

**PLANNING COMMITTEE – 18 September 2018**

**APPLICATION NO** Planning Inspectorate ref. TR010023  
WDC ref DC/18/2950/DCO

**LOCATION**

The Lake Lothing Third Crossing  
Lowestoft

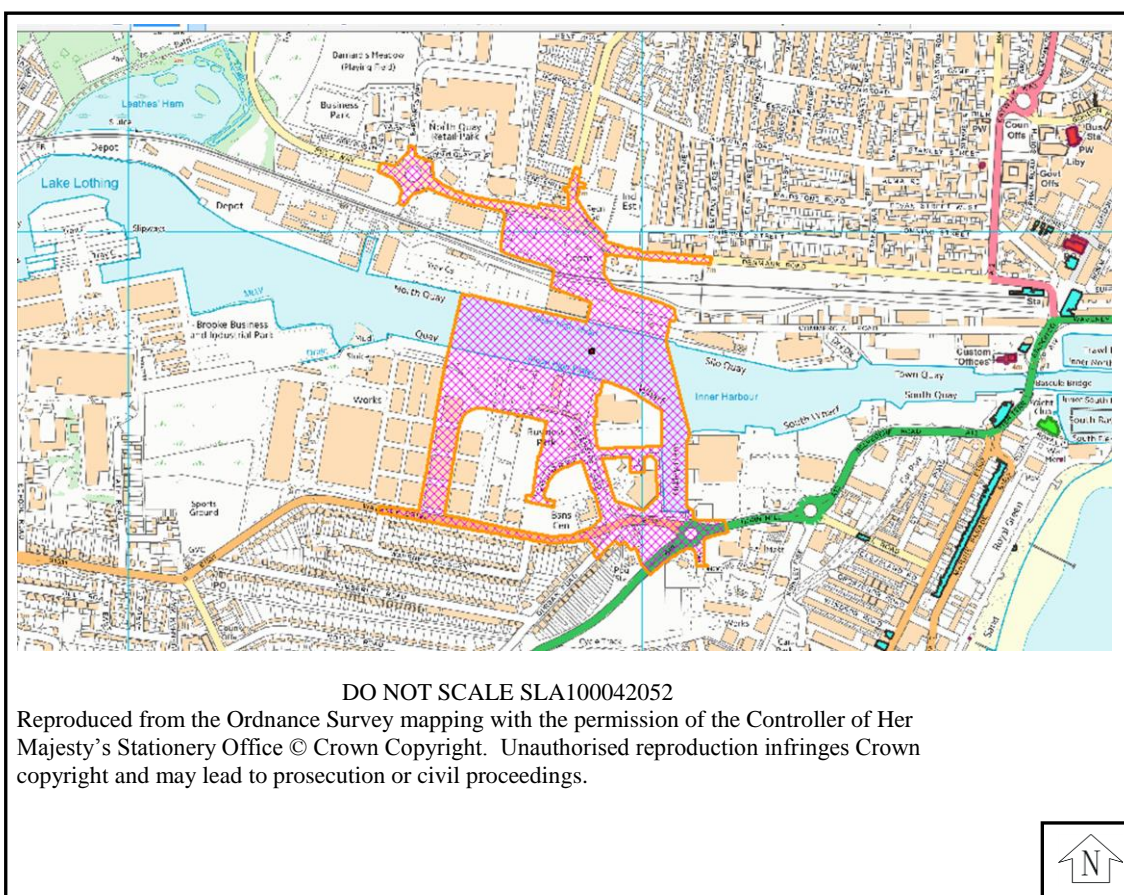
**EXPIRY DATE** 24 September 2018

**APPLICATION TYPE** Development Consent Order

**APPLICANT** Suffolk County Council

**PARISH** Lowestoft

**PROPOSAL** The Lake Lothing Third Crossing

**SUMMARY**

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

- 1.2 The application has been submitted for examination to the Planning Inspectorate. Suffolk County Council and Waveney District Council are statutory consultees under the Act and have prepared a joint response which is set out in this report. A similar report will go before Suffolk County Council's equivalent committee and it is anticipated that a joint response will be sent to The Planning Inspectorate.
- 1.3 The Councils have an important role in the process to provide a local perspective on the proposals. Members are asked to consider if they are content to endorse the responses set out in the Recommendation section. Evidence to support these recommendations are set out in the Planning Considerations section of the report.

## **THE DEVELOPMENT CONSENT ORDER PROCESS**

- 2.1 In March 2016, the Secretary of State for Transport (SoS) directed that the proposed scheme and any associated measures would be treated as a project of national significance for the purposes of the Planning Act 2008 ("Act").
- 2.2 The SoS confirmed that he was satisfied that the proposed scheme was nationally significant for the following reasons:
  - a) It provides a connection to/from the Trans European Network–Transport (TEN-T) and the Strategic Road Network. The TEN-T link is to the A12/A47, one of only a limited number of routes in the East of England which is recognised as such; and
  - b) It would act as a tactical diversion route for the strategic road network (SRN), the A12/A47 when the Bascule Bridge, a nationally recognised pinch point, is closed thereby reducing delays and congestion on the SRN;
- 2.3 In addition, it was the SoS's view that the proposed scheme:
  - a) Supports national growth potential by directly delivering over 9,000 jobs with a further 3,500 indirect jobs, thus supporting the proposed employment growth;
  - b) Improves connection to/from the Great Yarmouth and Lowestoft Enterprise Zone; and
  - c) Delivers the Port of Lowestoft's role in being the hub for the off-shore wind farms that are part of the East Anglia Array, a major energy supplier for the UK.
- 2.4 The developer was therefore required to make an application to the Secretary of State for Transport (through the Planning Inspectorate) for a Development Consent Order (DCO) in order to obtain the necessary consents to construct, operate and maintain the proposed scheme. The DCO would also contain powers to compulsorily acquire land, to override easements and other rights in connection with land and to use land temporarily.
- 2.5 The DCO application has now been submitted, and the Planning Inspectorate has accepted the DCO application for examination.
- 2.6 During this pre-examination stage, which is expected to last approximately three months, those with an interest in the scheme will be able to register with the Planning Inspectorate and provide a written summary of their views on the DCO application. Suffolk County Council and Waveney District Council have been consulted directly by the Planning Inspectorate because the proposed development falls within their area and

therefore they are considered to be host authorities.

- 2.7 During the Examination of the DCO application, which lasts up to six months, those who have registered (including Suffolk County Council and Waveney District Council) will be invited by the Planning Inspectorate to provide more details of their views in writing.
- 2.8 The Planning Inspectorate may decide to hold hearings to seek further information.
- 2.9 Following the Examination, the Planning Inspectorate will make a recommendation to the Secretary of State (SoS) who will then decide whether to make the DCO.
- 2.10 Subject to approval, construction is anticipated to start in 2019/20 and would take between two and three years to complete.

