

The Great Grid Upgrade

BT-NG-020621-545-0270

Bramford to Twinstead Reinforcement

Volume 8: Examination Submissions

Document 8.7.3: Applicant's Comments on Other Submissions Received at Deadline 4

Final Issue A
December 2023

Planning Inspectorate Reference: EN020002

The Infrastructure Planning (Examination Procedure) Rules 2010 Regulation 8(1)(k)

nationalgrid

Contents

1.	Introduction	1
1.1	Purpose of the Document	1
1.2	Project Overview	1
1.3	Working Hours and Noise Sensitive Receptors	1
1.4	Structure of the Document	2
2.	Applicant's Comments on the Submission from Suffolk County Council	4
2.1	Introduction	4
2.2	Table of Responses	4
3.	Applicant's Comments on the Submission from Babergh and Mid Suffolk District Council	82
3.1	Introduction	82
3.2	Table of Responses	82
4.	Applicant's Comments on the Submission from Essex County Council and Braintree District Council	92
4.1	Introduction	92
4.2	Table of Responses	92
5.	Applicant's Comments on the Submission from Dedham Vale AONB and Stour Valley Partnership	130
5.1	Introduction	130
5.2	Table of Responses	130

6.	Applicant's Comments on the Parish Councils of Assington, Bures St Mary, Leavenheath, Little Cornard. Polstead and Stoke by Nayland	133
6.1	Introduction	133
6.2	Table of Responses	133
7.	Applicant's Comments on the Submissions from Michelle Maslen	137
7.1	Introduction	137
7.2	Table of Responses	137
8.	Applicant's Comments on the Submissions from Alan Hall	138
8.1	Introduction	138
8.2	Response	138

Table 2.1 – Applicant's Comments on the SCC Deadline 4 Submission	4
Table 3.1 – Applicant's Comments on the BMSDC Deadline 4 Submission	82
Table 4.1 – Applicant's Comments on the ECC/BDC Deadline 4 Submission	92
Table 5.1 – Applicant's Comments on the Partnership's Deadline 4 Submission	130
Table 6.1 – Applicant's Comments on the Partnership's Deadline 4 Submission	133
Table 7.1 – Applicant's Comments on Michelle Maslen's Submission	137

Appendix A: Road Section Receptor Sensitivity Categorisation

1. Introduction

1.1 Purpose of the Document

- 1.1.1 This document provides National Grid Electricity Transmission plc's (the Applicant's) comments on the other submissions from Interested Parties received at Deadline 4 in response to an application for development consent for the Bramford to Twinstead Reinforcement (the project).

1.2 Project Overview

- 1.2.1 An application for development consent was submitted to the Planning Inspectorate on 27 April 2023 to reinforce the transmission network between Bramford Substation in Suffolk, and Twinstead Tee in Essex. The project would be achieved by the construction and operation of a new electricity transmission line over a distance of approximately 29km comprising of an overhead line, underground cables and a grid supply point (GSP) substation. It also includes the removal of 25km of the existing distribution network, 2km of the existing transmission network and various ancillary works.
- 1.2.2 The application for development consent was accepted for Examination on the 23 May 2023.
- 1.2.3 A full description of the project can be found in Environmental Statement (ES) Chapter 4: Project Description **[APP-072]**.

1.3 Working Hours and Noise Sensitive Receptors

- 1.3.1 Following the feedback from the councils in the Local Impact Report (LIR) **[REP1-039]**; **[REP1-044]** to **[REP1-069]** and from the ExA at the hearings **[EV-028 to EV-045]**, the Applicant has undertaken further work around the working hours to identify whether commitments can be made to reduce potential disturbance to local communities during construction. To this effect, the Applicant has made a new commitment to not undertake percussive piling (one of the noisiest activities anticipated on the project) on Sundays and Bank Holidays and this wording has been added to Requirement 7 of the draft Development Consent Order (DCO) at Deadline 5 (**document 3.1 (E)**).
- 1.3.2 In addition, the Applicant is undertaking a review of the noise sensitive receptors where noisy activities could occur at weekends combined with the duration of those activities (noting that this is a rural location where the works are typically at a distance from community receptors), with the intention of making further commitments in relation to these specific locations. The intention is to include this list of locations and commitments in the noise chapter of the Construction Environmental Management Plan (CEMP) at Deadline 6. The Applicant has attended a meeting with the planning authorities to discuss this approach and agreed that these

specific locations will be shared with the planning authorities to confirm if they have additional locations where they have concerns about noise and the working hours, and will review their suggestions as part of this process. The Applicant will provide an update on progress on this matter at Deadline 6.

1.4 Structure of the Document

- 1.4.1 The Applicant has responded to paragraph numbers used in the individual submissions, grouping paragraphs where relevant. The responses provided by other parties have largely been included verbatim. However, on occasion the Applicant has paraphrased this response and made other stylistic/ grammatical changes to the text. It is not considered that these changes are material to the response provided however in the first instance, the Applicant would direct the reader to the original response.
- 1.4.2 Generally, the Applicant has also not commented on matters that the other Interested Party has said it is not concerned about, has no further comments to make or where it has deferred to another Party on a specific matter. The Applicant has no comments to make on the East Anglia Three Limited Deadline 4 Submission **[REP4-044]**, therefore, no response is provided in this document. The Applicant has noted the response from Nick Miller **[REP4-052]** containing the dormouse survey information but has no specific comment to make at this stage on this, therefore, no response is provided in this document.
- 1.4.3 The other submissions that were received from other Interested Parties at Deadline 4 and that have been commented on are:
- Chapter 2: Suffolk County Council (SCC) covering the following:
 - Any further information requested by the ExA under Rule 17 of The Infrastructure Planning Rules 2010 **[REP4-020]**;
 - Comments on responses to ExQ1 **[REP4-033]**;
 - Issue Specific Hearing (ISH2) Any post-Hearing submissions or other documents requested by the ExA at the Hearings **[REP4-043]**;
 - ISH3 Any post-Hearing submissions or other documents requested by the ExA at the Hearings **[REP4-021]**;
 - ISH4 Any post-Hearing submissions or other documents requested by the ExA at the Hearings **[REP4-039]**;
 - Responses to comments on LIRs **[REP4-008]**; and
 - SCC Deadline 4 Submission - Comments on submissions received at Deadline 3 **[REP4-046]**.
 - Chapter 3: Babergh and Mid Suffolk District Council (BMSDC) response **[REP4-051]**;
 - Chapter 4: Essex County Council (ECC) /Braintree District Council (BDC) response **[REP4-049]**;
 - Chapter 5: Dedham Vale Area of Outstanding Natural Beauty (AONB) and Stour Valley Partnership responses:

- Any post-Hearing submissions or other documents requested by the ExA at the Hearings [**REP4-001**]; and,
- Any post-Hearing submissions or other documents requested by the ExA at the Hearings (not responding to) [**REP4-025**].
- Chapter 6: The Parish Councils of Assington, Bures St Mary, Leavenheath, Little Cornard, Polstead and Stoke by Nayland response [**REP4-016**];
- Chapter 7: Michelle Maslen's responses:
 - Any specific responses to points raised in oral submissions to the Hearings (not responding to) [**REP4-003**];
 - Any specific responses to points raised in oral submissions to the Hearings (not responding to) [**REP4-024**]; and,
 - Any specific responses to points raised in oral submissions to the Hearings [**REP4-047**].
- Chapter 8: Alan Hall's responses:
 - Comments on responses to ExQ1 [**REP4-007**]; and
 - Comments on submissions received at Deadline 3 [**REP4-035**].

2. Applicant's Comments on the Submission from Suffolk County Council

2.1 Introduction

- 2.1.1 Table 2.1 summarises the Applicant's comments to submissions provided by SCC at Deadline 4. The Applicant has no comments on the Cover Letter [REP4-020]. The Applicant has also not commented on matters that SCC has said it is not concerned about or where it has deferred to another Interested Party on a specific matter, therefore the numbering in Table 2.1 is not consecutive.
- 2.1.2 In some cases, where the point raised is lengthy, the Applicant has summarised the key points to keep the document concise.

2.2 Table of Responses

Table 2.1 – Applicant's Comments on the SCC Deadline 4 Submission

Ref	Matter	Point Raised	Applicant's Comments
Comments on Responses to ExA's First Written Questions [REP4-033]			
1a	Socio-economics and other community matters: Employment	SCC does not consider the worker numbers in the Socio Economics and Tourism report [APP-066] to be a thorough or evidence-based examination of the possibility of local labour and requests that the Applicant does further work to define the skills needed within its workforce and compares this to the skills available within the local labour market providing an evidence-based approach to assessing likelihood of local labour.	The worker numbers in the Socio Economics and Tourism Report [APP-066] have been calculated by one of the Applicant's Framework Contractors who is experienced in delivering this type of project for the Applicant. The resourcing levels have then been overlaid on the construction schedule to generate the resource histogram used in the Socio Economics and Tourism report [APP-066].
1a	Socio-economics and other community matters: Employment	SCC also note that the job roles that the Applicant expects will be taken up by local labour are not skilled and will provide little to no employment legacy to the region. Therefore, it is expected that the Applicant will seek to provide opportunities to skilled roles for local labour through upskilling local people in time to take up roles on the project and through the provision of apprenticeship opportunities. The commitment for the Applicant to create these positive	<p>The majority of employment activities would require trained specialists who are qualified to work on National Grid infrastructure, and these would be sourced through an appointed Main Works Contractor from an existing pool of approved framework contractors.</p> <p>Experience based on other National Grid projects suggests that it is likely that a minimum of 10% of the workers would be</p>

Ref	Matter	Point Raised	Applicant's Comments
		opportunities should be secured within the DCO as should a minimum percentage of local labour once further assessment has taken place. This will provide confidence in the Applicants commitment to maximising opportunities for the local community.	sourced from the local labour market, including apprentices. This level of local employment, based on a peak monthly employment assumption of 350 workers, could result in the peak monthly local job demand being up to 35. The Applicant cannot commit to specific numbers, and it would not be appropriate to do so as it is imperative that it appoints the right numbers of suitably qualified staff to deliver this Nationally Significant Infrastructure Project (NSIP) by 2028.
1b	Socio-economics and other community matters: Employment	<p>SCC maintain that until a full workforce profile has been provided, the Applicant cannot assume there will be no likely significant socio-economic effects.</p> <p>There are a significant number of projects within Suffolk and its surrounding counties that require specialised skills like those that will be needed in the construction of this project. SCC is seeking to secure benefit for, and investment in, local businesses and skills to maximise positive opportunities that arise from hosting these projects and only through a thorough assessment of this project's workforce and supply chain needs can these opportunities be defined.</p>	<p>See above response to 1a for how the workforce profile has been generated. Given the low numbers of workers anticipated and that the Applicant has not identified any likely significant effects in relation to this matter, the Applicant does not consider there to be a need to submit a more detailed workforce profile into Examination.</p> <p>Previous National Grid project experience indicates that these workers would be split between around 10% from the local area and 90% who would travel into the area from elsewhere (and likely to already be employed by the Main Works Contractor, specialist staff will move from one project to another). Assuming an average of around 180 workers on site at any one time, this would equate to an average of 18 local workers and 162 non-local workers.</p> <p>The Applicant promotes the use of local supply and small/medium enterprises through main contractors by embedded targets within its framework contracts. The Applicant will continue to work with relevant planning authorities and business leaders at a national, regional and local level to identify opportunities to invest in employment networks, including looking for opportunities to work with local businesses.</p>
1c	Air quality	SCC would query the Applicant whether pollution monitoring will be used on the construction routes.	Section 13.8 of ES Chapter 13 Air Quality [APP-081] concludes that there are no likely significant effects in relation to air quality receptors during construction. Therefore, no mitigation measures have been identified beyond the good practice measures set out in the Code of Construction Practice (CoCP) (Appendix A of the CEMP) [REP3-026] and monitoring is not required.

Ref	Matter	Point Raised	Applicant's Comments
1e	Historic environment	<p>SCC notes that the trenched archaeological evaluation is still ongoing and there are areas where trenching has not been undertaken, in Area G2 due to ecological constraints in Suffolk.</p> <p>Any decisions on the appropriate level of archaeological mitigation will need to be agreed by the relevant local authority archaeological advisors. To date, SCC has not approved the Outline Written Scheme of Investigation (OWSI), and have only been sent copies of summary reports of trenched archaeological evaluation stages 1 – 4, stage 5 fieldwork is currently ongoing. The summary reports do not contain scientific analysis or specialist assessment of finds that evaluation reporting would contain. Based on the results of the summary reporting, SCC is in a position to discuss mitigation with the applicant, however, the level of archaeological mitigation may change depending on the results of the trenching as they are made available.</p> <p>SCC would strongly advise that trenching results for the undergrounding section of the scheme are combined with the results of the geophysical survey to aid in the formulation of mitigation strategies to be presented within the OWSI.</p> <p>SCC is concerned that there is no provision for further evaluation particularly within the over-head sections of the scheme relating to work required on the pylon sites and haul roads. As pylon locations are not yet determined, post-determination trenched archaeological evaluation within the overhead sections would accurately quantify the archaeological resource, both in quantity and extent and allow for decisions on the location/micro-setting of the pylon within the LoD as well as the need for, and scope of any further work based on the results of the evaluation. Post-determination archaeological evaluation would also be used to catch any areas that were not possible to trench up-front due to health and safety and ecological constraints, as well as serve as a contingency for areas where upfront archaeological evaluation is shown to be lacking, to aid in the formulation of mitigation strategies.</p>	<p>Archaeological trial trenching has been completed in all cable undergrounding areas subject to disturbance from proposed surface excavation. Final reporting of the trial trenching is underway, which will include scientific analysis and specialist assessment.</p> <p>The results of the geophysical surveys has informed the archaeological trial trenching locations and both of these surveys have been used to refine the mitigation proposed in the OWSI (document 7.10 (B)), which has been updated at Deadline 5 to reflect the trial trenching results.</p> <p>The Applicant considers that the approach set out in the OWSI (document 7.10 (B)) for the overhead sections is appropriate and proportionate. The ground disturbance in the overhead line sections is more limited than the underground cables and the pylon locations have yet to be determined (within the Limits of Deviation (LoD)).</p> <p>Trial trenching large areas within the LoD of the Overhead line sections would have disturbed archaeology unnecessarily and generated results which would have made only a minimal contribution to pylon placement, given all the other factors that determine the location of the pylon. Therefore, the OWSI (document 7.10 (B)) sets out a proportionate approach to mitigation in the form of a watching brief. This will ensure preservation by record of any buried archaeological remains at risk of removal or damage.</p>

Ref	Matter	Point Raised	Applicant's Comments
Post-Hearing Submission for the Second Issue Specific Hearing (ISH2) on the draft DCO and Related Matters [REP4-043]			
4.1a	Considering what would constitute materially new or materially different environmental effects from those assessed in the ES	<p>SCC does not have a concern in principle with the use of 'materially new or materially different environmental effects' and has not requested any special ability to be the arbiter of whether something done under the relevant provisions of the draft DCO (dDCO) gives rise to such effects. SCC accepts the point made by the Applicant that ultimately there is a criminal sanction, which would apply to the undertaker, were they to do things which were not in accordance with the terms of the DCO, including contravening any 'materially new or materially different' provision.</p> <p>SCC has raised some drafting points on the issue, one of which (in Schedule 1 as regards associated development) has been addressed. Another point which has not been addressed is in paragraph 1(4) of Schedule 3 (requirements). As drafted, it says that approval or agreement under a requirement can only be given where it has been demonstrated to the satisfaction of the relevant highway authority or the 'relevant planning authority' that the subject matter of the approval or agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement. SCC considers this should say 'does not' rather than 'is unlikely to'. SCC refers to its response to DC1.6.105 [REP3-078].</p> <p>As mentioned at the hearing, some of the concerns around this topic would be more likely to be allayed if there were more clarity about the control documents and in particular the Management Plans referred to in requirement 4. The more detail that there is, the easier it would be for all parties to assess whether there were or were likely to be a materially new or materially different environmental effect.</p> <p>The position which SCC rehearsed, in part at ISH1, is whether the control documents in their current state provide the ExA with sufficient information already, or whether the flexibility that the Applicant wants, because it has not appointed a contractor, means that there is not sufficient information to enable the ExA to be satisfied that all relevant</p>	<p>The Applicant notes that the specific amendment requested by the Council in respect of paragraph 1(4) of Schedule 3 of the dDCO (document 3.1(E)) was made at Deadline 4.</p> <p>Reference is made in this respect to Table 4.1 in the Applicant's Schedule of Changes to the draft Development Consent Order [REP4-012], and also to matters stated in the Applicant's Comments on Responses to First Written Questions [REP4-029] and to the Applicant's Written Summary of Oral Submissions to Issue Specific Hearing 2 [REP4-017].</p> <p>In terms of the Council's submissions related to the level of detail included in the Management Plans and, in turn, to the discharge of AP4 arising from Issue Specific Hearing 2, the Applicant notes the following response provided in Table 17 of the Council's Responses to Comments on LIRs [REP4-008]:</p> <p><i>'SCC (Local Highways Authority) notes that there were further details provided, in addition to paragraph 17.57 of the Suffolk Joint LIR [REP1-045], in paragraphs D.114 to D.132 and D.158 to D163 in Annex D of the LIR [REP1-044].</i></p> <p><i>SCC (Landscape) will provide a full review (tracked-change version) of the D3 LEMP [REP3-034] for Deadline 5. Annex A of this document provides an outline of concerns with the control documents in relation to landscape and visual impacts.'</i></p> <p>The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.</p> <p>Flexibility is sought to enable the efficient and cost-effective delivery of this urgent NSIP, and to ensure the Main Works Contractor can take advantage of opportunities to reduce impacts, increase efficiency and change approach when faced with unforeseen issues. Detail should only be secured where it is necessary to retain this flexibility. The Applicant is of the view that in general the necessary controls are already within the Management Plans and this detail is not omitted because a Main Works Contractor is not appointed, but because this</p>

Ref	Matter	Point Raised	Applicant's Comments
		<p>matters have been appropriately assessed, such that there ought to be an opportunity or requirement for further iterations of the control documents to be provided after the DCO is made, giving the local authorities the opportunity to comment.</p> <p>The Applicant responded to this concern by asking SCC which documents were of concern and why. This has been followed up by the ExA in action point AP4, asking SCC for a detailed review in due course (Deadline 4 or Deadline 5) of problems perceived with the control documents/ Management Plans. The results of this review are set out in SCC's response to comments on the Joint LIR Table 17 (table reference 17a).</p>	<p>detail is not considered necessary to secure. However, the Applicant is continuing to work with local planning authorities to reach agreement such that the Management Plans can be agreed between the parties.</p>
4.1b	The case for the amendment of Article 57 / Schedule 17	<p>The drafting of Article 57 is not identical to the precedents and SCC considers it could be tidied up a little, as shown below. While none of these amendments are major, the main one is the proposed amendment to paragraph (5). This change generally reflects the precedent A47 Wansford to Sutton DCO 2023 so that plans and documents that do not require amendment before certification are made available shortly after the Order making stage and only those that will require amendment before certification can be delayed until the completion of the certification stage. This ensures that local authorities, landowners, the public, and any other interested parties have access to the documentation at the earliest practical stage.</p> <p><i>'57.—(1) National Grid must, as soon as practicable after the making of this Order, submit to the Secretary of State copies of the <u>plans and documents and plans</u> identified in Schedule 17 (Certified Documents) of this Order for certification that they are true copies of <u>the those plans and documents</u> referred to in this Order.</i></p> <p><i>(2) A plan or document so certified is admissible in any proceedings as evidence of the contents of the document of which it is a copy.</i></p> <p><i>(3) Where any plan or document set out identified in Schedule 17 (Certified Documents) <u>is requires required</u> to be amended to reflect the terms of the Secretary of State's</i></p>	<p>The Applicant has had regard to the Council's submissions in relation to Article 57.</p> <p>The Council's proposed amendments to sub-paragraphs (1) and (3) of Article 57 have been incorporated within the dDCO (document 3.1 (E)) submitted at Deadline 5. See also the Applicant's Schedule of Changes to the draft Development Consent Order (document 8.4.2 (D)).</p> <p>However, the Applicant does not agree with the Council's proposed amendments to sub-paragraph (5).</p> <p>Whilst the Applicant acknowledges the importance of ensuring that local authorities, landowners, members of the public and other interested parties have ready access to the plans and documents referred to in Schedule 17 of the dDCO (and notes the invaluable role played by the National Infrastructure Planning website in this regard), this is a separate point to that which Article 57 as a whole seeks to address; namely to require the undertaker to promptly take steps to ensure that certified versions of those plans and documents are made available as a matter of definitive public record.</p> <p>Notwithstanding the approach taken in the A47 Wansford to Sutton Development Consent Order 2023, the Applicant considers that the Council's amendments could well give rise to practical uncertainty insofar as uncertified documents are inadvertently construed as being a definitive public record for</p>

Ref	Matter	Point Raised	Applicant's Comments
		<p><i>decision to make this Order, that plan or document in the form amended to the Secretary of State's satisfaction is the version of the plan or document required to be certified under paragraph (1).</i></p> <p><i>(4) Where a plan or document certified under paragraph (1)—</i></p> <p><i>(a) refers to a provision of this Order (including any specified requirement) when it was in draft form; and</i></p> <p><i>(b) identifies the provision by number or combination of numbers and letters, which is different from the number or combination of numbers or letters by which the corresponding provision of this Order is identified in the Order as made;</i></p> <p><i>the reference in the plan or document concerned must be construed for the purposes of this Order as referring to the provisions (if any) corresponding to that provision in the Order as made.</i></p> <p><i>(5) The undertaker must, <u>as soon as practicable following the making of this Order following certification of the plans or documents in accordance with paragraph (1), make those the plans or and documents identified in Schedule 17, as may be amended in accordance with paragraph (3),</u> available in electronic form for inspection by members of the public.'</i></p>	<p>an unspecified period of time whilst the certification process is undertaken by the Secretary of State.</p>
4.1b	Certified documents	<p>SCC notes two of the documents defined in Article 2 (interpretation) do not appear in Schedule 17 and so will not be certified. These documents are the Archaeological Framework Strategy and OWSI. The Applicant could be asked to explain why these documents will not be certified.</p>	<p>The Applicant is content to include reference to the Archaeological Framework Strategy [APP-186] and the Outline Written Scheme of Investigation (document 7.10 (B)) in Schedule 17.</p> <p>This amendment is reflected in the dDCO (document 3.1 (E)) submitted at Deadline 5.</p>
4.1b	Certified documents	<p>A minor drafting point: save for four exceptions, the document reference used in Schedule 17 for each document listed in that schedule is referred to in the corresponding definition of the document in Article 2 (interpretation). The four exceptions are the definitions of: the Land Plans (which does not include reference 2.3); Work Plans (which does not</p>	<p>The omission, from Article 2(1) of the dDCO (document 3.1 (E)), of a document reference number for each of the Land Plans [REP1-004], Special Category Land Plans [APP-009], Traffic Regulation Order Plans [APP-011] and Work Plans [APP-010] (and, indeed, the Access, Rights of Way and Public Rights of Navigation Plans [APP-012] and the Trees and</p>

Ref	Matter	Point Raised	Applicant's Comments
		include reference 2.5); Special Category Land Plans (which does not include reference 2.4); and Traffic Regulation Order Plans (which does not include reference 2.6). For consistency with the way the other documents are defined, the Applicant might wish to amend these four definitions.	<p>Hedgerows to be Removed or Managed Plans [APP-017] is intentional.</p> <p>In each of those cases, those defined terms refer to the corresponding Part of Schedule 2 where the particulars of each set of Plans, including document reference number, are contained.</p> <p>Therefore, the Applicant does not consider it necessary to include further document reference numbers in Article 2(1).</p>
4.1c	The need for an 'appeal' mechanism if agreement could not be reached on materiality	SCC does not consider there needs to be such a provision. As mentioned above under 4.1a, the question of whether the undertaker has complied with the 'materiality' provisions would ultimately be a matter for the local planning authority as enforcement authority under Part 8 of the Planning Act 2008.	The Applicant notes that the Council's submissions on this point are substantially aligned with those set out in Table 3.1 (Item iii.) of the Applicant's Written Summary of Oral Submissions to Issue Specific Hearing 2 [REP4-017].
5.1	Amended wording of existing Articles, Requirements and Schedules suggested by the Suffolk councils in response to ExQ1 questions DC1.6.85, DC1.6.93, DC1.6.105 and DC1.6.119 [PD-005]	To assist, Table B1 of Annex B provides an extract of SCC response to the questions noted in this agenda item as originally submitted at Deadline 2 [REP2-078].	The Applicant refers to the Applicant's Comments on Responses to First Written Questions [REP4-029], and particularly to Appendix A of the same which provides a detailed response to matters raised by the Council in response to ExQ1 DC1.6.105.
5.2	The need for, and wording of new Requirements put forward by the Essex councils in response to ExQ1 question DC1.6.97 [PD-005]	SCC is generally supportive of a requirement of ECC request for the control of lighting during construction, particularly as the Applicant intends to carry on night time working. The requirement put forward by ECC is drafted so that it would be applicable to a specific site or sites. SCC suggests an alternative more general approach, based on requirement 23 of the East Anglia THREE Offshore Wind Farm Order 2017.	<p>Section 6.4 of the CEMP [REP3-024] sets out the construction lighting proposals. The Applicant disagrees that the compounds will be heavily lit, as paragraph 6.4.3 states that the construction lighting will be installed in accordance with GN01:2020, BS EN 12464-2:2014 (Outdoor Workplaces) and lighting will be the lowest average lux levels necessary for safe delivery of each task. This will also be positioned and directed to reduce the intrusion into adjacent properties and habitats, where practicable i.e. where it still provides sufficient lighting to safely undertake the task.</p> <p>The Applicant will appoint one of its framework contractors to deliver the construction of the project. These contractors are used to delivering projects in compliance with Management</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>Plans and the Applicant will also be undertaking checks that this is done.</p> <p>Compliance with the Management Plans is secured through Requirement 4 of the dDCO (document 3.1 (E)).</p>
5.2	The need for, and wording of new Requirements put forward by the Essex councils in response to ExQ1 question DC1.6.97 [PD-005]	The requirement suggested by ECC would restrict heavy goods vehicles (HGV) movements on non-strategic roads between certain hours, unless there were exceptional and justified circumstances. SCC is supportive of this approach, which chimes with its comments on working hours.	<p>As the Transport Assessment [APP-061] evidences the HGV movements on the project are low, especially given the geographical extent of the works. The assessment results are provided in Chapter 7 and Appendix E of the TA [APP-061] and conclude that project construction traffic would not have a substantial impact on either the LRN or the SRN, even with substantial contingency built into the forecast traffic numbers (as set out in Chapter 6).</p> <p>The Applicant notes that responses have been received from members of the community and local planning authorities specifying that travel should be outside peak times. This representation suggests deliveries should be within 'core hours', which would either conflict with the other responses or seek to further restrict when HGVs can access the site. Restricting these hours is not considered to be necessary or proportional given the level of traffic expected, the temporary nature of construction traffic, the urgent need for the infrastructure planned and the fact that traffic on local roads is spread out over a linear project and reduced by the construction of temporary access routes.</p> <p>Further, whilst the hours assumed in the TA are considered to be a reasonable worst case; this is very different to being able to secure HGV times on a day-to-day basis. Numerous factors can occur on a particular day that would affect the time a HGV arrives at site, from incidents on the road, delays to deliveries at ports, personnel related delays and so on. An unintended consequence of a requirement to restrict HGV movements may mean that vehicles need to park to wait for 'core hours'. This in itself could lead to adverse impacts.</p>
5.2	The need for, and wording of new Requirements put forward by the Essex	SCC is generally supportive of clear communications with the community. Currently, this is dealt with in the GG25 of the CoCP [REP3-027]. This is an example of where further detail needs to be provided either now, or at a later iteration	Section 3.4 of the CEMP [REP3-024] sets out the Applicant's proposals regarding community engagement.

Ref	Matter	Point Raised	Applicant's Comments
	councils in response to ExQ1 question DC1.6.97 [PD-005]	<p>of the CEMP, in which the CoCP is contained. For example, details about:</p> <ul style="list-style-type: none"> • Which 'members of the community' and local businesses will be kept informed, and how they will be selected? • What is meant by 'active community liaison' apart from the one example given? • What sort of action will be taken by the contractor on receipt of a concern or complaint, and by when? • Will the contact number be available throughout all working hours and will there be someone available to action it? • Will the local authorities be provided with regular records of concerns and complaints and their outcomes? <p>SCC do not necessarily consider that a requirement is needed to deal with these issues, but more detail should be provided in the CoCP.</p>	<ul style="list-style-type: none"> • In terms of which members of the community and local businesses will be kept informed, the Applicant is already engaging with landowners and businesses within the Order Limits as part of the land negotiation discussions. Nearby residents and businesses will be kept informed through targeted / area specific letter drops on the project, as was undertaken to inform people about the consultation events. However, any resident or business can request to be added to the engagement database and they will then be kept up to date with project information. • Active community liaison means that the Applicant would initiate liaison through letter drops and signage, rather than it being reactive on the community to find out about the project themselves. • The complaints procedure is set out in Section 15.4 of the CEMP [REP3-024]. • As stated in Section 3.4 of the CEMP [REP3-024], a free telephone project helpline and project website would be maintained and managed by the Applicant's community relations team. The number would be provided to the relevant community groups, such as the local parish councils and landowners before work commences. In addition, there will also be an emergency telephone number displayed at the entrance to the main site compound in case an emergency needs reporting outside of core hours. • In the Applicant's experience, the majority of complaints on projects of this nature are around landowner concerns or residents of adjacent properties. These are most effectively dealt with by the Applicant, the land agent and the contractor liaising with the party involved and the Applicant does not consider it necessary to inform the Councils of these types of matters and their resolution. In some cases, where there is a more significant complaint, for example a complaint regarding a breach to a management plan, then there may be a need to inform the

Ref	Matter	Point Raised	Applicant's Comments
			Councils, but this would be decided on a case-by-case basis subject to the nature and seriousness of the complaint.
5.2	The need for, and wording of new Requirements put forward by the Essex councils in response to ExQ1 question DC1.6.97 [PD-005]	<p>There does not appear to be any control mechanism in the dDCO over detailed design, save for compliance with the LoD in article 5 (which by reference brings in the Table of Parameters forming part of the Works Plans). This provides general restrictions on the location and height of certain works, but there appears to be no other reference in the DCO to any other control over the detailed design of structures and buildings.</p> <p>Therefore, SCC supports in principle the idea of a design requirement of the nature put forward by ECC, whilst SCC recognises that there are no proposals for any new substations in Suffolk, unlike in Essex.</p> <p>A requirement was included in the Richborough Connection DCO (requirement 3),¹ which referred to 'design drawings', which are unavailable on the national infrastructure website. It would be helpful to have sight of those drawings to see whether there was a more specific requirement in place which might be relevant to Bramford Substation.</p> <p>Furthermore, a requirement was included in the East Anglia TWO Offshore Wind Farm Order 2022 (requirement 12: detailed design parameters onshore) in which detail designs for certain works had to be approved by the local planning authority in consultation with SCC. SCC would support the inclusion of a similar requirement for works to the existing Bramford Substation (particularly Work No. 1(d): the realignment of the existing Bramford Substation gantries).</p>	<p>As acknowledged by the Essex Councils (ECC and BDC), the cable sealing end (CSE) compounds will be '<i>formulaic and industrial in nature</i>' and the design of these will be substantially dictated by the equipment they contain and the function that they need to provide. The designs will be undertaken by a competent contractor with knowledge of designing high voltage transmission lines. Thus, the Applicant is unclear over which aspects of the design the Council is looking to influence, noting also that other elements (including, for example, accesses and landscape reinstatement planting) are already subject to existing Requirements within the dDCO (document 3.1 (E)).</p> <p>In any event, the Applicant does not agree that matters concerning the final design of transmission infrastructure should be a matter for the Councils to approve through an additional DCO Requirement.</p> <p>The Applicant is already required to ensure that the project is designed in accordance with standards set out within or overseen by, amongst others, the Electricity Supply, Quality and Continuity Regulations, British Standards (BS), European Standards, the 'Conseil International des Grands Réseaux Electriques', the International Electrotechnical Commission, and the Electricity Networks Association.</p> <p>In addition, the project must accord with each of the following: National Grid Design Standards, National Grid Technical Specification, National Grid Transmission Procedures, National Grid Policy Statement (Transmission), National Grid Technical Guidance Notes (Electricity) and National Grid Technical Reports (Electricity).</p> <p>Embedded Measure EM-P04 as set out in the Register of Environmental Actions and Commitments (REAC) [REP4-018], compliance with which is secured through Requirement 4 of the dDCO (document 3.1 (E)), states: '<i>The project will be designed in accordance with National Grid design standards</i></p>

