Flood Risk Assessment		
[1]	Baseline	It is agreed that the Environmental Statement (“ES”) has sufficiently identified the baseline data and environment relating to potential flood impacts.
[2]	Flood Risk Assessment Modelling	<p>It is agreed that the modelling undertaken as part of this Flood Risk Assessment (“FRA”) has been reviewed alongside the relevant modelling files provided to the Environment Agency (“EA”).</p> <p>It is agreed in principle that the FRA assesses the potential sources and impacts of flooding both with and without the Scheme that are within the remit of the EA.</p> <p>It is agreed that the principle outstanding matters relate to the review of the outstanding Model Files and consideration of Hazard Change (see Table 5-1).</p>
[3]	Flooding Potential	It is agreed in principle that the FRA has appropriately identified potential flood impacts arising from the Scheme in respect of fluvial and tidal flood risk. It is agreed that the one outstanding matter relates to Hazard Change (see Table 5-1)
[4]	Local hydraulic effects	It is agreed that the data used to identify local hydraulic effects of the Scheme is recent and accurate. The CH2M Hill model is still valid subject to the refinement and incorporation of details as identified in the ES and sections 4.2-4.4 of Appendix 18A (document reference 6.3 / PINS document reference APP-203) of the ES.
[5]	Flood Mitigation	<p>It is agreed that increases in flood depths as a consequence of the Scheme are small and are likely to have an insignificant impact.</p> <p>It is however agreed that further information is required to support the FRA to present the likely consequence upon that specific site/development, such that the ExA and ultimately Secretary of State is able to make an informed decision. The resolution of this matter therefore lies with addressing Hazard Change (see Table 5-1)</p>

Ref	Description of matter	Details of agreement
[6]	Climate Change	<p>It is agreed that the impacts of climate change scenarios and potential tidal flooding have been appropriately assessed in the ES.</p> <p>The Climate Projections (UKCP09) high emissions scenario and 50% probability level to inform the design and mitigation of the development is agreed by both parties.</p> <p>Although the Scheme design has been assessed against H++ estimate it is agreed that no mitigation is to be provided for these impacts as this assessment was only undertaken to understand the full picture of risk.</p>
[7]	Wave overtop	It is agreed that the impacts of wave overtopping have not been considered within the model but this is not critical to the assessment of flood risk.
Groundwater and Contamination		
[8]	Site Investigations	It is agreed that appropriate mitigation measures for potential contamination impacts are set out in the Interim Code of Construction Practice (Appendix 5A of the ES).
Water Environment		
[9]	Aquifers	It is agreed that the correct ground water aquifers are identified in Chapter 17 of the ES.
[10]	Risk	It is agreed that Chapter 17 of the ES has taken account of potential risks and incorporated mitigation measures associated with spillage.
[11]	SuDs	It is agreed that the Drainage Strategy as set out in Appendix 18B (document reference 6.3 / PINS document reference APP- 204) of the ES does not pose a risk to the water environment and is an appropriate strategy for the purposes of the Scheme.
Biodiversity		
[12]	Cumulative Impacts	It is agreed that the Cumulative Effects Assessment Advice Note 17v4, produced by PINS, has sufficiently informed the Cumulative Impact Assessment carried out in Chapter 20 of the ES for the purposes of biodiversity.
[13]	European Eel	It is agreed that impacts upon the European eel <i>Anguilla anguilla</i> have been adequately assessed within the ES.


5 List of Matter Under Discussion

Table 5-1 - List of Matters Under Discussion

Ref	Description of stakeholder issue	Current position
Protective Provisions		
[1]	Protective Provisions	The wording for the Protective Provisions (and associated disapplications within the DCO, such as Flood Risk Activity Permit) is under discussion between the parties but good progress has already been made to enable agreement to be reached as soon as possible.
Flood Risk and Flood Modelling		
[2]	Model Files	The Applicant is to supply results model files for the 0.1% event for review by the EA.
[3]	FRA Appendix A, Annex A	The Applicant is to update the appendix to the FRA that details all previous correspondence with the EA.
[4]	Hazard Change	The exact geographic location of where the change in hazard that is reported in the FRA is to be clarified.
[5]	Bridge Closure	The FRA should identify under what flood event circumstances the Scheme Bascule Bridge is to be closed.
[6]	Flood evacuation plan	The necessity for/content of a flood evacuation plan is under discussion.
Sediment Transport Model		
[7]	Sediment Transport Model	The sediment transport assessment (Appendix 17C (document reference 6.3 / PINS APP-201) of the ES) is to be updated to take account of some detailed points provided to the Applicant by the EA and will be submitted to Deadline 3, after further discussion with the EA.
Water Framework Directive Assessment		
[8]	Water Framework Directive ("WFD") Assessment	Clarification on matters raised by the EA in the Relevant Representation are presently being progressed.
[9]	Grading	The WFD Assessment is currently under discussion.
[10]	Potential Impacts	The WFD Assessment is currently under discussion.
[11]	Water Quality	The WFD Assessment is currently under discussion.

Ref	Description of stakeholder issue	Current position
[12]	WFD objectives	The WFD Assessment is currently under discussion.
Groundwater and Contamination		
[13]	Contaminates	<p>It is agreed that Table 4 'Summary of Potential Sources of Contamination' in Appendix 12A (document reference 6.3/PINS document reference APP-190/191) of the ES, should be reviewed to specify that all those contaminants of relevance within the DoE Industry Profile for 'Gas works, coke works and other coal carbonisation plants'* have been assessed and the consequences of these inclusions explained.</p> <p>* https://webarchive.nationalarchives.gov.uk/20140328161147/http://cdn.environment-agency.gov.uk/scho0195bjkp-e-e.pdf</p>
[14]	Ground Investigations	<p>It is agreed in principle that appropriate sediment sampling, groundwater testing and soil testing have been appropriately undertaken in the Ground Investigations and set out in Chapter 12 of the ES.</p> <p>Nevertheless, it is agreed that an updated version of Appendices 12B and 12C (reflecting the full suite of groundwater and ground gas testing now completed) will be provided to the EA for review before submission to Deadline 3.</p>

6 Signatures

	Environment Agency	Suffolk County Council
Signature		
Printed Name		Jon Barnard
Title		Project Manager
On Behalf of		Suffolk County Council
Date		20 November 2018

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



Document SCC/LLTC/EX/5: Statement of Common Ground Report Appendix 4: SoCG004 Statement of Common Ground Between Suffolk County Council and Highways England

Planning Act 2008

Infrastructure Planning

The Infrastructure Planning (Examination Procedure) Rules 2010

PINS Reference Number: TR010023

Author: Suffolk County Council

Document Reference: SCC/LLTC/EX/5

Date: November 2018

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in relation to the application by Suffolk County ("SCC") under section 37 of the Planning Act 2008 ("the Act") for an order granting development consent ("DCO") for the construction, operation and maintenance of a new bridge over Lake Lothing in Lowestoft, Suffolk ("the Scheme").

1.2 Aim of this document

- 1.2.1 The aim of this SoCG between SCC and Highways England is to provide a clear record of engagement between the parties, including of the issues discussed between the parties and the current status of those discussions. The SoCG can be used as evidence of engagement for the purposes of the examination into the DCO application.

1.3 Structure of this Statement of Common Ground

- 1.3.1 This structure of this SOCG is as follows:

Section 1 – Introduction

Section 2 – Consultation to date

Section 3 – Summary of topics covered by the SoCG

Section 4 – List of matters agreed

Section 5 – Signatures

2 Consultation to Date

2.1 Overview of Consultation to Date

- 2.1.1 Set out in Table 2-1 is a summary of consultation that has taken place with Highways England over the duration of the project. Highways England was also part of a Steering Group that met on a regular basis in the pre-application process.