### **ROLE OF WAVENEY DISTRICT COUNCIL and SUFFOLK COUNTY COUNCIL**

- 3.1 The Planning Inspectorate has asked the Councils to prepare and submit a Local Impact Report setting out details of the likely impact of the proposed scheme on the authority's area with regard to local and economic development planning policies for the Examination of the application by the Planning Inspectorate. In this context, the roles of the two Councils are equal
- 3.2 The County Council will also, as Highways Authority, be responsible for discharging the Requirements (planning conditions) on the DCO after consultation with Waveney District Council and be responsible for the monitoring and enforcement of any DCO made.

### **APPLICATION DOCUMENTATION**

- 4.1 The following documentation has been submitted to the Planning Inspectorate and is available at: <https://infrastructure.planninginspectorate.gov.uk>
  - a) Volume 1 application information including covering and forms;
  - b) Volume 2 plans, drawings and sections;
  - c) Volume 3 draft development consent order and related documents;
  - d) Volume 4 compulsory acquisition information;
  - e) Volume 5 consultation report;
  - f) Volume 6 environmental statement and related documents, and;
  - g) Volume 7 other reports and documents.

### **PROPOSED SCHEME**

- 5.1 The proposed Scheme involves the construction, operation and maintenance of a new bascule bridge (an opening bridge with a counterweight that balances the span as it opens) highway crossing linking the areas north and south of Lake Lothing in Lowestoft.
- 5.2 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 of:
  - an opening bascule bridge over the Port of Lowestoft, in Lake Lothing;

- on the north side of the Lake Lothing, a bridge over Network Rail's East Suffolk Line, and a reinforced earth embankment joining the 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.
- 5.3 The Scheme would be approximately 1 kilometre long and would be able to accommodate all types of vehicular traffic as well as non-motorized users, such as cyclists and pedestrians.
- 5.4 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. There would also be a pontoon provided for use by recreational vessels, located to west of the new highway crossing, within the Inner Harbour of Lake Lothing..
- 5.5 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 to vehicular traffic at its junction with Waveney Drive, 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;
  - part-signalisation of the junction of the B1531 Victoria Road/ B1531 Waveney Drive with Kirkley Run;
  - 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.

## **OBJECTIVES OF THE SCHEME**

- 5.6 The objectives of the scheme are:
- a) to reduce congestion and delay on the existing bridges over Lake Lothing;

- b) to reduce congestion in the town centre and improve accessibility;
- c) to reduce community severance between north and south Lowestoft;
- d) to encourage more people to walk and cycle, and reduce conflict between cycles, pedestrians and other traffic;
- e) to improve bus journey times and reliability;
- f) to reduce accidents;
- g) to open up opportunities for regeneration and development in Lowestoft, and;
- h) to provide the capacity needed to accommodate planned growth.

## **DESIGN OF THE SCHEME**

5.7 The new crossing will be designed using the Design Manual for Roads and Bridges (DMRB), and is currently being designed to have a:

- a) Design speed of 30mph (50kph);
- b) Carriageway width of 7.3m (2 x 3.65m wide traffic lanes);
- c) Dedicated footway on one carriageway and a segregated footway and cycleway on the other, and;
- d) Safety strip of 0.5m between the proposed footway and carriageway to the east of the crossing and the combined footway/cycleway to the west of the crossing.

5.8 The design of the bridge needs to take account of many considerations whilst optimising opportunities, accessibility and experience for all users, including wheelchair users, pedestrians and cyclists, taking account of constraints including railway and port operations both during the construction period and the lifetime of the bridge.

## **OPENING BRIDGE SECTION**

5.9 A 'rolling lift bascule bridge' design has been chosen. The bridge would be opened using hydraulic pistons to lift the deck, which rolls back on the vertical part of the structure that contains a counterweight. The counterweight and hydraulics lift the bridge deck to a specific angle, allowing vessels to pass safely through, before rolling back to its original position. This design enables the size of the in-water piers to be reduced as the counterweight is located in the air above the bridge deck which would produce a visually striking design. The emerging design looks to represent the future of Lowestoft as one of the UK's key centres for off-shore renewable energy.

5.10 The new bridge would be a minimum of 12 metres above high tide levels, which is significantly higher than the existing Bascule Bridge, this would allow a larger number of vessels using the lake to pass below the new bridge without the need to open it. When required to open, traffic will be alerted and the safety barriers would move into place.

5.11 The control tower would be two storeys in height above the bridge deck to provide visibility over the deck. It would contain the operating room for the bridge and potentially a plant room.

## **PUBLIC REALM**

- 5.12 The project looks to incorporate planting and sustainable urban drainage solutions to deal with the surface water run-off from the roads. This would include specially planted pond areas designed to collect the water and release it into the main drainage system slowly.
- 5.13 Both north and south of the lake, new facilities for pedestrians and cyclists would be provided and this would include controlled and uncontrolled crossing points.

## **NORTHERN LAYOUT**

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

## **SOUTHERN LAYOUT**

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

## **RIVERSIDE ROAD**

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

## **ENVIRONMENTAL STATEMENT**

5.24 The application is supported by an Environmental Impact Assessment which considered the potential impacts of the proposed Scheme including during construction and afterwards during operation. This is summarised in a Non-Technical Summary from which extracts are reproduced below in the following subsections of this report.

### **ALTERNATIVES CONSIDERED**

5.25 In 2015 SCC submitted an application for funding the construction of the scheme to the Department of Transport identifying a number of objectives that scheme would deliver were it to be constructed. This funding application, known as an Outline Business Case included a review of the predicted benefits and adverse effects of 16 proposals that could meet the Scheme objectives.

5.26 This review identified that three route corridors were suitable for more detailed consideration; namely a western bridge crossing, a central bridge crossing and a western tunnel option.

5.27 These three options were assessed against criteria including construction cost, highway and safety benefits and environmental impacts, and this concluded that a central bridge option would most closely align with the scheme objectives and deliver the greatest value for money.

5.28 Having adopted a central option as the most appropriate location, the design of the Scheme presented at the Outline Business Case Stage has undergone further development and alternative structure design and junction arrangements at the north and south end of the bridge crossing have been considered before the final design presented in this application was chosen.

5.29 Detailed information related to alternatives is presented in Chapter 3 of the Environmental Statement (ES).

## **AIR QUALITY**

5.30 The studies carried out to assess the effects of the Scheme on air quality have considered both its construction and operational phases. In particular, the assessment has considered emissions associated with dust during the construction phase and vehicle emissions when the Scheme is operational.

5.31 With regard to construction related traffic, the assessment has identified that the Scheme would not generate HGV vehicle movements that are likely to cause adverse effects upon air quality.

5.32 The construction phase air quality assessment has demonstrated that the scale and nature of the construction represents a high risk of dust-related impacts. With mitigation measures in place, construction dust is predicted to have slight adverse impacts upon the areas located within the closest proximity to the Scheme. However, these impacts are predicted to be infrequent and temporary for the duration of the most dust generating aspects of the construction. These mitigation measures are included in the interim Code of Construction Practice (CoCP).