Ref	Matter	Point Raised	Applicant's Comments
			<p><i>and will be compliant with the guidelines and policies relating to electric and magnetic fields stated in National Policy Statement EN-5 (Department of Energy and Climate Change, 2011b), including the International Commission on Non-Ionizing Radiation Protection guidelines (1998).'</i></p> <p>Taking account of the above, it would be unnecessary and, indeed, inappropriate for the Councils to become the determining authority in respect of inherently technical matters for which sufficient control and oversight is already exercised by competent technical matter specialists.</p> <p>The Applicant further considers that the extensive controls already in place in respect of the design of the project negate the need for a further Requirement (as SCC intimate) requiring the authorised development to be carried out in general accordance with the Design and Layout Plans.</p>
6	Review of Parties' current positions on Requirement 7 – Construction hours	<p>SCC's position has not changed on this matter. SCC is grateful for the information provided in the Applicant's Justification for Construction Working Hours [REP3-045], however, it raises further questions.</p> <p>SCC is seeking to secure a control mechanism to limit the HGV movements occurring on Sundays and Bank Holidays, not by reason of capacity issues but namely to avoid successive disruption of tranquillity for local users of quiet lesser trafficked rural lanes and the public rights of way (PRoW) networks for example. SCC are not yet satisfied that there is sufficient justification. The Applicant's Justification for Construction Working Hours [REP3-045], Scenario 2 of Table 2.1, seeks to address the effects of not allowing Sunday working hours, however, it does not address bank holidays and cannot be relied on as evidence to justify a need for bank holiday working. With regard to the stated justification for Sunday working SCC makes the following comments.</p> <p>SCC considers that a productive solution to this matter would be, in addition to a requirement prohibiting HGVs on the local road network on Sundays and bank holidays, the Applicant providing detail in the control documents, or (in the absence of detail) the Applicant agreeing to submit outline-stage</p>	<p>The Applicant notes the Council's submission.</p> <p>The Applicant refers to Section 1.3 of this document which sets out the Applicant's position regarding this matter.</p> <p>With regards to tranquillity, the Dedham Vale AONB Special Qualities and Statutory Purpose [REP1-032] concludes in paragraph 3.3.1 that there would be short term adverse effects on relative tranquillity during construction. However, these effects would be temporary and reversible once construction is complete. The absence of roads through this part of the AONB and presence of only one PRoW along the wooded Box Valley also means that there are few public locations from where the effects of the construction activities would be experienced.</p>

Ref	Matter	Point Raised	Applicant's Comments
		control documents, which would allow for further consideration and approvals once more detail of the construction programme is known, then SCC may consider construction hours activities to be justifiable.	
6	Time limits to respond to applications for agreement	<p>Although not directly related to working hours, the important issue of the time limits on local authorities to respond to applications for agreement, consents etc and to respond to consultations, was raised under this agenda item. SCC has proposed (see Annex B) that a number of alterations be made to the dDCO, extending the time limits from 28 days to 56 days in the following articles: 14(5) (power to alter layout, etc. of streets); 15(9) (temporary stopping up of streets and public rights of way); 16(2) (access to works); 19(9) (discharge of water); 21(8) (authority to survey and investigate land), 47(8) (traffic regulation) and 48(5) (felling or lopping) a deemed consenting regime. A similar point applies in respect of Schedule 4 (discharge of requirements). As mentioned at the hearing, SCC considers that the issue relating to outages is a red herring in respect of this issue. There should be no reason why the undertaker could not plan properly around a revised decision period and meet these proposed timescales.</p>	<p>The Applicant respectfully disagrees with the Council's submissions on this particular point.</p> <p>The Applicant has not sought to link the 28-day determination period used in the Articles of the dDCO (document 3.1 (E)) to which the Council refers to the availability or otherwise of system outages.</p> <p>As the Applicant has previously set out, including at page 99 of the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049], a 56-day determination period is not conducive to the timely delivery of a project for which there is a critical national need (to which see the Need Case [APP-161]).</p> <p>There is also precedent for a 28-day determination period in a number of existing Orders, including: The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (see, for example, Articles 18(9) and 19(8)), the A57 Link Roads Development Consent Order 2022 (see, for example, Articles 14(6) and 18(11)), and the Awel y Môr Offshore Wind Farm Order 2023.</p> <p>The Applicant remains committed to working closely with the 'relevant street authority' and the 'relevant highways authority' to ensure that they are aware of when applications are likely to be submitted for approval.</p>
7.1	Highways related matters - Mechanism for highway authorities' recovery of costs associated with implementation of Articles 12 and 47 of the dDCO	<p>In relation to Article 12 (Application of the Permit Schemes), there are fee charging provisions within the scheme itself. SCC is content to rely on that, save that if any additional work is required to carry out its responsibilities due to the adaptations of the operation of the Scheme that are made by Article 12 (particularly 12(3)), then SCC would need to be reimbursed by any such additional work. This could be dealt with in the agreements mentioned in the paragraph below.</p>	<p>The Applicant notes that comments on the Heads of Terms for the proposed Framework Highways Agreement were provided by SCC on 6 November 2023.</p> <p>Notwithstanding the absence of similar comments from ECC, the Applicant remains committed to progressing the Framework Highways Agreement with ECC as well, including through the ongoing Traffic and Transport Thematic meetings.</p> <p>The Applicant also remains of the opinion that the Framework Highways Agreement is best suited to the particular</p>

Ref	Matter	Point Raised	Applicant's Comments
		On Article 47 and other highways matters, SCC is engaging in constructive dialogue with the Applicant on securing a section 278 agreement with a Planning Performance Agreement (PPA), as preceded in previous NSIPs in Suffolk. Reference was made in the hearing to SCC's reply to EXQ DC1.6.93 and the list of matters that SCC considers should be included within the scope of the agreement [REP3-078] page 40.	<p>circumstances of the project (versus a more conventional s.278 Agreement) as it will allow for points of principle and/or process to be agreed ahead of detailed design and affords all parties further opportunity to craft bespoke provisions.</p> <p>The Applicant has also agreed to the principle of a PPA for the post consent period although no draft has yet been discussed in detail. It remains open to discussion whether funding for highways works is provided through the Framework Highways Agreement only and omitted from the PPA or split between the two.</p>
7.2	Highways related matters - Any other dDCO highway-related matters arising from the ExA's First Written Questions	<p>SCC's answers to the ExA's first written questions relating to the dDCO highway-related matters are included in Table B1 of Annex B, as noted in response to agenda item 5.1a.</p> <p>SCC notes that the ExA mentioned SCC's response to DC1.6.93 [REP3-078] and the Applicant's preferred approach of the three suggested options, SCC notes that this was a question directed at the Applicant. The Council agreed with remarks made by ECC and the Applicant.</p>	Agreed with thanks.
8	Any other matters arising from the ExA's First Written Questions	<p>At the hearing, article 53 (safeguarding) of the dDCO was raised specifically, and the ExA asked what are the practical implications of the article on the Councils?</p> <p>SCC responded to five questions about article 53 in the ExA's first written questions (DC1.6.58 to DC1.6.62) in [REP3-052].</p> <p>SCC maintains concerns in principle about this article.</p> <p>SCC has also raised a concern about the detailed drafting and the imposition of a requirement on the local planning authority to 'address' matters raised in any representations by the undertaker in relation to planning applications.</p> <p>In terms of the additional administrative burden, then this would most likely fall on the district council rather than SCC. It will place an additional amount of work on the planning authority to give notice to the Applicant of relevant planning applications and then take account of and 'address' matters raised by the undertaker. It is not clear on whom the burden falls of registering the requirement to consult as a land</p>	<p>The Applicant has had regard to SCC's submissions in response to ExQ1 DC1.6.58 to DC1.6.62 (inclusive) and considers that the points raised are addressed in its own responses to each of those questions as provided in the Applicant's Responses to First Written Questions [REP3-052].</p> <p>The Applicant anticipates that the 'relevant planning authority', acting in its capacity as 'originating authority', would be responsible for registering the requirement to consult as a local land charge (pursuant to Article 53(6) of the dDCO (document 3.1 (E)). Whilst the Applicant is not aware that there are likely to be any significant costs associated with the making of such a registration application, the Applicant would be pleased to discuss the matter further with the 'relevant planning authority'.</p> <p>In any event, it is expected that the actual process for notifying the Applicant of any relevant planning applications, and of taking account of and 'addressing' matters raised by the Applicant, would be substantially similar to the process which</p>

Ref	Matter	Point Raised	Applicant's Comments
		charge, presumably on every property within the safeguarding zone but SCC does not believe it should be the responsibility of a local authority. If the article is allowed to remain, then any additional costs of implementing it must be covered by the Applicant, potentially through a planning performance agreement.	is already followed by the 'relevant planning authority' in respect of existing statutory consultees.
10.1a	AP3: Provide a written submission to explain the implications of draft Article 53 of the dDCO for the councils	The response to this action point is set out in response to agenda item 8 (see above).	The Applicant refers to its response to item 8 of this document.
10.1b	AP4: To provide a detailed review in due course of problems perceived with the control documents/ Management Plans	For further information, please see response to agenda item 4.1.a. The results of this review are set out in SCC's response to comments on the Joint Local Impact Report Table 17 (table reference 17a).	The Applicant refers to its response to item 4.1.a. of this document.
Annex A – Table A1. All rows	Various	Table A1 of Annex A repeats submissions made by SCC at Deadline 3 [REP3-007] in respect of the Applicant's Schedule of Changes to the draft DCO submitted at Deadline 2 [REP2-001]	The Applicant refers to the detailed responses provided in Table 2.1 of the Applicant's Comments on Other Submissions received at Deadline 3 [REP4-022] .
Annex A – Table A2. 4	Article 15, Temporary stopping up of streets and PRoW	This amendment meets the concern raised by SCC in paragraphs 12.24 and 12.25 of the LIR but does not meet the concerns raised in paragraphs 17.20 to 17.25, and in particular SCC's request that temporary alternative routes must be of no lower standard than the temporarily closed street or PRoW in columns (1) and (2) of Parts 1 and 2 of Schedule 7.	The Applicant refers to the detailed response provided in Section 14 (pages 100-101) of the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049] .
Annex A – Table A2. 6	Schedule 3, Requirements (Requirement 4)	It does not address the principal concern of SCC in paragraphs 17.57 and 17.58 of the LIR in relation to the need for more detail in the Management Plans and for further detailed iterations of the plans to be produced.	The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.

Ref	Matter	Point Raised	Applicant's Comments
Annex A – Schedules 5, 6, 7, 8 and Table A2. 12 8		SCC will work through these detailed changes and report back as necessary at a later date.	<p>The Applicant refers to Table 3.1 of the Applicant's Schedule of Changes to the Draft Development Consent Order (document 8.4.2 (D)) which explains the various typographical and other similar amendments made at Deadline 3 to Schedule 5 (Streets subject to street works), Schedule 6 (Streets subject to alteration of layout), Schedule 7 (Streets or public rights of way to be temporarily stopped up), Schedule 8 (Access to works) and Schedule 12 (Traffic regulation orders) of the dDCO (document 3.1 (E)).</p> <p>The Applicant welcomes any feedback SCC have in this respect.</p>
Annex B SCC Response to ISH2 Agenda Item 5.1a	DC1.6.85	The point here is that SCC has concerns about the Management Plans and considers Requirement 4 (Management Plans) should provide for the preparation of more detailed Management Plans , which would be subject to a further approval process.	The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.
	DC1.6.93, DC1.6.105 and DC1.6.119	Annex B repeats submissions made by SCC at Deadline 3 (Comments on Deadline 2 Submissions and Responses to ExQ1 [REP3-078]) in relation to ExQ1 DC1.6.93, DC1.6.105 and DC1.6.119.	The Applicant refers to Appendix A of the Applicant's Comments on Responses to First Written Questions [REP4-029] which provides a detailed response to matters raised by the Council in relation to DC1.6.105.
Post-Hearing Submission for Third Issue Specific Hearing (ISH3) into Transport and Rights of Way [REP4-021]			
3.1a	Shift pattern	SCC notes that in the staff vehicle forecast assumptions in para 6.2.9 of the Transport Assessment [APP-061] workers travelling in conformance with the proposed shift patterns is presumed to avoid generating significant vehicle movements within the network peak hours. However, neither the shift pattern nor worker trips are secured in any Management Plans and may be subject to change once a Main Works Contractor is appointed.	<p>The assumptions made in the Transport Assessment [APP-061] on shift patterns, worker numbers and trips are considered to be reasonable worst-case assumptions based on National Grid's standard practices for construction of transmission lines and the knowledge of an experienced contractor in electrical infrastructure delivery. The Applicant is confident that the assessment is robust and impacts on the local road network have been limited through use of temporary access routes.</p> <p>The majority of traffic is during the construction period and spread out over a long, linear project. It is not considered necessary or proportionate in this context to restrict shift patterns or worker trips by securing these in Management Plans. To do so would place an unnecessary administrative/</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>management burden on a contractor without strong justification. The Applicant contends that this would be the position whether or not a Main Works Contractor was in place.</p> <p>As set out during ISH3 under agenda item 4.1 (written record in [REP4-050]), the Applicant made the following points regarding control on staff shift patterns:</p> <ul style="list-style-type: none"> • The proposed working hours used in the Transport Assessment and ES are standard practice for a project of this nature and have also been applied to other recent National Grid projects including the Hinkley Connection (7am-7pm weekday working hours). • In addition, other nearby NSIPs have also assumed similar hours: <ul style="list-style-type: none"> – Lower Thames Crossing (LTC) project assumes similar working hours as set out in section 6.4 of the CoCP [REP6-038] of the LTC Examination Library]. – A12 Chelmsford to A120 Widening Scheme also includes working hours of 7.30am to 7pm in the week and extended working hours of 7am to 9pm during summer months as set out in section 6.2 of the Outline Construction Traffic Management Plan (CTMP) [REP6-054] of the A12 Examination Library]. – The LTC and A12 projects also both assumed a site set-up hour immediately before specified working hours and a close-down hour immediately after was also assumed. <p>It was clarified by the Applicant that, based on the above evidence, the Transport Assessment and ES assess a reasonable worst case. However, those documents are not designed to capture the impact of improbable or unlikely eventualities. There is therefore a need to retain some flexibility for the Main Works Contractor to respond to these eventualities, which is particularly crucial given that the project programme is built around fixed network outages, which means there is limited scope for programme slippage.</p>

Ref	Matter	Point Raised	Applicant's Comments
			It is therefore the Applicant's view that should not place further limits on Main Works Contractor working hours beyond those set out in Requirement 7 of the dDCO [REP3-007]. The Main Works Contractor needs to have the flexibility to respond to improbable eventualities.
3.1b	Traffic survey data	SCC is content that the applicant has presented sufficient traffic data to enable existing baseline flows across the network to be assessed but notes that this information is not included in the application documents nor shared with the authority. Additional speed surveys should be undertaken at access points to aid the design and operation of safe access.	<p>The Applicant has agreed to provide baseline flow data used to inform the Transport Assessment to SCC and will aim to do so as soon as practicable.</p> <p>The Applicant provided SCC with data on speed surveys undertaken in 2022 on 28 November 2023. Following SCC's review of this information, the Applicant will discuss with SCC whether any further speed data is necessary and specific points to provide reassurance that safe accesses can be developed.</p>
3.1c	Evidence supporting construction traffic figures	SCC has requested that the Applicant provides the data used to estimate construction trips (HGV, light goods vehicles (LGV) and workers) to enable the authority to reach an informed position and accept that the figures represent a realistic worst-case scenario.	The Applicant submitted this information in 8.6.6 Transport Assessment Construction Vehicle Profile Data [REP4-006] at Deadline 4. The spreadsheet of data was also provided to SCC and ECC on 30 November 2023, at their request, to enable easier interrogation of the data.
3.1d	Traffic Management	Traffic management shall be in accordance with TSM Chapter 8 or the Safety at Street Works and Road Works: A Code of Practice and subject to the SCC permit system regardless of any requirements for highway agreements necessary to technically accept and inspect such works. Suffolk Joint LIR [REP1-045] paragraph 12.110.	Agreed, the Applicant agrees that this is secured through the Permit System.
3.1e	Road safety	SCC is content with the review of cluster sites on the network but concerned that this does not show the full picture. The authority has requested that the Applicant undertake route reviews of certain roads where there are concerns that the collision rate may exceed national averages. The review of cluster sites can also result in the impacts at staggered junctions being missed, for example at the Bear Steet / A134 junction at Nayland where the minor roads are more than 50m apart so show as two separate clusters.	<p>A response was provided in Applicant's comments on Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049] which provided further detail on the Applicant's methodology.</p> <p>Requirement 11(3) of the dDCO (document 3.1) states that <i>'The undertaker must carry out road safety audits of the highway works authorised by this Order in accordance with Standard GG 119 Road Safety Audit (Revision 2) of the Department for Transport's Design Manual for Roads and Bridges or in accordance with any standard that supersedes</i></p>

Ref	Matter	Point Raised	Applicant's Comments
			<p><i>that Standard and must, to the reasonable satisfaction of the highway authority, implement any recommendations to mitigate or remove road safety problems and defects identified in any such road safety audits arising out of the authorised development'.</i></p> <p>A more detailed review of cluster sites would be carried out as part of the Road Safety Audit Brief, secured by Requirement 11(3) above, including reviewing collision data and providing a high-level summary of collisions. The dDCO therefore secures both this further review and implement recommendations to the satisfaction of the highway authority.</p> <p>The review of cluster sites above will include a high-level statement of whether the collision types recorded appear relevant to the effect of construction flows related to this project. It should be noted that in many cases, a high level of collisions may not be due to the number of vehicles on the road.</p>
3.1f	Peak and average staff numbers	The peak construction staff numbers are estimated in paragraph 4.4.54 of the Transport Assessment [APP-061] as 350 for the worst-case alternative scenario and an average of 180 per day [APP-091] . SCC has not seen any details of how this number was estimated or evidenced nor whether this includes visitors and support staff. Suffolk Joint LIR [REP1-045] paragraph 12.63 lists the information considered to be lacking in the application. No additional information has yet been provided to SCC.	<p>The peak construction staff numbers are shown in Illustration 4.1 of the ES Chapter 4: Project Description [APP-072] and have been calculated by an experienced construction contractor from the Applicant's Framework of approved Contractors, who are competent and experienced in delivering projects for the Applicant. The contractor has generated workforce numbers for construction of the project including the temporary access routes, removal of the 132kV overhead line, new overhead lines (pylons and conductors), underground cables including CSE compounds and the GSP substation.</p> <p>Given the low number of workers anticipated and that the Applicant has not identified any likely significant effects in relation to this matter, the Applicant does not consider there to be a need to provide a more detailed workforce profile into Examination or to SCC.</p> <p>Worker numbers are only relevant to the Transport Assessment [APP-061] insofar as they inform assumptions about vehicle numbers. The vehicle numbers are very conservative so unlikely to be exceeded regardless of whether worker numbers exceed the peak estimated.</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>The CTMP [REP3-030] states that '<i>National Grid and its contractor will promote the use of sustainable travel solutions, such as car sharing and use of public transportation. Wherever practicable, operatives will meet at pre-determined locations to share a minibus to the workface to reduce the impact of cars being parked at unsuitable locations.</i>' This sentence should have read 'crew vans' and will be updated at a subsequent deadline. However, this commitment demonstrates that National Grid are committed to reducing vehicle numbers and promoting sustainable travel where practicable. The commitment to shared transport means there is not necessarily a direct relationship between worker numbers and vehicle numbers.</p>
3.1g	Assumptions relating to construction vehicles or construction worker vehicles	<p>SCC would welcome more data to understand how the estimated of total construction vehicle and splits into HGV, LGV and cars has been determined.</p> <p>SCC notes that the calculation in Table 6.2 of the Construction Schedule presumes that the total peak month number of HGVs and LGVs are equally distributed across the days of the month without allowing for fluctuations although the 12.5% slippage allowance may counterbalance this. SCC also notes that the Applicant has looked at the proportion of HGVs in network peak hours where the background trips are highest and therefore discounted the greater impact of the same construction trips when the base traffic is lower in the interpeak periods.</p>	<p>The Applicant submitted this information in 8.6.6 Transport Assessment Construction Vehicle Profile Data [REP4-006] at Deadline 4.</p> <p>The referenced 12.5% factor was included in the calculation of construction vehicle requirements specifically to make some allowance for fluctuations in vehicle volumes at different times. The Applicant therefore disagrees with the statement that no allowance has been made for fluctuations. The Applicant also notes that significant contingency has been included during other stages of the process of estimating construction vehicle requirements. For example, the maximum monthly construction vehicle requirement at each Access Point in a seven-month period around the identified August 2025 peak has been used in the assessment. This has the effect of inflating the total number of construction vehicles assessed across the project by over 40% when compared with the combined August 2025 requirement.</p> <p>The Transport Assessment [APP-061] primarily considers project impacts during the network peak hours, in line with relevant guidance. However, the assessment in ES Chapter 12 [APP-080] considers traffic and transport impacts across a peak construction day in August 2025 (with forecast daily construction vehicle requirements including the contingency summarised above). The Applicant therefore disagrees with</p>

Ref	Matter	Point Raised	Applicant's Comments
			the statement that impacts in interpeak periods have been discounted.
3.1h	Linking construction works to construction vehicle or construction worker vehicles	SCC has no comment other than to note that the Council would welcome more information on this.	Further information was provided by the Applicant in 8.6.6 Transport Assessment Construction Vehicle Profile Data [REP4-006] at Deadline 4.
3.1i	Closures needed for construction of accesses and the trench crossings	SCC considers that any carriageway less than 7.4m in width will require closure for trench crossings. Roads of widths less than 4.5m would also require closure to provide safe working space although this presumes all construction work is undertaken from the verge. Providing safe working clearances will be difficult for road widths less than this will [sic]. Suffolk Joint LIR [REP1-045] paragraph 12.109.	<p>The Applicant will investigate the potential for using trenchless crossings to reduce road closures during the detailed design stage. When trench crossings are required, the Applicant agrees that where roads are narrow, road closures may be necessary.</p> <p>The precise nature of the works, timing and approach to road closures is a matter of detail and, in common with other NSIPs is not set at this time.</p> <p>However, diversion routes for any closures longer than a day would be agreed with the relevant highway authorities prior to implementation through the Permit Scheme. The approach to diversion routes is secured in the CTMP [REP3-030], which states in paragraph 5.8.4 that: <i>'A diversion route is anticipated to be required for all roads that would be closed for longer than one day. All diversions are anticipated to adopt the principle that they will use the same standard of road (e.g. 'A' class) or higher where practicable and available. However final agreement on the most suitable diversion route to be used will form part of the Permit Schemes. A full point-to-point diversion will be provided so that all vehicles that will usually and legitimately use a road can continue to use it to complete their journey. The means of access will be communicated to the relevant highway authorities, emergency and essential services.'</i></p> <p>This provides certainty to the relevant highway authorities that diversions would be provided for closures of longer than a day, minimising impacts, and that this would be agreed through the Permit Scheme.</p>
3.1l	Road crossings	SCC preference is for road crossings to be by trenchless methods if practical as this reduces disruption to the	The Applicant will investigate the potential of using trenchless crossings to reduce closures during the detailed design stage

Ref	Matter	Point Raised	Applicant's Comments
		travelling public and minimises damage to the fabric of the highway.	(post consent) and notes SCC's preference. It is not possible at this stage of design to commit to this methodology due to the lack of Ground Investigation information, detailed design and construction information. The Applicant notes that trenchless crossings require more land to the sides of the road, take longer to install and are more expensive so are not used as a matter of course. The methodology to be adopted for each of the road crossings on the project would be determined as part of the detailed design activities and would take due consideration of the particular circumstances associated with each road crossing.
3.1m	Approach to impacts from pre-commencement operations	SCC welcomes that the Management Plans cover pre-commencement activities. However, as these documents will be subject to change once a principal contractor is appointed SCC is concerned that there is no procedure for updating and approving the Management Plans in advance of the start of pre-commencement works.	<p>The Management Plans all contain a section at the end of the plan which sets out the process for change, for example Section 15.5 in the CEMP [REP3-024].</p> <p>Requirement 4 in the dDCO (document 3.1 (E)) allows for derogation from the Management Plans where <i>'agreed with the 'relevant planning authority' or other discharging authority as may be appropriate to the relevant plan concerned, and in the case of the Construction Traffic Management Plan, the relevant highway authority.'</i> The Management Plans themselves provide a procedure for updating the Management Plans, should any update be required. At this stage, the Applicant does not anticipate that any update or change to the Management Plans will necessarily be required. Whilst the Main Works Contractor is not yet appointed, an experienced contractor has fed into the development of the application.</p>
3.1m	Approach to impacts from pre-commencement operations	Although not directly related to impact, SCC considers that clarification is required regarding the scope of temporary accesses within the definition. Do these include all temporary accesses required by the project (like in schedule 8) or only those required for such activities as surveys, archaeology, site clearance listed in the definition of 'pre-commencement operations'.	<p>The temporary accesses referenced in the pre-commencement operations includes bellmouths and access routes required for construction of the project. The temporary accesses would be removed on completion of construction.</p> <p>The Applicant agrees that the design of all accesses will be subject to Local Highways Authority approval. The Applicant has now received confirmation via the Traffic and Transport Thematic meetings that this is not addressed through the Permit Scheme and hence the Applicant proposes an addition to Requirement 11 in Schedule 3 to the dDCO (document 3.1 (E)).</p>

Ref	Matter	Point Raised	Applicant's Comments
3.1o	Inter-projects cumulative effects	SCC is concerned that current methodology whilst including cumulative impacts for projects undertaken at the same time and place there is no consideration of repeated projects impacting local communities on a regular basis. SCC considers that there needs to be an assessment not only of concurrent projects but also of consecutive and successive projects, whether or not they overlap in terms of precise timings. The highway network and in particular the PRow network has had repeated impacts in the Bramford area (EA1, EA3) and will, if consented, be impacted by this project and Norwich to Tilbury. Four NSIPs over less than 8 years.	<p>The Applicant can only undertake an assessment based on the information that is publicly available. There is little detail about programmes of other projects and certainly not details about timings of road or PRow closures, which is often not known until a detailed construction programme is developed after consent. The Applicant also maintains that the short duration of the road closures and PRow on the project would not have significant effects, even when considered cumulatively with other projects in the area.</p> <p>The Applicant will continue to liaise closely with the Council, in its role as Local Highways Authority including in respect of coordinating the timing of road closures to avoid disruption to local residents.</p>
3.1p	Any other matters arising from the responses to the ExA's First Written Questions	TT1.13.2: The Applicant has not shared the junction analysis model outputs with SCC other than the high-level summary in the Transport Assessment Appendix E so the authority is unable to comment on this detail.	<p>The assessment in Appendix E of the Transport Assessment [APP-061] considers the potential for junction capacity impacts due to the project, in line with relevant guidance. This assessment concludes that the impact of project traffic on road network capacity during periods of peak construction activity would not be substantial and that no additional mitigation would be required. A high level of contingency is included in the forecast and the level of project traffic assumed in the assessment would only be sustained for a relatively short period of time. Construction traffic generation in the peak month of August 2025 (the basis of the assessment) is forecast to be 7% higher than in any other month in the construction programme, and 13% higher than all but five other months.</p> <p>To further verify these conclusions, the Applicant undertook junction modelling at five locations in July 2023 where project traffic as a proportion of future baseline traffic was expected to be highest. Details of this analysis can be provided at a future deadline. This additional assessment supports the conclusion in the Transport Assessment [APP-061] (as summarised above).</p>
4.1	Whether construction traffic associated with the construction of the	SCC considers that as this is a nationally strategic infrastructure project that there is a high likelihood that the associated traffic required to construct a project of this scale	Whilst the large Abnormal Indivisible Loads (AIL) vehicles required for the construction of the project are large in size, they are not large in number, with approximately 200 over the

Ref	Matter	Point Raised	Applicant's Comments
	project is 'extraordinary traffic'	<p>and nature is above that expected for the local highway network. The scale and intensity of the movements exceeds that of even large developments in the area.</p> <p>Highways Act 1980 s59 states that:</p> <p>Subject to subsection (3) below, where it appears to the highway authority for a highway maintainable at the public expense, by a certificate of their proper officer, that having regard to the average expense of maintaining the highway or other similar highways in the neighbourhood extraordinary expenses have been or will be incurred by the authority in maintaining the highway by reason of the damage caused by excessive weight passing along the highway, or other extraordinary traffic thereon, the highway authority may recover from any person ('the operator') by or in consequence of whose order the traffic has been conducted the excess expenses.</p> <p>SCC seeks to formalise this process through mutual agreement and basing decisions on data rather than having to argue a case through the courts. SCC considers that a proactive approach which sets out an effective regime for monitoring and managing the impacts of the development on the local highway network is preferable to a reactive response that entails potential litigation (with attendant delay, cost and uncertainty) is the preferred way forward. SCC would welcome further discussion with the Applicant on agreeing suitable mechanisms to carry this forward.</p> <p>In the authority's opinion it is unreasonable to expect Suffolk (and Essex) ratepayers to solely fund any addition repairs necessary to maintain the highway when used by this additional traffic.</p>	<p>construction period. The Applicant also notes that the traffic effects are also temporary (during construction only). Section 5.2 of the CTMP [REP3-030] sets out proposals for pre-construction surveys of affected sections which would identify and record the current condition and states that:</p> <p><i>'The records will be available for comparison following reinstatement and after the works have been completed, to demonstrate that the standard of reinstatement at least meets that recorded in the pre-condition survey.'</i></p> <p>This topic was discussed at ISH3 and is addressed in the Applicant's summaries of oral submissions [REP4-050] at page 10. The Applicant noted that s.59 is an existing statutory provision allowing for such circumstances, and hence the Applicant submitted at the hearing that it is not necessary to replace that provision. The Applicant is happy to share survey data and is of the view that s.59 already provides the mechanism to deal with this issue.</p>
4.2a	For pre-commencement activities	SCC welcomes that the CTMP covers pre-commencement works but has some concerns regarding the plan itself and the scope of some pre-commencement activities such as forming temporary accesses. See 3.1m.	Noted. The Applicant has responded to this matter in item 3.1m of this document.
4.2b	Approval of construction routes	Construction routes are included as Figure 1 of the revised CTMP. SCC notes that this includes routing through Sudbury and Great Cornard via the A131 and B1508. The authority is	The Applicant notes this suggestion and thanks SCC for its support in identification of appropriate routes. It also notes that this principle has been discussed in Traffic and Transport

Ref	Matter	Point Raised	Applicant's Comments
		open to discussions regarding use of U8637 Shawlands Avenue / C732 Canhams Road and Head Lane. Whilst this is a lower class of road (i.e., unclassified rather than B1508 Bures Road the maintenance classification is the similar as the B1508 and this would avoid passing through the centre of Sudbury particularly on the outbound journeys.	<p>Thematic Meetings and agreement on the principle that the level of service afforded by highway links and junction (width, alignment, junction form for example) are better indicators of appropriate routes than the nominal designation of road classification or other nominal hierarchy.</p> <p>The Applicant welcomes feedback from SCC on the construction routes identified in Appendix A of the CTMP [REP3-030] and is happy to consider adding alternative/ additional routes to Appendix A at a future deadline if this can be agreed.</p>
4.2c	Approval of signage	<p>Signage on the local highway network should either be authorised through the NRSWA permit system if a 'standalone' operation e.g. direction signs to site compounds, or through the s278 approval process if associated with physical highway works such as access construction or removal.</p> <p>SCC notes that signing and road markings would be approved through a s278 highway agreement and not a permit proposed by the applicant in TT1.13.38.</p> <p>SCC has not been consulted on enforcement of parking restrictions (TT1.13.39) nor are we aware that the Applicant has been in communication with Ipswich Borough Council and West Suffolk Council who undertake enforcement on the authority's behalf.</p>	<p>The Applicant notes that signs have not yet been designed and this will form part of the detailed design work and proposals by the Main Works Contractor, and that the Permit Scheme is applicable for only some forms of signing. The Framework Highways Agreement may be the most appropriate securing mechanism for approval of signage not authorised through the Permit Scheme.</p> <p>Parking restrictions and associated signs and markings are provided for in the dDCO (document 3.1 (E)) and the detailed proposals would be submitted for consultation and response by the Local Highways Authorities. The Applicant will make the appropriate applications for approval once proposals have been identified and enforcement can be discussed at that point. The need for parking restrictions, their location and detail of proposals cannot be determined at this stage and may in reality be very limited. It is therefore considered premature to discuss enforcement of these restrictions.</p> <p>The Applicant will keep parking restrictions to the minimum required for construction of the project.</p>
4.2d	Structural surveys and repairs	In SCC view there are two elements to structural surveys and repairs, those relating to maintaining the condition of the carriageway when subject to construction traffic and the inspection, review and assessment of highway structures to ensure that they can safely carry the AILs required by the applicant. Several structures on the routes from the Port of Ipswich to Bramford are subject to STGO3 or heavier restrictions. Whilst this may be overcome using temporary	<p>The Applicant agrees that there are two elements to structural surveys and notes that these two elements are mentioned separately in paragraphs 5.2.1 and 5.2.2 of the CTMP [REP3-030].</p> <p>With regard particularly to routes used by AILs, the Applicant notes the observations regarding structural and more general impact on the network and assures the authority that the AIL application would address both structures affected and</p>

Ref	Matter	Point Raised	Applicant's Comments
		bridging this has a significant disruptive impact on the highway network which has not been assessed by the Applicant.	programming and operational arrangements to accommodate the movements with limited impact on the network.
4.2e	Monitoring and control of HGV and construction worker movements	SCC view is that with the uncertainty regarding the construction program that will only be finalised following appointment of a principal contractor the maximum daily HGV movements, worker movements, construction hours and routes should be secured in the Management Plans. SCC cannot see how the Management Plans can be regarded as other than outline or draft at this stage and should be subject to an approval process once a contractor is appointed and prior to the start of pre-commencement works.	The assumptions made in the Transport Assessment [APP-061] on shift patterns, worker numbers and trips and HGV routes and movements are considered to be reasonable worst-case assumptions based on National Grid's standard practices for construction of transmission lines and the knowledge of a contractor experienced in delivery.
4.3a	Detailed AIL Management Plan	SCC considers that further work is required to demonstrate that the AIL access routes are feasible. This is in terms of dimensions such as the risk of loads oversailing third party land and the impacts on street furniture and load capacity of highway structures. When assessing load movements from Ipswich to Bramford the authority's bridge engineers have place restrictions on a number of structures (A137 Ostrich Creek, A1214 Water Main and B1113 Rail and River bridges).	The AIL application made by the Main Works Contractor will address structures affected, street furniture and any third-party land impacts and programming and operational arrangements to accommodate the movements with minimal impact on the network.
4.3b	Detailed Port Traffic Management Plan	If the project requires use of ports that creates a significant volume of traffic that exceeds that permitted by extant use of the port (Suffolk Joint LIR [REP1-045] Table 10 d and e) a Port Traffic Management Plan should be submitted for approval.	The project is not anticipated to generate enough traffic at a port to warrant a Port Traffic Management Plan. As stated in the Transport Assessment [APP-080] the traffic flows are relatively low, and specific procedures apply to AIL movements.
4.3c	Decommissioning Traffic Management Plan	SCC would be content if a separate Decommissioning Traffic Management Plan were presented for approval prior to commencement of decommissioning (Suffolk Joint LIR [REP1-045] paragraph 12.11, Table 10).	Requirement 12 of the dDCO (document 3.1 (E)) states that in the event that the authorised development, or part of it, is to be decommissioned, a written scheme of decommissioning must be submitted for approval by the 'relevant planning authority' at least six months prior to any decommissioning works. Therefore, no separate Decommissioning Traffic Management Plan is considered necessary.