Table 2-1 – Consultation to Date

Date	Format	Key Topics Discussed and Key Outcomes
12/06/15	Meeting	3rd crossing Steering Group with Simon Amor of Highways England present.
14/09/15	Meeting	3rd crossing Steering Group with Mark Knights of Highways England present.
18/12/15	Meeting	Lake Lothing Crossing Steering Group Meeting with Kofi Letsa of Highways England present.
12/02/16	Meeting	Lake Lothing Crossing Steering Group Meeting with Kofi Letsa of Highways England present.
31/03/16	Meeting	Lake Lothing Crossing Steering Group Meeting with Kofi Letsa of Highways England present.
02/06/16	Meeting	Lake Lothing Crossing Steering Group Meeting with Kofi Letsa of Highways England present.
21/07/16	Meeting	Progress meeting with HE with Simon Amor, Caroline Delahunty, Kofi Letsa, Brian Pitkin and Peter Richards from Highways England present.
12/12/16	Meeting	Lake Lothing Crossing Steering Group Meeting with Stephen Greenhill of Highways England present.
17/03/17	Meeting	Lake Lothing Crossing Key Stakeholders Group Meeting with Stephen Greenhill of Highways England present.
30/06/17	Meeting	Lake Lothing Crossing Key Stakeholders Group Meeting with Nigel Allsopp of Highways England present.
22/09/17	Meeting	Lake Lothing Crossing Key Stakeholders Group Meeting with Andy Jobling of Highways England present.
15/12/17	Meeting	Lake Lothing Crossing Key Stakeholders Group Meeting with Andy Jobling of Highways England present.
17/05/18	Meeting	Meeting between Andrew Pearce (SCC) David Abbott (HE) to discuss Scheme, including Transport Assessment
15/06/18	Letter	Letter from David Abbott of Highways England that welcomes the benefits of the Scheme for the Strategic Road Network.

3 Summary of Topics Covered by the Statement of Common Ground

3.1 Covered in the Statement of Common Ground

3.1.1 The following topics discussed between SCC and Highways England are commented on further in this SoCG:

- The Scheme
- A47 Bascule Bridge
- Transport Assessment

3.2 Not Covered in the Statement of Common Ground

3.2.1 For the avoidance of doubt, matters not covered in this SoCG have not been discussed between the parties as they have not been raised by Highways England.

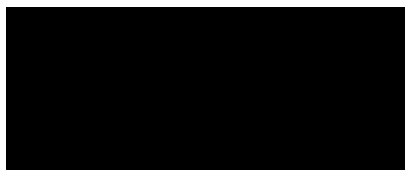
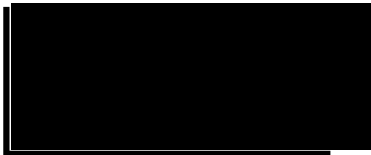
4 List of Matters Agreed

Table 4-1 – List of Matters Agreed

Ref	Description of matter	Details of agreement
Scheme		
[1]	Need for the Scheme	It is agreed that the Scheme will have a significant benefit to traffic conditions on the existing Basculer Bridge, and thus improvement to journeys on the Strategic Road Network and as such Highways England strongly supports the need for the Scheme.
[2]	Signage	It is agreed that SCC will consult Highways England in developing the signage strategy for the Scheme.
A47 Basculer Bridge		
[3]	Ownership	It is agreed that Highways England has an existing agreement with ABP, such that while it remains the owner of the A47 Basculer Bridge, ABP is the operator of this bridge.
[4]	A47 Basculer Bridge Operating Regime	It is agreed that an operating regime for the A47 Basculer bridge is set out in Schedule 4 of The London-Great Yarmouth Trunk Road (Lowestoft Inner Harbour Bridge Diversion) (No.2) Order 1969. The duty to operate the bridge was transferred to ABP by virtue of an agreement between the Minister of Transport and the British Docks Board, dated 1970.
[5]	Maintenance	It is agreed that Highways England is responsible for the maintenance of the A47 Basculer Bridge and schedules maintenance in consultation with ABP.
[6]	Alterations	It is agreed that no alterations to the A47 Basculer Bridge control tower are required as a consequence of the Scheme.
Transport Assessment		
[7]	Modelling	It is agreed that the Transport Assessment, including SATURN and VISSIM modelling has been undertaken to Highways England's satisfaction
[8]	Traffic Counts	It is agreed that the number and timing of traffic counts undertaken are suitable for the purposes of the transport assessment and associated modelling.
[9]	Baseline Methodology	It is agreed that the baseline methodology is acceptable as set out in Section 3 of the Transport Assessment.

Ref	Description of matter	Details of agreement
[10]	Transport Analysis and Appraisal	It is agreed that the use of a SATURN highway assignment model is an appropriate tool to assess the impact of the Scheme.
[11]	Turning Movements	It is agreed that the junction modelling results presented in the Transport Assessment demonstrates that the Scheme will have a negligible impact on the operation of the A47/Millennium Way/Corton Long Road roundabout.

5 Signatures

	Highways England	Suffolk County Council
Signature		
Printed Name	David Abbott	Jon Barnard
Title	Spatial planning manager	Project Manager
On Behalf of	Highways England	Suffolk County Council
Date	8 November 2018	8 November 2018

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



Document SCC/LLTC/EX/5: Statement of Common Ground Report Appendix 5: SoCG005 Statement of Common Ground Between Suffolk County Council and Historic England

Planning Act 2008

Infrastructure Planning

The Infrastructure Planning (Examination Procedure) Rules 2010

PINS Reference Number: TR010023

Author: Suffolk County Council

Document Reference: SCC/LLTC/EX/5

Date: November 2018

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in relation to the application by Suffolk County ("SCC") under section 37 of the Planning Act 2008 ("the Act") for an order granting development consent ("DCO") for the construction, operation and maintenance of a new bridge over Lake Lothing in Lowestoft, Suffolk ("the Scheme").

1.2 Aim of this document

- 1.2.1 The aim of this SoCG between SCC and Historic England is to provide a clear record of engagement between the parties, including of the issues discussed between the parties and the current status of those discussions. The SoCG can be used as evidence of engagement for the purposes of the examination into the DCO application.

1.3 Structure of this Statement of Common Ground

- 1.3.1 This structure of this SOCG is as follows:

Section 1 – Introduction

Section 2 – Consultation to date

Section 3 – Summary of topics covered by the SoCG

Section 4 – List of matters agreed

Section 5 – List of matters under discussion

Section 6 – Signatures

2 Consultation to Date

2.1 Overview of Consultation to Date

- 2.1.1 Set out in Table 2-1 is a summary of consultation that has taken place with Historic England over the duration of the project.

Table 2-1 – Consultation to Date

Date	Format	Key Topics Discussed and Key Outcomes
09/08/16	Letter	Pre-application advice received from Historic England following review of the Desk Based Assessment that was submitted in support of the Outline Business Case.
15/08/16	Email	Email from Will Fletcher (Regional Scientific Advisor for Historic England) with further thoughts on the DBA which broadly agreed the proposed scope of further work that would inform the assessment in the ES. Agreement to the development of a deposit model was provided by Historic England.
13/10/16	Telecon/Meeting	Telecon meeting with Will Fletcher of Historic England and Abby Antrobus (Suffolk County Council Archaeological Advisory Service), to discuss the proposed scope of the cultural heritage assessment.
01/11/16	Email	Confirmation from Will Fletcher of Historic England with regard to agreement of the meeting minutes.
25/04/17	Telecon	Discussions between Historic England and Alastair Hancock of WSP on the approach to the Deposit Model that was submitted alongside the scoping report.
16/10/17	Letter	Historic England response to the Section 42 consultation.
16/11/17	Telecon	Discussion between Will Fletcher of Historic England and Alastair Hancock of WSP to agree the scope of geoarchaeological work and that the need for this can be added as a requirement to the DCO.
12/11/18	Telecon	Telecon with Will Fletcher of Historic England and Abby Antrobus of the Suffolk County Council Archaeological Advisory Service to discuss the Written Scheme of Investigation and this Statement of Common Ground.