- 5.33 The assessment has shown that the roads in the areas of Lowestoft that presently experience the highest nitrogen dioxide levels are forecast to experience a fall in traffic once the Scheme is in place and therefore are likely to experience an improvement in air quality. These areas are predominantly around the A47 Bascule Bridge and its approach roads.
- 5.34 Air quality will deteriorate along roads once the Scheme is operational that are forecast to experience an increase in traffic, mainly along the approaches to the Scheme, but such increases are not at a level where significant effects are expected to arise.
- 5.35 Significant adverse effects have been identified at Kirkley Ham County Wildlife Site which is adjacent to Tom Crisp Way. This is attributable to the increase in nitrogen which could affect the growth of the acid grassland that the County Wildlife Site is allocated for. No other significant effects upon ecological sites have been identified.
- 5.36 A detailed assessment upon air quality is included in Chapter 8 of the ES.

### **CULTURAL HERITAGE HISTORIC BUILDINGS**

- 5.37 The assessment of impacts on the cultural heritage resource has focused on potential impacts on buildings, Conservation Areas, buried archaeology and historic landscapes. The detailed assessment is provided in Chapter 9 of the ES.
- 5.38 The assessment has concluded that the Scheme would not have significant effects on buried archaeology following the proposed programme of mitigation (set out in written schemes of investigation) which forms part of the application being put in place. This will help to identify any previously undiscovered or unknown historical remains that may be present beneath the works area.
- 5.39 With regard to listed buildings the assessment has considered potential impacts of the Scheme on The Port House, The Royal Norfolk and Suffolk Yacht Club near the A47 Bascule Bridge, and Ashurst, Wellington Esplanade, and buildings at Waterloo Road and Victoria Terrace which are all to the south west of the Scheme within the South Lowestoft Conservation Area. The assessment has also considered other non-listed buildings and structures which include buildings of local interest.
- 5.40 The assessment has identified that impacts upon listed buildings and Conservation Areas will be no greater than minor in nature. Other buildings that are of local interest will be adversely affected by the Scheme, including the demolition of 42 Waveney Drive, although these are of low heritage value and there will be no significant effect.
- 5.41 It is also been identified that there will be a minimal impact on the historic landscape of Lake Lothing as a result of the Scheme.

### **TOWNSCAPE AND VISUAL IMPACT ASSESSMENT**

- 5.42 The Scheme is likely to be visible from a number of locations around Lake Lothing and the wider area of Lowestoft. The assessment has focused upon two elements; the extent to which the Scheme, particularly the lifting elements of the bridge will be visible (visual impacts) and how it may impact on the townscape character of Lowestoft. A detailed assessment of visual impacts and impacts on townscape character is provided in Chapter 10 of the ES.



- 5.43 In conjunction with Suffolk County Council, Waveney District Council, Historic England and The Broads National Park, a total of 15 viewpoints have been identified and agreed as representative views from a variety of receptors within the vicinity of Lake Lothing. Photomontages, that have also been used to identify a Zone of Theoretical Visibility which shows where a view of the Scheme would be possible, have also been prepared to aid the visual impact assessment.
- 5.44 During the construction phase, the visual impacts of the Scheme would adversely affect the view from 13 of the 15 viewpoints and this would constitute a significant adverse effect at five of these viewpoints. These significant effects will occur at those locations where the Scheme would be most dominant, particularly immediately surrounding Lake Lothing.
- 5.45 Once construction of the Scheme is complete, the form, aesthetics and landmark nature of the bridge structure is predicted to be beneficial from those views where the form of the Scheme can be appreciated.
- 5.46 The assessment of effects on townscape character has identified that during the construction phase there will be a moderate adverse impact on the townscape character of Lake Lothing, but when the Scheme is operational there are beneficial effects due to the Lake Lothing area being complemented by the architectural finish of the Scheme and the high quality design that is proposed. There would be no change in the townscape character of any other areas of Lowestoft beyond Lake Lothing once the Scheme is constructed.
- 5.47 The assessment of visual amenity has concluded that there will be no significant effects on the view from Key Viewpoints once the Scheme has opened.
- 5.48 There are also no significant effects predicted to arise on views from within The Broads National Park to the west of the Scheme.

## **NATURE CONSERVATION**

- 5.49 Low numbers of bats have been recorded using the Scheme corridor. Surveys undertaken in 2016 and 2017 have not identified any bat roosts within the Scheme boundary and impacts on bats are predicted to be limited to disturbance during the construction phase of the Scheme and are not significant.
- 5.50 Reptile surveys have been undertaken on land both to the north and the south of Lake Lothing, and these have identified common lizards on grassland adjacent to the East Suffolk Line. A single record of a common lizard was also made on the south side of Lake Lothing.
- 5.51 Bird surveys have been undertaken in both the winter and spring of 2017. These identified a number of species that use Lake Lothing and the surrounding land, including a pair of breeding peregrine falcons on the grain silo building. However, neither peregrine nor any other bird species will be adversely impacted by the Scheme.
- 5.52 Surveys for terrestrial invertebrates have been undertaken on an area of land to the south of Lake Lothing and to the east of the carriageway. This area of rough grassland is a dedicated wildlife area for the five-banded weevil-wasp which is rare in the UK. It is a sand-burrowing insect and Scheme construction will require the permanent removal of supporting habitat for this species which is assessed as a slight adverse impact.
- 5.53 Marine invertebrates have been surveyed in the area of the Scheme Bascule Bridge piers

through the analysis of grab samples taken from the sediment at the base of Lake Lothing. No species of conservation concern were identified although a non-native mollusc (*Theora*) was present and control measures during construction will be employed to prevent further spread and colonisation as a result of the construction of the Scheme.

- 5.54 Fish surveys were undertaken with a beam trawler in four locations in Lake Lothing and no species of conservation concern were identified with the exception of a single eel.
- 5.55 The contractor will appoint an Ecological Clerk of Works (ECoW) who will be responsible for implementing the requirements of the interim CoCP.
- 5.56 Mitigation for the effects upon reptiles will include strimming of the vegetation under supervision of the ECoW prior to ground clearance. Any suitable habitat for nesting birds will be cleared outside of the nesting bird season, unless the ECoW confirms that nesting birds will not be affected by the clearance.
- 5.57 New habitat suitable for reptiles will be created as part of the landscaping adjacent to the northern roundabout and given the limited loss of suitable habitat for reptiles from the construction of the Scheme, there would be a slight beneficial effect for reptiles.