Ref	Matter	Point Raised	Applicant's Comments
4.4	Any other matters arising from the response to the ExA's First Written Questions	TT1.13.11. Does the Applicant have examples or evidence of successful use of crew buses (i.e., not minibuses) to transport workers?	<p>The use of crew buses is common within the industry and has been used by multiple contractors on National Grid projects. Examples include works on the Norwich-Walpole and Norwich-Bramford transmission circuits.</p> <p>The Applicant notes that a crew bus incorporates built in welfare facilities and tool storage that provides a self-contained unit for a work crew. The inclusion of these welfare and storage facilities limits the number of personnel able to travel in each crew bus. The capacity of a crew bus is 4-6, with four per crew bus being assumed in the transport analysis as a conservative assumption. It should be noted that the Transport Assessment also assumes 70% of staff travel in crew vans and 30% in their own vehicles. In reality, contractors often don't allow car use so 30% is also a conservative assumption and it is likely that in reality a higher proportion will use crew vans.</p>
		TT1.13.21 Agreement has not been reached with SCC with regard to monitoring and enforcement of the CTMP. The matters remain as set out in our LIR.	The Applicant is continuing discussions with the Local Highways Authorities on potential monitoring and enforcement measures to identify any areas where approaches can be agreed. The method of monitoring and enforcement may depend on the measure being discussed.
		TT1.13.23 SCC notes that there is no requirement in any management plan to report or enforce vehicle emission controls.	<p>Section 5.3.15 of the CTMP [REP3-030] commits that vehicles will conform with relevant standards and that (Table 8.1) compliance with commitments (such as this one) will be checked weekly by the Environmental Manager.</p> <p>GG12 in the CoCP [REP3-026] states that:</p> <p><i>'Plant and vehicles will conform to relevant standards for the vehicle or plant type as follows:</i></p> <ul style="list-style-type: none"> • <i>Euro 4 (nitrogen oxides (NOx)) for petrol cars, vans and minibuses;</i> • <i>Euro 6 (NOx and particulate matter (PM)) for diesel cars, vans and minibuses;</i>

Ref	Matter	Point Raised	Applicant's Comments
			<ul style="list-style-type: none"> • Euro VI (NOx and PM) for lorries, buses, coaches and Heavy Goods Vehicles (excluding specialist abnormal indivisible loads); and • Stage V (NOx, PM, hydrocarbons, carbon monoxide (CO) and sulphur dioxide (SO2)) for non-road engines (static plant and non-road mobile machinery) <p>Vehicles will be correctly maintained and operated in accordance with manufacturer's recommendations and in a responsible manner. All plant and vehicles will be required to switch off their engines when not in use and when it is safe to do so.</p> <p>TT02 in the CoCP [REP3-026] states that 'The Main Works Contractor will implement a monitoring and reporting system to check compliance with the measures set out within the CTMP'.</p>
		TT1.13.32 Identification of contract vehicles falls short of what is proposed for SPR relying solely on the vehicle registration being supplied by any complaint.	The Applicant cannot comment on the appropriateness of information or commitments SPR projects. There can be many reasons that a developer would either choose to supply additional information (that may or may not be necessary) or where additional information is required on one project due to the nature of a project, its location or its impacts and not on another. However, the Applicant is open to discussions on what further information or commitment Suffolk would like here and the rationale behind that request.
5.1	The need for the proposed parking restrictions	SCC considers the proposed parking restrictions are disproportionate for example in terms of signage and road markings compared to the risk of parked vehicles obstructing the carriageway (as Suffolk Joint LIR Annex D [REP-044] paragraph D.37). Removal of road markings from surface dressed roads, as commonly found on the SCC network, either by thermal lance or high-pressure jetting has been found to significantly damage the surface requiring repair.	The Applicant notes the observations and agrees that parking restrictions should be kept to a minimum to achieve the safe access required.
5.2	National street gazetteer	SCC notes that the Applicant has updated schedules 5, 6, 7, 8 and 12 in [REP3-008] but has not yet checked the revised schedules although it does not expect its evidence presented in Appendix F of the LIR to change.	The Applicant refers to Table 3.1 of the Applicant's Schedule of Changes to the dDCO (document 8.4.2 (D)) which explains the various typographical and other similar amendments made at Deadline 3 to Schedule 5 (Streets subject to street works),

Ref	Matter	Point Raised	Applicant's Comments
			<p>Schedule 6 (Streets subject to alteration of layout), Schedule 7 (Streets or public rights of way to be temporarily stopped up), Schedule 8 (Access to works) and Schedule 12 (Traffic regulation orders) of the dDCO (document 3.1 (E)).</p> <p>The Applicant welcomes any feedback SCC have in this respect.</p>
5.3	Reliance on a temporary speed limit to slow vehicles	<p>SCC considers that temporary speed limits used in isolation may not reduce traffic speeds to the desired limits and that designing temporary access based only on temporary speed limits may not be acceptable (e.g., in terms of safe visibility).</p> <p>SCC is also concerned that the speed limits are temporary and the roads on which permanent accesses are formed revert to existing limits and this does not appear to have been considered by the Applicant in any design of the access nor assessing the amount of vegetation clearance required for safe visibility. Suffolk Joint LIR [REP1-045] paragraph 12.102.</p>	<p>The Applicant notes the concerns regarding speed limit compliance. Access design is based on assumptions combining existing speed data available for many locations, which has been shared with the Local Highways Authorities, as well as assumptions reflecting route form where natural constraints reduce speeds below the posted limit. Signing alerts drivers to the presence of construction traffic as well as the legal limit being reduced, and both provide beneficial driver information. The designs have not placed reliance on large speed reductions from temporary speed limits alone.</p> <p>The Applicant is working with SCC and ECC to investigate site specific access concerns and, develop further design information where required to provide reassurance. The Applicant thanks SCC/ECC for their patience as this detail is developed and is providing information as it is completed.</p>
5.4	Any other matters arising from the responses to the ExA's First Written Questions	<p>TT1.13.13 SCC notes that the Applicant has not included the speed data within the TA, nor has data been collected for all access points.</p> <p>TT1.13.16 SCC notes that several structures between the Port of Ipswich and Bramford Substation subject to restrictions for AIL movements (STGO3 and above). SCC is not in a position to guarantee that these or other structures will be maintained to carry loads greater than 44 tonnes.</p>	<p>TT1.13.13 Regarding speed limits, the Applicant is currently in the process of releasing traffic flow and speed data collected for the ES preparation to better inform the Local Highways Authorities.</p> <p>TT1.13.16 Regarding structures, the Applicant refers to item 4.3a of this document.</p>
6.1	Proposed access points, bellmouths and access tracks and roads, including the haul road from the A131 and the 'hybrid' solution raised	The A131 and the Parish of Pebmarsh are within Essex so SCC would not comment on this specific matter. However, our review of the design of the temporary accesses can be found in Annex D of the Suffolk Joint LIR (paragraphs D.42 to D.49).	<p>Hybrid solutions presented as alternatives to the haul route are explored in document 8.5.5 (B) Technical note on Temporary Access Route off the A131 [REP4-009], alongside explanations of why these routes have been rejected to reduce the impact on the local highway network.</p> <p>Further information has also been submitted on the A131 temporary access route at Deadline 5 (document 8.7.4),</p>

Ref	Matter	Point Raised	Applicant's Comments
	by Pebmarsh Parish Council and others		including a concept design of the bellmouth at this junction and swept path analysis of the junction and the temporary access route. This evidence demonstrates that a safe access can be designed at this location suitable for the vehicles proposed within the Order limits; and that the temporary access route itself is suitable for the vehicles proposed. It is hoped that this detail will provide reassurance to SCC and ECC on this matter.
6.2	Vegetation to be removed	<p>SCC remains concern that inadequate information has been provided to allow the authority to assess the scale of vegetation required to provide safe access to the site, nor that the order limits are, in combination with land within highway control, sufficient to provide the required visibility (Suffolk Joint LIR paragraphs 12.39 and 12.40).</p> <p>The plans provided are of such large scale to make it difficult to measure the areas proposed for visibility splays.</p> <p>Annex F of the Suffolk Joint LIR [REP1-044] gives a high-level review of the existing and construction phase layouts for the accesses in Suffolk.</p>	<p>The Applicant has agreed to provide more information to SCC (and ECC), which so far comprises:</p> <ul style="list-style-type: none"> • Data on construction traffic numbers per access in pdf [REP4-006] and excel; • Drawing of access at the A131 temporary access route junction including swept path drawings of the access and temporary access route (document 8.7.4); • Data obtained through speed surveys for the project (not submitted to Examination as very large dataset); and • Data on baseline traffic flows (agreed to provide and being compiled, not considered necessary for Examination). <p>The information above will help SCC to understand the potential constraints and requirements for the access designs.</p> <p>The majority of accesses used for the project are either temporary accesses to be used for part of the construction period, operational accesses associated with limited traffic or both. The final access design is secured by Requirement 11 on the dDCO and is subject to LHA approval. Therefore, it is not considered necessary to develop detailed designs of <u>all</u> accesses at this stage in the project. However, the Applicant accepts that in some locations more information is required to provide SCC/ ECC with reassurance that a safe access can be developed within the Order limits and without significant additional vegetation clearance.</p> <p>The Applicant has been working with SCC to agree which accesses need further work and has prioritised work on the A131 access (see above) and AB-AP5 (Church Hill). An initial</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>draft AB-AP5 access drawing was shared on screen and discussed during the Traffic and Transport Thematic meeting on 29 November 2023, with a view to obtaining early feedback. Feedback was provided by SCC/ ECC and is being considered, alongside work to carry out a topographic and arboricultural survey to establish the precise location of the trees.</p> <p>It is noted that AB-AP5 is to be used to access a single pylon during construction and very occasional use during operation. An alternative access is available to the north if, following further work, it becomes clear that the access could not be developed without the removal of significant mature trees.</p> <p>Where bellmouths and visibility splays are developed, they will also be shared with the ExA when finalised.</p>
6.3	Any other matters arising from the responses to the ExA's First Written Questions	<p>TT1.13.22 SCC would expect to secure measures in any highway agreement to ensure that mud, water or other debris does not flow or be carried onto the public highway. The authority also notes the limited effectiveness of such material by road sweepers.</p> <p>TT1.13.44 SCC would disagree that the generic bellmouth design accommodates all vehicles. Movement into and out of the access is also a function of the existing road layout such as width, curvature and highway verge available for oversailing and that no street furniture, vegetation or third-party property will be affected by movements. An understanding of the estimated traffic at each location would assist SCC in understanding if mitigation such as traffic control could be used to reduce the impacts at specific locations.</p> <p>TT1.13.47 if the splays are designated for a derestricted road this would require a minimum of 2.4m x 215m splay. The revised generic bellmouth access [REP3-005] does not include dimensions of splays.</p>	<p>Good practice measure GG17 in the CoCP [REP3-026] states that wheel washing or other wheel cleaning systems will be provided at each main compound access point on to the highway where a need has been identified through the design process. Road sweepers will be deployed on public roads where necessary to prevent excessive dust or mud deposits from construction activities.</p> <p>See response to 6.2 above, the Applicant has provided information on baseline traffic to support discussions and agreement on the approach to the staged access design.</p> <p>The Applicant agrees that the design parameters described here are the starting point for an access design, although this is the design for a national speed limit road and in reality the nature of the roads mean that in many cases vehicle speeds are not 60mph. Where speeds are significantly below this level, reduced visibility can be acceptable, particularly where</p>

Ref	Matter	Point Raised	Applicant's Comments
		Appendix F: MfS Position Statement in Suffolk Design Street Guide sets out SCC's position on junction visibility.	traffic levels are low and/ or when combined with traffic management. In some cases, topography and layout of the road would also make 215m visibility not possible or accesses are using existing accesses already in place. The Applicant is in the process of agreeing accesses where further information may be required to provide confidence that a safe access can be designed under Requirement 11 and parameters that may be appropriate for those locations.
		TT1.13.52 it has been common practice for the applicant to undertake a stage 1 Road Safety Assessment (RSA) on access at the examination stage.	<p>As noted in the Applicant's Responses to First Written Questions [REP3-052] in relation to Reference TT1.13.52 the Applicant considers that a Combined Stage 1 and 2 RSA is the most appropriate form of design stage RSA.</p> <p>The dDCO was amended at Deadline 4 (document 3.1 (D)) to introduce in Requirement 11 a requirement for a RSA to be carried out and actions to address problems identified.</p>
7.1 – 7.2	PRoW closures and diversions, and their sequencing	<p>The PRoW Management Plan (PRoWMP) [REP3-056] provides details on length of closure including reasoning. Details not provided for the sequence, when these will be closed and those that will be closed at the same period of time.</p> <p>Assessment cannot be fully undertaken on the effect on severance without the sequencing of the closures. Details not provided within the PRoWMP [REP3-056].</p>	<p>The sequencing of PRoW closures is very unlikely to result in a significant effect on PRoW users as in all cases, the effects on PRoW are short term and temporary in nature with no effects during operation.</p> <p>As set out in Appendix A of the PRoW Management Plan [REP3-056], most individual PRoW closures are expected to be for four weeks or less. The PRoW Management Plan states that '<i>for each location where a PRoW is affected by construction work, consideration has been given to limiting the impact on users of PRoW based on a hierarchy of management measures</i>'.</p> <p>PRoW surveys have been completed at various points throughout the study area. The 2023 PRoW surveys (detailed in Appendix C of the Applicant's Response to Issue Specific Hearing 1 Action Points [REP1-034]) covered all routes with expected individual closures of longer than four weeks, and all routes allocated a sensitivity rating of 'Moderate' or above. The results of the surveys have shown that there is very low usage on PRoW across the Order Limits, including on weekends.</p> <p>The dates of PRoW closures would be determined during the detailed design stage (in common with other NSIPs) following the appointment of a Main Works Contractor. The PRoWMP</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>[REP3-056] states that exact details of the forms of closure will be 'subject to discussion with the PRow Officers at Essex and Suffolk County Councils. This would include management to prevent concurrent closures which may compound impact on PRow users... All work will be prepared as far as possible in advance to limit the impact on the PRow and the users of it'.</p> <p>However, the Applicant is in the process of preparing tables which set out the indicative sequencing of the PRow closures for information, which will be provided to the planning authorities and also submitted into Examination at a future deadline.</p>
7.3	Implications of proposed working hours and a seven-day working week	<p>Higher use of the network is outside of main working hours of 9am to 5pm for local recreational use on weekdays.</p> <p>Combined with increased weekend use of the PRow network. In addition, with higher use in tourism focused areas during peak summer months, particularly relating to weekends and bank holidays.</p> <p>Consideration should be given to part weekend working for areas covering the PRow network. Use is likely to be from outside the local community and communication of any restrictions to wider users would be key.</p>	<p>The magnitude of impact of PRow closures defined in ES Chapter 12 Traffic and Transport [APP-080] accounts for the expected duration of closures (considering a reasonable worst case regardless of when closures may occur) and the length of diversion routes that users would need to take during closures. The sensitivity of each PRow is also defined based on its proximity to facilities, regardless of whether those facilities would be open at the same time as the closure. For example, routes close to schools would be allocated high sensitivities even though closures could potentially occur when schools are closed. The assessment also considers the results of PRow surveys that were undertaken on both weekdays and weekends. Across three survey programmes this included data collection in June, July, August, September, and October.</p> <p>The results of the surveys have shown that there is very low usage on PRow across the Order Limits, including on weekends.</p> <p>The approach adopted in the ES is therefore precautionary and accounts for potential impacts that may occur during peak summer months and at weekends as well as during the week. The Applicant has not yet appointed a Main Works Contractor to develop a detailed design and consequently at present it is not possible to determine exactly when each PRow closure would occur. The PRowMWP submitted at Deadline 3 [REP3-056] sets out how the Applicant and its contractor would engage with local planning authorities and other stakeholders to reduce effects on PRow.</p>

Ref	Matter	Point Raised	Applicant's Comments
8	Bellmouth design	<p>SCC notes that the generic bellmouth design has been updated. Whilst it now shows visibility splays drawn correctly to intercept the edge of the carriageway, it still does not consider aspects of the existing highway such as bends, carriageway width, vertical profile etc. Nor does it specify the x and y visibility criteria, methodology to calculate these and how they vary with traffic speeds.</p> <p>At Deadline 3 [REP3-049], in the Applicant's response to the Suffolk Joint LIR paragraph 17.57 [REP1-045], the Applicant is requesting examples of where the authority considers that the Management Plans are too high level and therefore lacking detail so that they can amend their plans accordingly. We will include a response in our D5 submission but would refer the Applicant to Annex D of the Suffolk Joint LIR [REP1-044] paragraphs D.114 to D132 and D.158 to D.163.</p>	<p>Requirement 11 on the dDCO (document 3.1) states that: <i>'No work to construct, alter or temporarily alter any new or existing means of access to a highway to be used by vehicular traffic may commence until written details of design, layout and reinstatement of that means of access has been submitted to and approved by the relevant highway authority'</i>. At Deadline 5 additional clarification was added to Requirement 11 to make it clear that this requirement applies to all accesses, even those constructed as part of pre-construction works.</p> <p>Requirement 11 provides the LHA with reassurance and control over the final access designs and enables this detail to be agreed at a later stage. This is a proportional approach given that many of the accesses are temporary for the construction period and/ or associated with very low usage during operation.</p> <p>The Applicant has nevertheless been working with SCC to provide further information and reassurance that accesses of most concern can be developed safely, within the Order limits and without significant additional vegetation removal compared to the indicative vegetation removal plans. To date this has included:</p> <ul style="list-style-type: none"> • Data on construction traffic numbers per access in pdf [REP4-006] and excel; • Drawing of access at the A131 temporary access route junction including swept path drawings of the access and temporary access route (document 8.7.4); • Data obtained through speed surveys for the project (not submitted to Examination as very large dataset); and • Data on baseline traffic flows (agreed to provide and being compiled, not considered necessary for Examination). <p>The information above will help SCC to understand the potential constraints and requirements for the access designs.</p> <p>The Applicant has been working with SCC to agree which accesses need further work and has prioritised work on the A131 access (document 8.7.4) and AB-AP5 (Church Hill). An</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>initial draft AB-AP5 access drawing was shared on screen and discussed during the Traffic and Transport Thematic meeting on 29 November 2023, with a view to obtaining early feedback. Feedback was provided by SCC/ ECC and is being considered, alongside work to carry out a topographic and arboricultural survey to establish the precise location of the trees.</p> <p>It is noted that AB-AP5 is to be used to access a single pylon during construction and very occasional use during operation. An alternative access is available to the north if, following further work, it becomes clear that the access could not be developed without the removal of significant mature trees.</p> <p>Where bellmouths and visibility splays are developed, they will also be submitted into Examination when finalised.</p>
	Extraordinary traffic	Regarding Suffolk Joint LIR [REP1-045] paragraph 12.103, mentioning section 59 of the Highway Act 1980, the Applicant's project has the potential to result in extraordinary traffic, particularly due to ALL, and thus cause additional damage to the highway beyond usual traffic that can be expected to use the network. Whilst SCC recognise the statutory provision, SCC preference would be to capture costs for any damages caused by extraordinary traffic via the highway side agreement with the Applicant, in a collaborative manner, rather than enforcement via the adversarial process of section 59 of the Highway Act 1980.	The Applicant has responded to this matter in line item 4.1 in Table 2.1 of this document.
9.1a	AP1 Provide SCC highways design standards	See Appendix 1 for SCC's Suffolk Design Streets Guide 2022 Appendix F, for information relevant to visibility splays.	The reference information is noted and the Applicant will consider the authority's design guidance in the design development discussed in the response to point 8 above.
9.1b	Regarding proposed bellmouth at Church Hill, to confirm stopping site distance and design speeds for determinants for the access point	SCC officers noted that the process would be, as a derestricted road at the moment, (i.e., 60mph) that it would be 2.4m x 215m visibility splay. If the Applicant were to undertake speed surveys and SCC were able to confirm a safe stopping distance to design the junction based on actual traffic speeds (85%ile measured speed), then that would be the next step down. The Applicant is proposing a 30mph temporary speed limit, if implemented and SCC were content with the 85%ile traffic speed of 30mph being achieved then	<p>The Applicant notes that in Action AP2 in the Hearing Action Points - CAH1, ISH2, ISH3 and ISH4 [EV-045] required the Applicant to:</p> <p><i>'Undertake necessary surveys at Church Hill to establish feasibility of the proposed access AB-AP5, leading to tower RB4, and submit information into the Examination by Deadline 7.'</i></p>

Ref	Matter	Point Raised	Applicant's Comments
		visibility splay could be reduced to 2.4m x 90m. Dependent on amount of traffic, SCC may be able to relax that further still if there was a suitable management plan in place that safely controls the traffic in and out of the access. However, due to the proximity of accesses it may not be practical to implement traffic management at significant numbers of access points and if widely used or of long duration the impacts on road users in terms of delay should be assessed.	<p>Deadline 7 is 17 January, and the Applicant has been working towards this deadline, including progressing surveys and seeking to agree design parameters with SCC. To date this work has involved:</p> <ul style="list-style-type: none"> ● Reviewing speed survey data for information in this location; ● Programming in topographic surveys and arboricultural surveys to inform calculations of vegetation loss post design; ● Developing a more detailed design with visibility splays and clear parameters for review and discussion with SCC; and ● Discussed this initial design with SCC on 29 November and received comments to consider. <p>The Applicant still aims to submit information on this access at Deadline 7.</p> <p>As discussed at ISH3, there are two options for accessing the pylon in this location, AB-AP5 and AB-AP4. AB-AP5 uses an existing farm access so would require less construction materials, would be developed more quickly and would reduce the impact on agricultural activities. AB-AP4 would cut across an agricultural field having a greater impact on agricultural activities. AB-AP4 and AB-AP5 both serve a single pylon so use of the existing access is considered the more proportional approach.</p> <p>The Vegetation Retention and Removal Plan in Appendix A of the LEMP [APP-183] does not show mature tree removal at AB-AP5. Requirement 8 on the dDCO (document 3.1) states that:</p> <p><i>'Unless otherwise agreed with the relevant planning authority, no stage of the authorised development may commence until, for that stage, a plan showing the trees, groups of trees, woodlands and hedgerows to be retained and/or removed during that stage has been submitted to and approved by the relevant planning authority'.</i></p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>Requirement 8 also states that this plan must be in general accordance with the LEMP. This provides assurance that in addition to the access design being secured under Requirement 11, any additional clearance of mature trees at this location would need to be approved by the relevant planning authority under Requirement 8.</p> <p>The Applicant is committed to a design that does not significantly affect the mature trees. However, in the worst case scenario that an access design cannot be accommodated without significantly affecting the trees, AB-AP4 is available as an alternative. This provides the Applicant with assurance that the project can be delivered and the landowner assurance that AB-AP4 can be used if using AB-AP5 during construction would require removal of the line of mature trees.</p> <p>It is the Applicant's understanding that there is no objection from SCC or the landowner to the use of this access for the limited operational use, so discussions are around the construction use only.</p> <p>The Applicant agrees that the form of many minor roads constrains the placement of temporary traffic management, and this would be reflected in the detailed proposals for each access when prepared during detailed design. Details of traffic management would be approved by the Local Highway Authority through the Permit Scheme.</p>
9.1c	AP3 Provide a prioritised list of the key missing assumptions and inputs that are perceived to be missing from the transport assessment	SCC will provide a 'current state of play' update at Deadline 5 with a position statement at Deadline 5 or 6.	The Applicant notes SCC's commitment to provide a 'current state of play' update later during the examination. The Applicant will respond as appropriate at a future deadline.
9.1d	AP5 Identify the base parameters that are critical for the CTMP	SCC will provide a 'current state of play' update at Deadline 5 with a position statement at Deadline 5 or 6.	The Applicant notes SCC's earlier comment that the Local Highways Authority provided further details on this, in addition to paragraph 17.57 of the Suffolk Joint LIR [REP1-045], in paragraphs D.114 to D.132 and D.158 to D163 in Annex D of the LIR [REP1-044], in which the Applicant has responded to.

Ref	Matter	Point Raised	Applicant's Comments
			However, the Applicant notes SCC's commitment to provide a 'current state of play' update later during the examination. The Applicant will respond as appropriate at a future deadline.
9.1e	To enter into the Examination high level access assessment	SCC can confirm that this was provided at Deadline 1 as Annex F of the Suffolk Joint LIR [REP1-044].	The Applicant notes this information was provided at Deadline 1. This has formed the basis of the additional development of access design information for the access at the A131 and AB-AP5, and the list of accesses for further consideration that is being discussed with SCC.
Appendix 1	Suffolk Design Streets Guide 2022 Appendix F	Manual for Streets Position Statement	<p>The Applicant notes the position statement regarding access design and Manual for Streets and the need for designs reflecting their context, and for engagement with the authority regarding individual accesses.</p> <p>The Applicant notes the authority's response and that the relevant design approach for each location will reflect their specific characteristics, including road width, vertical and horizontal alignment and traffic speed.</p> <p>Progress on discussions on access designs is summarised in response to point 8 above.</p>
Post-Hearing Submission for the Fourth Issue Specific Hearing (ISH4) on Various Environmental Matters, including Biodiversity, the Historic Environment, Landscape [REP4-039]			
4.1	The Suffolk councils' concerns with the proposed route outside and to the west of Hintlesham Woods and its impacts on the setting of listed buildings	<p>SCC would note that Babergh District Council is the lead authority for this matter, as it relates to the built environment, however, SCC does have input regarding landscape and visual amenity.</p> <p>As noted in SCC's answer to ExQ1 DC.1.6.105 [REP3-078], SCC is finalising the drafting of provisions to amend the LoD for Work No.2 which will affect the Hintlesham area. The principal concern is to ensure that the pylon locations agreed in 2013 are recognised, and that any changes to that arrangement are adequately and effectively controlled.</p>	<p>See the Applicant's response at Table 7.1 (reference 6.9 and 6.10 to 6.11) in the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049].</p> <p>The Applicant recognises the concerns from the Councils and Historic England in relation to Hintlesham Hall and as a result has revised the commitment EM-AB01 wording to avoid positioning a pylon in the area most visible from the ancillary buildings. Otherwise, the Applicant does not consider it practicable to involve third parties in the detailed designs and micro-siting of pylons as this will be determined by many factors involving engineering and safety requirements, landowner requirements as well as environmental constraints.</p>

Ref	Matter	Point Raised	Applicant's Comments
4.3	Assessment of effects on cultural heritage assets associated with famous artists and writers, including Benton End House and Overbury Hall	SCC noted that it was not clear from the oral comments made on behalf of the Applicant whether the cultural associations between famous artists and writers and cultural heritage assets, including Benton End House, had been included in the Applicant's assessment of the significance of those assets, including the contributions that their settings made to that significance. Having further reviewed the material presented by the Applicant in its assessment of the Historic Environment in Chapter 8 of the ES [APP-076], the Historic Environment Baseline [APP-125], and the Historic Environment Impact Assessment [APP-127], SCC remains unclear where or how these cultural associations have been reflected in the assessment of impacts on the Historic Environment. SCC would invite the Applicant to provide clarification on this matter. SCC also notes the terms of Action Point 6 following ISH4 and has provided a separate response on that matter at agenda item 7 below.	The Applicant has submitted a Technical Note on Cultural Associations at Deadline 5 (document 8.7.7), which signposts to how the project has considered the cultural associations as part of the assessment.
4.4	Update on proposals for archaeological investigations	SCC has received summary reports of stages 1, 2, 3 and 4 of the trenched archaeological evaluation within the Suffolk section of the undergrounding route, sent to us by the archaeological contractor. SCC is now awaiting the completion of stage 5 trenched archaeological evaluation and the submission of the stage 5 summary report. The summary reports have detailed the locations and discussed the archaeological features present within the evaluation areas. However, scientific analysis has not been undertaken at summary reporting and full reporting will be required for SCC to make informed decisions on archaeological mitigation.	The OWSI (document 7.10 (B)) has been updated for Deadline 5 with the results of the Stage 5 (final) trial trenching, which was completed in November 2023. The Applicant will submit the most recent Trial Trenching Report to SCC once this has been completed.
4.4	Archaeological trial trenching	To date trenched archaeological evaluation has largely been completed within Suffolk, minus trenches in stage 2 area G6 (trenches G6.24 – G6.28) which were located in an area of grassland and were not excavated due to ecological constraints. These five trenches are located within a predominantly Roman metalwork scatter recorded within the county Historic Environment Record (HER number BSM 047) and are in close proximity to stage 1 trench G1.29 which identified a concentration of activity dating from the Roman	<p>Trial trenching has been completed in all underground cable sections of the project.</p> <p>Trenching of the outstanding areas in Suffolk was completed in September 2023. Of the 38 trenches excavated in Suffolk, 34 were archaeologically sterile. No datable features were recorded in the four trenches where archaeology was present. The form of these features indicated that they were most likely</p>

Ref	Matter	Point Raised	Applicant's Comments
		period there is high potential to encounter additional archaeology within the area of these missing trenches.	field boundaries dating to the post-medieval period (C.1540 AD – 1900 AD). The Applicant will submit the most recent Trial Trenching Report to SCC once this has been completed.
4.4	Update on proposals for archaeological investigations	With the information provided in the summary reports for stages 1, 2, 3, and 4, SCC is now in a position to discuss the level of archaeological mitigation required within the undergrounding section that has been covered by the summary reports for stages 1,2,3 and 4. SCC is not able to comment on mitigation for stage 5. The results of the trenching will need to be combined with the results of the geophysical survey and added to the OWSI.	The OWSI (document 7.10 (B)) has been updated for Deadline 5 with the results of the Stage 5 (final) trial trenching, which was completed in November 2023. The Applicant will submit the most recent Trial Trenching Report to SCC once this has been completed. The OWSI proposes appropriate archaeological mitigation.
4.4	The Outline Written Scheme of Investigation (OWSI)	SCC has not approved the OWSI, comments on the OWSI have been provided. It is good to see that it is intended that all trenched archaeological evaluation work is to be completed upfront within the undergrounding areas. However, SCC is concerned that there is no provision for further evaluation particularly within the over-head sections of the scheme relating to work required on the pylon sites and haul roads. As pylon locations are not yet determined, post-determination trenched archaeological evaluation within the overhead sections would accurately quantify the archaeological resource, both in quantity and extent and allow for decisions on the location/micro-setting of the pylon within the LoD as well as the need for, and scope of any further work based on the results of the evaluation. Post-determination archaeological evaluation would also be used to catch any areas that were not possible to trench up-front due to health and safety and ecological constraints, as well as serve as a contingency for areas where upfront archaeological evaluation is shown to be lacking, to aid in the formulation of mitigation strategies.	The OWSI (document 7.10 (B)) has been updated for Deadline 5 with the results of the trial trenching, which was completed in November 2023. The Applicant believes the approach set out in the OWSI (document 7.10 (B)) for the overhead sections is appropriate and proportionate. Pylon location is determined by a variety of factors including engineering, health and safety, access, landscape and ecological concerns. Trial trenching large areas within the LoD could have unnecessarily disturbed archaeology and generated results which made only a minimal contribution to pylon placement given all the other factors that come into play. It is the Applicant's intention to mitigate by watching brief, any areas where construction earthworks have the potential to disturb buried archaeology. This is set out in the OWSI (document 7.10 (B)) in the form of a watching brief. This will ensure preservation by record of any buried archaeological remains.
4.4	Historic sites	Based on information in the County Historic Environment Record, there are a number of sites indicated within the Historic Environment Impact Assessment (document 6.3.8.2) which SCC would like to highlight at this stage within the overhead sections of the scheme:	The Applicant notes that the sites listed are assessed within ES Appendix 8.2: Historic Environment Impact Assessment [APP-127]. These all lie within the overhead line section and would be preserved by record in accordance with the reactive

Ref	Matter	Point Raised	Applicant's Comments
		<ul style="list-style-type: none"> Roman Villa site (HER number HAD 014) – ES Figures Part 6 [APP-151], Sheet 5 monument reference MSF5172. Cropmark of an undated ring ditch (BUS 003) – ES Figures Part 6 [APP-151], Sheet 1 monument reference MSF13637. Hintlesham Park (HNS 007) – Contributions to the PAS database indicated Roman period activity in the area of the proposed pylon route. ES Figures Part 6 [APP-151], Sheet 1 and 3 monument reference MSF11949. Deer park, Pond Hall park (HAD 079) medieval free warren with possible moated hunting lodge (HAD 045). Park is last mentioned in 1638 and probably disparked by 1721. ES Figures Part 6 [APP-151], Sheet 3 monument references MSF14017 and MSF22837. 	or proactive watching brief set out in the OWSI (document 7.10 (B)) if they are likely to be disturbed.
4.4	Recent archaeological investigations	Additionally, recent trenched archaeological investigations relating to the Anglian Water, Bury St Edmunds to Colchester, pipeline have recorded evidence two post-hole structures dating from the Roman period, suggestive of Roman settlement (HAD 263) located c. 200m to the north of Pond Hall Park, in an area where evidence of Roman activity was previously unknown in the HER, and unknown at the time the HER search was undertaken for this project.	<p>The Applicant notes these recent archaeological discoveries from another project overlapping with or in the immediate vicinity of the Order Limits. The evidence would indicate that the area in question has a high archaeological potential.</p> <p>Areas disturbed by earthworks in the area north of Pond Hall Park are covered in the OWSI (document 7.10 (B)) which will apply the principle of preservation by record of any archaeological remains at risk of removal or damage by the temporary bellmouths, compounds and final locations of the temporary access routes and the pylon bases.</p>
5.3	Consideration of the statutory purpose of the AONB	SCC supports the Dedham Vale AONB and Stour Valley Partnership's view that there will be a significant impact on the ability of the AONB to deliver statutory purpose during the construction of underground cables. There is likely to be a displacement of recreational activity, increasing the recreational pressure on other areas of the AONB. Although there may only be one PRoW affected, other recreational activities such as cycling, horse riding, and water sport activities (canoeing) also need to be considered.	The Applicant acknowledges that there would be temporary construction effects on the special qualities of the AONB as set out in Dedham Vale AONB Special Qualities and Statutory Purpose [REP1-032]. However, it maintains that there is no requirement to compensate for these short-term temporary effects when there is an overall long term operational benefit to the AONB from undertaking these works, as outlined stated verbally at ISH4, see the Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 4 [REP4-034].