3 Summary of Topics Covered by the Statement of Common Ground

3.1 Covered in the Statement of Common Ground

3.1.1 The following topics discussed between SCC and Historic England are commented on further in this SoCG:

- Cultural Heritage
- Archaeology

3.2 Not Covered in the Statement of Common Ground

3.2.1 For the avoidance of doubt, matters not covered in this SoCG have not been discussed between the parties as they have not been raised by Historic England.

4 List of Matters Agreed

Table 4-1 – List of Matters Agreed

Ref	Description of matter	Details of agreement
Cultural Heritage		
[1]	Baseline	It is agreed that the desk-based assessment set out in Appendix 9A of the ES has appropriately identified the baseline environment.
[2]	Study area	It is agreed that the 500m study area, alongside those heritage assets outside of the 500m study area, is sufficient to investigate archaeological and historical assets and listed buildings.
[3]	Significance of assets	It is agreed that the significance and value of all affected heritage assets have been assessed in Chapter 9 of the ES.
[4]	Royal Norfolk and Suffolk Yacht Club (RNSYC)	It is agreed that the potential impacts on the RNSYC are appropriately identified in Chapter 9 of the ES, and would be not significant in EIA terms.
[5]	Lighting design	It is agreed that the proposed strategic lighting of the new bridge reduces the night time effects of the Scheme on the heritage assets.
[6]	Zone of Theoretical Visibility	It is agreed that the Zone of Theoretical Visibility has been appropriately defined.
[7]	South Lowestoft Conservation Area	It is agreed that the Zone of Theoretical Visibility from within the South Lowestoft Conservation Area as assessed in Chapters 9 and 10 of the ES is acceptable and that the visualisations provided are sufficient in demonstrating the impact of the Scheme.
[8]	Oulton Broad Conservation Area	It is agreed that the Zone of Theoretical Visibility from within the Oulton Broad Conservation Area as assessed in Chapter 9 and 10 of the ES is acceptable and that the visualisations provided are sufficient in demonstrating that there would be limited changes resulting from the Scheme during both the construction and operational phases.


Ref	Description of matter	Details of agreement
[9]	Residual significant effects	It is agreed that the residual significant effects have been identified.
[10]	Historic landscape	The assessment of the magnitude and significance of the Scheme's effects on historic landscape and the proposed mitigation measures during the construction and operational phases have been agreed.
Archaeology		
[11]	Archaeological remains	The assessment of the magnitude and significance of the Scheme's effects on archaeological remains during the construction and operational phases have been agreed.
[12]	Palaeolithic period assessments	It is agreed that the Palaeolithic period has been assessed and the results included in Chapter 9 of the ES.

5 List of Matters Under Discussion

Table 5-1 – List of Matters Under Discussion

Ref	Description of stakeholder issue	Current position
Written Scheme of Investigation		
[1]	Written Scheme of Investigation	The parties have exchanged a further draft of the scheme wide WSI (Appendix 9F of ES (document reference 6.3/ PINS document reference APP-179)) and there are only minor matters to resolve which the parties are confident will mean an agreed WSI can be submitted to Deadline 3. The parties are however agreed that reference to the trial pits WSI (Appendix 9C of the ES (document reference 6.3/ PINS document reference APP-176)) can be removed from Requirement 10 of the DCO.

6 Signatures

	Historic England	Suffolk County Council
Signature		
Printed Name		Jon Barnard
Title		Project Manager
On Behalf of		Suffolk County Council
Date		20 November 2018

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



Lake Lothing
**THIRD
CROSSING**

Document SCC/LLTC/EX/5: Statement of Common Ground Report Appendix 6: SoCG006 Statement of Common Ground Between Suffolk County Council and the Marine Management Organisation (MMO)

Planning Act 2008

Infrastructure Planning

The Infrastructure Planning (Examination Procedure) Rules 2010

PINS Reference Number: TR010023

Author: Suffolk County Council

Document Reference: SCC/LLTC/EX/5

Date: November 2018

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in relation to the application by Suffolk County ("SCC") under section 37 of the Planning Act 2008 ("the Act") for an order granting development consent ("DCO") for the construction, operation and maintenance of a new bridge over Lake Lothing in Lowestoft, Suffolk ("the Scheme").

1.2 Aim of this document

- 1.2.1 The aim of this SoCG between SCC and the Marine Management Organisation ("MMO") is to provide a clear record of engagement between the parties, including of the issues discussed between the parties and the current status of those discussions. The SoCG can be used as evidence of engagement for the purposes of the examination into the DCO application.

1.3 Structure of this Statement of Common Ground

- 1.3.1 This structure of this SOCG is as follows:

Section 1 – Introduction

Section 2 – Consultation to date

Section 3 – Summary of topics covered by the SoCG

Section 4 – List of matters agreed

Section 5 – List of matters under discussion

Section 6 – Signatures

2 Consultation to Date

2.1 Overview of Consultation to Date

2.1.1 Set out in Table 2-1 is a summary of consultation that has taken place with the MMO over the duration of the project.

Table 2-1 – Consultation to Date

Date	Format	Key Topics Discussed and Key Outcomes
19/05/16	Meeting	'Defra group' meeting at Ipswich Town Football Club where the broad approach to both the Lake Lothing and Upper Orwell schemes were discussed in principle and high-level feedback received.
12/07/16	Email to Michael Wilks (MW) of Suffolk County Council	Information on laboratories that can analyse samples to MMO accreditation, projects pertinent to cumulative assessment, the need for a socio-economics assessment to accompany the application and timescales for granting licences.
22/08/16	MW conversation with MMO	Agreement that MMO labs are only necessary to support dredge and dispose applications. Subsequent email on the 24th August confirmed that any laboratory was suitable for the purposes of Environmental Impact Assessment.
29/09/16	Email	Confirmation from MMO that they did not wish to comment upon the Flood Risk Assessment methodology.
28/03/17	Letter	Consultation from Suffolk County Council to the MMO on the Environmental Scoping Report (MMO Scoping Opinion issued: 28 March 2017).
17/10/17	Letter	Consultation from Suffolk County Council to the MMO on the Preliminary Environmental Information Report (MMO Section 42 Response issued 17 October 2017).
20/11/17	Email	Consultation on sediment sampling and testing methodology.
06/02/18	Letter	Request from Suffolk County Council to the MMO to review and comment on the drafted Deemed Marine Licence ("DML") and DCO (initial comments by the MMO on the draft documents issued: 06 February 2018).
06/02/18 – 18/07/18	Email	Pre-application emails from Suffolk County Council to the MMO with regards to dredge and disposal activities, and their inclusion within the drafted DML and DCO documents

Date	Format	Key Topics Discussed and Key Outcomes
		(communications on this topic were held between 06 February 2018 and 18 July 2018).
02/05/18	Email	Email from Frances Edwards of the MMO requesting further information on the appropriateness of disposal of dredgings at sea.
12/06/18	Email/Telecon	Confirmation from Jethro Watson of the MMO on their proposed approach for the assessment of disposal at sea. Followed up with a telecon between Michael Wilks of SCC and Jethro Watson that the DML needs to add the coordinates of the existing ABP disposal site.
18/06/18	Email	Confirmation from Frances Edwards of the MMO of the volumes in Michael Wilks' (SCC) email of the 22nd of May 2018 being acceptable for disposal at the ABP disposal site.
31/10/18	Telecon	Telecon with Jethro Watson and Jamie Johnson of the MMO to discuss this Statement of Common Ground.