#### **GEOLOGY, SOILS and CONTAMINATION**

- 5.58 The assessment of impacts upon geology, soils and contamination has focused on identifying whether contaminated ground is present beneath the works area and therefore whether the soil is suitable for reuse during construction or whether it should be disposed of at an appropriate facility. The assessment has also considered the risks to groundwater beneath the site from piling activities.
- 5.59 A ground investigation, comprised of deep boreholes and shallow trial pits has been undertaken to obtain soil and ground water samples that have been subsequently analysed at a laboratory.
- 5.60 The results of the ground investigation have identified that the soil is largely suitable for re-use although some contaminated samples have been identified and the construction contractor will undertake further assessment as this material is excavated to identify the most appropriate form of use. The interim CoCP provides detail on the approach that the contractor must take to managing and mitigating the effects from geology, soils and contamination.
- 5.61 The assessment has also identified that sediment at the base of Lake Lothing that will need to be removed during the construction process is suitable for offshore disposal.
- 5.62 With the mitigation measures included within the interim CoCP in place, no significant effects upon geology and soils have been identified.

#### **NOISE and VIBRATION**

- 5.63 Noise and vibration assessments have focused on identifying and mitigating likely significant effects upon residents and business located in the vicinity of the Scheme during construction and once the Scheme opens to traffic.
- 5.64 The assessment has identified three Noise Important Areas (NIA) to the north of Mutford Bridge which are areas designated because homes there are within the noisiest 1% of properties nationwide.

- 5.65 During the construction phase the assessment has identified that, without mitigation, noise from construction plant and machinery will have significant adverse effects on the very closest properties to the Scheme.
- 5.66 Typical mitigation measures that will be implemented during the construction phase include the use of acoustic barriers around noise generating activities and the use of silenced or enclosed machinery. With mitigation measures in place, the majority of the noise from the construction phase can be mitigated but periodic significant adverse effects will remain.
- 5.67 With regard to vibration during the construction of the Scheme, the assessment has identified that with the inclusion of appropriate mitigation measures, it is anticipated, for the majority of the construction phase, that vibrational effects will not be significant. The Contractor will be required to propose mitigation measures to reduce vibration through their working methodology. During the operational phase, the effects of road traffic vibration will not be significant.
- 5.68 Once operational, the Scheme will divert traffic from the existing A47 Bascule Bridge and Mutford Bridge and therefore traffic noise in the vicinity of these crossings and on the approach roads is predicted to reduce. There will be significant beneficial effects to residences within the NIAs to the north of Mutford Bridge
- 5.69 As road traffic will increase along other roads, including Waveney Drive, Rotterdam Road and Tom Crisp Way, residential properties in these areas will experience an increase in road traffic noise which is considered to be a significant adverse effect. The Applicant has considered whether mitigation measures, such as noise barriers and low noise surfacing are appropriate to address the increase in noise at these locations, but due to the nature of the existing roads, mitigation is not possible.
- 5.70 The Environmental Statement has also considered the number of residences that may be eligible for payment through the Noise Insulation Regulations.
- 5.71 The detailed assessment of the impacts of noise and vibration is included in Chapter 13 of the Environmental Statement.

## **MATERIALS**

- 5.72 The assessment of effects on material resources has focused on the depletion of non-renewable materials that are required to construct the Scheme, the carbon emissions associated with the use of construction materials and the waste that is likely to be generated during construction.
- 5.73 With regard to the material usage that will be needed to construct the Scheme, the assessment has quantified the concrete, fill and road surfacing materials and subsequently identified that the quantity of material that is required to construct the Scheme is not significant in the context of the market for those products and therefore there is no significant effect upon natural resources.
- 5.74 With regard to carbon emissions, the assessment has used a Carbon Tool produced by Highways England to quantify that 11,669 tonnes of carbon dioxide (or equivalent gases) would be produced. Using the criteria provided by Highways England this degree of emission is a minor and not significant effect.

- 5.75 The Environmental Statement has also quantified that, using a worst case approach that all excavated waste is disposed of to landfill, that up to 76,000m<sup>3</sup> of material would need to be disposed of and within the context of nearby landfill capacity this does not constitute a significant effect.
- 5.76 The Scheme will require the excavation and disposal of sediment from Lake Lothing that will be generated during the construction phase. The Applicant has identified that the material is not contaminated and, subject to further testing, is suitable for offshore disposal.
- 5.77 Detailed assessment of the impacts upon materials is included in Chapter 14 of the Environmental Statement.

#### **PRIVATE ASSETS**

- 5.78 The assessment has considered potential impacts on affected landowners and businesses and has focused on the demolition of buildings and land take for the construction, operation and maintenance of the Scheme.
- 5.79 The assessment predicts that there will be direct impacts on residential properties and commercial businesses in the vicinity of Riverside Road and Waveney Drive and that this will constitute a significant adverse effect due to the demolition of property and the loss of business premises.
- 5.80 During the construction of the Scheme it will be necessary to close Lake Lothing to all marine vessels for a period likely to be three weeks whilst the bridge is being positioned and this will constitute a slight adverse but not a significant effect upon the operations of Associated British Ports (ABP). During this time, no vessel will be able to navigate through the area of the bridge, although the eastern inner harbour will remain operational.
- 5.81 At all other times during the construction of the Scheme, the Navigation Channel through Lake Lothing will remain fully open although periodic narrowing may be required.
- 5.82 The placement of the Scheme within Lake Lothing has been modelled in a vessel simulator held at East Coast College which has simulated how marine vessels will navigate along Lake Lothing once it has become open to traffic. This simulation has identified that, with reasonable additional mitigation measures in place, the Scheme does not pose an unacceptable risk to marine vessel safety and that risks are As Low As Reasonably Practicable (ALARP – a term used in the regulation and management of safety-critical and safety-involved maritime systems).
- 5.83 Once constructed, the Scheme will ‘oversail’ the operational port of ABP and the Scheme Bascule Bridge, and its associated fenders, will occupy an area of quay that is used by ABP at present as a berth. The Applicant has assessed the effect of this loss of quay, as well as the effect of the Scheme upon the Port operations and slight adverse impacts will result.
- 5.84 Once constructed, no remaining business will be significantly adversely affected given the limited land take that is required.
- 5.85 The detailed assessment of the impacts upon businesses and land use is set out in Chapter 15 of the Environmental Statement.