Ref	Matter	Point Raised	Applicant's Comments
			<p>The project would not affect any bridleways within the AONB and there are also limited effects on the local road network. There are no water bodies suitable for canoeing within the AONB and Order Limits. The temporary access route crossing of the River Stour (which only has localised short term closures during the installation and removal of the temporary bridge) lie approximately 6km upstream of the AONB boundary. Therefore, the Applicant does not consider that the project would result in any significant effect on cycling, horse riding or water sport activities within the AONB as there is very limited public access.</p>
5.4	Special qualities of the Dedham Vale AONB	The assessment of the impacts on the Special Qualities of the AONB is acceptable. However, note 5.3 above in relation to significance.	The Applicant has no further comment on this matter.
5.5	Location of the Dedham Vale east CSE compound	<p>SCC agrees with the location in principle but considers careful micro-siting essential to minimise visual effects experienced, when leaving Polstead Heath in a southerly direction without increasing the adverse effects on the PRoW to the west (Suffolk Joint LIR [REP1-045], paragraph 6.139). Additional mitigation planting and appropriate management of the mitigation planting is likely to be required and will need to be allowed for in the detailed design stage.</p>	<p>The Applicant notes that the Councils agree with the location for the Dedham Vale East CSE compound, as stated in the LIR.</p> <p>The location of Dedham Vale East CSE compound balances engineering and environmental aspects. In its current location, residential properties benefit from screening from existing vegetation, and the location is also screened in views from the edge of the AONB as shown in Viewpoint E-10 at ES Appendix 6.4 Viewpoint Assessment [APP-104]. A location more central between Millwood Road and Heath Road would increase the landscape and visual impacts as it would be visible from Viewpoint E-10, would be closer to a PRoW and would potentially require vegetation removal to maintain the distance from the existing overhead line being retained.</p> <p>Embedded planting is shown on Sheet 12 of Landscape and Ecological Management Plan (LEMP) Appendix B: Vegetation Reinstatement Plan [REP3-036]. This includes for a hedgerow with trees along Millwood Road and a hedgerow along the northern boundary of the site. The hedgerow is reinforced by two blocks of scrub planting which have been positioned to screen views for people travelling south on Millwood Road.</p>

Ref	Matter	Point Raised	Applicant's Comments
			The proposed planting has had regard to the location of the existing overhead line and the Applicant considers it sufficient to mitigate the visual effects.
5.6	<p>Whether additional viewpoints and assessment are required, including:</p> <ul style="list-style-type: none"> From the PRoW network east of the A131; The temporary haul road from the A131; A viewpoint closer to the Stour Valley East CSE compound; and From the PRoW network on the edge of Wickham St Paul. 	<p>SCC is broadly content with the overall number and representativeness of the viewpoints as part of the ES. However, the Council agrees with ECC and BDC that there is a lack of viewpoints in some areas, for example around the proposed haul road, and that there are a lack of viewpoints from PRoW nearer to the scheme, for example, regarding the CSE compound at Workhouse Green (Stour Valley East), as identified by the Councils.</p>	<p>The locations of the 154 representative viewpoints and associated visualisations were agreed with the Councils [REP1-045] through meetings as set out in line 3.4.2 in the Statement of Common Ground Local Authorities [REP1-015]. Representative views are produced to aid the decision-making process and are not required for the landscape assessors to make their judgements on likely significant effects.</p> <ul style="list-style-type: none"> Temporary Access Route off the A131: Viewpoints are primarily selected to represent long-term operational effects not temporary construction effects, although construction effects are discussed in the assessment for each viewpoint. The assessment of the visual effects of the temporary access route is represented by viewpoints G-07, G-15, and G-22 at ES Appendix 6.4 Viewpoint Assessment Section G Part 6 [APP-106]. The temporary access route passes through Alphamstone, Little Maplestead, Pebmarsh and Twinstead community areas. ES Appendix 6.5: Assessment of Visual Effects on Communities [APP-108] presents the assessment of effects on these community areas and cross refers to the relevant representative viewpoints. This concludes that construction effects on Little Maplestead and Pebmarsh community areas would not be significant as the temporary access route would be the only noticeable construction activity. The construction effects on Twinstead community area would not be significant and the temporary access route would be the only noticeable construction activity in the southern part of the community area. The Applicant does not consider that additional viewpoint locations or assessment is required in this location. As stated in Table 6.1 of ES Chapter 6: Landscape and Visual [APP-074], there would be potential for significant adverse effects on the Alphamstone community area during construction, but the temporary

Ref	Matter	Point Raised	Applicant's Comments
			<p>access route would be only one component giving rise to these effects.</p> <ul style="list-style-type: none"> Stour Valley East CSE Compound: There would be very little visibility from the PRow closest to the Stour Valley East CSE compound (W-171/001/0 and W171/002/0), which is why no viewpoints were identified on these routes. Users of a short section of W-171/001/0 near Sawyer's Farm may have views of the top of the gantries which would be some 300m distant. The adverse effects on these views would however be outweighed by the beneficial effects of removing the existing 132kV overhead line which is seen in much closer proximity as it overflies the footpath. Therefore, the Applicant does not consider that additional viewpoint locations or assessment is required in this location.
5.7	Sufficiency of visual mitigation for the CSE compounds – Dedham Vale West CSE compound	<p>SCC welcomes the strategic positioning of the CSE compound north-west of the existing tree group, as this will provide useful screening. However, SCC considers that there should be continuous roadside hedge planting on the north-eastern side of the B1068 from the boundary of the apple tree farm in the east to the access track. Instead of relying on regeneration of coppiced hedges directly adjacent to the road, the hedgerow should be set back sufficiently from the road to design in the requirements of the visibility splay (i.e., north of the ditch). The hedge should have a return into the access track. The hedge to the eastern side of the access track should continue all the way to the northern end of the access track and should include hedgerow trees. The proposed planting along the A134 may (regeneration of coppiced hedge) may need to be re-assessed and contingencies made available for additional planting, should the regeneration not be successful.</p>	<p>Sheet 15 of LEMP Appendix B Vegetation Reinstatement Plan (document 7.8.2(B)) indicates that the described hedgerow would be replanted along the B1068 after construction of the underground cables which cross the road at this location. The rest of the hedgerow is retained along this boundary, no coppicing is proposed in this location. In addition, new hedgerows are proposed along both sides of the permanent access track.</p> <p>As stated in para 9.2.2 of the LEMP [APP-182], hedges that are coppiced will be inspected to check for re-establishment as part of the aftercare.</p>
5.7	Sufficiency of visual mitigation for the CSE compounds - Stour Valley West CSE Compound (Essex)	<p>SCC defers to the recommendation for mitigation by BDC/ECC for additional mitigation on this site but considers that the existing roadside vegetation along the north-eastern side of the lane between Pebmarsh Road and Mabb's Corner should be strengthened, and the existing hedges</p>	<p>As this lies within Essex, the Applicant refers to its response to ECC/BDC on this matter in Item 5 of Table 4.1 of this document.</p>

Ref	Matter	Point Raised	Applicant's Comments
		managed in such a way that they afford better screening of the CSE compound. While tree planting over the cables is not possible, options for hedge planting on the southern side of the compound should be explored to create several layers of mitigative planting to filter the views from the south.	
5.7	Sufficiency of visual mitigation for the CSE compounds - General	SCC further considers that it will be essential for the remaining CSE compounds to retain the existing vegetation, ensure that that root zones are adequately protected and that landscape proposals will be fine-tuned at the detailed design stage and augmented, where required.	The Applicant considers that the LEMP [REP3-034] already protects existing vegetation including root zones and has no further comments on this matter.
5.7	Sufficiency of visual mitigation for the CSE compounds - Dedham Vale East CSE Compound	At Dedham Vale East CSE Compound at Polstead Heath the proposed hedgerow reinforcement along Millwood Road will be essential, including achieving a sufficient height of the hedge so that views from Millwood Road area screened.	Noted. The hedgerow planting is part of this embedded measure as shown on Sheet 12 of LEMP Appendix B: Vegetation Reinstatement Plan [REP3-036].
5.8	Sufficiency and security of landscape and visual mitigation and compensation planting generally	<p>SCC considers that the proposals for landscape and visual mitigation and compensation planting generally is insufficient and insufficiently secure (reliant on Third Party agreements) (LIR [REP1-045], paragraphs 6.16, 6.113, 6.117).</p> <p>SCC considers that the LEMP does not sufficiently secure re-instatement and mitigation planting. Not only is the LEMP in its current form not detailed enough to be considered the final LEMP, but it also contains fundamental flaws, which would make it unacceptable even as an Outline LEMP. Elements that are considered unacceptable include the planting schedules, provisions for aftercare, such as timing to hand responsibility back to landowners, aftercare period for trees, aftercare prescriptions and periods for natural regeneration of woodland.</p> <p>SCC considers it would be preferable to agree a revised Outline LEMP, with detailed LEMPs being provided with the planting proposals for each section at post consent stage. SCC will provide a full review (tracked-change version) of the D3 LEMP [REP3-034] for Deadline 5.</p>	<p>The LEMP [REP3-034] contains all the planting required to make the project acceptable, including planting embedded into the design of the project and reinstatement planting, as well as additional mitigation and landscape softening.</p> <p>Locations of proposed planting are shown on LEMP Appendix B Vegetation Reinstatement Plan [REP3-036] and planting schedules at LEMP Appendix C: Planting Schedules [APP-185]. The LEMP is secured through Requirement 4 of the dDCO [REP3-007].</p> <p>The Applicant would welcome sight of the Council's specific concerns regarding the LEMP so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.</p>
5.8	Sufficiency and security of landscape and visual	The wider question is that where there are residual impacts that are identified but not are not capable of mitigation, it is	In the context of a major infrastructure project, the project is well mitigated and the residual adverse effects are considered

Ref	Matter	Point Raised	Applicant's Comments
	mitigation and compensation planting generally	those that SCC consider that there is a need for compensation (mitigation used in its narrower sense (of a measure that reduces an adverse impact) rather than mitigation as it is sometimes used in its broader sense to describe all betterment measures). Compensation, not in the financial or pecuniary sense, but as an offsetting measure to weigh against the residual impact. SCC considers that the Applicant is not doing enough to bring forward compensatory landscape measures and that more needs to be done and that it is not adequate to say there are residual impacts that the applicant is not able to mitigate and that they should be weigh against the benefits of the scheme. SCC considers that the approach ought to be to mitigate where possible and compensate where it is not possible to mitigate, and that only where there are things that cannot be mitigated nor compensated that are then weighing against the benefits of the scheme.	<p>to be very limited and should be considered (in accordance with National Policy) in the context of the significant benefits of the project (contributing to energy security, supporting the transition to net zero and other significant beneficial effects, such as those achieved through the removal of the 132kV line, the removal of a section of 400kV line and undergrounding the proposed 400kV line).</p> <p>The ES identifies the additional mitigation that is included to reduce the likely significant effects in the assessment. The ES also acknowledges that there would be some residual significant adverse landscape and visual effects around Burstall and to the north of Hintlesham arising from the introduction of the new 400kV overhead line, although the southern part of Hintlesham would benefit from removal of the existing 132kV overhead line. Other areas, including Dedham Vale AONB and the Stour Valley will experience significant beneficial effects from the removal of the existing overhead line. The ES identifies the likely residual significant effects after efforts have been made to avoid, reduce and, if possible, offset those effects. The remaining residual effects are considered to be acceptable without further action on mitigation or compensation.</p> <p>The Applicant disagrees with some of the assumptions in this statement:</p> <p><i>'SCC considers that the approach ought to be to mitigate where possible and compensate where it is not possible to mitigate, and that only where there are things that cannot be mitigated nor compensated that are then weighing against the benefits of the scheme.'</i></p> <p>The rationale for the Applicant's approach is provided in the response to 6c below.</p>
5.8	Sufficiency and security of landscape and visual mitigation and compensation planting generally	SCC also consider that a focus only on impacts which are assessed as 'likely significant effects' and an effective discarding of any impacts assessed to be below the level of a 'significant' effect would not be an adequate or robust assessment of the impacts of the proposal. SCC acknowledges that for the purposes of Environmental Impact Assessment (EIA), there is a focus on the 'likely significant	<p>The designated National Policy Statement (NPS) EN-1 (2011) states that:</p> <p><i>'4.2.4 When considering a proposal the IPC should satisfy itself that likely significant effects, including any significant residual effects taking account of any proposed mitigation</i></p>

Ref	Matter	Point Raised	Applicant's Comments
		effects' but it does not follow that other impacts are not capable of being (either on their own or in conjunction with other impacts) relevant and important matters that need to be brought into account when a decision is made under the PA 2008. The process of EIA informs that decision making but it is not a substitute for it. When undertaking a planning balance of overall (residual) harms and benefits the Applicant (understandably) brings into account the totality of the benefits that would be delivered by the proposal. It would be a distortion of the planning balance to then leave out of account or to treat as immaterial adverse impacts that have been identified but which are assessed as being below the level of a significant effect.	<p><i>measures or any adverse effects of those measures, have been adequately assessed.'</i></p> <p><i>'4.2.11 In this NPS and the technology-specific NPSs, the terms 'effects', 'impacts' or 'benefits' should be understood to mean likely significant effects, impacts or benefits.'</i></p> <p><i>'4.1.3 In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the IPC should take into account:</i></p> <ul style="list-style-type: none"> <i>its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and</i> <i>its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.'</i> <p>Hence the NPS is clear in its focus on the identification, avoidance reduction and compensation of likely significant effects, in the decision-making balance. Whilst the Applicant agrees that effects (whether beneficial or adverse) that are not significant <i>can</i> be taken into account and weighed in the planning balance, the weight given to these effects is generally limited given their treatment in policy.</p> <p>The Applicant has set out its position in respect of the planning balance, in its Planning Statement [APP-160] paragraph 10, including in respect of adverse effects at paragraphs 10.4 and 10.5.</p>
5.9	Inter-project cumulative effects and mitigation at the existing Bramford substation	SCC considers that the cumulative landscape and visual effects around Bramford substation require a more holistic approach, such as a landscape and ecology masterplan, which factors in the additional energy infrastructure developments expected in this area. The potential for comprehensive off-site mitigation needs to be further explored around Bramford and Burstall. SCC acknowledges that the inter-project cumulative effects will not be capable of being fully mitigated and therefore considers that compensation and landscape scale restoration are required (LIR [REP1-045], paragraphs 6.127-6.129).	The Applicant disagrees that further off-site mitigation is required to make the project acceptable and responded to this in line item 6.127 to 6.129 and also 6.12 to 6.16 in the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049]. It is also not considered appropriate for the project to compensate for the additional energy infrastructure developments 'expected' in this area, given the uncertainty about the final design, potential impacts, programme and even whether the developments will be consented.

Ref	Matter	Point Raised	Applicant's Comments
			Environmental effects have been avoided and reduced throughout the development of the project and in the context of a major infrastructure project, the residual adverse effects are considered to be very limited and should be considered in the context of the significant benefits of the project. These remaining residual effects are considered to be acceptable without further action on mitigation or compensation.
7.1b	Action Point 9 Implications of the Land Use and Regeneration Act (LURA)	LURA 2023 amends s.85 of the Countryside and Rights of Way (CROW) Act 2000 by adding a new sub-section (A1) to impose a new duty. The councils consider that the new duty will mean that the Secretary of State should give greater weight to the need to ensure that the AONB is conserved and enhanced and that impacts on the AONB are avoided, minimised or adequately mitigated, or where they cannot be mitigated any residual impacts are compensated for so that the overall effect of the development on the AONB is one that achieves conservation or enhancement of its natural beauty so far as is possible.	The Applicant has responded to the implications of the LURA in response to AP9 in the Applicant's Response to the November Hearings Action Points [REP4-042] .
Responses to Comments on the LIR [REP4-008]			
3a	Stour Valley	SCC is referring to the wider area which does include parts of the Stour Valley which are designated as an AONB. For the avoidance of doubt, SCC is not suggesting that parts of the Stour Valley Project Area (SVPA) form part of the designated AONB but is making the point that the River Stour (and its associated river valley) flows through parts of the AONB.	The Applicant notes that the section of the River Stour and the associated river valley that lie within the Order Limits does not lie within the AONB. However, the Applicant acknowledges that parts of the Stour Valley form part of the setting of the AONB.
4a – 5a	Draft EN-3	<p>SCC agrees that draft NPS are relevant and important considerations. Further, SCC considers that the decision on this project should be taken having full regard to the imminent revisions of NPS EN-1 to EN-5, albeit acknowledging that they do not replace the extant versions of EN-1 or EN-5 for the purposes of section 104 of the Planning Act 2008.</p> <p>SCC agrees although the Development Plan is a material consideration, that the NPS are the primary policy context; however, the as noted in 4a in Table 4 above, the imminent</p>	<p>New NPSs for energy infrastructure were published on 22 November 2023 as part of the Chancellor's Autumn Statement. They have been laid before Parliament to complete due process before being designated.</p> <p>Paragraphs 1.6.2-1.6.3 of NPS EN-1 (November 2023) state:</p> <p><i>'1.6.2 The Secretary of State has decided that for any application accepted for examination before designation of the 2023 amendments, the 2011 suite of NPSs should have effect in accordance with the terms of those NPS.'</i></p>

Ref	Matter	Point Raised	Applicant's Comments
		revisions of NPS EN-1 to EN-5 should be taken into account as relevant and important matters for the purposes of the decision on this project.	<p><i>1.6.3 The 2023 amendments will therefore have effect only in relation to those applications for development consent accepted for examination, after the designation of those amendments. However, any emerging draft NPSs (or those designated but not yet having effect) are potentially capable of being important and relevant considerations in the decision-making process. The extent to which they are relevant is a matter for the relevant Secretary of State to consider within the framework of the Planning Act 2008 and with regard to the specific circumstances of each Development Consent Order application.'</i></p> <p>Given the transitional provisions above, the application will be determined in accordance with the original 2011. The Applicant agrees with SCC that policies within these latest versions are <i>potentially capable</i> of being important and relevant, but the weight given depends on the policy in question and how it relates to the project. The Applicant is currently reviewing the most recent versions and will provide an update on any important and relevant considerations from these latest versions at an appropriate deadline.</p>
5b	Policy	SCC acknowledges the embedded mitigation in the ES although considers that further mitigation is required to make the proposed development acceptable.	The Applicant disagrees that further mitigation is required to make the project acceptable and responded to this in line item 6.127 to 6.129 and also 6.12 to 6.16 in the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049].
6a	Route alignment, micro-siting and LoD	SCC is content that with regards to wider landscape and visual impacts, minor changes to tower locations within the LoD are unlikely to result in new or significant effects. However, this is not the case in relation to the setting of specific assets.	The Applicant is unsure which specific assets SCC is referring to other than Hintlesham Hall noted in 6b.
6b	Micro-siting of pylons	Whilst the proposed revision to EM-AB01 is a helpful clarification, which provides some reassurance, SCC clear preference would be for consultation with the relevant parties on the finalisation of tower locations in the vicinity of Hintlesham Hall to ensure that adverse impacts are minimised.	<p>The assessment presented in ES Appendix 8.2 [APP-127] has concluded that there are no significant effects to listed buildings and the Applicant has further compromised by committing to not placing a pylon in the most sensitive location discussed with third parties.</p> <p>However, as set out in Table 3.1 (line 6.10 to 6.11) of the Applicant's Comments on Suffolk County Council and Babergh</p>

Ref	Matter	Point Raised	Applicant's Comments
		Given therefore, that critical micro-siting of towers is limited to a very small number of locations across the project, SCC does not consider that it is reasonable to cite practicality as a substantial obstacle to engage effectively with third parties concerning a few critical locations.	<p>and Mid Suffolk District Council Local Impact Report [REP3-049], the Applicant maintains that the micro-siting of pylons is a complex process involving many different engineering and safety factors as well as environmental and therefore should not be determined by third parties.</p> <p>The Applicant is unsure where the 'very small number of locations across the project' are that SCC is referring to and welcome feedback on this matter.</p>
6c	Mitigation and compensation	<p>The definition in Draft NPS EN-1 states that 'mitigation hierarchy' is 'A term to incorporate the avoid, reduce, mitigate, compensate process that applicants need to go through to protect the environment and biodiversity.' This hierarchy is repeatedly referenced in draft EN-1 and there is a clear expectation that it is followed (see for instance paras 4.1.5 and 4.2.4). It is also apparent from the reference to the mitigation hierarchy in para 3.3.6 that the weighing of benefits against residual impacts is a step that follows after the application of the hierarchy in relation to impacts that are not capable of being addressed by the hierarchy. Thus, where adverse impacts can be addressed or offset by the provision of compensatory measures (which would be a part of the mitigation hierarchy), those impacts would not need to be treated as residual impacts for the purpose of being weighed against benefits. The Council considers that this implies that the process the Applicant needs to go through does include applying measures of compensation, where avoidance, reduction and mitigation are not capable of sufficiently mitigating adverse effects resulting from the scheme.</p> <p>Compensation planting does not have the purpose to remove the likely residual effects but to improve and enhance the condition and fabric of the wider landscape around those residual impacts.</p>	<p>Nature of Effects Under Discussion</p> <p>The Applicant understands that when discussing compensation SCC is particularly considering the potential to compensate for residual significant landscape and visual effects, namely construction effects in the Dedham Vale AONB and operational effects at Hintlesham and Burstall.</p> <p>Significant adverse landscape and visual effects in the Dedham Vale AONB are limited to the construction period and relate largely to the temporary works to remove an existing 132kV overhead line and install the new 400kV underground cables (both of which are embedded measures to reduce the landscape and visual effects of the project and deliver benefits). Following construction there would be significant beneficial landscape and visual effects on the Dedham Vale AONB and no significant adverse landscape and visual effects.</p> <p>Significant beneficial effects are also experienced due to the removal of the 132kV overhead line within the Box and Stour Valley. Chattisham, Lamarsh and Polstead would experience long term significant beneficial effects from the removal of pylons within views from those communities.</p> <p>With regards to the Hintlesham community area, paragraph 2.16.16 of ES Appendix 6.5 [APP-108] notes that views across the southern part of this community area would benefit from the dismantling and removal of the existing 132kV overhead line. There would be moderate adverse effects (significant) to the central and northern part of the community area during operation, where the new 400kV overhead line would result in a medium size/scale of change to views. However, this would</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>diminish with distance and the geographical area affected would be small.</p> <p>At the Burstall community area, the new 400kV overhead line would be located in the open farmland to the south of the existing 400kV overhead line. The new pylons would be prominent on the skyline and would increase the presence and influence of high voltage electricity infrastructure on the northern edge of Burstall. The effect of the project on the visual amenity of the central part of the Burstall community area would be moderate adverse (significant).</p> <p>The significant adverse effects to the central and northern parts of Hintlesham community area and to the central part of Burstall community area have been reduced and mitigated as far as possible in the development of the project. Further mitigation would not remove the effect due to the size of the infrastructure and the separation distance.</p> <p>The residual landscape and visual effects are considered to be very limited given the large scale nature of the project and demonstrate the success of the design process in embedding environmental considerations into the project.</p> <p>Compensation as an Element of the Mitigation Hierarchy</p> <p>The term 'mitigation hierarchy' is not used in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regs).</p> <p>However, the EIA Regs state in Article 14(2)(c) that an ES must include: <i>'a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment'</i>. The important points here being that:</p> <p>a) the ES must include a description of measures envisaged, but not that this must result in all significant effects being mitigated or offset; and</p> <p>b) The words 'if possible' are inserted before the word 'offset'. The EIA Regs therefore do not treat offsetting (or the similar</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>word 'compensation') in the same way as prevention or reduction.</p> <p>The ES is fully compliant with the EIA Regs; it clearly sets out measures incorporated to avoid, prevent, reduce and, if possible, offset likely significant effects.</p> <p>The 'mitigation hierarchy' is also not mentioned in the designated NPSs EN-1 or EN-5 (2011), which remain the primary documents used for determining the project. However, NPS EN-1 does state in paragraph 4.1.3 that [emphasis added]:</p> <p><i>'In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the IPC should take into account:</i></p> <ul style="list-style-type: none"> • <i>its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and</i> • <i>its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.'</i> <p>Therefore, the requirement for the Applicant to describe compensation measures considered and for the decision-maker to take compensation measures into account were already features of the legislative and policy context before publication of the latest suite of energy NPSs in November 2023.</p> <p>The final version of NPS EN-1 was published in November 2023 (although it has not yet been designated). Therefore, the response below references paragraphs in the November 2023 document rather than the March 2023 draft referenced in SCC's comments.</p> <p>NPS EN-1 (November 2023) classifies transmission projects such as Bramford to Twinstead as 'Critical National Priority' (CNP) projects. This further reinforces the urgent need for the project. Paragraph 4.2.4 states that:</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p><i>'4.2.4 Government has therefore concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. '</i></p> <p>NPS EN-1 (November 2023) includes fifteen references to the mitigation hierarchy and the definition remains as in the previous draft. Whilst the EIA Regs do not use the term 'mitigation hierarchy', they do require that the Applicant describes actions taken to address significant adverse effects and uses very similar terminology to that in NPS EN-1, albeit using the word 'offset' rather than 'compensation' and introducing 'where possible' before offset. The concept that the Applicant must describe any measures taken to compensate effects is therefore not new or introduced by NPS EN-1 (November 2023). The approach taken in the EIA Regs and the current designated NPSs (2011) has <u>not</u> been interpreted to mean that all effects must be addressed by stages of the hierarchy.</p> <p>In the Applicant's view, the mitigation hierarchy is intended to act as a tool for investigating how significant effects can be addressed in the development of a project through the iterative EIA process. Once significant effects have been identified, the Applicant moves through the mitigation hierarchy to consider whether they can be avoided, reduced, mitigated or compensated for, resulting in a project that has a lesser effect on the environment and potentially delivering benefits. This delivers better projects.</p> <p>The EIA Regs already require that measures undertaken are described in applications and both the 2011 and 2023 NPSs emphasise that these measures can be taken into account in decision making. Describing the measures considered can help consultees and decision makers understand the extent to which effects are unavoidable (e.g. as in the case of the residual landscape and visual effects described above) or lead others to suggest further approaches that could address effects (as local planning authorities have suggested with their additional compensation suggestion).</p> <p>However, the mitigation hierarchy does not require that all effects are removed through this process. This is clear from the wording in policy explored in the section below, even if it</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>could be clearer in, for example, 3.3.63 of NPS EN-1 (November 2023). This view is reinforced by NPS EN-1 paragraph 4.2.11 (November 2023), which states that: '4.2.11 <i>Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated</i>'. It is noted that in this paragraph, compensation is missing from the last sentence.</p> <p>Indeed, an interpretation that all effects must be compensated for may lead to the conclusion that the temporary effects in Dedham Vale AONB that are partially being undertaken to secure long term benefits to the AONB, must in themselves be compensated. This would not be proportional and in the context of the representations made the Applicant does not consider that this is a correct interpretation of policy.</p> <p>Expectation that Significant Residual Effects will Occur After Application of the Mitigation Hierarchy</p> <p>NPS EN-1 (November 2023) clearly envisages that there will be significant residual effects <u>after</u> the mitigation hierarchy has been applied. For example [emphasis added]:</p> <p><i>'3.1.2 ... it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS.'</i></p> <p><i>'3.3.63 Subject to any legal requirements, the urgent need for CNP [Critical National Priority] Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy.</i></p> <p><i>'4.1.5. In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account... its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or</i></p>

Ref	Matter	Point Raised	Applicant's Comments
			<p><i>compensate for any adverse impacts, following the mitigation hierarchy.'</i></p> <p><i>'4.2.15 Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts.'</i></p> <p>On landscape and visual effects specifically, NPS EN-1 (November 2023), like its predecessor, is clear that significant effects are likely [emphasis added].</p> <p><i>'5.10.5 Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.'</i></p> <p><i>'5.10.13 All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. 5.10.14 The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.'</i></p> <p><i>'5.10.35 The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.'</i></p> <p>The above emphasises that effects should be minimised but it is the Applicant's submission that it is not expected that the mitigation hierarchy will remove all residual effects. The policy does not state that all residual effects must be compensated for or that any compensation measure proposed must be accepted if there are residual effects.</p> <p>NPS EN-5 (November 2023) is also explicit that mitigation is not expected to result in the removal of landscape and visual effects for overhead lines:</p> <p><i>'2.9.11 – Landscape and visual benefits may arise through the reconfiguration, rationalisation, or undergrounding of existing</i></p>

Ref	Matter	Point Raised	Applicant's Comments
			<p><i>electricity network infrastructure. Though mitigation of the landscape and visual impacts arising from overhead lines and their associated infrastructure is usually possible, it may not always be so, and the impossibility of full mitigation in these cases does not countermand the need for overhead lines.'</i></p> <p>It is noteworthy that none of the policies above on landscape and visual effects in EN-1 or EN-5 (November 2023 versions) mention compensation. This is in contrast to text on biodiversity in particular and offshore wind, for example the following paragraphs in EN-1:</p> <p><i>'5.4.6 The British Energy Security Strategy¹⁸² committed to establishing strategic compensation for offshore renewables NSIPs, to offset environmental effects but also to reduce delays for individual projects. See paragraphs 2.8.266 – 2.8.273 of EN-3 for further information.'</i></p> <p>Or, for example, under the heading of Biodiversity and Geological Conservation, NPS EN-1 (November 2023) states:</p> <p><i>'5.4.35 Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development...'</i></p> <p><i>'5.4.42 As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.3 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought.'</i></p> <p><i>5.4.43 If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm.'</i></p> <p><i>5.4.44 The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to</i></p>

Ref	Matter	Point Raised	Applicant's Comments
			<p><i>ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.'</i></p> <p>There are national targets to reverse the decline of biodiversity and compensatory planting for biodiversity. In the biodiversity topic, the topic of compensation is important to the concept of Biodiversity Net Gain. A project cannot claim true net gain unless it has first compensated for residual impacts (as otherwise it is not net gain). The same context is not present in the same way for landscape and visual impacts and nor is the policy. None of the policies above on landscape and visual effects in EN-1 or EN-5 (November 2023 versions) state that residual impacts are required to be compensated if they cannot be mitigated in the way they do for biodiversity.</p> <p>How is Compensation Considered in the Planning Balance</p> <p>In terms of how the mitigation hierarchy is considered, the Applicant agrees that consideration of residual effects will occur after the mitigation hierarchy has been applied. How this is done is clear for measures to avoid, reduce or mitigate effects because these measures prevent significant effects from being realised. Therefore, those effects would not be residual effects and do not need to be weighed in the planning balance.</p> <p>However, compensation does not remove a significant effect so the Applicant disagrees with SCC's statement that: <i>'where adverse impacts can be addressed or offset by the provision of compensatory measures (which would be a part of the mitigation hierarchy), those impacts would not need to be treated as residual impacts for the purpose of being weighed against benefits.'</i> It would be incorrect for the ExA to ignore an adverse landscape effect on Hintlesham in the planning balance, for example, just because planting is implemented elsewhere, even if it is argued that it is delivered as compensation for the residual effect. The compensation would be considered in decision making and the planning balance as is clear in NPS EN-1 (e.g. paragraph 4.1.5 above) and in some</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>cases may have significant weight. However, this compensation would not remove the residual effect.</p> <p>Whilst not a key consideration for this project, the principle that residual effects are considered in the planning balance even if compensated for elsewhere is well established, for example, in the case of ancient woodland. Removal of ancient woodland cannot be mitigated because new planting cannot provide replacement habitat for woodlands over 400 years old. Therefore, compensation measures are delivered as part of projects and are taken into account in decision making. However, this compensation does not remove the impact on ancient woodland or mean it should not be considered in the planning balance.</p> <p>Conclusion</p> <p>Overall, NPS EN-1 (November 2023), like its predecessor recognises that virtually all large infrastructure projects will have significant adverse landscape and visual effects. In this context, the project performs very well in landscape and visual terms; providing 29km of high capacity transmission network reinforcement and ancillary infrastructure with very limited landscape and visual effects and delivering significant beneficial effects on the most sensitive landscape in the area, the Dedham Vale AONB. The mitigation hierarchy has been applied and the project includes measures that have led to this positive outcome. In this context, the Applicant does not consider that any further compensation is required and is of the view that the project complies with policies on the mitigation hierarchy as presented in NPS EN-1 (November 2023).</p>
6c	Mitigation and compensation	Regarding the final point (Biodiversity Net Gain (BNG) being subject to a 30 year management plan), SCC considers it would be helpful if this was pointed out in the LEMP.	The LEMP does not include the implementation of BNG as this is considered an enhancement rather than mitigation or compensation. Paragraph 7.2 of the Environmental Gain Report [APP-176] which details BNG, states that it is anticipated that site specific Management Plans would be developed for the environmental areas during the detailed design stage of the project. Requirement 13 of the draft DCO secures the BNG.