3 Summary of Topics Covered by the Statement of Common Ground

3.1 Covered in the Statement of Common Ground

3.1.1 The following topics discussed between SCC and the MMO are commented on further in this SoCG:

- Assessment Methodology
- Environmental Statement
- Disposal at sea
- Surveys
- Deemed Marine Licence & Development Consent Order
- European Eels
- Synergistic Effects

3.2 Not Covered in the Statement of Common Ground

3.2.1 For the avoidance of doubt, matters not covered in this SoCG have not been discussed between the parties as they have not been raised by the MMO.

4 List of Matters Agreed

Table 4-1 – List of Matters Agreed

Ref	Description of matter	Details of agreement
Assessment Methodology		
[1]	Marine and Coastal Access Act 2009	It is agreed that the application documents have adequately taken account of the Marine and Coastal Access Act 2009.
[2]	MMO's Eastern Marine Plans and the Marine Policy Statement	It is agreed that the Scheme has been appropriately assessed against the policies contained in the East Inshore and East Offshore Marine Plan, which is set out in the Case for the Scheme (document reference 7.1 / PINS document reference APP-092).
[3]	Baseline sediment transportation	It is agreed that the sediment transport modelling undertaken for the Environmental Statement ("ES") adequately informs the baseline assessment during the Scheme's construction and operation.
[4]	Hydraulic Modelling	It is agreed that the hydraulic modelling from Mutford Bridge to the A47 Bascule Bridge has been constructed using TUFLOW FV and that this is appropriate to inform the assessments reported in the ES.
Environmental Statement		
[5]	Data and assessments	It is agreed that the data and assessments presented in the ES are appropriate to the nature and scale of the Scheme subject to the resolution of the matters under discussion, set out in row 3 of Table 5-1 of this document.
[6]	Study Areas	It is agreed that the study areas accurately capture the area of interest to the MMO, subject to the resolution of matters relating to offshore disposal, as set out in row 3 of Table 5-1 of this document.
[7]	Conclusions and Mitigation	It is agreed that the conclusions of the ES and the proposed mitigation measures are acceptable subject to the resolution of the matters under discussion, set out in row 3 of Table 5-1 of this document.
[8]	Marine Environment	It is agreed that the likely potential impacts to the marine environment have been adequately considered subject to the resolution of the matters under discussion, set out in row 3 of Table 5-1 of this document.
Disposal at sea		

Ref	Description of matter	Details of agreement
[9]	Disposal at sea	Subject to controls in the DML and sediment analysis confirming suitability for disposal at the site stipulated in the DML, it is agreed that disposal at sea of materials dredged from Lake Lothing remains an acceptable option.
Surveys		
[10]	Marine Surveys	It is agreed that the suite of marine surveys undertaken within Lake Lothing as reported in Chapter 11 of the ES are appropriate for the purposes of the assessment of the Scheme.
[11]	Sediment Sampling	It is agreed that existing sediment samples and analysis do provide an adequate baseline for Lake Lothing so as to allow an assessment of risks against receptors within the ES. However, this is not adequate to support any disposal at sea activity without any further sampling sediment sampling, as required by the DML.
[12]	Sediment Analysis	It is agreed that an MMO validated laboratory will be used for any further sediment testing that is required to confirm whether disposal at sea is acceptable.
[13]	Benthic survey conclusions	<p>It is agreed that a benthic survey has been undertaken and the survey report is included in Appendix 11F of the ES (document reference 6.3 / PINS reference APP-188), and a summary of the findings has been incorporated into Table 11-3 and 11-4 of the ES (document reference 6.1 / PINS reference APP-136). The impacts are discussed in Paragraphs 11.5.17, 11.6.4 and 11.6.11. The survey and subsequent analysis identified that Lake Lothing supports an impoverished community of marine macroinvertebrates and no species of particular nature conservation value were identified. It is agreed that as there are no species of nature conservation value, the consideration of pathways to impact is not relevant.</p> <p>It is agreed that the interim CoCP will be updated to recognise that mitigation measures will be required to consider the control of the spread of invasive species including non-native benthic invertebrate species that were recorded within the footprint of the Scheme, namely the tube worm <i>Hydroides ezoensis</i>, the bryozoan <i>Bugula neritina</i>, and the barnacle <i>Austrominius modestus</i>, in addition to non-native mollusc <i>Theora [lubrica]</i>". It is agreed that the presence of these invasive species will be reflected in an update to Chapter 11 of the ES.</p>
[14]	Fish Trawl Surveys	It is agreed that the fish trawl surveys took place in mid-April 2018 and therefore are temporal in nature. The scope of the survey was agreed in advance with the MMO and it is agreed that the surveys undertaken, are considered adequate for the purposes of the assessment and represent a reasonable investigation of the marine environment.

Ref	Description of matter	Details of agreement															
[15]	Beam Trawl Survey	<p>It is agreed that trawl samples were collected using a 2m scientific beam trawl conforming to Cefas specifications (Jennings, S., Lancaster, J. Woolmer, A. & Cotter, J., 1999. Distribution, diversity, and abundance of epibenthic fauna in the North Sea. Journal of the Marine Biological Association of the United Kingdom 79: 385-399), fitted with a 4 mm codend. Prior to each deployment the net was inspected for damage which may have affected sample integrity. The duration and distance covered by each trawl are presented below.</p> <table> <tr> <th>Station / Sample</th><th>Distance Covered (m)</th><th>Duration (minutes: seconds)</th></tr> <tr> <td>Trawl 1</td><td>130 m</td><td>4:43</td></tr> <tr> <td>Trawl 2</td><td>128 m</td><td>4:32</td></tr> <tr> <td>Trawl 3</td><td>143 m</td><td>5:46</td></tr> <tr> <td>Trawl 4</td><td>122 m</td><td>5:02</td></tr> </table>	Station / Sample	Distance Covered (m)	Duration (minutes: seconds)	Trawl 1	130 m	4:43	Trawl 2	128 m	4:32	Trawl 3	143 m	5:46	Trawl 4	122 m	5:02
Station / Sample	Distance Covered (m)	Duration (minutes: seconds)															
Trawl 1	130 m	4:43															
Trawl 2	128 m	4:32															
Trawl 3	143 m	5:46															
Trawl 4	122 m	5:02															
European Eels																	
[16]	European Eels	<p>It is agreed that paragraph 11.5.15 of the ES will be updated to reflect the presence of the eel <i>Anguilla</i> (which is a noise sensitive species) and the likely impact of the Scheme upon it. It is agreed that the interim CoCP will be updated to reflect the presence of this species.</p> <p>The Applicant notes that one European Eel was identified within Lake Lothing during the beam trawl survey. It is agreed that Part 2, Section 5 “Construction Method Statement” (2) (c) of the DML makes provision for the use of vibro-piling techniques in order to minimise noise and vibration effects on the marine environment. The construction method statement will be submitted to the MMO for approval before it is implemented.</p>															

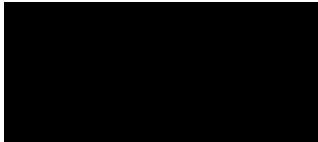
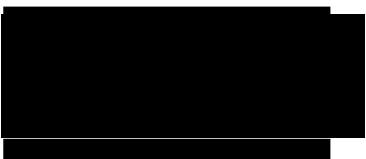
5 List of Matters Under Discussion