## **SOCIO-ECONOMIC including REGENERATION**

- 5.86 The assessment of socio-economics has focused on the likely effects of the Scheme on the local area including employment opportunities, tourism, the use of Lake Lothing as a passage for recreational vessels and the impacts upon local businesses.
- 5.87 Employment during construction is likely to peak at approximately 100 employees per day and the assessment predicts that this can be accommodated within the available labour force in Lowestoft. Therefore demand upon the hotel sector, during the construction phase will be limited and can be accommodated given the relatively low numbers of construction workers that are likely to be required and the fact that they will be drawn generally from within the existing local labour market.
- 5.88 During the construction of the Scheme it will be necessary to close Lake Lothing to all recreational vessels for a limited period likely to be three weeks whilst the bridge is being positioned. During this time, no recreational vessel will be able to navigate through Lake Lothing to or from the North Sea but this does not constitute a significant effect due to the duration of the closure.
- 5.89 Once operational, the Scheme will significantly improve opportunities for local communities to travel across Lake Lothing, due to the greatly improved access to the town centre. This improved access is likely to have benefits to the tourism sector due to a less congested road network.
- 5.90 Once operational, the Scheme has a 12m clearance and will allow a much greater number of recreational vessels to pass underneath, compared to the A47 Bascule Bridge, without requiring the bridge to be closed to road traffic. A scheme of operation for the opening of the Scheme Bascule Bridge is to be agreed and recreational vessels will be able to request a bridge at specific intervals over a 24 hour period.
- 5.91 However, as a recreational vessel cannot be guaranteed a bridge opening, recreational vessels could experience a delay whilst waiting for a bridge opening which as a worst case scenario is a significant adverse effect. Should a recreational vessel be held between the Scheme and the A47 Bascule Bridge a pontoon is provided that will allow a safe mooring until a bridge opening is provided.
- 5.92 Detailed assessment of the socio-economic impacts of the Scheme on the local area is included in Chapter 16 of the Environmental Statement.

## **ROAD DRAINAGE and the WATER ENVIRONMENT**

- 5.93 Lake Lothing is an artificially modified tidal water body connected to the North Sea, which allows marine access to the upstream Oulton Broad, via Mutford Lock. Under the Water Framework Directive it has an ecological status of 'Poor' which can be attributed to its use as a harbour, both in terms of potential contamination of sediments, modifications to the channel and regular dredging regime.
- 5.94 Assessments have been carried out to determine the impacts of the Scheme on the water environment from construction related pollution; surface water and groundwater pollution from highway run-off; pollution from accidental spillages; changes to the patterns of erosion and deposition of sediments; groundwater flows and a Water Framework Directive Assessment.
- 5.95 The assessments have identified that a range of mitigation measures are necessary during construction, including the establishment of prescribed safety distances from

watercourses for the storage of materials, methods to reduce the discharge of sediment into the Lake and the need for emergency response equipment to be available should it be required. These measures are presented in the interim CoCP and with the mitigation measures in place, there will be no significant effects upon the water environment.

- 5.96 An assessment of the effects of the Scheme on sediment transport and deposition in Lake Lothing has also been undertaken to identify potential effects on dredging. This assessment has concluded that, due to the speed of tidal flow in Lake Lothing, the Scheme will have a negligible effect on the movement of sediment around Lake Lothing with sediment deposition occurring in a similar pattern as at present.
- 5.97 During the operational phase of the Scheme, surface water runoff from the highway will be managed to reduce the risk of flooding. The drainage proposals are presented in greater detail in the Drainage Strategy which is Appendix 18B of the Environmental Statement.
- 5.98 The detailed assessment of the effects of the Scheme on the water environment is included in Chapter 17 of the Environmental Statement.

## **FLOODING**

- 5.99 The area surrounding Lake Lothing, including a large proportion of the land within the Scheme boundary, is a floodplain as identified by the Environment Agency.
- 5.100 The assessment of flood risk has focused on the risks of the Scheme from extreme flood events and also whether the Scheme will contribute to making flooding worse
- 5.101 In line with standard practice and the guidance from the Environment Agency, surface water discharge from the Scheme will be at a 'greenfield' rate i.e. water will be retained and held in tanks and ponds and only discharged into Lake Lothing at a rate that is equivalent to that from a greenfield. Further information is included in the Drainage Strategy (Appendix 18B of the Environmental Statement).
- 5.102 The assessment of the effects of the Scheme upon flooding has identified that the Scheme will lead to a small increase in existing flooding level within Lake Lothing, but will not lead to new flood risks elsewhere. This assessment includes an additional allowance, as advised by the Environment Agency, for climate change and the resulting potentially increased water levels during flood events.
- 5.103 Detailed assessments are provided in Chapter 18 of the Environmental Statement.

## **TRAFFIC and TRANSPORT**

- 5.104 The assessment of traffic effects has considered the capacity of the existing and proposed road junctions and how the Scheme would alter traffic flow through them as well as how non- motorised users, such as pedestrians and cyclists, will be affected.
- 5.105 The assessment confirms that the Scheme would have a positive effect on traffic flow through Lowestoft once construction is complete, particularly at the existing Lake Lothing crossings where there would be a reduction in traffic flow.
- 5.106 Some roads will however see an increase in traffic, such as Peto Way, Tom Crisp Way, Waveney Drive and Rotterdam Road.

- 5.107 Sensitivity testing has been undertaken to assess peak flows on Saturdays in addition to weekday am and pm peaks.
- 5.108 With regard to the capacity of existing and proposed road junctions, twenty three junctions have been considered and all have been shown to operate within design capacity during the peak hour with the exception of four junctions which are as follows with mitigation and monitoring proposed as appropriate.
- a) B1531 Victoria Road / B1531 Waveney Drive / Kirkley Run Mini Roundabout: An advanced traffic signal on the Waveney Drive arm in 2022 and full signalisation in 2037 if proven necessary following monitoring;
  - b) A12 Tom Crisp Way / Blackheath Road signalised junction: Introduction of MOVA (a computerised programme that maximises the efficiency of traffic lights to respond to traffic levels) urban traffic control system in 2022, and further monitoring of junction performance following this:
  - c) A1117 Normanston Drive / A1117 Peto Way roundabout: Minor geometric improvements to Peto Way to provide additional entry capacity.
  - d) A1117 Millennium Way / B1074 Somerleyton Road Signalised Junction: Additional entry lane on Somerleyton Road in 2037, if proven necessary following monitoring.
- 5.109 Following the implementation of these measures there would be no significant effects upon junction capacity.
- 5.110 The assessment has also identified that there will be a significant improvement in highway safety within Lowestoft and it is likely that there will be a reduction in accidents and a significant decrease in driver stress attributable to a decrease in delays.
- 5.111 With regard to non-motorised users, the assessment has concluded that there would be significant beneficial effects upon severance due to the pedestrian and cycling infrastructure that will allow new access across Lake Lothing and significant beneficial effects upon the fear and intimidation experienced by pedestrians when walking along roads where traffic is forecast to fall. There would be a significant adverse effect from fear and intimidation for pedestrians upon Waveney Drive.

## **CUMULATIVE EFFECTS**

- 5.112 The assessment of cumulative impacts has considered the impacts of the Scheme in combination with other projects that may be delivered within a similar timeframe.
- 5.113 The assessment has considered cumulative impacts from the following projects which are proposed, or consented, but not completed including:
- a) East Anglia THREE; a windfarm located offshore in the North Sea;
  - b) Sizewell C New Nuclear Power Station; two new nuclear reactors at the existing Sizewell site;
  - c) Sanyo Development Site; a residential development to the south of Lake Lothing;
  - d) Brooke Peninsula and Jeld Wen Development; a residential and commercial mixed use development to the south of Lake Lothing;
  - e) Great Yarmouth Third River Crossing; a bridge across the River Yare in Great

Yarmouth; and

f) Lowestoft Tidal Barrier; a proposed barrier in the outer harbour.