Ref	Matter	Point Raised	Applicant's Comments
6d	Compensation to allow for landscape restoration	SCC agrees with the Applicant that some of the residual effects would not be mitigated through additional planting at these locations. This is the precise reason, why SCC considers compensation measures necessary, which, while not mitigating residual visual and landscape effects resulting from the scheme, would serve to improve and enhance the fabric and the condition of the landscape as a whole, to compensate for the residual adverse impacts, where it has been affected by the scheme.	The Applicant recognises that planting proposed by SCC may improve the landscape in the area of the planting. However, the Applicant disagrees that this means this planting is necessary or that any further compensation is necessary for the limited residual effects. The rationale for this view is provided in the response to 6c above.
6e	BNG and Monitoring	SCC understands from the comments by the Applicant that measures to ensure BNG will be dealt with separately in a standalone 30-year Management Plan. SCC assumes that the duration of maintenance would depend on regeneration success, but would be grateful for further clarification, under which circumstances less than 30 years' maintenance would be envisaged to be sufficient by the Applicant.	As stated in Section 7.3 of the Environmental Gain Report [APP-176] , it is anticipated that the Applicant would own or lease the environmental enhancement areas and therefore would be responsible for maintaining the habitats on-site for a period of up to 30 years. Circumstances when the Applicant may be responsible for maintaining for less than 30 years, may occur if the required habitat targets have been met and in such cases the Applicant may handover the remaining maintenance to the landowner or another third party through separate agreements.
6f	Hedgerows	SCC considers that the text of the LEMP should include tables that clearly quantify the vegetation losses for each of the project's sections and in total, such as numbers of trees lost for each tree category (including trees lost for temporary or permanent access and visibility splays), lengths in metres of hedgerows lost (differentiating between important and non-important hedgerows under the Hedgerow Regulations 1997 and including hedgerows lost to permanent access and visibility splays). SCC does not consider it sufficient for the vegetation losses to be depicted on the Vegetation Removal and Management Plan [APP-183] .	The Applicant refers to its response reference 6.120 to 6.121 in the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049] .
6g	Environmental Areas	There is no detailed information regarding the planting around the CSE compounds.	The Applicant disagrees with this statement, as the planting around CSE compounds is shown on LEMP Appendix B: Vegetation Reinstatement Plans [REP3-036] and the planting schedules are provided in LEMP Appendix C [APP-185] .

Ref	Matter	Point Raised	Applicant's Comments
6g	Environmental Areas	While the Environmental Areas may be dealt with separately, it is difficult to gauge their contribution to visual mitigation. Requirement 13 BNG of the dDCO does not appear to secure an individual and stand-alone implementation and 30-year management plan (separate from the LEMP).	<p>The enhancements set out in the Environmental Gain Report [APP-176] do not contribute to the visual mitigation (set out within the ES) required to make the project acceptable.</p> <p>Paragraph 7.2 of the Environmental Gain Report [APP-176] states that it is anticipated that site specific Management Plans would be developed for the environmental areas during the detailed design stage of the project.</p>
6h	Residual impacts	SCC is not reassured by this statement, as the LEMP or Outline LEMP will set the parameters for any further planting plans. Therefore, while fine-tuning may be possibly and should be built into the control documents, it is of paramount importance that these control documents are brought to an agreed standard prior to consent being granted.	The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.
6i	Residual impacts CSE compound Alphamstone	SCC does acknowledge the restrictions that not trees can be planted over underground cables, but does not follow the Applicant's explanation that no planting can be provided due to underground cables to the south of the CSE compound at Alphamstone, when elsewhere hedges can be reinstated over cables.	<p>As the CSE compound is set slightly down into the landscape, a hedgerow on the boundary would not change the assessment of magnitude provided in the viewpoint assessment [APP-106] which acknowledged the open views. Planting within the field to the south of the CSE compound is constrained by the presence of the underground cables. The property to the south already benefits from mature tree planting on its boundary.</p> <p>As the PRoW crosses the middle of the open field and not along the boundary it was considered inappropriate to include planting close to the footpath (which would also affect agricultural operations), instead favouring the retention of open views which would benefit from the removal of the 400kV overhead line to the north of the CSE compound.</p>
6j	Landscape planting mitigation proposals, including timing, management and maintenance	<p>Regarding the first point, this is the precise reason why SCC considers compensation measures necessary.</p> <p>Concerning the second point, SCC considers that an accumulation of non-significant effects can overall be significant and require mitigation or compensation (Suffolk Joint LIR [REP1-045], paragraph 6.110 and 6.128).</p>	The ES presents the cumulative effects on receptors, considering where non-significant effects become significant when combined. This is evidenced in Table 7.13 of ES Chapter 7 Biodiversity [APP-075], where the combined habitat loss and modification/degradation of lowland mixed deciduous woodland HPI across the project results in a significant effect. The Applicant does not consider there are other non-significant effects that require mitigation or compensation.

Ref	Matter	Point Raised	Applicant's Comments
6k	Timing of reinstatement planting	SCC urges the Applicant to take changing weather patterns into consideration, when defining planting seasons.	The Applicant is unclear what is meant by this comment. Planting is usually undertaken over the autumn and winter when plants are dormant and prior to the growing season. The planting season can differ year to year, plants only being released by nurseries when appropriate to the root condition required. This is normal practice in the landscape industry.
6l	Management and Maintenance	Regarding MM09, SCC would query whether this would be maintained under the LEMP for up to 30 years. While the purpose of the Vegetation Reinstatement planting is to replace what is removed, this is not entirely achievable for any removed mature trees, and therefore SCC does not consider it acceptable that mature trees are replaced with only one new tree. The usual ratio for replacement of mature trees in 3:1.	As stated in paragraph 9.1.2 of the LEMP [REP3-034] , the Applicant has committed to maintaining MM09 for 30 years. The Applicant has proposed planting areas that provide suitable mitigation in terms of value (based on area and planting type).
8a	Historic environment - Construction phase comments	SCC note that the OWSI in its current form is not an approved document.	The Applicant provided a draft of the OWSI to SCC and addressed their feedback. The Applicant has subsequently requested further feedback from the Councils on what is missing from the OWSI (document 7.10 (B)) and is awaiting to hear the feedback.
8b	Historic environment - Decommissioning phase impacts	<p>SCC note that there needs to be the appropriate level of archaeological assessment to determine the physical impact of decommissioning and associated works. There will be compounds/storage areas and access routes that will be required to facilitate the decommissioning of existing pylons. This will have an additional impact beyond the areas of the pylon being decommissioned.</p> <p>Currently as the OWSI stands there is no provision for post-determination trenched archaeological evaluation to appropriately assess the impacts of pylon decommissioning.</p>	<p>As noted in Table 4.9 of ES Chapter 4: Project Description [APP-072], the footprint of any decommissioning works is likely to be smaller than the ground disturbed during construction of the project. As the ground within this area would already have been disturbed during construction, it is unlikely that archaeological remains would be present. Therefore, there are unlikely to be any significant effects to archaeology during decommissioning.</p> <p>In any case, Requirement 12 of the draft DCO (document 3.1 (E)), sets out that in the event that the authorised development, or part of it, is to be decommissioned, a written scheme of decommissioning must be submitted for approval by the 'relevant planning authority' at least six months prior to any decommissioning works.</p>

Ref	Matter	Point Raised	Applicant's Comments
8c	Historic environment - Written Scheme of Investigation	<p>SCC note that the OWSI has not been approved by SCC. Amendments are required to the document. SCC would advise that a meeting is organised between the Applicant, SCC and Essex Place Services to discuss the requirements of the OWSI.</p> <p>Archaeological mitigation within the proposed scheme cannot be determined until the information from trenched archaeological evaluation has been made available.</p> <p>Currently only summary reports for stages 1-4 within the undergrounding section of the scheme have been sent to SCC for review, as summary reports these do not contain results of scientific analysis. When the evaluation reports have been approved by SCC the results will need to be combined with the of the geophysical survey data and the combined information will need to be included within the OWSI when discussing archaeological mitigation within the undergrounding area.</p>	<p>The Applicant provided a draft of the OWSI to SCC and address feedback. The Applicant has requested further feedback from the Councils on what is missing from the OWSI (document 7.10 (B)) and is awaiting to hear the feedback. The Applicant has also requested dates for meeting with the Council to discuss this matter further and will provide an update into Examination once this has been held.</p> <p>Archaeological trial trenching of the outstanding areas of the project was completed in November 2023. An updated OWSI (document 7.10 (B)) has been submitted at Deadline 5. The Applicant will be providing the most recent Trial Trenching Report to SCC once this has been drafted.</p>
8d	Historic environment - Micro sitting of pylons	<p>SCC would note that because pylon locations are not yet determined, there needs to be provision for archaeological assessment, by post-determination trenched archaeological evaluation to assess whether below-ground heritage would affect or influence micro-sitting of the pylons. As well as the need for and scope of any further archaeological work based on the results of the archaeological evaluation, such as open area excavation prior to the construction of the pylon base.</p> <p>Currently as the OWSI stands there is no provision for post-determination trenched archaeological evaluation.</p>	<p>The Applicant believes the approach to trial trenching as set out in the OWSI (document 7.10 (B)) for the overhead sections is appropriate and proportionate to the level of ground disturbance at pylon locations. It is the Applicant's intention to mitigate any areas where construction earthworks have the potential to disturb buried archaeology. This is set out in the OWSI (document 7.10 (B)) in the form of proactive or reactive watching briefs. This will ensure preservation by record of any buried archaeological remains.</p>
8e	Historic environment - Archaeological evaluation	<p>SCC note that the pylon working areas as indicated by 2.11.11 Design and Layout Plans Pylon Working Area are 80x80m for tension (angle) pylon and 40x40m for suspension (line) pylon. Within the working area will contain pylon base (30x30m), crane pad (15x15m), pylon assembly area (20x17m or 20x10m) as well as areas for parking, cabins, storage containers and welfare. All of which will have an impact on below-ground heritage which may exist.</p>	<p>See comments in 8d. Archaeological trial trenching of the outstanding areas of the project was completed in November 2023. The Applicant will be providing the most recent Trial Trenching Report to SCC once this has been drafted. An updated OWSI (document 7.10 (B)) has been submitted at Deadline 5.</p>

Ref	Matter	Point Raised	Applicant's Comments
		<p>SCC is concerned that there is no provision for further evaluation particularly within the over-head sections of the scheme relating to work required on the pylon sites and haul roads. As pylon locations are not yet determined, post-determination trenched archaeological evaluation within the overhead sections would accurately quantify the archaeological resource, both in quantity and extent and allow for decisions on the location/micro-setting of the pylon within the LoD as well as the need for, and scope of any further work based on the results of the evaluation, such as open area excavation prior to the construction of the pylon base.</p> <p>Post-determination archaeological evaluation would also be used to catch any areas that were not possible to trench up-front due to health and safety and ecological constraints, as well as serve as a contingency for areas where upfront archaeological evaluation is shown to be lacking, to aid in the formulation of mitigation strategies.</p>	
8f	OWSI	SCC would advise the Applicant to organise a meeting to discuss the amendments for the OWSI.	The Applicant is happy to engage with SCC to discuss the amendments to the OWSI (document 7.10 (B)) following their review of the updated OWSI submitted for Deadline 5.
8g	DCO and a Detailed Written Scheme of Investigation (DWSI)	<p>SCC is concerned as there is no provision for reporting or archiving, having the following condition wording:</p> <p><i>'(5) Within a date of three years from breaking ground on construction, post-investigation assessment must be completed for all stages in accordance with the programme set out in the OWSI and the Detailed written schemes of investigation, and provision made for analysis, publication and dissemination of results and archive deposition secured in accordance with a scheme-wide Updated Project Design and timetable that has been submitted to and approved by the Local Planning Authority.'</i></p> <p>Having the above would allow for a defined timescale for submission of the post-excavation assessment report (PXA) and submission of an updated project design (UPD) which will detail the requirements of final reporting and publication resulting from the work undertaken to the point of PXA. As</p>	The Applicant has updated the OWSI (document 7.10 (B)) submitted for Deadline 5 with the wording recommended by SCC.

Ref	Matter	Point Raised	Applicant's Comments
		<p>the work required for producing a final reporting and publication is unknown, until the point of PXA, the OWSI can only detail the baseline requirements of reporting following on from the submission of the PXA.</p> <p>The UPD would detail the level of further analysis required to produce the final report and publication generated from the archaeological fieldwork undertaken.</p>	
11c	Loss of Best and Most Versatile (BMV) land during decommissioning	<p>SCC maintains that there would most likely be a small temporary loss of BMV land available during decommissioning.</p>	<p>The Applicant disagrees with this statement, as once the project components are removed, the soil would be reinstated to a suitable quality to its required land use and there would be no loss of quality or value.</p>
12a	SCC proposed control measures	<p>All movements are single one way movements either to the site or returning from the site.</p> <p>Peak workers 350, average 180 Transport Assessment 6.2.5</p> <p>Minibus occupancy min average of 4 per and carrying 70% of staff trip Transport Assessment 6.2.9</p> <p>25% staff arrive 0600-0700, 50% 0700-0730 and 25% 0730-0830.</p> <p>25% staff depart 1730-1830, 50% 1830-1900 and 25% 1900-2000</p> <p>Transport Assessment 6.2.9.</p> <p>Or</p> <p>Max 32 car / LGV trips in peak hours (0800-0900, 1700-1800). Max 317 daily movements</p> <p>Max 35 one way HGV in peak hours (0800-0900, 1700-1800) Transport Assessment 8.1.3 and max daily number of HGVs 387 Transport Assessment table 6.1. SCC would prefer this refined to maximum peak and daily trips on each route.</p> <p>Traffic Routing as CTMP Appendix A.</p> <p>Compliance with Air Quality requirements (i.e., EuroVI for HGVs) to be recorded and reported</p>	<p>The Applicant understands this text to mean the authority is seeking to secure the assumptions used in Transport Assessment [APP-061]. The Applicant agrees that some mechanisms can be secured but disagrees on others.</p> <p>The Applicant considers that it is not practicable to control daily precise worker numbers, arrival and departures split by time periods or exact numbers on individual days.</p> <p>As discussed in the response to 3.1a the Applicant does not consider it necessary or reasonable to restrict the number of workers on site or their arrival times. The number of workers per se does not have any adverse effect and so is not appropriate to control. The staff arrival times are based on a reasonable worst case scenario but it is considered overly onerous and unnecessary for these times to be restricted.</p> <p>NPS EN-1 (2011) states that:</p> <p><i>'5.13.11 The IPC may attach requirements to a consent where there is likely to be substantial HGV traffic that: • control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements.'</i></p> <p>This policy is very similar in NPS EN-1 2023, which states that:</p> <p><i>'5.14.14 The Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic that: • control numbers of HGV movements to and from the site in a</i></p>

Ref	Matter	Point Raised	Applicant's Comments
		<p>HGVs restricted to working hours 0700-1900 Mon - Fri and 0700-1300 Sat with exceptions (as Transport Assessment 2.3.2)</p> <p>Monitoring to agree with LPA / Local Highways Authority and reports summarising this data and any exceptions provided every 3 months.</p>	<p><i>specified period during its construction and possibly on the routing of such movements'</i></p> <p>The assessment in Appendix E of the Transport Assessment [APP-061] considers the potential for junction capacity impacts due to the project, in line with relevant guidance. This assessment concludes that the impact of project traffic on road network capacity during periods of peak construction activity would not be substantial and that no additional mitigation would be required. A high level of contingency is included in the forecast and the level of project traffic assumed in the assessment would only be sustained for a relatively short period of time. Given that there is not a substantial amount of HGV traffic, even with this contingency, it is not considered necessary to restrict HGV traffic.</p> <p>Estimates of traffic numbers comprising LGVs and cars are also precautionary, assuming 30% of staff travel to site by car when in reality it is likely to be far lower. Again, with the numbers predicted the Applicant does not accept there is a need to limit vehicles.</p> <p>The Applicant has not been able to identify similar projects where vehicle numbers are capped in the manner proposed. For example, although assumptions are made about the number of vehicles required in construction in the Transport Assessments for the below projects, no projects have capped construction vehicle numbers in the CTMP:</p> <ul style="list-style-type: none"> Richborough Connection: 20km overhead transmission line between Richborough and Canterbury consented in 2017. Vehicle numbers were not capped in the CTMP; Hinkley Point C Connection: 57km transmission line between Bridgewater and Seabank consented in 2016. Vehicle numbers were not capped in the CTMP; Yorkshire GREEN: 7km transmission line with decision expected in December 2023. At the end of the DCO examination vehicle numbers were not capped and National Grid is not expecting them to be;

Ref	Matter	Point Raised	Applicant's Comments
			<ul style="list-style-type: none"> • Hornsea Project Three Offshore Wind Farm: Vehicle numbers not secured, consented in 2020; and • A428 Black Cat to Caxton Gibbet: 16km new dual carriageway consented in 2022. Vehicle numbers not secured. <p>In contrast, the Applicant is happy to secure the commitments below:</p> <p>Monitoring of staff travel and reporting proposals are set out in Section 6.4 of the CTMP [REP3-030].</p> <p>The HGV routeing is included in Appendix A of the CTMP [REP3-030] and therefore is already secured. Paragraph 7.2.5 of the CTMP [REP3-030] sets out how compliance would be monitored.</p> <p>Regarding air quality requirements, the CTMP [REP3-030] states that 'plant and vehicles will conform to relevant standards for the vehicle type' so this is secured.</p> <p>GG12 in the Code of Construction Practice (Appendix A of the CEMP) states that:</p> <p><i>Plant and vehicles will conform to relevant standards for the vehicle or plant type as follows:</i></p> <ul style="list-style-type: none"> • Euro 4 (nitrogen oxides (NOx)) for petrol cars, vans and minibuses; • Euro 6 (NOx and particulate matter (PM)) for diesel cars, vans and minibuses; • Euro VI (NOx and PM) for lorries, buses, coaches and Heavy Goods Vehicles (excluding specialist abnormal indivisible loads); and • Stage V (NOx, PM, hydrocarbons, carbon monoxide (CO) and sulphur dioxide (SO2)) for non-road engines (static plant and non-road mobile machinery). <p><i>Vehicles will be correctly maintained and operated in accordance with manufacturer's recommendations and in a responsible manner. All plant and vehicles will be required to</i></p>

Ref	Matter	Point Raised	Applicant's Comments
			<p><i>switch off their engines when not in use and when it is safe to do so.</i></p> <p>The Applicant considers these controls to be appropriate and consistent with those used for comparable projects.</p>
12b	PRoW	SCC is unable to carry out full assessment of impact of severance without sequencing details. Cumulative effect of closures within a geographical area having a greater impact than individual isolated restrictions.	The Applicant has responded to this matter in line item 7.1-7.2 in Table 2.1 of this document.
13d	CTMP	SCC is of the opinion that the CTMP lacks details and should be treated as an outline document which following consent would be replaced by a detailed version provided by the main contractor and approved under a requirement.	The Applicant continues to discuss potential additional measures for inclusion in the CTMP. However, if further measures are identified they would be incorporated before the close of Examination and the Applicant disagrees that a more detailed CTMP is required. In some cases, information is not included because the Applicant disagrees it is necessary rather than because the detail is not available. For example, on securing vehicle numbers or arrival times at site (beyond the working hours set).
14d	Noise and vibration – decommissioning phase impacts	SCC argues that there is the potential to create disturbance.	<p>Table 4.9 of ES Chapter 4 Project Description [APP-072] acknowledges that there would be noise and vibrations during decommissioning. However, this is unlikely to exceed the noise levels assessed within the construction phase. In addition, at a time when decommissioning takes place (at least 40 years hence) it is likely that improvements would have been made to vehicles and machinery to limit noise generated. If noise levels exceed thresholds, best practicable means would need to be employed.</p> <p>Requirement 12 of the dDCO (document 3.1 (E)) states that in the event that, at some future date, the authorised development, or part of it, is to be decommissioned, a written scheme of decommissioning must be submitted for approval by the 'relevant planning authority' at least six months prior to any decommissioning works.</p>
14e	Working hours	SCC is of the opinion that the working hours should be restricted and/or phased under the DCO Requirements to	See Section 1.3 of this document which sets out the Applicant's current position regarding the working hours.

Ref	Matter	Point Raised	Applicant's Comments
		<p>ensure the avoidance unnecessary impacts upon residential and rural amenity including from noise.</p> <p>Although, if the working hours proposed by the Applicant are deemed essential to deliver the project in a timely fashion and to ensure that work can be completed to accommodate the required network outage windows, it is essential that there are:</p> <ul style="list-style-type: none"> • Effective and robust schemes of engagement with local communities during construction, and • Effective construction Management Plans that are secured through DCO requirements, and • Effective embedded mitigation measures and contingency funds to secure additional mitigation if required; to mitigate any unforeseen impacts on both public and private amenity during construction. <p>Given the uncertainties around construction impacts and its potential interaction with private amenity and business functions, contingency measures and funding to support them should be provided so that the Applicant and their principal contractor can respond to amenity issues generated by construction as they arise. Such an approach would be consistent with that of other energy project promoters in Suffolk.</p>	<p>The Applicant has submitted effective Management Plans that are secured under Requirement 4 of the dDCO (document 3.1 (E)). These contain the embedded mitigation to deliver the project, such as details on community engagement that will be undertaken by the contractor during construction and Best Practicable Means that will be implemented with regards to noise and vibration, as per section 3.4 and paragraph 14.3.5 respectively of the CEMP [REP3-024].</p> <p>The Applicant disagrees that there are uncertainties around the construction impact. It has undertaken an EIA which assesses the likely significant effects of the project (based on a worst case). The assessment identifies the locations where significant noise effects are anticipated and these are mitigated through measures set out in the REAC [REP4-018] and the CEMP [REP3-024]. ES chapter 15 [APP-083] presents the results of the cumulative effects assessment of amenity effects on receptors and concludes that with the good practice measures identified in the CoCP that there would be no likely significant effects on amenity.</p> <p>If any landowner or business considers that it has or will suffer a financial loss as a direct result of the project the Applicant will consider any claim for compensation in the usual way.</p> <p>The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.</p>
15a	Employment skills and education	<p>Although SCC welcome the Applicants commitment to continue discussions on maximising benefits, the Council does not consider the Applicant has provided a thorough or evidence-based examination of the possibility of local labour and requests that the Applicant does further work to define the skills needed within its workforce and compares this to the skills available within the local labour market providing an evidence based approach to assessing likelihood of local labour.</p> <p>The Applicant has stated that 65% of the project cost would be spent on civil engineering works (e.g., excavations, foundations, construction and reinstatement) (Socio</p>	<p>The worker numbers in the Socio Economics and Tourism Report [APP-066] have been calculated by one of the Applicant's Framework Contractors who is experienced in delivering this type of project for the Applicant. The resourcing levels have then been overlaid on the construction schedule to generate the resource histogram used in the Socio Economics and Tourism report [APP-066].</p> <p>A Main Works Contractor will be appointed who has suitable and sufficient experience in delivering this type and scale of project. They will have existing framework agreements in place with subcontractors and suppliers, who operate nationwide, to deliver all elements of the work, and will let this work on a</p>

Ref	Matter	Point Raised	Applicant's Comments
		<p>Economics and Tourism Report [APP-066] paragraph 4.3.8), therefore, SCC disputes the statement from the Applicant that the majority of employment activities would require trained specialists who are qualified to work on high voltage electricity lines.</p> <p>Therefore, SCC reiterates that it cannot fully determine the sufficiency of the approach to determining socio economic effects ahead of receiving a detailed workforce profile.</p>	<p>competitive basis. This will include groundworks, civils works and material supply, which will be packages of considerable size and value.</p> <p>However, the Socio Economics and Tourism Report [APP-066] Paragraph 4.3.12 identifies opportunities for the local economy to benefit from the construction works through construction supplies such as skip hire, fencing, and planting for landscaping.</p>
15b	Employment, Skills and Education Strategy	<p>SCC expect the Applicant to prepare and implement an Employment, Skills and Education strategy once a detailed workforce assessment has taken place and the socio economic impacts of this have been considered in full.</p>	<p>The Applicant does not consider that an Employment, Skills and Education Strategy is needed on this project given the low number of jobs that would be created and that many will require trained specialists who are qualified to work on high voltage electricity lines sourced from the Applicant's existing pool of approved contractors. However, the Applicant is committed to continuing discussions with the Councils and other key stakeholders regarding their aspirations in respect of community benefits. These discussions would be outside of the DCO process whilst we await the outcome of the Government's consultation on community benefits.</p>
17a	dDCO - Management Plans	<p>SCC notes that there were further details provided, in addition to paragraph 17.57 of the Suffolk Joint LIR [REP1-045], in paragraphs D.114 to D.132 and D.158 to D163 in Annex D of the LIR [REP1-044].</p> <p>SCC will provide a full review (tracked-change version) of the D3 LEMP [REP3-034] for Deadline 5. Annex A of this document provides an outline of concerns with the control documents in relation to landscape and visual impacts.</p>	<p>The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.</p>
Annex A Control Document Review	Measures	<p>SCC considers the fragmentation of information regarding landscape and visual construction phase measures unhelpful, if not unworkable. This information should be brought together into a one-stop-shop document.</p>	<p>The Applicant does not consider there to be fragmentation of information regarding the landscape and visual measures, which are set out within the LEMP [REP3-034].</p>
CEMP	Lighting	<p>CEMP [REP3-025], paragraph 6.4.4 remains vague ('it is anticipated'; 'the lighting towers typically operate', lumen output between 10-40k).</p>	<p>Lighting details are set out in Section 6.4 of the CEMP [REP3-025]. As stated in paragraph 6.4.3 the construction lighting will be installed in accordance with GN01:2020, BS EN 12464-2-2014 (Outdoor Workplaces). Lighting will be the lowest</p>

Ref	Matter	Point Raised	Applicant's Comments
		<p>SCC requests detailed finalised Lighting Proposals, type of luminaire used, i.e., directional, hooded, lux levels.</p> <p>Around CSE compounds lux plans and lighting design strategies for permanent lighting are required.</p>	<p>average lux levels necessary for safe delivery of each task and will be positioned and directed to reduce the intrusion into adjacent properties and habitats, where practicable. The Applicant does not there to be a need to provide further details regarding lighting to manage its health and safety risks.</p> <p>As stated in paragraph 4.9.24 of ES Chapter 4 Project Description [APP-072] the CSE compounds would not have permanently installed lighting and if lighting is required it would be portable task lighting brought onto site for the task. Therefore, the Applicant does not consider there to be a need to provide permanent lighting details.</p>
	GG10	What will happen, where this is not practicable?	<p>The Applicant need to maintain flexibility for the Main Works Contractor to safely construct the project. This may mean that in some situations it is not practicable to locate all activities that create a nuisance away from sensitive receptors. However, as there are limited residential receptors near the Order Limits and ecological receptors are in many cases protected by further commitments within the draft licences or the LEMP [REP3-034] the Applicant considers that there are unlikely to be many instances where it is not practicable.</p>
	GG20	Where is the table that sets out which lighting levels are required for which task?	<p>Lighting details are set out in Section 6.4 of the CEMP [REP3-025]. Unless stated otherwise, the construction lighting will be installed in accordance with GN01:2020, BS EN 12464-2-2014 (Outdoor Workplaces). Lighting will be the lowest average lux levels necessary for safe delivery of each task and will be positioned and directed to reduce the intrusion into adjacent properties and habitats.</p>
Annex A Control Document Review REAC	Overall	<p>It is not clearly identified which topic area the listed embedded measures relate to. It would be helpful to have an additional column that lists topic areas the measures relate to (as provided for the additional measures).</p> <p>The REAC provides headlines/ summaries of embedded measures, but little detail, how these will be realised. And SCC has not seen more detail being provided elsewhere.</p>	<p>The REAC [REP4-018] submitted at Deadline 4, lists the measures by topics and also provides the securing mechanisms.</p>

Ref	Matter	Point Raised	Applicant's Comments
	Additional mitigation	The additional mitigation is not considered sufficient to address the residual landscape and visual effects identified in the ES.	The Applicant disagrees with this statement. It considers that the project is sufficiently mitigated as outlined in its response to 6.19 to 6.20 in Table 3.1 of the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049] .
Annex A Control Document Review CoCP	GG06	SCC welcomes the full record of condition that is proposed. SCC agrees that the record of condition should inform the detailed proposals for reinstatement as stated in the LEMP, [REP3-035] , paragraph 7.1.1. However, the last sentence of GG06 (in the box on the left) does not make this clear. It also seems ambiguous.	The Applicant is unclear as to what is meant by this comment and welcomes further feedback from SCC regarding this matter.
	GG07	The language remains vague. The last sentence does not ensure secure mitigation or reinstatement.	The Applicant considers the wording to be sufficiently clear as to its intention. It gives the reason why land would not be reinstated to its former condition and the Applicant also considers it appropriate to engage the landowner in the reinstatement. The site-specific detail is then shown on the plans in LEMP Appendix B: Vegetation Reinstatement Plan [REP3-036] .
	GG08	SCC would welcome a description of types of sensitive features that are envisaged, and how they would be treated.	Examples would include badger setts or bat roosts and also known archaeology. The protection would be based on risk for example, the type of feature and where they are located in relation to the working area.
	GG14-16	GG14 to GG16 should also relate to trees (fuels, oils, chemicals, run-off, wash-down etc).	All of the GG (general) measures are applicable to a number of topics and receptors. The Applicant does not consider the need to list out every receptor that would benefit from a particular measure.
	LV01	Clarification of vague descriptions and further details are required.	Further details are already provided in LEMP Appendix A: Vegetation Retentions and Removal Plan [APP-183] and LEMP Appendix B: Vegetation Reinstatement Plan [REP3-036] .
	LV02	Clarification of vague descriptions and further details are required. SCC notes that LV02 factors in the possibility for trees outside the Order Limits to be affected by the works, yet no	The reference to trees outside of the Order Limits refers to the DCO powers to undertake works to trees outside of the Order Limits, for example where overhanging branches may need to be pruned to avoid damage during construction. However,

Ref	Matter	Point Raised	Applicant's Comments
		mitigative planting outside the Order Limits is proposed or considered.	LEMP Appendix A: Vegetation Retention and Removal Plan [APP-183] shows all of the trees and hedgerows which will be affected by the works based on the Proposed Alignment. This shows that no trees outside of the Order Limits would be removed and therefore no planting is required outside of the Order Limits.
	LV03	SCC considers that 5 years of aftercare is not sufficient for all planting.	See the Applicant's response in Table 3.1 (reference 6.118 to 6.119) of the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049].
Annex A Control Document Review LEMP	General	<p>SCC considers that there are issues with the LEMP, as it is currently presented, which are not acceptable for a final LEMP, in some cases, not even for an Outline LEMP. In addition to the following points, SCC shall provide a tracked-change version of the D3 LEMP [REP3-034] for Deadline 5, therefore these comments are unlikely to be comprehensive at this stage.</p> <p>See points previously made in the LIR [REP1-045], paragraphs 6.148-6.171.</p>	<p>The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.</p> <p>The Applicant responded to 6.148-6.171 in the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049].</p>
	Purpose of the LEMP	The purpose of the LEMP should go beyond the construction period and include aftercare and long-term management prescriptions (which are, in fact, included in the document).	Paragraph 1.3.1 of the LEMP [REP3-034] states that the LEMP already 'sets out how land, vegetation and habitats will be reinstated following construction <u>together with the subsequent aftercare</u> and, where applicable, monitoring arrangements.'
	Table 3.1	The technical specialists should also include a landscape architect. It should be more clearly defined for which types of works they will be called upon, rather than leaving this to the discretion other personnel.	The Applicant has included a landscape architect in the list of specialists included in Table 3.1 of the LEMP. This will be submitted at a future deadline.
	The Vegetation Reinstatement Plan indicates the location of the proposed embedded planting at the GSP substation.	There are no indications of how the planting will be arranged or what it will comprise. This means, there is no reassurance as to how effective the planting will be in terms of visual mitigation. In general, the Vegetation Reinstatement Plan is presented at a scale that is not accurate enough for the implementation stage. While various plantings are labelled, not much assistance is provided to remind the user of the	Reinstatement planting is shown on LEMP Appendix B: Vegetation Reinstatement Plans [REP3-036] and the planting schedules are provided in LEMP Appendix C [APP-185]. The Applicant considers these to be sufficient to show the extent of reinstatement that is proposed.