Table 5-1 – List of Matters Under Discussion

Ref	Description of stakeholder issue	Current position
Deemed Marine Licence & Development Consent Order		
[1]	Wording of the DML	<p>The wording for the DML is under discussion between the parties but good progress has already been made to enable agreement to be reached as soon as possible. The principal outstanding issues relate to:</p> <ul style="list-style-type: none"> • Timescales (in particular with regard to dredge/ disposal) • Inclusion of disposal site coordinates • Wording of conditions/ and structure of sections. • Arbitration
[2]	Wording of the DCO	The parties remain in discussion on the applicability of the arbitration article of the DCO to the DML.
Disposal at sea		
[3]	Environmental Effects of Disposal at Sea (including study area)	<p>Current position under discussion with the MMO. The principal matters under discussion relate to:</p> <ul style="list-style-type: none"> • The scope of environmental assessment required in the ES to account for the proposals in the DML to permit disposal at sea • Any distinction that should be made between the assessment of dredged arisings from capital, as opposed to maintenance dredging • The suitability of sediment sampling already undertaken as presented in Appendix 12B of the ES, and thus the need for additional sediment sampling • The implications for the timescales in the discharge of conditions in the DML should further sediment sampling not be undertaken at this stage.
Surveys		
[4]	Bathymetric Survey is not included in the ES	Appendix 17C of the ES (document reference 6.3 / PINS reference APP-201) will be revised to include the bathymetric data requested and submitted to Deadline 3.

Ref	Description of stakeholder issue	Current position
Synergistic Effects		
[5]	Synergistic Effects	Chapter 11 of the ES will be updated to clarify how synergistic effects have been considered in the assessment of ecological receptors to ensure it is clear where interactions between different impact pathways are addressed.

6 Signatures

	Marine Management Organisation	Suffolk County Council
Signature		
Printed Name	Jamie Johnson	Jon Barnard
Title	Marine Licensing Case Officer	Project Manager
On Behalf of	Marine Management Organisation	Suffolk County Council
Date	20 November 2018	20 November 2018

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



Document SCC/LLTC/EX/5: Statement of Common Ground Report Appendix 7: SoCG007 Statement of Common Ground Between Suffolk County Council and Natural England

Planning Act 2008

Infrastructure Planning

The Infrastructure Planning (Examination Procedure) Rules 2010

PINS Reference Number: TR010023

Author: Suffolk County Council

Document Reference: SCC/LLTC/EX/5

Date: November 2018

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<i>Table 4-1 List of Matters Agreed</i>	4

1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in relation to the application by Suffolk County ("SCC") under section 37 of the Planning Act 2008 ("the Act") for an order granting development consent ("DCO") for the construction, operation and maintenance of a new bridge over Lake Lothing in Lowestoft, Suffolk ("the Scheme").

1.2 Aim of this document

- 1.2.1 The aim of this SoCG between SCC and Natural England is to provide a clear record of engagement between the parties, including of the issues discussed between the parties and the current status of those discussions. The SoCG can be used as evidence of engagement for the purposes of the examination into the DCO application.

1.3 Structure of this Statement of Common Ground

- 1.3.1 This structure of this SOCG is as follows:

Section 1 – Introduction

Section 2 – Consultation to date

Section 3 – Summary of topics covered by the SoCG

Section 4 – List of matters agreed

Section 5 – Signatures

2 Consultation to Date

2.1 Overview of Consultation to Date

2.1.1 Set out in Table 2-1 is a summary of consultation that has taken place with Natural England over the duration of the project.

Table 2-1 – Consultation to Date

Date	Format	Key Topics Discussed and Key Outcomes
14/09/16	Meeting	Meeting (with SCC Ecology also) to discuss work to date, and that which is proposed. This included issuing meeting notes and a programme and figure of where surveys would be undertaken.
24/11/16	Email	Comments from Marija Nilova of Natural England on the meeting notes of the meeting held on the 14/09/16.
16/10/17	Letter	Natural England response to the S42 consultation.
20/11/17	Email	Consultation on sediment sampling and testing methodology. Natural England confirmed on the 5 th of December 2017 that it was satisfied with the methodology.
01/10/2018	Email	Natural England were sent the first draft of this Statement of Common Ground to comment upon.

3 Summary of Topics Covered by the Statement of Common Ground

3.1 Covered in the Statement of Common Ground

3.1.1 The following topics discussed between SCC and Natural England are commented on further in this SoCG:

- Overall Assessment
- Construction Noise
- Air Quality
- Nature Conservation and Biodiversity

3.2 Not Covered in the Statement of Common Ground

3.2.1 For the avoidance of doubt, matters not covered in this SoCG have not been discussed between the parties as they have not been raised by Natural England.

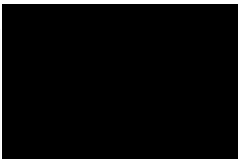

4 List of Matters Agreed

Table 4-1 – List of Matters Agreed

Ref	Description of matter	Details of agreement
Overall Assessment		
[1]	Baseline	It is agreed that the Environmental Statement (“ES”) sufficiently identifies the relevant designated and undesignated sites that may be affected by the Scheme.
[2]	Survey methodology	It is agreed that the surveys carried out and described in appendices 11C-G of the ES have been carried out appropriately.
[3]	Species specific surveys	It is agreed that the species-specific surveys are adequate to inform the assessment of effects on ecology in the ES.
Construction Noise		
[4]	Methodology	The conclusions of the assessment of construction noise on terrestrial and underwater receptors as set out in the ES are agreed
[5]	Mitigation	It is agreed that the mitigation measures set out in the Interim Code of construction Practice (Appendix 5A of the ES) in relation to the control of noise are appropriate to mitigate the effect of construction noise on ecological receptors.
Air Quality		
[6]	Study Area	It is agreed that the 350m study area during construction and 200m during operation is appropriate and in keeping with DMRB criteria.
[7]	Effects upon ecologically designated sites	It is agreed that the assessment and the conclusions within the ES adequately addresses the effects of nitrogen deposition upon ecologically designated sites.
[8]	Cumulative and Synergistic effects	It is agreed that the ES has appropriately considered cumulative effects.

Ref	Description of matter	Details of agreement
Nature Conservation and Biodiversity		
[9]	Study Area	It is agreed that the 2km and 30km study areas for nationally designated sites and internationally designated sites respectively are appropriate. It is agreed that Sprat's Water and Marshes, and Barnby Broad and Marshes Sites of Special Scientific Interest (SSSI) should be included in the study area. It is appropriate to include them in the study area even though they lie beyond 2 km of the project boundary as these sites are component SSSIs of the Broadland Special Protection Area (SPA).
[10]	Benthic Studies	It is agreed that the benthic sampling surveys adequately identifies the environment at the base of Lake Lothing.
[11]	Habitat Regulations	It is agreed that the Habitat Regulations Assessment (document reference 6.5 / PINS document reference APP-206) adequately assesses the risk to designated sites and its conclusions are agreed.
[12]	Sediment transport Assessment	It is agreed that the sediment transport assessment set out in Appendix 17C of the ES adequately assesses the risk to the designated site and benthic ecology.
[13]	Assessment	It is agreed that the assessment in the ES has adequately addressed the likely significant effects upon nature conservation assets.

5 Signatures

	Natural England	Suffolk County Council
Signature		
Printed Name	Marija Nilova	Jon Barnard
Title	Marine Lead Adviser	Project Manager
On Behalf of	Natural England	Suffolk County Council
Date	8 November 2018	8 November 2018

The Lake Lothing (Lowestoft)

Third Crossing Order 201[*]



Document SCC/LLTC/EX/5:

Statement of Common Ground Report

Appendix SOCG008:

Statement of Common Ground Between Suffolk

County Council (the Applicant) and Suffolk

County Council and Waveney District Council

Planning Act 2008

Infrastructure Planning

The Infrastructure Planning (Examination Procedure) Rules 2010

PINS Reference Number: TR010023

Author: Suffolk County Council

Document Reference: SCC/LLTC/EX/5

Date: November 2018

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1 Introduction

1.1 Purpose of this document

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1.2 Aim of this document

- 1.2.1 The aim of this SoCG between the Applicant and SCC and WDC is to provide a clear record of engagement between the parties, including of the issues discussed between the parties and the current status of those discussions. The SoCG can be used as evidence of engagement for the purposes of the examination into the DCO application.