5.114 The assessment has considered the impact of concurrent construction in respect of air quality, noise, employment and traffic. No significant effects have been identified due to the projects not being constructed concurrently or where there is a cross over, the degree of impact is not sufficient to cause a significant cumulative adverse effect.

5.115 Synergistic cumulative effects (those where cross discipline impacts are combined i.e. an increase in dust at a site of ecological importance) have also been considered within the ES within the topic chapters. The assessment has included, amongst other aspects, the effect of change in road noise upon the setting of listed buildings, and the effects of road traffic emissions upon ecologically designated sites.

## **POLICY**

5.116 The following section of the Report considers the Scheme in the light of national and local planning policy.

### **National Policies**

5.117 The Planning Act 2008 requires that major infrastructure proposals must be considered in accordance with a relevant National Policy Statement (NPS). These relate to different topics and have been ratified by Parliament. In the context of this proposal, the relevant NPS is the overarching National Policy Statement for National Networks (December 2014). Reference should also be made to the NPS for Ports (January 2012) although no new port development is proposed the development potentially impacts on port and rail infrastructure.

5.118 The National Policy Statements set out a series of criteria against which the Planning Inspectorate should test applications. In large part, these replicate the types of test that would be used for any development proposal, including environmental impacts, alternatives, climate change adaption, pollution control.

### **NPS for National Networks (2014)**

5.119 This states that in considering any proposed development, and, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account:

- a) Its potential benefits, including the facilitation of economic development, including job creation, housing and environmental improvement, and any long term or wider benefits; and
- b) Its potential adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for adverse impacts.

5.120 On design, the NPS states that “Applicants should include design as an integral consideration from the outset of a proposal”.

5.121 Paragraph 4.31 acknowledges that “A good design should meet the principal objectives of the scheme by eliminating or substantially mitigating the identified problems by



improving operational conditions and simultaneously minimising adverse impacts. It should also mitigate any existing adverse impacts wherever possible, for example, in relation to safety or the environment. A good design will also be one that sustains the improvements to operational efficiency for as many years as is practicable, taking into account capital cost, economics and environmental impacts”

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

## **Planning Inspectorate Advice Notes**

### Advice Note 9

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

### Advice Note 17

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

## **Local policies**

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

## **Suffolk Local Transport Plan 2011-2031 (SLTP)**

- 5.128 The SLTP sets out a 20-year strategy which highlights the County Council's long- term ambitions for the transport network. It includes several long-standing aspirations for highway improvements in Lowestoft including the Third Lake Lothing crossing for which it

acknowledges there is a very strong desire in the local community.

#### **New Anglia Local Enterprise Partnership (NALEP) Norfolk and Suffolk Economic Strategy 2017**

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

- a) 88,000 net new jobs by 2036;
- b) 140,000 new homes by 2036; and
- c) 30,000 new businesses by 2036.

5.130 It acknowledges that Lowestoft suffers from congestion arising from the bottleneck created at the existing Bascule Bridge, and identifies a third crossing as a key transport priority to aid regeneration and growth in the town.

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

5.131 Policy CS05 – Lake Lothing and Outer Harbour Area Action Plan. Seeks the delivery of an Area Action Plan. An objective of the plan is better connections between the communities north and south of Lake Lothing

5.132 Paragraph 5.105 sets out the District Council’s support of the creation of a third road crossing of Lake Lothing, as an integral part of dealing with regeneration and transport problems and issues in Lowestoft.

5.133 Policy CS15 – Sustainable Transport – Identifies key transport infrastructure requirements including the third Lake Lothing crossing which is considered an integral part of dealing with transport problems and issues in Lowestoft and the sub-region.

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

5.134 The AAP helps to guide development in the area surrounding Lake Lothing and the Outer Harbour in Lowestoft.

5.135 The plan supports the creation of jobs, particularly in the energy sector, new homes, improved pedestrian, cycle and vehicle links, flood risk management measures and better connections to the waterfront.

5.136 Paragraph 3.5.22 New Streets and Vehicular Routes states that “a long-term ambition for the town a third crossing has been identified to provide a further vehicular connection across Lake Lothing. ...., it will be expected that developers will work with the Council to ensure that proposals will not restrict the future potential for a new road crossing”.

5.137 Policy SSP3 – Kirkley Waterfront and Sustainable Urban Neighbourhood, furthermore states that development should not preclude a potential third crossing.

#### **Waveney Local Plan Final Draft (March 2018)**

5.138 The Waveney Local Plan Final Draft has been published under Regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012 (as amended). The Local Plan has

been submitted to the Secretary of State for independent examination which will be held in October/November 2018.

- 5.139 The importance of the Third Crossing is recognised in the Final Draft Local Plan. The Overall Spatial Strategy for the Lowestoft area identifies the Lake Lothing Third Crossing as an essential strategic piece of infrastructure which is expected to be delivered during the plan period, to deliver and support the growth plans outlined within the plan.
- 5.140 Policy WLP1.4 – Infrastructure, supports the Lake Lothing Third Crossing.

#### **Suffolk Minerals Core Strategy (Adopted September 2008)**

- 5.141 Policy 6 safeguards aggregates facilities including wharves such as the one identified on Inset Map P5 on the north bank of Lake Lothing. The Scheme however has no direct impact upon the use of this wharf space.

#### **Suffolk Minerals & Waste Local Plan**

- 5.142 This emerging plan, which has reached submission stage, carries forward the previous policies of the Suffolk Minerals & Waste Development Framework, including the Suffolk Minerals Core Strategy safeguarding policy, and therefore the same comments apply.
- 5.143 The **East Suffolk Business Plan (2015 – 2023)** and the **East Suffolk Economic Growth Plan (2018-2021)** highlight the need for regeneration in Lowestoft to support the local economy. A specific action of the Business Plan is to accelerate delivery of a third river crossing which will help meet the strategy of the Growth Plan to build both the capacity and ambition for investment and growth.

#### CONSULTATIONS

- 5.144 The following section of the Report summarises consultation responses within the two local authorities in respect of the proposed Scheme.

#### **Highways**

- 5.145 There are several minor traffic modelling issues that need to be addressed prior to granting the DCO. While these issues are not considered to significantly affect overall impact of the scheme they may influence capacity or delays at individual roads and junctions.
- 5.146 It has been assessed that there will be a significant improvement in highway safety in Lowestoft as a result of this scheme. However, additional details are required, specifically the reasons for the number of collisions recorded at Junction 9a A12 Tom Crisp Way / Bloodmoor Road / A1145 / Castleton Avenue. Some refinement of the proposals at these locations may be required as a result.
- 5.147 The DCO includes orders for parking restrictions in the area of Riverside Road and Notley Road / Kimberley Road. Consultation has been undertaken but additional minor changes may be required as a result of the examination. It is noted that once the DCO is consented changes to such restrictions will be difficult.