Ref	Matter	Point Raised	Applicant's Comments
		drawings, what these labels stand for and where exactly further prescriptions might be found, for ease of use.	The Applicant further refers to its response reference DC1.6.71 in the Applicant's Comments on Responses to First Written Questions [REP4-029].
	Paragraph 6.3.7	Tree protection approach for veteran trees states that the project 'has considered' the Standing Advice by Natural England and the Forestry Commission. The Applicant needs to confirm that it will adhere to this advice or demonstrate why this is not possibly on a case by case basis.	Table 6.2 in the LEMP [REP3-034] sets out the measures with regards to veteran trees and has been written in accordance with the Standing Advice by Natural England and the Forestry Commission. This sets out the specific measure proposed for each veteran tree on a case by case basis.
	Paragraph 6.4.2	SCC considers that the protection of hedgerows too vague.	Section 6.4 of the LEMP [REP3-034] describes measures for the protection of hedgerows that do not require to be removed. The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.
	Section 6. Vegetation Retention	SCC considers that the Vegetation Retention is inadequate (paragraphs 6.2.5-6.2.10). Where protection is required, i.e., if there is any risk that the retained vegetation may be damaged during construction, appropriate protection, i.e., Heras style fencing, shall be installed. There should be a clear approach to situations, when vehicle access with root protection areas (RPA) (paragraphs 6.2.10 and 6.2.13) may be deemed necessary and therefore acceptable and any works within the RPA, including protective measures must be supervised by a suitably qualified Arboriculturist.	As stated in paragraph 6.2.5 of the LEMP (document 7.8(B)), and in accordance with the British Standard 5837 (2012) Trees in Relation to Design, Demolition and Construction, the type of barrier will be provided dependent on the level of risk posed to the RPA and to suit the location in accordance with clause 6.2.2.3 of BS 5387:2012, as agreed with the arboriculturalist on site. The Applicant considers that paragraphs 6.2.13 to 6.2.15 of the LEMP (document 7.8(B)) provide a clear approach to vehicle access within an RPA.
Annex A Control Document Review Planting Schedules	Planting Schedules	There is no indication that the species listed for each type represent a palette that will be fine-tuned to reflect the potentially varying conditions of the different landscape character areas (based on landscape character types) within the project area.	The species proposed in LEMP Appendix C: Planting Schedule [APP-185] were chosen based on the results of the ecology surveys that were undertaken for the project and species present within the landscape. However, the Applicant will set up a meeting with the Council to agree the proposed mixes with the intention of updating LEMP Appendix C: Planting Schedule [APP-185] at a future deadline.
	Species selection	The species mixes contain species that are not usual for the wider project area, such as <i>Tilia cordata</i> in Hedgerow Mix H2. <i>Sambucus nigra</i> does not need to be included in the	The species proposed in LEMP Appendix C: Planting Schedule [APP-185] were chosen based on the results of the ecology surveys that were undertaken for the project. <i>Tilia cordata</i> (small leaved lime) was recorded and has been

Ref	Matter	Point Raised	Applicant's Comments
		mixes (for example in H1 Species rich Hedgerow mix), as it is likely to self-seed.	included within Hedgerow Mix H2, which is species rich hedgerow mix with trees. <i>Sambucus nigra</i> has also been included as it is fast growing and good for birds, bees and butterflies. However, the Applicant will set up a meeting with the Council to agree the proposed mixes with the intention of updating LEMP Appendix C: Planting Schedule [APP-185] at a future deadline.
	Species mixes	The percentages of certain species within some species mixes seem inappropriate, such as 20% of <i>Prunus spinosa</i> (suggest 5%).	<i>Prunus spinosa</i> (blackthorn) and <i>Crataegus monogyna</i> (hawthorn) typically make up the majority of hedgerow mixes as they create a good dense hedge and 20% <i>Prunus spinosa</i> is not uncommon. However, the Applicant will set up a meeting with the Council to agree the proposed mixes with the intention of updating LEMP Appendix C: Planting Schedule [APP-185] at a future deadline.
	Proposed sizes for trees	<p>The sizes for proposed trees within the W1 Woodland Mix, W2 Woodland Edge, T1 Individual Tree Planting and H2 Species Rich Hedgerow Planting with Trees are inappropriate for the planting conditions of the project area.</p> <p>SCC cannot support these sizes, as root-balled trees of a height of 300-350cm are costly, inherently difficult to establish, and would require heightened levels of aftercare, in particular regular (twice weekly) watering, to give them a chance of survival. SCC recommends planting sizes no bigger than feathered whips, if/where a differentiation to smaller hedge planting is desired. Usually, smaller trees have a greater rate of success, with better growth rates than trees planted in larger sizes. Within a few years the smaller trees are likely to provide the same or better mitigation as/than trees larger at planting. Additionally, failure rates tend to be lower, and failures are less costly to replace (money that can be spend on aftercare).</p>	<p>The trees listed in Table 3.1 and Table 4.2 of LEMP Appendix C Planting Schedules [APP-185] have been included to allow for a more immediate screening effect and to allow for a variety of available sizes during detailed design. The sizes are typical and not unusual to other similar planting schemes. The Applicant would be responsible for the establishment of any planting proposed in accordance with LEMP [APP-182].</p> <p>However, the Applicant will set up a meeting with the Council to agree the proposed sizes of replacement trees with the intention of updating LEMP Appendix C: Planting Schedule [APP-185] at a future deadline.</p>
Annex A Control Document Review	Suggestion for a LEMP prototype	SCC has provided suggestions for a LEMP prototype including list of items it expects to be included in a LEMP.	The Applicant is considering this and will respond at a future deadline alongside the review of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.

Ref	Matter	Point Raised	Applicant's Comments
Annex A Control Document Review	Hedgerow prescriptions to be included in the LEMP.	<p>For hedgerows, where there are no protected species issues (e.g., they are not used as important commuting/foraging routes by bats, etc), the hedgerow does not qualify as an important hedgerow under the Hedgerow Regulations 1997, and removal of the hedgerow is not anticipated to have significant residual visual impacts, the following measures would be followed:</p> <ul style="list-style-type: none"> a. The topsoil (including any bank) from beneath the hedgerow would be stripped and stored separately. b. Vegetation and topsoil from any associated ditch would be stripped and stored separately. c. Soil storage areas would be clearly signed and demarcated to prevent any mixing with other soils 	<p>Hedgerow protection for hedgerows that do not require removal is set out in Section 6.4 of the LEMP [REP3-034].</p> <p>The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.</p>
Annex A Control Document Review	Measures for Important Hedgerows under the Hedgerow Regulation 1997 to be included in the LEMP	<p>The mitigation measures for botanically important hedgerows, or those qualifying as important under the Hedgerow Regulations 1997 would be the same as above with the exception that, where viable, the following measures would be considered, discussed, and agreed with the relevant Local Authority:</p> <ul style="list-style-type: none"> a. The minimisation of the construction width, by coppicing the hedge plants and protection of the coppice stools, with a temporary roadway, wherever practicable and appropriate; b. The coppicing and removal to hedge plants, (shrubs) along the Cable Route to a location where they can be maintained and subsequently replaced into the boundary Vegetation would first be trimmed to ground level; c. Where possible, geotextile would be used for the running track to reduce the amount of topsoil being stripped (this would aid reinstatement of vegetation). <p>Post construction</p> <ul style="list-style-type: none"> d. Banks and ditches would be reformed to similar profiles as before. 	<p>The Applicant considers that a number of these matters are already covered within the LEMP [REP3-034], however it will respond at a future deadline alongside the review of the Council's specific concerns regarding the Management Plans.</p>

Ref	Matter	Point Raised	Applicant's Comments
		<p>e. Topsoil would be replaced after works in the reverse order that it was excavated to distinguish its difference from other stored topsoil.</p> <p>f. Replanting of hedgerows would take place in the first available planting season following construction and would aim to enhance baseline conditions i.e., through improved species diversity or replanting on a two for one basis (two planted for each plant removed), where compliant with landscape objectives.</p> <p>g. Planting would use shrubs of the same species and in the same general proportions as existed pre-construction (native, preferably of local origin). The replanting mix and pattern would be established on the basis of a survey in accordance with the Hedgerow Regulations, 1997</p> <p>h. A schedule of species composition for reinstatement would be provided.</p> <p>i. A detailed scheme of hedge planting aftercare will be provided, to be agreed with the relevant local authorities. This will include details of soil restoration and ground preparation, species choice, stock size, spacing and a program of weed control and aftercare to cover a period of five years.</p>	

Comments On Any Other Submissions Received at Deadline 3 [REP4-046]

1a	Schedule 3, Requirements, Requirement 6 (Archaeology)	<p>SCC advise the addition of the following condition:</p> <p>(5) Within a date of three years from breaking ground on construction, post-investigation assessment must be completed for all stages in accordance with the programme set out in the OWSI and the DWSI, and provision made for analysis, publication and dissemination of results and archive deposition secured in accordance with a scheme-wide UPD and timetable that has been submitted to and approved by the Local Planning Authority.</p> <p>Having the above wording would allow for a defined timescale for submission of the PXA and submission of an UPD which will detail the requirements of final reporting and publication resulting from the work undertaken to the point of</p>	<p>The Applicant notes that construction would still be ongoing at the point of 3 years from breaking ground (based on the baseline construction schedule) and therefore this wording would be unsuitable. Instead, the Applicant has added wording to Section 8.2 of the OWSI (document 7.10 (B)), which states that the '<i>The results of the previous archaeological studies will be summarised in the Post-Excavation Assessment (PEA) Report and analytical programmes. The PEA Report must be completed for all stages within 12 months from the end of construction.</i>' The definition and details of the UPD are provided in Section 8.3 of the OWSI.</p>
----	---	---	---

Ref	Matter	Point Raised	Applicant's Comments
		<p>PXA. As the work required for producing a final reporting and publication is unknown, until the point of PXA, the OWSI would only be able to detail the baseline requirements of reporting following on from the submission of the PXA.</p> <p>The UPD would detail the level of further analysis required to produce the final report and publication generated from the archaeological fieldwork undertaken.</p>	As the OWSI (document 7.10 (B)) secures these points, the Applicant does not agree that the additional condition proposed by the Council is necessary.
2a	SCC Table of Comments on 7.5 (B) CEMP	Stockpile locations for archaeological works should be detailed within the site specific DWSI. Stockpile locations will need to consider any heritage assets where preservation in situ has been/will be agreed.	Section 2.4 of the OWSI (document 7.10 (B)) sets out the details that will be included in the DWSI, along with further specific requirements in Chapters 4 to 7 of the OWSI. The DWSI approval for any section of the project would include as relevant the coverage of stockpile locations. The project has not identified any locations which warrant preservation in situ.
2b	SCC Table of Comments on 7.5 (B) CEMP	This only considers Strip, Map and Sample mitigation, this doesn't consider other mitigation measures outlined within the OWSI such as targeted open area archaeological excavation which would be appropriate	Section 4.2. of the OWSI (document 7.10 (B)) identifies two locations where Open Area Excavation is proposed. These are the only two locations that have been identified that warrant this level of mitigation.
3a-3c, 3e, 3g, 3h, 3i, 3j, 3k	Public Rights of Way Management Plan	No specific comments on these points.	Noted.
3d	Article 15, Temporary stopping up of streets and public rights of way	The amendment made to Article 15 (Temporary stopping up of streets and PROW) meets the concern raised by SCC in paragraphs 12.24 and 12.25 of the LIR but does not meet the concerns raised in paragraphs 17.20 to 17.25, and in particular SCC's request that temporary alternative routes must be of no lower standard than the temporarily closed street or PROW in columns (1) and (2) of Parts 1 and 2 of Schedule 7.	<p>The Applicant's position remains as set out in the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049], namely that whilst the Applicant would intend to provide a temporary diversion on a like-for-like basis, this may not always be practicable.</p> <p>Given the extremely temporary nature of certain diversions, it may not in certain instances be feasible nor practicable to provide a temporary replacement on an equivalent basis, taking into account the Applicant's duties to act economically and efficiently.</p> <p>Therefore, and noting the effect of section 161(1)(b) (breach of terms of order granting development consent) of the Planning</p>

Ref	Matter	Point Raised	Applicant's Comments
			Act 2008, the Applicant cannot agree to include the additional wording in Article 15(6).
3f	Sub-paragraph (2) of Requirement 4 (Management Plans) has been updated to include reference to the PRowMP	SCC is content with the addition. It does not address the principal concern of SCC in paragraphs 17.57 and 17.58 of the LIR in relation to the need for more detail in the Management Plans and for further detailed iterations of the plans to be produced.	The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.
4a	PRowMP – Community engagement and public information	<p>SCC notes that there are limited details provided on engagement with community and wider users and method of engagement.</p> <p>SCC considers that this requires expansion beyond residents. Engagement would additionally be required with relevant user groups for the status of the route and wider community.</p>	CTMP provides over-arching requirements for those issues in section 8.4. The Applicant requests the authority to identify user groups that should be advised in order that arrangements can be made.
4b	PRowMP - Routes with public access affected by the project	SCC considers that this requires additional details of phasing of works to establish the sequencing of closures. Further details required to enable Highway Authority to assess impact on network and connecting routes. Currently unclear if adjacent routes will be closed during the same period. An indicative guide would provide further clarity.	The Applicant has responded to this matter in line item 7.1-7.2 in Table 2.1 of this document.
4c	PRowMP - PRow Management Signage	<p>SCC states that advance notices / signage would be required to be displayed on site prior to closures. Recommend period of advance notices of a minimum of 1 week.</p> <p>SCC states that alongside the notice a map of the closure route and any applicable diversion must be displayed on site to assist users.</p>	<p>The Applicant supports the proposal with regards advanced notices/signage being displayed on site prior to closures. Furthermore, the Applicant would seek to meet the minimum one week recommended period of advance notice.</p> <p>The Applicant will update the PRowMP [REP3-056] at a suitable deadline to say that '<i>where PRowS are to be closed, a map of the diversion route will be provided on a sign at the point of closure so users know how to find the diversion route.</i>'</p>
4d	PRowMP - Active Management Plan for 'Shared Routes'	SCC notes that any appropriate separation between users and construction traffic must not impact on the definitive width of the route.	<p>The Applicant has noted the defined minimum widths of routes to be maintained in the PRowMP [REP3-056].</p> <p>The Applicant notes the request and will provide additional detail as to the meaning of active measures. This will be made</p>

Ref	Matter	Point Raised	Applicant's Comments
		SCC considers that further expansion is required on the meaning of active measures. Notably, whether this includes gating of the haul road or use of banksman.	available with the updated PRowMP [REP3-056] which will be submitted at an appropriate deadline.
4e	PRowMP – Reinstatement of PRow	SCC notes that the pre-commencement condition survey details will be shared with the Local Highways Authority prior to commencement of works on site.	Agreed.
4f	PRowMP – Change process	SCC considers that any proposed changes to the PRowMP would also be required to be agreed with the Local Highways Authority.	<p>The PRowMP [REP3-056] is one of the plans listed in sub-paragraph (2) of Requirement 4(1) in the draft DCO (document 3.1(E)) which states: <i>'All construction works forming part of the authorised development must be carried out in accordance with the plans listed in sub-paragraph (2) below, unless otherwise agreed with the 'relevant planning authority' or other discharging authority as may be appropriate to the relevant plan concerned.'</i></p> <p>Further details on the change process are set out in Section 6.5 of the PRowMP [REP3-056].</p>
4g	PRowMP - Routes with public access affected by the project	SCC considers that additional details are required for sequencing on closures as covered in comments under 4.3.1.	The Applicant has responded to this matter in line item 7.1-7.2 in Table 2.1 of this document.
4h	PRowMP - General	SCC will continue to liaise with the Applicant on PRow. Examples of previous NSIP PRowMP have been sent to the Applicant for information.	The Applicant thanks SCC for the examples and has no further comments to make on this matter.

3. Applicant's Comments on the Submission from Babergh and Mid Suffolk District Council

3.1 Introduction

- 3.1.1 Table 3.1 summarises the Applicant's comments to submissions provided by BMSDC at Deadline 4 [REP4-051]. The Applicant has no comments to make on the Written Summaries to the Oral Submissions to the Hearings (Section 1 of the response).

3.2 Table of Responses

Table 3.1 – Applicant's Comments on the BMSDC Deadline 4 Submission

Ref	Matter	Point Raised	Applicant's Comments
Written Summaries of Oral Submissions to the Hearings [REP4-051]			
2.1	Veteran tree (T378)	The Council has held a meeting with the Applicant to discuss veteran tree T378 and the proposed compensation strategy. Suitable compensation measures were discussed and the Applicant is drafting up a commitment that will be issued to the Council for comment. Subject to agreeing the wording, the Applicant has stated that it would include this text within the REAC and would also include this wording in a new commitment box on LEMP Appendix A at a suitable deadline.	<p>The Applicant has written a new commitment in relation to the veteran tree. This has been submitted to BMSDC for comment and will be included in the updated version of the REAC at Deadline 6:</p> <p>EM-G13: <i>Veteran tree T378 has a historic primary union failure at 3m which has internal hollowing within large cavities and deadwood present. It is likely that it will need to be felled due to its location within the cable swathe. Where the removal of the tree is necessary, the compensation will comprise soft felling of the tree (in accordance with the final bat licence where applicable). If the limbs are not rotten and have suitable veteran features, then these will be attached to a suitable retained tree(s) within the Order Limits as close as practicable to the lost tree. Where attaching the limbs is not suitable (e.g. if rotten or if these have no veteran features), then the wood will be retained on site as a log pile to retain a habitat function. In addition, another tree will be veteranized as compensation for the loss of T378.</i></p>

Ref	Matter	Point Raised	Applicant's Comments
			<i>The tree to be veteranized will be identified by an arboriculturalist who will also advise on the method for veteranisation, with advice from an ecologist on how to achieve the most habitat value.</i>
2.2	Compensation and the mitigation hierarchy	<p>As set out in the submitted LIR, the emerging definition of the Mitigation Hierarchy, as included in the draft EN-1, March 2023, includes compensation as part of the process to protect the environment and biodiversity. Paragraph 4.1.5 confirms that when weighing adverse impacts against benefits, the measures to avoid, reduce, mitigate or compensate for any adverse impacts, not just significant ones, should be taken into consideration.</p> <p>The aim for mitigation should be to retain and/or restore the legibility and character of the landscape and to screen or filter the views of the new infrastructure as far as possible. Where, even with additional mitigation, adverse effects remain, compensation in form of landscape restoration and enhancement will be required at a scale commensurate with the level of harm resulting from the construction of the surface infrastructure and of the cable route. Beyond the reinstatement planting, there is limited mitigation planting proposed and the Councils neither considers the current proposals in this regard to be sufficient nor to be sufficiently secure.</p> <p>Compensation will be required to allow for landscape restoration at a scale commensurate with the level of harm resulting from the construction of the surface infrastructure and of the cable route in order to protect the environment and biodiversity and to improve the quality of the landscape within the affected areas and to compensate for the residual the harm, that cannot be mitigated.</p> <p>The Councils encourage a side agreement (such as a Section 106 agreement) between the Applicant and the relevant planning authorities, to fund landscape restoration projects in this area for a set period of time. As the route of the scheme crosses the Dedham Vale AONB and adversely affects not only the AONB, but also its setting, and other sensitive landscapes, the Councils considers that a dedicated AONB</p>	<p>Please see the response to 6.2c and 6.2d in section 2.2 above for the Applicant's position on the mitigation hierarchy, its application to the project and the latest EN-1 and EN-5.</p> <p>The Applicant disagrees that further compensation is necessary or that a Section 106 or side agreement is required to secure compensation.</p> <p>On the Dedham Vale AONB, the existing high voltage line crosses the AONB and the project removes this overhead line. Whilst underground cables are then installed and the process would result in temporary adverse significant effects associated with construction, in the long-term there will be a significant beneficial effect on the AONB. In this context, the Applicant disagrees that further compensation is necessary.</p> <p>The Applicant is, however, open to suggestions of how the wording of the LEMP might be strengthened to address concerns raised about securing mitigation measures proposed.</p>

Ref	Matter	Point Raised	Applicant's Comments
		Officer may be best placed for project conception, management, and delivery. The Councils consider the LEMP in its current form not robust and detailed enough and the dDCO requirement wording to be unacceptable in respect of landscape mitigation measures.	
2.2	Compensation and the mitigation hierarchy	The Councils considers the proposals for aftercare presented in the LEMP insufficient and will comment further at Deadline 5.	The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.
2.3	Limits of Deviation (LoD)	For the existing power lines that are marked as being retained, as per the General Arrangement Plan [APP-018] , would the LoD mean that these too could be increased in height by 4m/moved?	<p>The Applicant notes that where existing power lines are being retained and no works are proposed, then no LoD have been applied (either horizontal or vertical) and pylons will not be raised by 4m or moved. Where existing power lines are being demolished, or modifications to existing pylons undertaken, then the Order Limits are shown on the Work Plans / General Arrangement Plans to demarcate the area of works, but no LoD are applied (either horizontal or vertical) and pylons will not be raised by 4m or moved. This is seen for example in Sheets 01 and 02 on the General Arrangement Plan [APP-018] for the works on the existing 400kV line into Bramford substation. Where new pylons are to be installed, then both Order Limits and horizontal LoD are shown on the General Arrangement Plan [APP-018].</p> <p>In terms of vertical LoD, as noted in the Guide to the Plans [APP-007a] (page 10) 'Included at the end of the Work Plans is a Table of Parameters, which sets out the assumed height of above ground linear and non-linear works. Article 5 of the draft DCO sets out all of the relevant LoD in respect of the above.' In the draft DCO, Article 5(1)(b) deals with vertical LoD for pylons.</p>
2.4	Heritage assets	The map showing all the heritage assets [APP-015] features the incorrect reference numbers for the listed buildings. The numbers on the map do not correlate to the Historic England's list entry numbers and the Impact report [APP-127] .	The Applicant has updated the Statutory and Non-Statutory Sites and Features of the Historic Environment figure at Deadline 5 to include the Historic England reference numbers (document 2.8.3 (B)).

Ref	Matter	Point Raised	Applicant's Comments
2.5	Management Plans	It is noted from the ISH4 discussion that there will be an updated CoCP to include the Environment Agency requirements in the CEMP. The councils will also be providing details on this at Deadline 5.	The REAC was updated at Deadline 4 [REP4-018] with the updated commitments at that point. The Applicant will await feedback from the councils at Deadline 5 regarding the CEMP.
2.6	Ancient woodland	It is noted that the Woodland Trust [REP2-032] seek a 30m buffer from Ancient Woodland (rather than the 'at least 15m' buffer in the Government's Standing Advice) and are concerned about fragmentation of Ancient Woodland but the Applicant's commitment to create habitats (BNG) will improve connectivity with semi-natural habitats.	The Applicant has responded to the Woodland Trust's Written Representation [REP2-032] in the Applicants Comments on Written Representations [REP2-048] and has no further comment to make on this matter.
2.7	Management Plans	<p>In respect of environmental health matters, the councils consider that the 'Management Plans' documents should be viewed as live, and subject to revision, rather than final documents as whilst the broad content can be agreed, there are aspects within each section which will be subject to site specific review and amendment as the development commences and progresses.</p> <p>The councils also ask for the inclusion of the following within each specific risk assessment and as part of the overall CEMP for the development (see next lines).</p>	The Applicant responds to the specific points in the following line items.
2.7a	Management Plans - Dust	We would expect to see the inclusion of detail in respect of ensuring the availability and use of water suppression (browsers or fine mist deployment) for the purpose of damping down during predicted and experienced periods of warm dry and or windy weather. The means of suppression shall be suitable and sufficient having regard to the size of the area under development.	<p>As stated in paragraph 9.3.10 of the CEMP [REP3-024], water sources in the use of dust suppression are expected to be either using mains supply or tankered delivery.</p> <p>Also see the Dust Risk Assessment undertaken for the project.</p>
2.7b	Management Plans – Noise and vibration	In addition to the measures proposed, we would ask for the inclusion of separate assessments of and proposals for mitigation for locations where percussive piling is expected.	The assessment presented within ES Chapter 14: Noise and Vibration [APP-082] already assumed percussive piling at each pylon and then identifies the locations where additional mitigation is required as a result (EIA_NV01). The additional mitigation is set out in the CEMP [REP3-024] which is secured through Requirement 4 of the dDCO (document 3.1 (E)).

Ref	Matter	Point Raised	Applicant's Comments
			<p>The Applicant has made a new commitment to not undertake percussive piling (one of the noisiest activities anticipated on the project) on Sundays and Bank Holidays and this wording has been added to Requirement 7 of the draft Development Consent Order (DCO) at Deadline 5 (document 3.1 (E)).</p> <p>Therefore, the Applicant does not consider there to be a need for any separate assessment.</p>
		<p>We would ask for reduced working hours in these instances for example 0800-1700, to be agreed with the LPA. Whilst we understand that the construction hours are in line with the DCO, this appears to be in draft format. We would therefore strongly recommend that the construction hours are 08:00 - 18.00hrs Mondays to Fridays, 9.00 - 13.00hrs Saturdays with no working and/or plant operated on Sundays and Bank Holidays. Deliveries to the development/use only within these times. Section 2.3.2 of the CEMP states that a period of one hour either side of the working hours may be used for training. Briefing and general housekeeping but not operating of plant or equipment. This would effectively make the working hours 06.00 – 20.00 hours Monday – Friday and 07.00 – 18.00 on Other days. A 06.00am start is unacceptable in areas close to residential dwellings as the arrival of staff of site may result in loss of amenity. It is unclear as to why the testing and commissioning of electrical plant cannot be done within normal operational hours.</p>	<p>Construction of the project relies on a series of electrical outages to the electrical network that are set by the electrical system operator. The core working hours aim to reduce the risk of programme delays by allowing time to recover construction activities and reduce the risk of outage windows being missed. Any delays to the programme would result in planned electrical outages being missed with a knock-on effect of further outage windows being missed. Delays would extend further than the project and delay generation projects in the wider East Anglia region that would rely on this project being operational. Shortening the core working hours would extend the working programme and put at risk the delivery of the project by 2028. Testing and commissioning activities are an integral element of the construction process and would be undertaken in accordance with the same construction hours proposed. Delivering the project by 2028 is essential to enable connection of multiple contracted generation customers, support the United Kingdom (UK) Government net zero ambitions and meet the Applicant's transmission licence obligations.</p> <p>See Section 1.3 of this document which sets out the Applicant's current position regarding this matter.</p>
		<p>We would like to see scheduled overruns/out of hours working be subject to the Control of Pollution Act (CoPA) 1974 S61 prior consent with the submission of an application detailing times of work, plant details and noise/vibration levels at least 28 days prior to commencement. This would be essential in the case of horizontal directional drilling which is</p>	<p>The assessment presented within ES Chapter 14: Noise and Vibration [APP-082] already assesses the potential effects from out of hours working at the trenchless crossings and then identifies the locations where additional mitigation is required as a result (EIA_NV01). The additional mitigation is set out in the CEMP [REP3-</p>

Ref	Matter	Point Raised	Applicant's Comments
		identified as being likely to require night time working to complete trenchless crossings.	024] which is secured through Requirement 4 of the dDCO (document 3.1(E)). In addition, Section 14.4 of the CEMP sets out the need for the contractor to submit Section 61 consents, variations and dispensations under CoPA 1974 for construction activities that are likely to result in a significant effect at a sensitive receptor or likely to be undertaken outside of the Core Working Hours. Therefore, the Applicant considers that the CEMP already covers this matter.
		We expect to be consulted on and have sight of the results of noise monitoring undertaken across sites together with any additional mitigation to ensure that the levels accord with those outlined at the nearest noise sensitive receptor (NSR).	Noise monitoring is not anticipated to be required for most works on a project of this nature. However, monitoring may be required as part of the Section 61 process in which case the details would be agreed with the 'relevant planning authority' through the of the Section 61 applications and then monitored by the Main Works Contractor.
		In addition, as the development is planned over a significant period, the Noise Management Plan may require updates to account for new NSRs which may have been constructed within this period and looking to the future for the decommissioning phase of the development.	Given the rural nature of the area, the Applicant does not think there is a high risk of many NSR being constructed prior to the construction of the project. However, Section 14.4 of the CEMP [REP3-024] sets out the need for the contractor to submit Section 61 consents, variations and dispensations under CoPA 1974 for construction activities that are likely to result in a significant effect at a sensitive receptor or likely to be undertaken outside of the Core Working Hours. This would include any new NSR.
		In the case of additional mitigation measures proposed in Table 14.6 of ES Chapter 14: Noise and Vibration, it is stated that site specific best practicable means will be put in place unless a detailed assessment is undertaken which demonstrates that no significant noise impacts would occur. Details of any such detailed assessment and site-specific best practicable means should be provided prior to work beginning on that site.	The assessment presented within ES Chapter 14: Noise and Vibration [APP-082] already presents the detailed assessment where significant noise effects could occur and then identifies the locations where additional mitigation is required as a result (EIA_NV01). The additional mitigation is set out in the CEMP [REP3-024] which is secured through Requirement 4 of the dDCO (document 3.1 (E)). A detailed assessment would be undertaken only to prove that BPM would not be required (i.e. if the construction methods change). In addition, Section 14.4 of the CEMP sets out the need for the contractor to submit Section 61 consents, variations and