1.3 Structure of this Statement of Common Ground

- 1.3.1 This structure of this SOCG is as follows:

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Section 4 – List of matters agreed

Section 5 – List of matters under discussion

Section 6 – Signatures

Appendix A

2 Consultation to Date

2.1 Overview of Consultation to Date

2.1.1 Set out in Table 2-1 is a summary of consultation that has taken place with Suffolk County Council and Waveney District Council over the duration of the project.

Table 2-1 – Consultation to Date

Date	Format	Key Topics Discussed and Key Outcomes
25/08/16	Email	Comments on the Desk Based Assessment received from the Archaeological Officer of SCC.
21/09/16	Meeting	To discuss WDC knowledge of land contamination with Sue Bowyer of WDC.
28/09/16	Letter	Response from Simon Curl (Flood and Water Management team at SCC) on the Flood Risk Assessment methodology.
13/10/16	Telecon/Meeting	Telecon meeting with Will Fletcher of HE and Abby Antrobus (Suffolk County Council Archaeological Advisory Service ("SCCAAS")), to discuss the proposed scope of the cultural heritage assessment.
18/10/16	Email	Issuing method statement monitoring locations for diffusion tubes to WDC and SCC.
24/10/16	Email	Email from WSP issuing method statement and viewpoint locations for the Landscape and Visual Impact Assessment to both SCC and WDC.
08/11/16	Meeting	Meeting between the Applicant, SCC, WDC and WSP (then Mouchel) about the approach to the Landscape and Visual Impact Assessment ("LVIA").
14/11/16	Letter	Comments received from Anita Seymour (Development Manager at SCC) on the LVIA method statement issued on the 24 th of October 2016.
15/11/16	Email	Confirmation on the method statement for diffusion tube monitoring received from Anita Seymour of SCC.
18/11/16	Email	To Anita Seymour and David Porter, identifying the purpose of monitoring and that lockable covers for the diffusion tubes haven't been possible to procure.

Date	Format	Key Topics Discussed and Key Outcomes
28/11/16	Report	Issue of draft Written Scheme of Investigation ("WSI") to Abby Antrobus of SCCAAS for archaeological monitoring of the trial trenches.
05/12/16	Telecon	Held with SCC and WDC to discuss the proposed scope of air quality and noise assessments.
06/12/16	Minutes	Issue of the minutes of the LVIA meeting held on 08/11/16.
07/12/16	Site meeting	Meeting on site with David Porter (WDC Environmental Health Officer ("EHO")) to agree diffusion tube locations for air quality monitoring.
08/12/16	Email	Agreement from EHO to use the Children's Centre for unattended noise monitoring.
09/12/16	Telecon	Conversation between Ian Baker and David Porter (WDC EHO) to discuss the traffic movements that the model is identifying.
09/12/16	Email	Comment from Abby Antrobus (SCCAAS) the draft WSI for the trial trenches.
16/12/16	Email	Comment from Anita Seymour (SCC) upon the Landscape and Visual Impact Assessment meeting minutes.
23/12/16	Report	Issue of final WSI for the trial trenches to Abby Antrobus (SCCAAS).
28/12/16	Email	Confirmation from SCCAAS of the adequacy of the WSI
12/01/17	Meeting	Design team meeting to discuss junction options, site issues and constraints. Attended by Jon Barnard, Andrew Pearce, Michael Wilks, Graeme Mateer, Steve Merry of SCC and Philip Perkin (Principal Planning Officer, WDC) and Robert Scrimgeour (Principal Design and Conservation Officer, WDC)
08/02/17	Meeting	Air Quality and Noise assessment workshop with WDC and SCC. Scope of the proposed modelling assessment presented and discussed.
16/02/17	Meeting	Design team meeting, attended by Jon Barnard, Andrew Pearce, Michael Wilks, Graeme Mateer, Steve Merry, Anita Seymour of SCC and Philip Perkin, Robert Scrimgeour of WDC.

Date	Format	Key Topics Discussed and Key Outcomes
22/03/17	Meeting	Design review meeting with CABE to discuss the need for a design led approach, attended by Jon Barnard, Andrew Pearce, Michael Wilks and Anita Seymour of SCC and Robert Scrimgeour of WDC.
30/05/17	Report	Submitted draft Townscape Character Baseline section to SCC and WDC for review.
16/06/17	Email	SCC comments on the draft Townscape Character Baseline.
12/06/17	Workshop	Design workshop, attended by relevant officers from SCC and WDC, including presentation of mechanism options and discussion on the adaptability of the design in relation to the future development of Southern Quay.
14/06/17	Workshop	Visioning workshop with WDC and their designer, Wayne Hemingway.
19/06/17	Site Meeting	Site visit with Andrew Murray-Wood of SCC to discuss the site and the ecological survey scope of works.
29/06/17	Meeting	Second design review meeting with CABE, attended by Jon Barnard and Anita Seymour of SCC and Philip Perkin, Robert Scrimgeour of WDC.
30/08/17	Email	Comments from Andrew Murray-Wood of SCC upon the draft reptile report and the minutes of the site meeting notes.
15/09/17	Email	SCC advising the Applicant of possible [REDACTED] presence near to the scheme.
27/09/17	Email	TPO information and photographs received from Phil Perkin of WDC.
25/10/17	Telecon	Between WSP and Mark Seaman (WDC Environment Protection Officer) with regard to the PEIR geology and soils chapter and additional information that the EHO holds.
16/10/17	Email	Proposals on additional noise monitoring location sent to David Porter (EHO).

Date	Format	Key Topics Discussed and Key Outcomes
13/11/17	Email	Agreement from Robert Scrimgeour to the approach to the photomontages. Philip Perkin subsequently confirmed as well on the 14 th .
14/11/17	Email	Agreement from Phil Watson of SCC to the approach to the photomontages.
05/12/17	Workshop	Design workshop with the relevant Officers from SCC and WDC to discuss consultation feedback and provide a design update.
15/12/17	Email	Agreement from Phil Watson of SCC with regard to the draft conclusions on the assessment and the likely beneficial effects.
07/02/18	Email	Email from Anne Willis of East Suffolk to Michael Wilks of SCC as Applicant advising that WDC holds no information on visitor numbers to tourist attractions.
17/04/18	Workshop	Design workshop to discuss the Design Guidance Manual and provide a design update with Jon Barnard, Andrew Pearce, Graham Gunby, Sarah Jessup, John Pitchford of SCC and Phil Perkins of WDC.
11/05/18	Email	Agreement from Abby Antrobus (SCCAAS) on the nature of mitigation measures for archaeology that are to be provided with the application.
15/05/18	Email	Confirmation from WDC of there being no records of private water supplies in the vicinity of Lake Lothing.
05/06/18	Email	Response from Kit Day of SCC on the absence of any information on the spend within the town centre of Lowestoft.
30/07/18	Workshop	Design workshop to discuss the Design Guidance Manual with Jon Barnard, Andrew Pearce, Graham Gunby, Sarah Jessup, John Pitchford, Michael Wilks of SCC, Phil Perkins and Elouise Limmer of WDC and Robert Scrimgeour of Suffolk Coastal attending.
12/09/18	Workshop	Design workshop to discuss the Design Guidance Manual.
12/10/18	Teleconference	SCC/Historic England on WSI

3 Summary of Topics Covered by the Statement of Common Ground

3.1 Covered in the Statement of Common Ground

3.1.1 The following topics discussed between the Applicant and SCC and WDC are commented on further in this SoCG:

- Scheme Design
- New Access Road
- Landscape, Townscape and Visual Impacts
- Traffic
- Cultural Heritage
- Nature Conservation
- Regeneration
- Flood Risk and Drainage
- Air Quality
- Noise and Vibration
- Contaminated Land
- Code of Construction Practice
- Design Guidance Manual
- Surface Water Drainage

3.2 Not Covered in the Statement of Common Ground

3.2.1 For the avoidance of doubt, matters not covered in this SoCG have not been discussed between the parties as they have not been raised by SCC and WDC.