- 5.148 It is recommended that details of any restrictions to the use of the public highway or mitigation measures are recorded and made available to future house purchasers via the CON29 process.
- 5.149 Some data regarding the impact of construction traffic is provided but the Highway Authority expects more information to be provided during the examination period as the project matures.

### **Archaeology**

- 5.150 Regarding the Environmental Statement - the WSI does not explicitly make clear that there may need to be further work based on the evaluation, and there are some gaps in coverage for elements which may be impacted by deeper works, subject to finalisation of the approach to construction.
- 5.151 In respect of the DCO - Requirement 10 in Schedule 2 could be amended to demonstrate that it relates to archaeology, and to tighten the links to submitted documents. We also usually have trigger points for discharging requirements set out in archaeological conditions, and an initial draft suggestion is set out - the intention is to ensure that archaeology is in place before physical works commence, and that the evaluation which covers the remaining uncertainties has been done.
- 5.152 Archaeology should be mentioned in the Interim Code of Construction Practice

### **Historic Buildings**

- 5.153 The classification of Grade II listed buildings and locally significant buildings and their assessment in terms of impact is not accepted. Nevertheless the overall conclusion that the new structures will provide a positive reinforcement of this part of Lowestoft and that there will be no harm to Conservation Areas.

### **Ecology**

- 5.154 The employment of an Ecological Clerk of Works is excellent practice, but there should be greater clarity of the role of the ecology, either through the Development Consent Order itself or through associated documents. Wherever possible, enhancements should be planned, agreed and implemented.

### **Landscape**

- 5.155 The methodologies used to assess the landscape and townscape impacts and the visual impacts are considered to be appropriate.
- 5.156 In terms of the impacts, it is considered that, on completion, there will be some existing areas where there will be a very limited adverse impact of the scheme, but it can be argued that the enhancements to a rather run- down area of the town around Lake Lothing itself, and the quality of the bridge design go some way to offsetting these effects where they occur. Significant effects are not anticipated to arise on views from within The Broads National Park to the west.
- 5.157 In more detail, looking at the landscape proposals for the area at the northern bridge approach, this area is probably not suitable for accessible public realm, unless there are

from plans in place for significant changes to the adjacent land - rather a SuDs biodiversity and visual amenity driven scheme along the lines of that associated with Tom Crisp Way may be the most appropriate model to follow.

### **Rights of Way**

5.158 No comments.

### **Air Quality**

5.159 The assessment appears to have been carried out in line with accepted and current guidance, using the most recent tools and data available.

5.160 It is not clear how congestion and queuing at junctions has been accounted for within the modelling. There is a risk therefore that concentrations and impacts will be under-predicted at receptors closest to junctions. It is unlikely though that the overall conclusions of the assessment will be significantly affected by this.

5.161 It is assumed that the traffic data used in the assessment are correct and complete, but these have not been presented.

5.162 There are a number of formatting issues which make the interpretation of the findings more difficult.

5.163 The volume of receptors included means that the assessment provided a good overview of the wider impacts of the Scheme. However, the assessment would benefit from greater analysis of those receptors where the highest concentrations and greatest impacts are predicted.

5.164 With regard to air quality issues during the construction phase, Construction activities of this scale and type by their nature have significant potential for generating dust and gaseous pollutants to the atmosphere, including from vehicle movements, excavations and handling and transport of materials, combustion sources and aggregate stockpiles. Further consideration should be given to the full list of mitigation measures described by the IAQM relating to High risk construction sites, and these measures should be included within the final CoCP/ air quality management plan to be adopted for the Scheme. It is also recommended that two real-time continuous PM10 monitors are established a minimum of three months prior to demolition and construction activities commencing, at locations representative of worst-case exposure. This would ideally include one location close to the north east corner of the Scheme Order Limits (residential property on Denmark Road), which lies downwind of construction site activities for the majority of the time, and is within 20m of the Order Limit) and one location on Waveney Drive, along the southern boundary of the Scheme Order Limits (again where residential properties lie within 20m of construction site activities). The monitoring equipment should be capable of alerting the Contractor when predefined thresholds are exceeded, and when mitigation measures are not being fully effective. This is to ensure the most sensitive locations are protected.

### **Noise Consultant**

5.165 Construction activities of this scale and type by their nature have significant potential for

generating noise, including from vehicle movements, temporary power generation, piling operations, excavation and handling of materials and associated plant and equipment, including the need to work at unsocial hours as circumstances dictate. It is likely that individual sources of noise will arise as short-term localized sources at different parts of the site as the development proceeds.

5.166 Traffic noise issues will be reported in the Alterations and Additions Report.

### **Floods & Water**

5.167 It would appear the treatment of surface water prior to discharge into Lake Lothing has not been given sufficient consideration. Given the Water Framework Directive status of Lake Lothing it is important that water is sufficiently treated for pollutants prior to discharge. Whilst ponds have been specified on the northern phase of the project it is unclear whether their proposed purpose is for treatment or storage. The size of these ponds (plan area and depth) has also not been specified, it is therefore not possible at this stage to determine their volume and whether or not they have been suitably sized.

5.168 Once surface water has been sufficiently treated there is no objection to the flow rate into Lake Lothing being unrestricted subject to the paragraph below.

5.169 It is noted that non-return valves are specified on the outfalls. The surface water drainage system will need to be designed to have sufficient storage capacity to accommodate rainfall events for the entire period that the system is fluviially or tidally locked, accounting for the inflow of the River Waveney into Lake Lothing throughout this 12hour period. Consideration must be given to the system being locked as a result of the operation of the planned tidal barrier.

### **Design**

5.170 The design elements of the project are not finalised in the documents submitted to the Planning Inspectorate at this stage. This is to allow further development of the detail once the contractors to the project are appointed. However this will be dealt with through a Design Guidance Manual. The first draft of this is part of the submitted documents, but it will be developed further during the course of the next few months in parallel with the Examination. This will be in co-operation with the local authorities and it is intended that it will be completed by the end of the Examination.

5.171 Within this context, the District Council's Design Officer considers that the process is appropriate and the involvement of the local authorities in its finalisation is to be welcomed. He then looks at issues raised in previous discussions on the proposals:

- a) Structural materials specification of the deck, supports and bascule. These are detailed technically in appendices to the Design Guidance Manual (DGM).
- b) Materials palette for lighting, seating, signage etc: This is clearly still work in progress, although the lighting design strategy has a very clear and strong concept for luminaire design at a good detailed level. Much else to do with the wig-wags, balustrading, surfacing, finished colours etc has yet to be detailed, although it is anticipated that the guiding principles that have been applied to the bridge design to do with its pared back minimalism, expressiveness of form, lack of clutter and functional simplicity should be carried through all of these other elements. It is anticipated that the

ongoing development of the DGM will express these aspirations and illustrate the detail.