Ref	Matter	Point Raised	Applicant's Comments
			dispensations under CoPA 1974 for construction activities that are likely to result in a significant effect at a sensitive receptor or likely to be undertaken outside of the Core Working Hours. Therefore, the Applicant considers that the CEMP already covers this matter.
2.7c	Management Plans – Lighting	<p>We understand that temporary artificial lighting would be of the lowest luminosity necessary to safely perform each task and directional to avoid glare into residential properties. It would also be designed, positioned and directed to reduce the intrusion into adjacent properties. We would ask that site specific lighting plans near to NSRs be submitted in advance.</p> <p>Section 6.4.6 of the CEMP states that it is ‘anticipated that the use of solar lighting towers will be limited to the working hours authorised’. This should be the case rather than what is anticipated (excepting during times of emergency work or authorised work under CPPA s.61). Good practice measure GG20 in the CoCP should be updated to include this.</p>	<p>Lighting details are set out in Section 6.4 of the CEMP [REP3-025]. As stated in paragraph 6.4.3 the construction lighting will be installed in accordance with GN01:2020, BS EN 12464-2:2014 (Outdoor Workplaces). Lighting will be the lowest average lux levels necessary for safe delivery of each task and will be positioned and directed to reduce the intrusion into adjacent properties and habitats, where practicable. The Applicant does not there to be a need to provide further details regarding lighting to manage its health and safety risks.</p> <p>The Applicant updated the CEMP at Deadline 3 [REP3-024], which removed the reference to ‘anticipated’ in paragraph 6.4.6. The Applicant does not consider there to be a need to update GG20, as the CEMP text already expands on the good practice measure.</p>
3.1	Listed buildings	<p>Identify the further Listed Buildings to the west of Hintlesham Woods that the Suffolk councils are concerned about and the nature of those concerns ([REP1-045] at paragraph 8.5 and in Annex B). The further listed buildings to the west of Hintlesham Woods are:</p> <ul style="list-style-type: none"> • College Farmhouse (list entry number: 1036919); • Normans Farmhouse (list entry number: 1286010); • Old Hall House (list entry number: 1036920). <p>College Farmhouse is the most susceptible to harm to its setting, due to the proximity of the building to the power line, its relatively open boundary and the house’s positioning,</p>	<p>ES Appendix 8.2: Historic Environment Impact Assessment [APP-127] concludes that these three listed buildings would experience a minor adverse effect that would be not significant.</p> <p>As shown on the General Arrangement Plans [APP-018], there will be a new angle (tension) pylon to the south of Norman’s Farm. The pylons to the east of this point (e.g. to the north of College Farmhouse), will be partly constrained by embedded measure EM-AB01, which limits the flexibility of the location of the pylon to the north of Hintlesham Hall and will as a consequence affect the other pylons located along the section (between the angle/tension pylons).</p>

Ref	Matter	Point Raised	Applicant's Comments
		which faces south. The other two have less of a visual link, with trees in their immediate setting	
3.2	Scope of cultural associations assessment	<p>The contribution which its agricultural and landscape setting makes to the overall significance of Benton End needs to be assessed in relation to its cultural significance. As noted at the hearing and at Appendix A of this submission, the house was used to host and house artists in the early twentieth century. Is there evidence that the subject of these paintings included or was influenced by the pastoral landscape? The submitted documents are considered to insufficient to demonstrate the value of the landscape setting to the significance of Benton End.</p> <p>Further comment will be made at Deadline 5 if appropriate.</p>	<p>The Applicant has submitted a Technical Note on Cultural Associations at Deadline 5 (document 8.7.7).</p> <p>The Applicant will review any submissions made by BMSDC at Deadline 5 and provide a response at a later deadline.</p>
3.3	Action Point 9 Implications of the Land Use and Regeneration Act (LURA)	LURA 2023 amends s.85 of the CRoW Act 2000 by adding a new sub-section (A1) to impose a new duty. The councils consider that the new duty will mean that the Secretary of State should give greater weight to the need to ensure that the AONB is conserved and enhanced and that impacts on the AONB are avoided, minimised or adequately mitigated, or where they cannot be mitigated any residual impacts are compensated for so that the overall effect of the development on the AONB is one that achieves conservation or enhancement of its natural beauty so far as is possible.	The Applicant has responded to the implications of the LURA in response to AP9 in the Applicant's Response to the November Hearings Action Points [REP4-042].
3.4	Stour Valley East CSE compound and views	<p>The effects on the landscape and visual receptors of the CSE compound are hard to judge from viewpoint VPG2.5 (in the Photomontages), which is southwest of the compound near Lamarsh, but around 2km distant. The visual effects could still be assessed from the PRow to the west of the compound (c550m away), or from the southeast (c400-600m away) or from Workhouse Green to the northwest (c600m away). VPG2.5 viewpoint is not representative of the experience of people using the PRow network closer to the compound, nor does it demonstrate the effects on the local landscape itself or its fabric. An assessment and photomontage from a closer point would aid understanding of the extent or not of any impacts and demonstrate the extent of mitigation to be provided and the likely effectiveness after 15 years.</p>	<p>The Applicant has checked the visibility from the PRow network. There would be very little visibility from the PRow closest to the Stour Valley East CSE compound (W-171/001/0 and W171/002/0), which is why no viewpoints were identified on these routes. Users of a short section of W-171/001/0 near Sawyer's Farm may have views of the top of the gantries which would be some 300m distant. The adverse effects on these views would however be outweighed by the beneficial effects of removing the existing 132kV overhead line which is seen in much closer proximity as it overflies the footpath.</p> <p>The assessment presented in ES Chapter 6 Landscape and Visual [APP-074] does not rely on the photomontages, which are for illustrative purposes only</p>

Ref	Matter	Point Raised	Applicant's Comments
		The ASI satisfied some concerns that the infrastructure could be visible from the PRoW network due to the local topography. However, an assessment and a photomontage, if appropriate, from part of the PRoW network could help demonstrate that visibility is minimal.	to support site visits, therefore the Applicant does not consider an additional photomontage is necessary at this point in Examination.
3.5	Visual mitigation planting at the CSE compounds - Dedham Vale East	<p>The plans show mainly areas of species rich grass to be re-instated plus several areas of scrub outside the CSE compound and only one smaller area of woodland planting to the south. Whilst views from the south should eventually be screened, views from the lane in and out of Polstead Heath closer to the installation will likely not.</p> <p>More woodland/tree whip planting along the roadside would assist in mitigating visual effects on users of the route in and out of Polstead Heath and on the setting of the village. Details of the height to which roadside vegetation will be maintained should be included in the LEMP.</p>	<p>The planting is shown on Sheet 12 of LEMP Appendix B: Vegetation Reinstatement Plan [REP3-036]. This includes for a hedgerow with trees along Millwood Road and a hedgerow along the northern boundary of the site. The hedgerow is reinforced by blocks of woodland and scrub planting which have been positioned to screen views for people travelling south Millwood Road.</p> <p>The proposed planting has had regard to the location of the existing overhead line and the Applicant considers sufficient to mitigate the visual effects.</p>
3.5	Visual mitigation planting at the CSE compounds - Dedham Vale West	There is only a small block of woodland proposed to the north-west of the compound and one to the south-west. There is a narrow strip of landscape 'softening' further to the south-west. It is understandable for operational reasons that woodland is not located under the cables themselves, however opportunity should be sought to extend the woodland planting in the vicinity of the installation, neighbouring communities or local PRoW networks.	<p>The planting is shown on Sheet 15 of LEMP Appendix B: Vegetation Reinstatement Plan [REP3-036]. There are a number of areas of existing mature trees which help to screen the CSE compound not just limited to the area shown within the CSE compound area to be retained, but around the property at Stewards Farm and the rear of properties along Stoke Road. These mature trees limit the views towards the location from the local community.</p> <p>The route of the cabling in this area limits the amount of planting that can be shown to the east between the CSE compound and Stoke Road. Because of this, a number of hedgerows are proposed along Stoke Road and on both side of the permanent access road to help filter views. To the west of the CSE compound, planting is limited by the presence of the existing and proposed overhead lines, however views from the west are very limited, particularly once the coppiced hedgerow along the A134 is allowed to re-establish.</p> <p>There are no PRoW in close proximity, the closest 500m to the south-east where views will be filtered by the existing woodland block and proposed hedgerows. The</p>

Ref	Matter	Point Raised	Applicant's Comments
			Applicant considers the current planting proposals sufficient to mitigate the visual effects.
3.5	Visual mitigation planting at the CSE compounds - Stour Valley East	There is existing woodland to the east/south-east and proposed woodland to the north-west and south-west of the compound site. There are potential adverse views from receptors immediately due west but no viewpoint photomontages to test this. A viewpoint assessment and, as appropriate, a photomontage from the PRoW network to the west would help demonstrate that there are no significant visual effect from this installation.	Refer to response to item 3.4 of this document on viewpoints.
3.5	Visual mitigation planting at the CSE compounds - Stour Valley West	There are two small areas of proposed woodland to the north and south-west of the compound, some linear belts of landscape softening and large areas of proposed areas of net gain. Details of the landscape softening, and net gain do not appear to be included in the LEMP. If these land parcels do contain woodland planting, it is likely then the landscape and visual effects can be contained. However, VP G.07 Photomontage from south-west of the compound indicates that at Year 15 very little screening will have been achieved. Extensive additional mitigation planting is needed if the Year 15 image is correct.	As this lies within Essex, the Applicant refers to its response to ECC/BDC on this matter in Item 5 of Table 4.1 in this document.
Appendix A Benton End	Benton End	The Council has provided a description of Benton End.	The Applicant thanks the council for this summary.

4. Applicant's Comments on the Submission from Essex County Council and Braintree District Council

4.1 Introduction

- 4.1.1 Table 4.1 summarises the Applicant's comments to submissions provided by ECC/BDC at Deadline 4 [REP4-049]. The Applicant has not commented on matters that ECC/BDC has said it is not concerned about or where it has deferred to another Party on a specific matter, therefore the numbering in Table 4.1 is not consecutive. In some cases, where the point raised is lengthy, the Applicant has summarised the key points to keep the document concise.

4.2 Table of Responses

Table 4.1 – Applicant's Comments on the ECC/BDC Deadline 4 Submission

Ref	Matter	Point Raised	Applicant's Comments
3 (7.4.2)	Landscape and Visual - Viewpoint H07/G18	Refer to comments to AP11 from ISH4 in Submission 2 of this document. The Council's also have a new landscape officer working on the project who was not involved in earlier discussions about viewpoints. This was due to the previous landscape officer leaving the post at Essex Place Services.	Noted, the Applicant has no comment to make on this matter.
3 (7.4.3)	Landscape and visual assessment – viewpoint from PROW network east of A131	Refer to comments in Section 2 of this report, ISH4, Item 5, Additional Viewpoints – A131.	See Applicant's response to ISH4 REP4-034], Item 5, Additional Viewpoints – A131.
3 (7.6.3-7.6.8)	Landscape and Visual - Removal of 132kV line owned by UK Power Networks (UKPN)	The Councils remain of the view that there would be a significant landscape benefit of the removal of the additional section 132kV overhead line, which UKPN essentially confirm in their letter to Braintree (Appendix 1 of the LIR) would be redundant following completion of the project.	As noted in the Applicant's Written Summary of Oral Submissions Made to ISH4 [REP4-034], the overhead line is owned by UKPN and it would be a decision for UKPN as to whether to retain or remove the line. The Applicant's Order Limits do not include this section of overhead line.

Ref	Matter	Point Raised	Applicant's Comments
4.1.2	Management Plans	The Councils position is well known that the submitted control documents e.g. CEMP and LEMP are not currently detailed enough, and further comments on this, as requested at the hearings, will be provided at Deadline 5.	The Applicant will respond following receipt of the comments from ECC/BDC at Deadline 5.
5 (9.4.1 - 9.4.2 and 9.5.3 – 9.55)	BNG	Agree that net gain is not currently a requirement on NSIP. However, NSIPs will be required to comply with BNG requirements from 2025. ECC welcomes the Applicants ambition to commit to the delivery of at least 10%. ECC supports the application of the mitigation hierarchy, the opportunities from the Applicant working with its Main Works Contractor to seek to further reduce effects at the outset and therefore achieve the most biodiversity gains with the land available.	The Applicant has no comment on this matter.
5 (9.5.1 - 9.5.2)	Biodiversity metrics	No further action required. The most recent version of the Biodiversity Metric will only be expected to be used by new planning applications beginning in November 2023. Any development that is in the planning stages before this date and wishes to recalculate using the most recent metric may do so at their discretion. ECC welcomes that the Applicant will re-run the metric (using the same version metric 3.1 for consistency) based on the final detailed design and will submit the output to the Councils.	The Applicant has no comment on this matter.
5 (9.6.1 - 9.6.2)	Early planting	Due to seasonal planting and the potential impact of the construction programme ECC acknowledges that committing to specific timeframes for the implementation of each aspect of green infrastructure and phased delivery could be difficult, due to the nature of the development (for instance, this approach may be more suitable for residential developments), This was more so to ensure that, when opportunities for phased implementation arise, substantive green infrastructure is secured as early as possible in the initial phases of delivery to enable early establishment. ECC recognise, however, that in this case it is crucial to plant when the planting will thrive the most to prevent poor growth and potential plant failure.	The Applicant has no comment on this matter.

Ref	Matter	Point Raised	Applicant's Comments
5 (9.6.3)	CEMP	ECC is satisfied with the Applicants response and welcomes that the Management Plans include all of the measures relied on in the ES and that this has been made clearer in the combined REAC submitted at Deadline 3.	The Applicant has no comment on this matter.
5 (9.7.3)	Landscape contract duration	ECC notes that the statutory requirement for a 5-year aftercare period has been met, and that the planting will be managed by the relevant landowner after that time. The distinction between landscaping/planting maintenance of private landowners and those owned by the Applicant was not clear from the LEMP but welcomes confirmation that set out in the REAC that the Applicant will maintain on a permanent basis certain site along the project route where the freehold has been, or is proposed to be acquired by the Applicant, for the lifetime of the transmission asset. In addition the committed to maintaining the environmental enhancement areas for a period of up to 30 years is set out in the Environmental Gain Report.	The Applicant has no comment on this matter.
5 (9.7.4 - 9.7.6)	Maintenance of green infrastructure assets	ECC appreciates confirmation of the Main Works Contractor, who will be responsible for green infrastructure assets during the contractual defects period, and that the Applicant will be responsible for surface water drainage system maintenance and planting. The funding for project components or features such as drainage or planting on Applicant owned or leased land would be funded through the Applicant's operational budget. In that these details will be included in the LEMP.	The LEMP [APP-182] includes the measures required during construction and the landscape maintenance period. The LEMP [APP-182] does not cover operation, which is managed through the Applicant internal processes. However, the Applicant can confirm that it will be responsible for the assets that it owns.
5 (9.8.1 to 9.8.2)	Norwich to Tilbury Dedham Vale AONB	ECC is satisfied that this development has taken into account the Norwich and Tilbury Project and the alignment of mitigation measures in collaboration with SCC. ECC welcomes and supports the Council's comments 'that they remain interested as a stakeholder in the Dedham Vale AONB and Stour Valley partnership'.	The Applicant has no comment on this matter.
6.1.1	Climate change	ECC consider that the response to climate change is robust. It is noted that their own internal standards are to be set however some reliance will be needed on behalf of any appointed contractor to carry through the same and	The Applicant has no comment on this matter.

Ref	Matter	Point Raised	Applicant's Comments
		monitor the same to ensure the same carbon standards are met.	
7.1.1	Below ground heritage – trial trenching and the Outline Written Scheme of Investigation (OWSI)	In response to comments 11.4.3 to 11.4.4, to clarify, no evaluation has been requested in the areas of overhead lines or pylons for the Essex side. The trial trenching within the area of underground cabling did not commence until Aug/Sept 2023 after the Application was submitted and so the results/impacts in these areas have not yet been provided or assessed. The Applicant proposes to update the OWSI with the results of these 'at an appropriate deadline', this was expected at the Issue Specific Hearing 4 however was not provided. There are a number of issues with the current OWSI which will need to be addressed to make it acceptable. Discussions with the Applicants Archaeological Advisor on the OWSI are recommended to avoid delays in the DCO process.	<p>There are no new overhead lines or pylons in Essex, only underground cables and modifications to existing overhead lines as shown on Figure 1 in the OWSI (document 7.10 (B)).</p> <p>The Applicant commenced trial trenching in February 2022, which included fields to the west of the River Stour (in Essex) based on a previous iteration of the Order Limits. However, further areas needed investigation due to a change of design following the Statutory Consultation. The Applicant has been working with landowners to identify a suitable time for the trial trenching given cropping and avoiding the wet weather over winter 2022/23.</p> <p>Trial trenching on all underground cable areas in Essex have now been completed and ECC has received 4 out of 5 of the trenching reports. The trial trenching was completed in November and the Applicant will be issuing the final report once completed.</p> <p>The OWSI has been updated at Deadline 5 (document 7.10 (B)) to include the outputs of all the site survey results.</p>
7.1.2	Below ground heritage - geoarchaeological and palaeoenvironmental mitigation	In response to comments 11.4.5, the Applicant proposes 'a programme of geoarchaeological assessment that is proportionate to the project impact and the potential significance of the deposits, with details to be determined within the DWSI'. As above further details on the scope of geoarchaeological investigation should be included in the OWSI, including fieldwork, potential dating methods and sampling procedures, which will inform the detailed DWSI. Advice should be sought from the Historic England Science Advisor for the Eastern Region.	<p>The OWSI (document 7.10 (B)) includes Chapter 7 which outlines the proposed geoarchaeological and palaeoenvironmental mitigation. Further details will be provided to the local authority advisors as part of the DWSI.</p> <p>Historic England has confirmed that it defers to the County Archaeologists with regards to below ground archaeology.</p>
7.1.3	Below ground heritage – trial trenching	In response to 11.5.5 to 11.5.7, to date all archaeological trial trenching fieldwork has been largely targeted on geophysical anomalies and aerial photographic features	The survey areas have been defined using the guiding principles set out in the Archaeological Framework Strategy [APP-186], (a draft version was submitted to

Ref	Matter	Point Raised	Applicant's Comments
		<p>with some investigation in areas where no archaeological remains are recorded.</p> <p>In Essex it is recommended that archaeological evaluation should aim to cover 5% of the development area to enable a statistically representative sample of the area to be investigated. It is unclear if this coverage has been met by the current or previous investigations and if not, then further archaeological evaluation will be required in those areas (post-consent) and prior to the determination of mitigation across the scheme.</p> <p>Details of a further programme of archaeological evaluation will need to be included within the OWSI and will include areas where the percentage coverage of archaeological trial trenches has not reached that expected by the Historic Environment Advisor. In addition, evaluation may also be required in areas proposed for planting, haul roads and temporary compounds etc if there is considered to be an impact on archaeological remains. These areas will need to be agreed with the Historic Environment Advisor before the acceptance of the OWSI.</p> <p>The Applicant states that '<i>Where important archaeological remains are present and at risk of removal or damage, then strip, map and sample will be recommended as mitigation in the updated OWSI.</i>' It is unclear as to why this method has been chosen as appropriate mitigation before the fieldwork is complete and why open area excavation of areas is not considered the most appropriate methodology for important archaeological remains. As above the OWSI will need further information and amending before it could be considered acceptable.</p>	<p>consultees for review prior to submission of the application) which targets anomalies and also areas of substantial impact, such as the underground cable locations.</p> <p>The Applicant has adopted a proportionate approach to trial trenching which has been informed by a two-phased non-intrusive survey: an aerial photographic study combined with Lidar data, and geophysical survey. Trial trenching has focussed mainly on those anomalies, where present, but also been placed in areas which have appeared sterile to test the veracity of the non-intrusive survey results. The results borne out by the trial trenching have been consistent with the presence of anomalies located during geophysical survey, giving a high degree of confidence in the trial trenching results. It should be noted that some anomalies located during the non-intrusive surveys did not correlate to the presence of buried archaeological remains. Trial trench locations have been discussed with archaeological consultees.</p> <p>The Applicant considers that the trial trenching should be based on the proposed works and the evidence from the desk study which has confirmed large areas of historic quarrying and previous land use where archaeological remains have been removed. The Order Limits allow for LoD and not all land will be disturbed. The Applicant is of the strong opinion that applying a 5% sample would not be appropriate where there are areas that would not be disturbed (for example beneath the trenchless crossings), and in areas where the desk study has indicated that this would not be suitable (for example in the areas of modern quarrying). There is also little justification for trenching in areas where there are high quality habitats, water features or steep topography.</p> <p>The OWSI (document 7.10 (B)) has been updated at Deadline 5 to include the results of the trial trenching which was completed in November 2023.</p>
7.2.1	Above ground heritage – listed building	It has always been agreed that there will be no substantial harm to the significance of any heritage assets, as there will be no physical effect on any assets. However, there	The Applicant notes that there are no new pylons proposed in Essex and CSE compound have been sensitively sited and mitigation planting has been

Ref	Matter	Point Raised	Applicant's Comments
		could be less than substantial harm to the setting of any listed buildings identified near to the route. Whilst this wouldn't fall in to the realms of substantial in any instance, this harm could be lessened or mitigated by pylon placement and height, as well as exact CSE compound locations which is currently not finalised due to the provisions of the LoD and appointment of mains works contractor.	proposed to screen and filter views of the CSE Compounds. Sensitivity testing has been undertaken in the EIA regarding use of the LoD. The Applicant has responded to the matter regarding micro-siting of pylons and also the flexibility of the LoD in Table 3.1 (6.10-6.11) and Table 17.1 (c.11b) in Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049] . Therefore, the Applicant has no further comments on this matter.
9 (13.4.1 and 13.4.2)	Geology and Hydrogeology – Private Water Supplies (PWS)	<p>The criteria used in the Scoping Report [APP-156] and ES Appendix 10.2 [APP-131] appear to relate specifically to dewatering and discharge. The point raised in the LIR is about general protection from construction activities associated with trenchless methods, rather than only dewatering and discharge. As the criteria are 'pragmatic' rather than quantified / justified, it is important that the hydrogeological risk assessment fully considers the risk to PWS on a case-by-case basis. It is understood that this will be covered by the post-consent hydrogeological risk assessments, which will be subject to approval by the Environment Agency.</p> <p>The Applicant's reply relates to dewatering but does not cover potential chemical risks to the PWS. It is not clear from the reply whether there is / could be hydraulic continuity between the strata intersected by the trenchless crossing profile and the PWS well, or that the potential chemical risks from directional drilling activities that could occur with such circumstances, have been specifically assessed. This is particularly of note given the close proximity of the PWS to the Order Limits in the area of the trenchless crossing.</p>	<p>A Groundwater Risk Assessment was included as ES Appendix 10.2 [APP-131] which assessed the potential risks during construction and operation, to groundwater and groundwater receptors within 500m of the Order Limits, from trenchless crossings in relation to potential dewatering, mobilisation of contamination, the creation of new pathways and impacts on groundwater flow.</p> <p>In addition, good practice measure GH07 in the CoCP [REP3-026], commits to a Hydrogeological Risk Assessment to assess the risks to groundwater receptors, including considering the potential for breakout of drilling mud during drilling (for example bentonite or other agents proposed to assist drilling), once the specific trenchless crossing technique has been chosen.</p> <p>The general good practice measures set out in the CoCP [REP3-026] and CEMP [REP3-024] would mitigate potential risks, for example from pollution to PWS during construction.</p>
9 (13.5.1 and 13.5.2)	Data sources for contaminated land	<p>As stated in the LIR [REP1-039], it would have been helpful if a list of the mapping editions and dates that have been reviewed could have been provided.</p> <p>Based on the Applicant's reply, it appears possible that there is a gap in the baseline data between around the 1970s and 2000. This is because the only data set that</p>	The cumulative data sets that have been reviewed in order to provide baseline assessment of the potential for significant contamination within the Order Limits is considered to be adequate for the assessment of the likelihood for significant effects in relation to existing contamination. The majority of land within the Order

Ref	Matter	Point Raised	Applicant's Comments
		<p>covers this time period that the Applicant has referred to is Google Earth historical imagery with dates 'typically between the mid-1940s through to the present day' and 'historical aerial photographs (Britain from Above) for various dates'. Whilst Google Earth imagery does run from the 1940s to present, for some parts of the Order Limits with BDC, this is actually a single greyscale image from the 1940s, a single extremely low-resolution image from the 1980s, and then detailed satellite imagery only from around 2000 onwards. Likewise, it is not clear from the Applicant's response to what extent the Britain from Above photographs actually provide useful data (as dates etc. of the images are not provided).</p> <p>This appears to be a limitation in the baseline data, particularly given that high resolution mapping from the 1970s to 2000 is commercially available and does not appear to have been used. We would welcome the Applicant's further comments on this to confirm that this limitation does not affect the adequacy of the assessment (e.g., considering that the development is relatively low risk in this respect, being infrastructure development across largely agricultural land).</p>	<p>Limits is currently in agricultural use, and that the data reviewed indicates the majority of land within the order limits has historically been in agricultural use although there are some areas of historical quarrying. It is considered that the risk of areas of unidentified significant contamination that could lead to significant effects is low. Additionally, Chapter 10 of the CEMP [REP3-024] contains a protocol for encountering unexpected contamination during construction.</p>
10 (14.3.3 to 13.3.5)	Agriculture and Soils - Further evidence of soil surveys	The confirmation that the haul route land is BMV only furthers the Council's concerns about the haul route as set out in paragraphs 14.4.5 - 14.4.10 of the Council's LIR [REP1-039] .	The Applicant has responded to this matter in Table 10.1 of Applicant's Comments on Essex County Council and Braintree District Council Local Impact Report [REP3-050] . It is considered that most of the agricultural land in this location would be considered BWV.
10 (14.4.4 to 14.4.10)	Agriculture and Soils - Construction effects on agricultural	The matters of the haul route alignment were given some discussion as part of the compulsory purchase hearing. While BDC/ECC were not present at that meeting, from watching the webcast, the local farmers put forward their concerns and other options that the Applicant should have looked at in their optioneering process.	The Applicant disagrees with this statement, alternatives put forward by the affected person were looked at during the optioneering process as discussed at the compulsory acquisition hearing. The Applicant provided written details of this optioneering and the reason for discounting these options at Deadline 4 by an update to the Technical Note in the submission of document 8.5.5 (B): Technical Note on Temporary Access Route off the A131 [REP4-009] .

Ref	Matter	Point Raised	Applicant's Comments
		<p>It is understood that swept path analysis will be submitted on the haul route (and other options put forward by the farmers?) to demonstrate that it works. BDC/ECC would be interested in seeing these submissions.</p>	<p>The Applicant has submitted at Deadline 5 Document 8.7.4 Temporary Access Route off the A131 Concept Design and Swept Path Assessment. This includes the Swept Path Assessment (SPA) for the Applicant's preferred route of the Temporary Access Route off the A131 as represented in Figure 1.1 of document 8.5.5 (B): Technical Note on Temporary Access Route off the A131 [REP4-009]. This document also incorporates a concept design for the proposed ghost island for access off the A131 and bellmouth. This concept design also addresses queries from the local highway authorities on the nature of the proposed junction with the A131.</p>
		<p>REP3-053, the optioneering assessment of the haul route sets out the reasons why a hybrid approach would not be suitable which is noted (Paragraphs 5.4.1- 5.4.15). It is acknowledged that the local road network is constrained in this location, but the hybrid option could still work, but ultimately the justification from the Applicant is that option B, the haul route, prevents a larger number of issues that the hybrid option (Option C) still has. There is however less justification provided for the precise alignment of the haul route as proposed, comparatively to other potential suggested options by the landowners which would have less impact on their farming activities.</p>	<p>The Applicant notes the observations and confirms that the benefits of an off-network Temporary Access Route in this area are considered to substantially outweigh the adverse effect of the widening that would be required in any on-road sections of this route and traffic management.</p> <p>The Applicant provided written details of this optioneering and the reason for discounting these options at Deadline 4 by an update to the Technical Note in the submission of document 8.5.5 (B): Technical Note on Temporary Access Route off the A131 [REP4-009]. The Applicant has looked at all salient factors including farming operations, and it is the Applicant's position that the option selected and included in the application for development consent is considered to be the most appropriate taking account of the assessment undertaken (including environmental impact; engineering requirements; highway design, access and safety; and consultation feedback).</p>
10 (14.5.1-14.5.2)	Agriculture and Soils - Measures to protect soil	<p>The Councils are not experts in soil handling so cannot comment exactly on the good practice measures put forward; the intention was to highlight this as a particularly important point to the ExA, especially as the land has now been classified as BMV. Any works which reduce the quality of the soil to not be BMV would likely have significant implications for the farmers businesses. The</p>	<p>Within the EIA the Applicant made an assumption that the soils at the temporary access route off the A131 were BMV, therefore the survey results do not change the assessments made and the soil handling measures proposed. The Applicant considers that the good practice measures set out in Chapter 11 of the CEMP</p>

Ref	Matter	Point Raised	Applicant's Comments
		Council's defer to good practice measures to store, hold, and replace the soils and overburden in a way they can be beneficially re-used where they are extracted and would ask the ExA to take this into account.	[REP3-024] are appropriate for soil management during construction and are in accordance with best practice.
15.4.6	Traffic and transport topic meetings	The Council welcomes continued discussions; however, is of the opinion that there are sufficient risks within the assessment methodology, as outlined in both LIRs [REP1-039 and REP1-044], that require minimising in order to ensure that the assessed impacts are not exceeded. The Council has not yet been provided with the link-by-link traffic flows but welcome this commitment from the Applicant.	The Applicant submitted traffic numbers for access points to the Order Limits for the works at Deadline 4 in 8.6.6 Transport Assessment Construction Vehicle Profile Data [REP4-006]. Discussions are continuing on next steps.
15.5.1	Traffic Impact	The Council welcomes the commitment towards discussions on this point and recognises that the assessment is based on a preliminary assessment of impacts. The Council's concern relates to ensuring the impacts assessed are not materially exceeded during construction and relevant controls, monitoring, reporting and enforcement would be a reasonable mechanism for ensuring compliance.	The Applicant recognises the concerns and confirms that CTMP [REP3-030] provides for monitoring reporting and enforcement to an extent that is considered reasonable and is based on comparable projects. Regarding securing of these elements, please see the response to item 3.1a of this document.
15.5.2	Traffic Impact	<p>The Council welcomes the inclusion of the construction routes within the CTMP as a critical control for the construction of the development. The figures assessed within the Transport Assessment [APP-061] during those hours reflect shift patterns and significant car share proportions (enabled by a minibus), which do not form commitments within the Management Plans.</p> <p>As set out in our response to TT1.13.15 of the Examiner's questions [REP3-061] at Deadline 3, the Council have concerns regarding the assumptions within the Transport Assessment and are looking to minimise the risks associated with these assumptions through relevant controls. These risks relate to the following:</p> <ul style="list-style-type: none"> • Total staff numbers. • Peak construction vehicle numbers 	<p>Regarding securing of these elements, please see the response to item 3.1a of this document on shift patterns and 5.2 and 12a on restricting HGV movements/ staff numbers.</p> <p>The CTMP includes measures that encourage sustainable travel, for example, section 6 contains a Travel Plan with measures encouraging car sharing and describing the use of crew vans (incorrectly referenced as minibuses). The Applicant would be happy to receive suggestions on how the wording of this section could be strengthened or amended to address concerns.</p>

Ref	Matter	Point Raised	Applicant's Comments
		<ul style="list-style-type: none"> Staff shifts patterns and as a result the assessment hour The use of the staff mini-bus (crew bus) The assessed proportions of car sharers <p>There are no mechanisms in place that guarantee these HGV numbers, shift patterns or the travel proportions by minibus, which could result in substantially increased impacts on the highway network during the peak hour. This brings significant risk to the conclusions of the assessment.</p>	
15.5.3 – 15.5.4	Traffic Impact	No further information has currently been submitted, so the Council maintains its position that details of the relative use of accesses is currently unclear. Greater understanding of this use would give confidence in understanding the relative level of impact at different sites.	The Applicant submitted traffic numbers for access points at Deadline 4 in 8.6.6 Transport Assessment Construction Vehicle Profile Data [REP4-006].
15.5.6 – 15.5.8	Temporary access route off the A131	The Council are seeking assurances that the access is deliverable, particularly that visibility can be achieved to reflect road speeds. It would be beneficial if details on the parameters used for the 'worst case' design that was applied could be provided. ECC need assurances that an access is deliverable within the DCO red line to required standards with a Stage 1 Road Safety Audit and a Designer's Response.	<p>A plan showing the proposed bellmouth design at the junction with the A131, including visibility splays and a swept path drawings has been provided at Deadline 5 (document 8.7.4), demonstrating that the junction and road can be delivered within the Order limits. The Applicant welcomes a discussion on whether this provides the reassurance sought.</p> <p>A Road Safety Audit is required under Requirement 11 of the dDCO (document 3.1) and the Applicant is required to implement recommendations to the reasonable satisfaction of the local highway authority. In this context, the Applicant is not of the view that this needs to be carried out now.</p>
15.6.1	Statement of Common Ground	The Applicant has been engaging with ECC and SCC on the Heads of Terms for the agreement, which is welcomed, and we will continue to engage on this issue.	The Applicant notes the response and is keen to receive feedback on the draft Heads of Terms document which was shared with the local planning authorities on 31 August 2023.
15.7.1	Traffic Impact	Further information is sought on vehicle numbers, which the Applicant has indicated will be provided.	The Applicant submitted the Transport Assessment Construction Vehicle Profile Data [REP4-006] which contains details of the vehicle numbers at Deadline 4.