4 List of Matters Agreed

Table 4-1 – List of Matters Agreed

Ref	Description of matter	Details of agreement
Scheme Design		
[1]	Future proofing	It is agreed that the design of the control tower will allow for future adaptation to allow access to the waterfront upon development of the southern quay.
[2]	Scheme Design Parameters	The design parameters as set out in the Design Report (document reference 7.5 /PINS document reference APP-123) and the Control Tower Report (Appendix 7 thereof) are agreed.
[3]	Visualisations of Scheme Bridge	It is agreed that the visualisations of the Scheme bridge as contained within Section 7.5 of the Design Report represent the rolling bascule mechanism in lowered, intermediate and raised positions, and are appropriate.
[4]	Landscape and Public Realm – Northern Approach	It is agreed that public realm proposals at the northern approach will be reviewed to emphasise sustainable drainage and landscaping and set out in an update to the Design Guidance Manual to be submitted to the Examining Authority to Deadline 3.
[5]	Non-Motorised User Provision	<p>It is agreed that provision for non-motorised users in the reference design comprising of a combination of shared and segregated footway and cycle facilities and crossing points is acceptable.</p> <p>It is agreed that where practical footway and cycleways shall be connected to adjacent sites and the public highway, the details of which will be resolved during detailed design.</p>
[6]	Controlled Crossings	It is agreed that the type of control used at crossings should be determined at the detailed design stage taking account of the requirements set out in the Design Guidance Manual.
[7]	Design Guidance Manual	It is agreed that, in principle, the Design Guidance Manual is an appropriate tool to control the detailed design of the Scheme.

Ref	Description of matter	Details of agreement
New Access Road		
[8]	Preliminary Design	It is agreed that the reference design for the New Access Road as shown in the General Arrangement Plans (document reference 2.2 / PINS document reference APP013-015) and the Design Guidance Manual is appropriate having regard to the nature and scale of development that it is envisaged to serve.
Landscape, Townscape and Visual Impacts		
[9]	Landscape, Townscape and Visual Impacts	It is agreed that the methodologies used to assess the landscape and townscape impacts and the visual impacts are appropriate.
[10]	Future Townscape	It is agreed that the description of the future townscape and how this is taken into account in the assessment of visual amenity is acceptable.
Traffic		
[11]	Base and Future Years	The base year is agreed as 2016, opening year as 2022 and the future year for modelling as 2037.
[12]	Baseline	It is agreed that the microsimulation model using VISSIM software provides a reliable representation of the existing traffic conditions.
[13]	A47 Katwijk Way Junction	It is agreed that in the absence of DfT data, the SATURN model provides a reliable means to assess the traffic flow on the A47 Katwijk Way.
[14]	Junction assessment	It is agreed that the assessment includes all relevant junctions.
[15]	Traffic Counts	It is agreed that the number and timing of traffic counts undertaken are suitable for the purposes of the transport assessment and associated modelling.
[16]	Baseline Methodology	It is agreed that the baseline methodology is acceptable as set out in Section 3 of the Transport Assessment.
[17]	Transport Analysis and Appraisal	It is agreed that the use of a SATURN highway assignment model is an appropriate tool to assess the strategic impact of the Scheme.

Ref	Description of matter	Details of agreement
[18]	Traffic Modelling	It is agreed that the method (including accounting for future growth) and results of the strategic traffic modelling (VISSIM, SATURN) are acceptable and overall the Scheme will have a largely beneficial impact by reducing congestion and improving journey times on both the local highway network and the Strategic Road Network.
[19]	Future Development	It is agreed that the traffic modelling has properly accounted for committed and allocated developments in the relevant the year modelled.
[20]	Collisions at the J9A A12 Tom Crisp Way/ Bloodmoor Road/ A1145/ Castleton Avenue junction.	It is agreed that in December 2016 the highway authority implemented a safety scheme at Junction 9A to address incidences of collisions due to two vehicles both trying to exit the roundabout in to one lane. As such the accident record in the Transport Assessment reflects the historic situation, which is likely to have subsequently improved, and thus the Scheme does not necessitate any further mitigation measures.
[21]	Mitigation at Junction 7 – B1531 Victoria Road / B1531 Waveney Drive / Kirkley Run	<p>It is agreed that the case for mitigation measures at this junction in the opening year is marginal, only relating to one arm of the junction and limited to the PM peak. Consequently, it is agreed that the highway authority will monitor the performance of this junction and consider the need for improvements, having regard to future junction performance, in particular as a consequence of new developments proposed in the locality.</p> <p>It is agreed that if future development necessitates mitigation it would be appropriate, in line with paragraphs 54 to 57 of the NPPF, for that development to fund the mitigation required as this comes forward through planning obligations/CIL.</p>
[22]	Junction 8a: A12 Tom Crisp Way / Blackheath Road	<p>It is agreed that to maximise the benefits (in particular the journey time improvements) of the Scheme a new MOVA control system will be installed to improve junction capacity at this junction. It is agreed that, dependent on future traffic growth, additional mitigation measures may be required by the Design Year (2037). However, it is agreed that the highway authority will monitor the performance of this junction and consider the need for improvements, having regard to future junction performance, in particular as a consequence of new developments proposed in the locality.</p> <p>It is agreed that if future development necessitates mitigation it would be appropriate, in line with paragraphs 54 to 57 of the NPPF, for that development to fund the mitigation required as this comes forward through planning obligations/CIL.</p>

Ref	Description of matter	Details of agreement
Cultural Heritage		
[23]	Baseline	It is agreed that the desk-based assessment set out in Appendix 9A of the Environmental Statement ("ES") (Document Reference 6.3 / PINS document reference APP-174) has appropriately identified the baseline environment.
[24]	ES Heritage Scope	It is agreed that Chapter 9 of the ES has assessed the impacts of the Scheme on the earlier Saxon and late Saxon/Scandinavian settlement periods and is considered acceptable.
[25]	Assessment Conclusions	It is agreed that the conclusions with regard to the assessment of the impact on heritage assets, including listed buildings and conservation areas are appropriate.
Nature Conservation		
[26]	Mitigation Strategy	It is agreed that the mitigation measures included with the interim Code of Construction Practice (Appendix 5A of the ES document reference 6.3 / PINS document reference APP-163) are appropriate and that the Design Guidance Manual is an appropriate mechanism to ensure ecological enhancements are considered at the detailed design stage.
[27]	Habitat Regulations Assessment	It is agreed that the Habitat Regulations Assessment (document reference 6.5 / PINS document reference APP-206) has been appropriately undertaken and its conclusions are agreed.
[28]	Ecological Clerk of Works	It is agreed that an Ecological Clerk of Works is good practice for the construction phase of the Scheme.
[29]	Weevil Wasp	It is agreed that there is a slight adverse effect on habitat supporting the Weevil-Wasp and consequently replacement habitat for this loss is not required. Furthermore, it is agreed that the management of the remaining habitat in accordance with conditions 10 and 11 of Northumbria Water Limited's planning permission DC12/1391FUL satisfies compliance with these conditions.
Regeneration		
[30]	Regeneration	It is agreed that the Scheme supports the regeneration and growth objectives of the Lake Lothing and the Outer Harbour Area Action Plan.