- c) Full design of the control tower: this has now been arrived at and provides for a satisfactory conclusion, though he would express some reservations as to the architectural ambition when compared with the remainder of the bridge.
- d) Bridge layout in relation to viewing galleries and waiting areas: It is noted that these have been discounted as part of the design
- e) Full visualisations: some have been usefully included. In dealing with major development applications which are usually accompanied by sophisticated and photorealistic CGIs their absence here is disappointing given the opportunities to exemplify what will be a striking structure
- f) Assessment of the final design proposal against the set of the local authorities' design principles set out originally for this project has been satisfactory

5.172 The applicant will shortly appoint a "design and build" contractor where the detail of the design will be finalised. The local authorities will need to continue working with the applicant and its contractor on many elements of the Design Guidance Manual.

#### **Contaminated land**

5.173 There are two issues arising under this heading: that related to treatment of any material excavated from the site and then managing other risks from contaminants identified during construction.

5.174 On the excavated material, the precise extent and nature of subsoil contaminants is very difficult to predict owing to the varied industrial history of the areas concerned. Other sites developed in the vicinity have yielded significant asbestos contamination and the assessments carried out so far in relation to this project have identified the presence of asbestos and other key contaminants to varying degrees, which will require further detailed consideration as work progresses.

5.175 The specific requirement for greater detail in these respects to be included in the final Code of Construction Practice has been noted in the Interim Code of Construction Practice.

5.176 With regard to managing other risks, there have been several previous industrial land uses in the vicinity of the project with the potential to give rise to contamination and the potential for linkages to be established between potential contaminants and one or more specified receptors. The Interim Code of Construction Practice provides detail on the approach that the contractor must take to managing and mitigating the effects from geology, soils and contamination and this will be informed by further assessments on site prior to and during works. Developments in this respect will be monitored as investigations and works progress and resources directed to respond to acute issues if and when they arise.

## **Economic Development**

5.177 The bridge is a catalyst for further development within the Enterprise Zone and other adjacent employment sites through its potential to unlock these sites and providing greater connectivity within this area of the town. Employment and business growth will result from the crossing improving access to key employment sites within the Area Action Plan area and it is fully recognized that the third crossing scheme will make a critical contribution to the economic performance of both the town and sub region.

## **Delegation process issues**

5.178 The process by which examination now takes place for a Development Consent Order is very time prescribed. Within a few weeks, the local authorities will need to have submitted a Local Impact Report and, after engaging with the applicant and possibly negotiating changes to the documentation, produce statements of common ground and detailed representations to the Examining Authority. Accordingly it is necessary for the Head of Planning to have delegated powers to represent the District Council through the examination process and to prepare such documents as might be required, in pursuit of the resolution made by this Committee. As necessary, this may be after consultation with the chairman of the Committee.

5.179 If the Development Consent Order (DCO) is granted by the Secretary of State there will be a series of Requirements to discharge (broadly the equivalent of conditions on a planning permission). The discharging authority in the draft DCO is shown as the County Council. It is considered that it would aid clarity if it was made clear on the face of the DCO that, where appropriate, the County Council should only discharge any requirement after consultation with Waveney District Council.

## **CONCLUSION**

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

5.181 Drawing on the consultee responses above, whilst the proposed third crossing is very much supported and welcomed it is considered that there are some matters that require further resolution/inclusion.

## **RECOMMENDATION**

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



2. The proposed third crossing is very much supported and welcomed. However, drawing on the consultee responses there are some matters that require further resolution/inclusion within the Development Consent Order (DCO) application as follows:

**1) Highways**

- a) Several minor traffic modelling issues have been identified that need to be addressed prior to granting the DCO. While these issues are not considered to significantly affect overall impact of the scheme they may influence capacity or delays at individual roads and junctions. Officers will work with the applicant to resolve these prior to and during the examination.
- b) Further detailed resolution is required on road safety issues at a small number of junctions. These are capable of resolution during the course of the Examination.
- c) Attention is drawn to the inflexibility of the DCO process to allow changes to agreed plans after consent is issued. This would make later alterations to such items as parking restrictions difficult although it is accepted that the applicant has undertaken consultation with stakeholders and that revisions can be made during the examination which reduces this risk. Officers will work with the applicant to ensure details are as accurate as possible before the conclusion of the Examination.
- d) The impact of construction traffic will require further consideration as additional information becomes available and this will need to be dealt with within the final version of the Code of Construction Practise.

**2) Archaeology**

- a. the Environmental Statement should make clear that further archaeological work will be required;
- b. the DCO should make clear that an archaeological strategy should be in place before works commence;
- c. the Code of Construction Practice should mention archaeology;

**3) Ecology**

- a) greater clarity on the role of ecology should be included in the DCO or its supporting documents and enhancements should be planned, agreed and implemented;

**4) Landscape**

- a) with regard to the northern approach to the bridge, a public realm strategy there is not likely to be appropriate, However, there should be the inclusion of a sustainable drainage, biodiversity and visual amenity driven scheme along the lines of that associated with Tom Crisp Way for the northern landing of the bridge;

**5) Air Quality**

- a) It is not clear (and how) congestion and queuing at junctions has been accounted for within the modelling. There is a risk therefore that concentrations and impacts will be under-predicted at receptors closest to junctions and the assessment would benefit from greater analysis of those receptors where the highest concentrations

and greatest impacts are predicted.

- b) Further consideration should be given to the full list of mitigation measures described by the IAQM relating to High risk construction sites and these measures should be included in the final Code of Construction Practise or the Air Quality Management Plan to be adopted for the scheme.

## **6) Design**

- a) The local authorities should continue working with the applicant and contractor on the Design Guidance Manual to achieve a high quality design for the scheme.

## **7) Floods and Water**

- a) Further consideration should be given to the treatment of surface water prior to discharge into Lake Lothing.
- b) Non-return valves are specified on the outfalls. Consideration should be given to the storage required when the system is fluvially or tidally locked as well as the implications of operations of the proposed new tidal barrier.

## **8) Contaminated Land**

- a) The local authorities will need to continue to work with the applicant in the development of the Code of Construction Practise in respect of the development of procedures for any issues arising on contaminated land.

## **9) Delegation**

- a) To delegate to the Head of Planning and Coastal Management the ability to prepare documentation to support the forthcoming Examination of the DCO, negotiate with the applicant and agree Statements of Common Ground in pursuit of the matters listed above, if necessary after consultation with the Chairman of this Committee.
- b) To recommend that it should be made clear on the face of the DCO that, where appropriate, the discharge of requirements should only take place after consultation with Waveney District Council.

**BACKGROUND  
INFORMATION:**

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

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

- b) Planning Inspectorate's National Infrastructure Planning Website:

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

**CONTACT**

Phil Perkin, Team Leader North Area (01502) 523073,  
[philip.perkin@eastsoffolk.gov.uk](mailto:philip.perkin@eastsoffolk.gov.uk)