Ref	Description of matter	Details of agreement
[31]	New Access Road	It is agreed that the New Access Road is located in such a way to facilitate the regeneration of the former Jeld-Wen site, as envisaged in WDC's Sustainable Urban Neighbourhood and Kirkley Waterfront Development Brief (2013). It is further agreed that the design of the New Access Road conforms with the Design Brief's requirements for an 'Avenue'.
Flood Risk and Drainage		
[32]	Downstream flood risk	It is agreed that the assessments undertaken in Section 6 of the ES confirm the Scheme will not have flooding impacts on the Kirkley Stream.
Air Quality		
[33]	Operational phase modelling assessment	It is agreed that congestion and queueing at junctions has been included in the air quality assessment model due to the use of average speeds being a factor of the assessment.
[34]	Monitoring	It is agreed that the diffusion tube monitoring programme that has been completed is appropriate for the purposes of model validation.
Noise and Vibration		
[35]	Noise	It is agreed that SCC will be statutorily required to carry out a re-assessment under the Noise Insulation Regulations 1975 after the DCO is granted.
[36]	Control of Pollution Act 1974	It is agreed that consent would need to be sought from WDC under s61 of the Control of Pollution Act and thus that the final details of noise and vibration mitigation measures are best confirmed at that time, having regard to the detailed construction methodologies that will be available at that time.
Code of Construction Practice		
[37]	Code of Construction Practice	It is agreed that the CoCP does not need to refer to archaeology as this is covered by the WSI

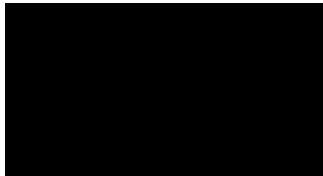

5 List of Matters Under Discussion

Table 5-1 – List of Matters Under Discussion

Ref	Description of stakeholder issue	Current position
Design Guidance Manual		
[1]	Design Guidance Manual	The development of the Design Guidance Manual remains under discussion with the Local Authorities and an updated version will be submitted to the Examining Authority to Deadline 3. The process by which the Design Guidance Manual will be finalised and embedded in the detailed design process is also under discussion.
Highways		
[2]	Parking restrictions and displaced on-street parking.	It is agreed that the loss of parking in Riverside Road within the footprint of the Scheme and the proposed introduction of parking restrictions on other roads within the Order limits could cause displacement of on-street parking in to the local area. A revised TRM proposal will be agreed with the highway authority to maintain some level of on-street parking within the new access roads to mitigate this issue. It is however agreed that the highway authority would continue to have the power to vary any TRMs included within the Order should there be a need to review them, post-implementation.
[3]	Traffic Modelling	The method of modelling individual junctions (Junctions 8 / Linsig) is agreed. While the output and assessment of most junctions is generally accepted some issues regarding the functioning of specific junctions remain and are detailed in Appendix A. In respect of signalised junctions, it is agreed that the Applicant will provide SCC Full LinSig Outputs for review.
[4]	Future Development	A review of the assumptions in the traffic modelling as they relate to the development of the development site directly south of Lake Lothing is being undertaken to check if there are implications for the proposed New Access Road and to agree what highway capacity should be provided as part of this scheme
[5]	Departures from Standard	The Departures from Standards Report (document 7.5, Appendix 1 / PINS document reference APP-124) is under discussion with the highway authority
Surface Water Drainage		
[6]	Drainage System	The drainage strategy for the Scheme is currently being updated (Appendix 18B of the ES, document reference 6.3 /PINS document reference APP-204) and will be submitted to the Examining Authority to Deadline 3.

Ref	Description of stakeholder issue	Current position
Air Quality		
[7]	Assessment – Environmental Protection UK (“EPUK”)	A comparative assessment under EPUK guidance is currently under discussion.
[8]	Air Quality Figures	Further clarity on the presentation of results of the operational assessment and explanation of impacts in certain areas highlighted by WDC are under discussion.
Noise		
[9]	Monitoring	The extent or need for any further baseline noise monitoring is currently under discussion.
[10]	Construction phase assessment	The construction phase assessment is being updated in line with BS5228 to inform further discussion.
[11]	Operational noise of the Scheme Bridge	The nature and necessity of an assessment of the noise associated with the signals on the Scheme bridge is currently under discussion.
Cultural Heritage		
[12]	Written Scheme of Investigation (“WSI”)	The parties have exchanged a further draft of the scheme wide WSI (Appendix 9F of ES (document reference 6.3, PINS document reference APP-179)) and there are only minor matters to resolve which the parties are confident will mean an agreed WSI can be submitted to Deadline 3. The parties are however agreed that reference to the trial pits WSI (Appendix 9C of the ES (document reference 6.3/ PINS document reference APP-176)) can be removed from Requirement 10 of the DCO.
Code of Construction		
[13]	Code of Construction Practice	While it is agreed that the Code of Construction Practice is an appropriate tool to control the construction phase of the Scheme and that final details of any monitoring and mitigation measures will be secured in the final Code of Construction Practice, the parties are in discussion as to whether the CoCP should be expanded further at this stage, particularly with respect to mitigation measures for noise, vibration and contaminated land.
Contaminated Land		
[14]	Interpretative Environmental Ground Investigation Report (Appendix 12B of the ES (document reference 6.3 / PINS document reference APP – 192)	It is agreed that an updated version of Appendix 12B of the ES will be provided to WDC for further discussion. It is agreed that Requirement 8 of the dDCO will include reference to consultation with WDC, though the precise drafting remains under discussion.

6 Signatures

	Waveney District Council	Suffolk County Council (The Applicant)
Signature		
Printed Name	Philip Ridley	Jon Barnard
Title	Head of Planning & Coastal Management	Project Manager
On Behalf of	Waveney District Council	Suffolk County Council
Date	21 November 2018	20 November 2018

	Suffolk County Council	Suffolk County Council (The Applicant)
Signature		
Printed Name	John Pitchford	Jon Barnard
Title	Head of Planning	Project Manager
On Behalf of	Suffolk County Council	Suffolk County Council
Date	20 November 2018	20 November 2018

Appendix A

Table A – Transport Modelling matters under discussion

Junction	Matters under Discussion
Junction 1 – A47 Yarmouth Road / A1117 Millennium Way roundabout	Modelling of imbalance of flows through arms of junction and therefore impact on performance
Junction 2a: A47 Katwijk Way / A1144 St Peter's Street	Validation of junction
Junction 9a: A12 Tom Crisp Way / A12 Bloodmoor Road / A1145 Castleton Avenue	Modelling of imbalance of flows through arms of junction and therefore impact on performance
Junction 9b: A1117 Elm Tree Road / A1117 Bloodmoor Road / Long Road	Necessity of further modelling of this junction
Junction 11 – B1375 Gorleston Road / A1117 Normanston Drive / A1117 Bridge Road	Modelling of imbalance of flows through arms of junction and therefore impact on performance
Junction 12 – Barnards Way / Denmark Road / Peto Way roundabout	Modelling of imbalance of flows through arms of junction and therefore impact on performance
Junction 17 – New roundabout north of the Lake	Modelling of imbalance of flows through arms of junction and therefore impact on performance
Junction 18 – New roundabout south of the Lake	Modelling of imbalance of flows through arms of junction and therefore impact on performance
Junction 21 - A1117 Millennium Way / B1074 Somerleyton Road	Necessity of further modelling of this junction