Ref	Matter	Point Raised	Applicant's Comments
15.8.1	Highway Repair	Section 5.2 of the CTMP [REP3-030] includes details on the survey (photographic and descriptive) to be undertaken of the local road network and accesses. Further discussion is needed on a process that ensures that any deterioration of the highway is dealt with quickly.	The Applicant has committed to recording the condition of the highway. The response to point 4.1 sets out that the reinstatement could be carried out under s59 of the Highways Act.
15.8.2	Site Accesses	<p>Paragraph 5.5.7 of the CTMP [REP3-030] refers to wheel washing will <i>'be provided at each main compound access point on to the highway where a need has been identified through the design process.'</i></p> <p>This would imply that numerous accesses are unlikely to include wheel washing. Facilities should be provided at all sites where a risk due to surface construction or operation is identified.</p>	As stated in paragraph 5.5.7 of the CTMP [REP3-030] , wheel washing will be provided at each main compound access point on to the highway <i>where a need has been identified</i> through the design process. It would not be proportionate to provide wheel washing at all accesses where a need has not been identified for example, accesses used by a small number of vehicles or where works are unlikely to generate mud on the road network.
15.8.3	Traffic Impact	The Council will undertake a review of the construction routes as indicated at Appendix A of the CTMP [REP3-030] .	The Applicant notes the response and looks forward to receiving feedback from the Council on the routes proposed.
15.8.4	Site Accesses	Whilst a review of options of the temporary haul route is set out [REP3-053] within the note, evidence has not been submitted that the proposed access arrangements and ghost island can be accommodated within the existing road layout. The Council is concerned about deliverability of the access as per our response to 15.5.6, 15.5.7 and 15.5.8 above.	An initial ghost island design has been provided at Deadline 5 (document 8.7.4).
15.9.1	AIL	The Council welcomes this further clarification and will undertake a high-level review of routes for any specific comments on constraints. The Council notes that AIL are subject to their own specific approval process.	The Applicant notes the response and will review the feedback on the routes indicated.
13.1.1 to 13.1.4	Noise and vibration - Working hours	The main concern, in terms of noise and vibration are the proposed working hours which extend to 12hrs on weekdays, and 9hrs on weekends and Bank Holidays. These proposed working hours extend beyond the typical working hours which are usually accepted owing to impacts on neighbouring amenity.	Section 1.3 of this document sets out the Applicant's current position regarding this matter.

Ref	Matter	Point Raised	Applicant's Comments
		<p>The Applicant has identified that reducing the working hours would lead to significant project delays, which could jeopardise the stability of the UK power network. The Applicant has accepted that construction works would not be undertaken in all locations and all of the time, furthermore, it is likely that any one receptor would only be exposed to noise on every other weekend.</p> <p>However, the approval which the Applicant has requested, would allow it to undertake construction works for an extended period of weekdays and weekends, and for a number of years, without any control.</p> <p>The Councils will try to work with the Applicant to resolve these issues for example by suggesting some working time limits for any one receptor. This could take the form of a number of weeks working time for a singular receptor.</p>	
14 (18.5.4 to 18.5.5)	Socio Economic - Employability and skills strategy	<p>Whilst we accept that most of those employed on the project will need to have certain expertise and will therefore come from the Applicant's existing workforce, they have stated that it is expected that 10% of the workforce would come from the local area and they state that this is likely to be apprentices, security workers and delivery drivers. Although this anticipated 10% will probably only result in 35 workers in total and this is a small number, they are still local jobs and given that they themselves suggest this number will include apprentices, I cannot understand why they would not include an employment and skills plan. Especially given that they state in both sections 18.4.1-18.4.5 and 18.4.6-18.4.7 'the Applicant requests contractors tendering for the construction of the project to identify how they propose to provide job opportunities for local people. The Applicant also promotes the use of local supply and small/medium enterprises through Main Works Contractors by embedded target within its framework contracts. The Applicant will continue to work with Councils and business leaders to identify opportunities to invest in employment networks, including looking for opportunities to work with local businesses.</p>	The Applicant does not consider that an Employment, and Skills Plan is needed on this project given the low number of jobs that would be created. The Applicant's existing pool of approved contractors would be procured to construct the project.

Ref	Matter	Point Raised	Applicant's Comments
14 (18.6.1)	Socio Economic - Opportunities and legacy	ECC and others too think that employment and skills should be separate from community benefits, it may not be appropriate or possible in this case, given the joint letter sent on community benefits with Suffolk, to push the employment and skills strategy and instead we will try to secure these benefits within community benefits.	The Applicant is committed to continuing discussions with the Councils and other key stakeholders regarding their aspirations in respect of community benefits. These discussions would be outside of the DCO process whilst we await the outcome of the Government's consultation on community benefits.
15 (19.5.1)	Minerals Policy	The Applicant has added these points to the Errata list [REP2-066] and can confirm this would not change the conclusions presented in either the MRA [APP-132] or ES Chapter 10: Geology and Hydrogeology [APP-078].	This Applicant has no further comment on this matter.

Draft Development Consent Order

21.2.3	Art 2 Interpretation – page 71	<p>BDC/ECC consider that pre-commencement operations (including set up works associated with construction compounds, temporary accesses, erection of any temporary means of access, erection of any temporary means of enclosure or temporary demarcation fencing marking out site boundaries) have potential to have significant effects and should trigger 'commencement'.</p> <p>NG cite the emerging Yorkshire Green DCO, A417 Missing Link DCO 2022, A428 Black Cat to Caxton DCO 2022 and A1 Birtley to Coal House Improvement Scheme DCO as justification/ precedent for inclusion of the proposed definition of pre-commencement operations.</p> <p>The Councils have previously requested an assessment of each of the pre-commencement operations to support NG's position that such works are de minimis [REP 3-061]. This has not been addressed in this document APP-035 at least.</p> <p>DCO Advice note 13 states at para 2.14 that if a dDCO includes wording derived from other made DCOs, this should be explained in the Explanatory Memorandum. The Explanatory Memorandum should explain why that particular wording is relevant to the proposed dDCO, for example detailing what is factually similar for both the</p>	<p>Assessment of the 'pre-commencement operations':</p> <p>As ES Chapter 4: Project Description [APP-072] makes clear, the Applicant's EIA has been undertaken with reference to both the baseline construction schedule and the alternative scenario presented within ES Appendix 4.2: Construction Schedule [APP-091].</p> <p>Both the baseline construction schedule and the alternative scenario make provision for the carrying out of the 'pre-commencement operations' as part of what is termed in Illustrations 2.1 and 3.1 of ES Appendix 4.2 [APP-091] as 'general set-up'.</p> <p>The assessment undertaken has influenced the control mechanisms set out in the Management Plans and to which the 'pre-commencement operations' are subject in their entirety.</p> <p>The 'pre-commencement operations' were all assessed as part of the project as noted above, rather than individually.</p> <p>Precedent for the 'pre-commencement operations':</p> <p>The Applicant notes the Councils' submissions in respect of the references to precedent made by the Applicant in order to justify its proposed approach to the 'pre-commencement operations.'</p>
--------	--------------------------------	--	--

Ref	Matter	Point Raised	Applicant's Comments
		<p>relevant consented NSIP and the Proposed Development (See Advice Note 15 for further advice).</p> <p>The explanatory memorandum [APP-035] states at para 3.6.16 that whilst noting the Planning Inspectorate's comments in Advice Note 15 regarding the use of the term 'commence' within draft Orders, the ability to undertake these 'pre-commencement operations' ahead of main construction is of importance in the context of the anticipated construction programme for the project. The Environmental Statement does not indicate that the excluded works and operations would be likely to have significant environmental effects. For this reason, National Grid considers that the exclusion of these works and operations from the definition is appropriate.</p> <p>The other DCOs which NG refer to in REP-3-050 are not mentioned in the explanatory memorandum and there is no explanation provided as to why the circumstances are factually similar. Indeed, there are arguably other more factually similar DCOs (Brechfa) for example where pre commencement operations are not included.</p> <p>The Applicant refers to the urgent need for the scheme and the tight construction schedule as justification for inclusion of the wide range of pre-commencement operations. The majority of the proposed wording has been accepted by The Councils but there remain severe concerns about some of the pre-commencement operations especially where the detail is unlikely to be firmed up until after appointment of the Main Works Contractor, and their potential for significant impact on neighbouring amenity.</p>	<p>The Applicant considers that the extent of recent and relevant precedent referenced in both the Explanatory Memorandum [REP4-045] and the Applicant's Comments on Essex County Council and Braintree District Council Local Impact Report [REP3-050], demonstrates that the Applicant's approach to '<i>pre-commencement operations</i>' is in no sense novel or unique. Indeed, such drafting can be considered a typical and accepted feature of statutory drafting, particularly for linear infrastructure projects.</p> <p>In terms of the Explanatory Memorandum itself, the Applicant has sought to provide a proportionate and accessible explanation of the provisions of the dDCO (document 3.1 (E)). Therefore, and as with the remainder of the Explanatory Memorandum, cross-references to other Orders are intended to underscore the fact that the dDCO (document 3.1 (E)) is based on broad precedent.</p>
21.2.4	Article 2 (Interpretation)	<p>There are controls set out in the CEMP (incorporating the CoCP), CTMP and the MWWP which include a non-compliance procedure managed by the EnvCoW who monitors for compliance and stops work if appropriate with provision to inform various bodies (including the Local Highways Authority to the extent there has been any breach affecting the highway network). There is also a complaints procedure. The LEMP has different obligations for in house monitoring by NG personnel.</p>	<p>The Applicant refers to Section 17 (pages 72-73) of the Applicant's Comments on Essex County Council and Braintree District Council Local Impact Report [REP3-050], and also to Table 3.1 of the Applicant's Written Summary of Oral Submissions to Issue Specific Hearing 2 [REP4-017].</p> <p>Although Item iii. in Table 3.1 refers to the assessment of 'materiality', the Applicant's submissions have equal</p>

Ref	Matter	Point Raised	Applicant's Comments
		<p>Requirement 4 also requires authorised development including pre-commencement operations to be carried out as per the CEMP/LEMP/MWMP etc.</p> <p>Planning Act 2008 s161 – makes it a criminal offence to carry out works in breach of approved DCO.</p> <p>Whilst there is a control mechanism, it is effectively reliant on NG itself identifying and referring any breach; the ultimate sanction for breach of the DCO is judicial process.</p> <p>The Councils defer back to our comments in the LIR.</p>	<p>applicability in the context of ensuring practical compliance with the Management Plans.</p>
21.2.5	Article 2 (Interpretation) - BDC/ECC Request to be able to assess materially new/different environmental effects	<p>The position for BDC/ECC has been stated previously. NG do not believe the detailed design of the project will give rise to materially new/different environmental impacts. To the extent there are such changes, NG state they will be covered by the change process provisions. The LEMP (para 10.5.6) the MWMP (para 7.4.6) the CTMP (para 7.6.6) and the CEMP (para 5.5.6) all provide that where there is a proposed change.... National Grid will provide details to the 'relevant planning authority' together with evidence of relevant stakeholder engagement, whereupon the 'relevant planning authority' will, acting reasonably, endeavour to respond within 28 days to either confirm its consent to the change ... or provide its reasons why the change is not accepted.</p> <p>This relies on NG identifying and bringing forward change proposals where there are materially new/different environmental effects but does not catch those changes where there may be a difference of opinion between NG/(ECC/BDC) as to whether there are any materially new/different environmental effects. Oral representations were made on this point at ISH2, and further detail set out below in Section 2 of this document in the post hearing submissions.</p>	<p>The Applicant refers to its detailed response to ExQ1 DC1.6.107 [REP3-052] and also to Table 3.1 (Item iii.) of the Applicant's Written Summary of Oral Submissions to Issue Specific Hearing 2 [REP4-017].</p> <p>The Applicant also notes the related statement made at Item 4.1.c of Suffolk County Council's Post-Hearing Submission for the Second Issue Specific Hearing (ISH2) on the draft Development Consent Order and Related Matters [REP4-043]:</p> <p><i>'SCC does not consider there needs to be such a provision. As mentioned above under 4.1a, the question of whether the undertaker has complied with the 'materiality' provisions would ultimately be a matter for the local planning authority as enforcement authority under Part 8 of the Planning Act 2008.'</i></p>
21.2.6	Article 2 - whether maintenance operations give rise to materially	<p>The Applicant disagrees as they will need to be able to maintain this asset however, they need to in accordance with statutory obligations. This is understandable and largely follows precedent elsewhere - the remedy for</p>	<p>The Applicant notes the Councils' submission.</p>

Ref	Matter	Point Raised	Applicant's Comments
		breach on this issue would be judicial process. No further comment anticipated at this time.	
21.2.7	Article 2 - 'operational use'	Operational use is the trigger for compensation for loss/damage through installation of protective measures (Art 20(8)); Req 5 (implementation of drainage plan); and Req 9 (approval of reinstatement planting plan). It is anticipated that no further comment is required.	The Applicant notes the Councils' submission.
21.3.1 - 21.3.2	Articles 3 and 4 (Principal Powers)	<p>NG does not accept this request; there is a need for the scheme, but agreeing to deliver and maintain/ remove if not required could put NG in breach of its other (statutory) obligations – this is not unreasonable nor unprecedented.</p> <p>Requirement 12 provides for a decommissioning scheme to be submitted to LPA for approval six months before decommissioning if appropriate. No further comment anticipated.</p>	The Applicant notes the Councils' submission.
21.3.3	Article 5 (Limits of Deviation)	The Councils have made their position clear in earlier submissions related to LoD. See comments in Section 2 related to heritage in ISH4 below for more detail of the affected heritage assets in Essex.	<p>The Applicant refers to its comments at pages 75-76 (inclusive) of the Applicant's Comments on ECC and Braintree District Councils' Local Impact Report [REP3-050].</p> <p>The Applicant also refers to its comments at pages 97-98 (inclusive) of the Applicant's Comments on Suffolk County and Babergh Mid Suffolk District Councils' Local Impact Report [REP3-049].</p>
21.3.4 & 21.3.5	Article 11 -Street Works + permit Schemes	ECC continues to reserve its position on this subject to further discussion with the applicant.	The Applicant notes the Council's submission and reiterates its commitment to working closely with the Council on highways and related matters, including through the ongoing Traffic and Transport Thematic meetings.
21.3.6 & 21.3.10	Article 14 – power to alter layout of streets	The Applicant has clarified that to the extent works outside Order Limits are required, planning permission would be required for any development. No further comment required.	The Applicant notes the Councils' submission.

Ref	Matter	Point Raised	Applicant's Comments
21.3.7	Article 15 – temporary stopping up of streets	The Applicant confirmed that it may not always be possible to provide a temporary diversion on a like for like basis, taking into account the Applicant's duties to act economically and efficiently; there may be closures for up to 12 weeks, although access to premises must be maintained. No response to the BDC/ECC suggestion that the Local Highways Authority should be able to intervene where a temporary closure is left in place for an unreasonable/unnecessary length of time. Further discussions on this point would be welcome.	<p>The Applicant proposes that the Community Liaison function described in Section 6.4 of the PRoWMP [REP3-056] is the most appropriate mechanism to address any potential concerns about duration of closures, as this provides a single point of coordinated contact for all concerns raised by Local Highways Authority and local residents.</p> <p>Compliance with the PRoWMP [REP3-056] is secured through Requirement 4 of the dDCO (document 3.1 (E)).</p>
21.3.8	Article 16 Access to works	Request for further time to agree access to works consents not agreed as not conducive to the need case. See however comment at 21.6.1 below – a ten week consent period for approvals under DCO requirements was recently agreed in the Longfield Solar Farm DCO.	<p>In response to the Council's comments on Article 16(2), and indeed the further provisions in the dDCO (document 3.1 (E)) where a 28-day determination period is prescribed, the Applicant refers to page 99 of the Applicant's Comments on Suffolk County and Babergh Mid Suffolk District Councils' Local Impact Report [REP3-049].</p> <p>The Applicant respectfully disagrees with the Councils that the Longfield Solar Farm DCO is an appropriate or relevant comparator in this context and, for the reasons previously stated, considers that the 28-day determination period should be retained in all instances in the dDCO (document 3.1 (E)).</p>
21.3.9	Article 17 – construction, alteration and maintenance of streets	ECC will consider this in relation to the framework highways agreement negotiations.	The Applicant notes the Council's submission and will await further feedback at Deadline 5.
21.3.11	Article 47 – Traffic Regulation Order	The need for additional resources to support enforcement has not been explicitly addressed and needs to be brought into the framework highway agreement discussions.	The Applicant notes the Councils' submission and would be pleased to discuss this point further through the ongoing Traffic and Transport Thematic meetings.
21.3.12	Article 48 – felling or lopping	ECC/BDC suggest the addition of 'to enable minimum standard electrical safety clearances to be maintained' to Art 48 to clarify scope of the article.	<p>The Applicant respectfully disagrees with the Councils' submission.</p> <p>The exercise of powers pursuant to Article 48(1) is already constrained, such that activities of felling or lopping etc. may only be carried out for the specific statutory purpose(s) set out in sub-paragraphs (a) and</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>(b), namely to prevent an obstruction or interference with the construction, maintenance or operation of the authorised development or any apparatus used in connection with it, or to remove or prevent a danger to persons constructing, operating or maintaining the same.</p> <p>The inclusion of additional drafting as suggested by the Councils would therefore impose an unnecessary further constraint on the exercise of those powers, and indeed could give rise to unacceptable health and safety risks for those engaged in construction, maintenance or operational activities in relation to the project.</p>
21.3.14	Article 57 – amendments to Certified Documents	<p>To the extent there are such changes then there is a change process in each management document.</p> <p>Schedule 4 paragraph 4 does contain an appeal process which applies to any consent, agreement of approval required under the DCO.</p> <p>The Applicant has also committed to updating the electronic library with revisions, however wording to that effect does not yet appear in dDCO Art 57.</p>	<p>The following text was added to each of the Management Plans at Deadline 3: '<i>National Grid will also publish any amended version of the CEMP on the project website, and will make clear in doing so that any previous version(s) are superseded.</i>' (See further in the Schedule of Changes to the Management Plans [REP3-055]).</p> <p>Compliance with each of the Management Plans is secured through Requirement 4 of the dDCO (document 3.1 (E)).</p> <p>Therefore, the Applicant does not consider there is a need to amend Article 57 in the manner suggested by the Councils.</p>
21.4.1	Schedule 1 – associated development	<p>Associated development is limited to works which are necessary or expedient for the purposes of the scheme; The Applicant does not accept that determination of what associated development gives rise to materially different/ new environmental impacts in this context should lie with LPA. The LPAs remedy ultimately lies with the Court if development is undertaken in breach of the DCO. No further comments are anticipated.</p>	<p>The Applicant notes the Councils' submission.</p>
21.4.2	Schedule 1 work 12 – temporary site compounds	<p>The Councils requested more detail about where these features would go at the September hearing. The Applicant has since commented on the action points from ISH1 [REP 1-034] and committed to provide locations of the temporary</p>	<p>The Applicant has included the construction compounds in Table 4.1 of the CEMP at Deadline 3 [REP3-024] and</p>

Ref	Matter	Point Raised	Applicant's Comments
		compounds in the CEMP. The Council's welcome this addition and will comment at Deadline 5 on the locations of the temporary construction compounds.	will await any comments on this item from the Councils at Deadline 5.
21.5.2	Requirement 2 (1) time limits	No further comment – it could be useful to have a definition of 'begin' for clarity.	The Applicant refers to matters stated in the Applicant's Comments on Responses to First Written Questions [REP4-029] , and particularly to the Applicant's further comments in relation to submissions made by the Councils in response to ExQ1 DC1.6.75.
21.5.3	Requirement 3	The Council's position on this point remains as set out in the Local Impact Report [REP1-039] Paragraph 21.5.3.	The Applicant notes the Councils' submission. The Applicant's position remains as set out in Section 17 of the Applicant's Comments on Essex County Council and Braintree District Council Local Impact Report [REP3-050] .
21.5.5-6	Schedule 3 requirement 7 – construction hours / working hours	<p>The Applicant wants to be able to work efficiently and not be constrained by shorter hours. They have produced analysis to show that if they were to reduce construction hours then there would be no/reduced ability to meet the fixed outage deadlines. The Council's position remains as stated in previous submissions.</p> <p>The Applicant is to produce further analysis of the critical path analysis. Subject to this, the Councils to consider making further representations to limit construction activity within x distance of protected receptors/ restrict construction traffic using haul routes and or other alternatives.</p>	<p>The Applicant notes the Councils' submission.</p> <p>The Applicant refers to Section 1.3 of this document which sets out the Applicant's current position regarding this matter.</p>
21.5.7	Schedule 3 requirement 10	The Applicant proposes five and has referred to some 30-year aftercare periods. The position remains as stated by the Councils in LIR i.e. 10-15-year aftercare period is appropriate to ensure planting becomes established, although a 30 year period in locations around the substation locations is welcomed.	The Applicant considers that it has the right balance of five years across most of the project, which consists mainly or reinstatement of hedgerows. The Applicant is proposing to maintain embedded planting for the life of the assets (i.e. at cable sealing end compounds and the GSP substation) and has also proposed 30 years in relation to MM09 to the north of Hintlesham Woods Site of Special Scientific Interest (SSSI).

Ref	Matter	Point Raised	Applicant's Comments
21.5.9	Schedule 3 requirement 13	The Applicant considers that land within the Order limits is capable of delivering at least 10% BNG. No offsite BNG is proposed. If offsite BNG is proposed, then a S106 would be required to tie this in.	The Applicant is not proposing any offsite BNG on the project.
21.6.1-2	Schedule 4	<p>The Councils have previously set out requests for longer consent time; The Applicant is not minded to give 56 days for time on consent and seek justification from BDC/ECC as to why 56 days is appropriate. The Council's position remains as stated that there will be insufficient time to process the volume of consents required in the time allowed – especially where consultation with others required. The Councils are happy to progress negotiations on the PPA but remain of the opinion that 28 days will be inadequate without additional provisions in place, such as a pre-application discussion via PPA etc.</p> <p>It should be noted that Longfield Solar Panel Farm NSIP provided a ten-week approval period for consents, which is less than the Councils are asking for at this time.</p>	<p>In response to the Council's comments on Schedule 4, and indeed the further provisions in the dDCO (document 3.1 (E)) where a 28 day determination period is prescribed, the Applicant refers to page 99 of the Applicant's Comments on Suffolk County and Babergh Mid Suffolk District Councils' Local Impact Report [REP3-049].</p> <p>The Applicant respectfully disagrees with the Councils that the Longfield Solar Farm DCO is an appropriate or relevant comparator in this context and, for the reasons previously stated, considers that the 28 day determination period should be retained in all instances in the dDCO (document 3.1 (E)).</p>
21.6.3	Schedule 4 – requirement fees	The Councils agree to discuss resourcing/ fee increase under PPA.	The Applicant will continue to discuss PPAs with the Councils.
21.6.4	Schedule 4 consultation requirements.	The Council position remains as set out previously that three business days is too short a time where further information is required. The Councils can pursue this further under PPA discussions.	The Applicant will continue to discuss PPAs with the Councils.
21.6.5	Schedule 4 discharge of requirements	The Councils propose that where there is a requirement to consult on any consent application the Applicant serves relevant consultee at the same time as a time saving measure – in order to support discharging authorities in being able to meet the range of different consents they will be asked to assess and process during construction period. More time should be allowed for approval process especially if National Grid cannot help with this. If the Applicant cannot agree to this this supports the Councils request that more than 28 days should be allowed for consent applications generally to enable overstretched	<p>The Applicant's position remains as set out in Section 17 of the Applicant's Comments on Essex County Council and Braintree District Council Local Impact Report [REP3-050].</p> <p>The Applicant considers that consultation in these circumstances is a matter wholly for the relevant authority to administer.</p> <p>Nonetheless, the Applicant would be willing to consider whether the proposed PPA could make provision for the Applicant to provide reasonable assistance to the</p>

Ref	Matter	Point Raised	Applicant's Comments
		local authority staff to process the relevant consents – see above.	relevant authority with regard to the consultation process in these circumstances
Section 2 (19) Post Issue Specific Hearings Notes and Actions			
Item 3	Review of changes to dDCO so far	The Councils have reviewed the changes made by the Applicant at Deadline 2 [REP2 009] and 3 [REP3-007] to the dDCO. Overall, while the Councils have no objection to the amendments put forward, the changes are minimal and do not address the concerns that BDC/ECC have as set out in our LIR [REP1-039], Deadline 2 and ExA Question 1 responses [REP3-061].	The Applicant notes the Councils' submission. In relation to the Councils' remaining concerns, the Applicant refers by way of response to Section 17 of the Applicant's Comments on Essex County Council and Braintree District Council Local Impact Report [REP3-050], the Applicant's Responses to First Written Questions [REP3-052] and the Applicant's Comments on Responses to First Written Questions [REP4-029].
Item 4	Materially new or different effects, article 57 and appeal mechanism	<p>Paragraph 21.2.5 & 21.2.6 of the LIR [REP1-039] and Paragraph 4.10.3 of the Deadline 2 response [REP2-009] extensively covered these paragraphs.</p> <p>The Councils consider that as designs yet to be finalised until appointment of mains works contractor, there needs some mechanism as to whether there would be any materially/new effects from those assessed in the ES. The DCO if consented should lead this process and not the main contractor.</p> <p>It is the Council's understanding that the Applicant has confirmed that if any changes to the Management Plans are required to cope with detailed design changes which give rise to materially new/different environmental impacts, this should be put to the LPA for approval in accordance with the change mechanisms in each of these documents. The LPA is given 28 days to refuse/approve. If a change is not approved then the appeal mechanism under Schedule 4 will be used to determine such an application. Subject to anything SCC/National Grid may have to add, this is helpful.</p> <p>However this only applies to requests for changes to the control docs brought forward by the Applicant; it only applies where the Applicant identifies that there are changes which give rise to materially new/different</p>	<p>The Applicant refers by way of response to Section 17 of the Applicant's Comments on Essex County Council and Braintree District Council Local Impact Report [REP3-050], to its detailed response to ExQ1 DC1.6.107 (see the Applicant's Responses to First Written Questions [REP3-052]) and also to Table 3.1 (Item iii.) of the Applicant's Written Summary of Oral Submissions to Issue Specific Hearing 2 [REP4-017].</p> <p>The Applicant considers that its existing responses address the Councils' submissions in this respect.</p> <p>Further, and in relation to the Councils' request for an appeals mechanism, the Applicant also notes the related statement made at Item 4.1.c of Suffolk County Council's Post-Hearing Submission for the Second Issue Specific Hearing (ISH2) on the draft Development Consent Order and Related Matters [REP4-043]:</p> <p><i>'SCC does not consider there needs to be such a provision. As mentioned above under 4.1a, the question of whether the undertaker has complied with the 'materiality' provisions would ultimately be a matter for the local planning authority as enforcement authority under Part 8 of the Planning Act 2008.'</i></p>

Ref	Matter	Point Raised	Applicant's Comments
		<p>environmental impacts with effect; other changes may not be brought to the attention of the LPA to start with. There is concern that works which the LPA consider give rise to materially new/different environmental impacts which were not considered before confirmation of the DCO will be able to proceed without further assessment, bringing The Council's back to the position where it wants to be consulted on any proposed post DCO changes on a case by case basis.</p> <p>The definitions 'Maintain' and 'Associated development' include operations provided they do not give rise to materially new/different environmental effects; National Grid see no role for consultation with LPAs in this regard, and yet the impacts of such work could be significant.</p> <p>Materially new or different effects is not something that can be considered without seeing the evidence and assessing on a case-by-case basis.</p> <p>The need for an appeal mechanism, yes as above see end para-Article 57/Schedule 17 – see 21.3.14 of LIR [REP1-039].</p>	
Item 5	The need for, and wording of new requirements put forward	<p>The list of requirements in the dDCO seemed low for a NSIP project of this size, and certainly other similar NSIP projects. Looking through some of the other NSIP decisions which had an element of electricity transmission (Hinkley Point C and Brechfa), there were some requirements which may be of relevance to this project also for the ExA's consideration. These are included these in Paragraph 21.5.10 of the BDC/ECC Local Impact Report.</p> <p>It may well be that some of these requirements are not necessary for the project, and/or covered by other documents. BDC/ECC were simply trying to assist the ExA by identifying these potential requirements.</p> <p>In terms of those potential additional requirements which are more pertinent to the scheme that are set out in Appendix 3, of response [REP3-061], the need/justification is below.</p>	<p>The Applicant refers to the Applicant's Comments on Responses to First Written Questions [REP4-029] in which it was noted that no specific reason or justification was provided by the Essex Councils for each of the proposed Requirements listed in Appendix 3 of the Councils' Responses to ExQ1 [REP3-061].</p> <p>The Applicant remains of the view that the absence of justification is contrary to Paragraph 15.2 of Advice Note 15 (Drafting Development Consent Orders), which states '<i>....Requirements should therefore be precise, enforceable, necessary, relevant to the development, relevant to planning and reasonable in all other respects.</i>'</p> <p>In any event, the Applicant's position in respect of each of the proposed Requirements is set out in the following rows of this Table 4.1. (The Applicant also notes the</p>

Ref	Matter	Point Raised	Applicant's Comments
			related submissions made by SCC at Deadline 4 – to which see Item 5.2 in Table 2.1 above).
Item 5	Proposed new requirement – Control of artificial light	<p>The Planning Statement sets out that the only permanent lighting will be on the GSP substation. There are not however any details that the Council's could see included within the submission documents of said lighting for the GSP. Details of lighting should be provided when its available, most sensibly through a Requirement, unless it is set out before that.</p> <p>The planning statement sets out that the CSE Compounds will have no permanent light – however without a mains works contractor on board, can this be guaranteed? The Council's consider that a requirement should be in place if permanent lighting is required at any CSE compound, that details are provided?</p> <p>In terms of during construction, the lighting is to be controlled via good practice measures in the CEMP. The construction compounds in particular are going to be heavily lit, especially if the hours of work are accepted, there will be a lot of 'in darkness' working. Should there be any extra controls for these lights beyond good practice measures? How do we know they will be provided in accordance with best practice without seeing any details once a contractor is appointed? Perhaps for the main construction compound which will be there for a significant period of time, where the Councils could approve some fixed lighting positions and specifications? These are questions for the ExA to consider in deciding whether an additional requirement is required.</p>	<p>The permanent lighting at the GSP substation is described in ES Chapter 4: Project Description [APP-072] in Table 4.8 and also paragraph 4.9.32 which states that <i>'the GSP substation would require security lighting, which would be used outside of daylight hours. This would require a trigger (i.e. would not be continuous) and be on a timer. Such security lighting would be low lux level light-emitting diode type luminaires with directable light output and passive infrared sensor motion activated lighting at the access gates to facilitate safe entry at night.'</i> As the permanent lighting would be low lux and sensor motion activated, the Applicant does not consider there to be a need to provide further details in a Requirement.</p> <p>Paragraph 4.9.24 of ES Chapter 4: Project Description [APP-072] states that the CSE compound would not have permanently installed lighting and lighting is required it would be portable task lighting brought onto site. Therefore, the Applicant does not consider there to be a need for a requirement around permanent lighting at the CSE compounds as there is none proposed.</p> <p>Section 6.4 of the CEMP [REP3-024] sets out the construction lighting proposals. The Applicant disagrees that the compounds will be heavily lit, as paragraph 6.4.3 states that the construction lighting will be installed in accordance with GN01:2020, BS EN 12464-2:2014 (Outdoor Workplaces) and lighting will be the lowest average lux levels necessary for safe delivery of each task. This will also be positioned and directed to reduce the intrusion into adjacent properties and habitats, where practicable i.e. where it still provides sufficient lighting to safely undertake the task.</p> <p>The Applicant will appoint one of its framework contractors to deliver the construction of the project. These contractors are used to delivering projects in</p>

Ref	Matter	Point Raised	Applicant's Comments
		In terms of the requirement wording in retrospect, it needs to be more precise to specific areas / equipment on the project, but the wording is generally taken from BDC's standard lighting condition.	<p>compliance with Management Plans and the Applicant will also be undertaking checks that this is done.</p> <p>Compliance with the Management Plans is secured through Requirement 4 of the dDCO (document 3.1 (E)).</p>
Item 5	Proposed new requirement – HGV Traffic	This potential requirement was not really to do with highway safety per se – it was taken from the Hinkley Point C NSIP, where the ExA sought to add an additional layer of control to restrict HGV vehicular movements. Perhaps if the extended working hours are taken forward, this condition could help reduce the impacts of those residents on the highway network by limiting construction traffic movements serving construction sites to core hours – see the post hearing notes on construction hours below.	<p>As the Transport Assessment [APP-061] evidences the HGV movements on the project are low, especially given the geographical extent of the works.</p> <p>Hinkley Point C is a nuclear power station; a development generating a very significant level of transport at one location during construction and with continued traffic impacts during operation. In contrast, Bramford to Twinstead is a new electricity cable and associated infrastructure, generating low amounts of traffic over a 29km line, largely limited to the construction period. To the best of the Applicant's knowledge the Hinkley C Connection Project did not restrict vehicular movements, with the connection project being a more comparable project than the power station (albeit with a connection almost twice the length (57km) of the Bramford to Twinstead project).</p>
Item 5	Proposed new requirement – Complaint handling	<p>In retrospect the Council's consider this is covered in the CEMP so is probably not required as a separate Requirement. That said, will residents know to look in the CEMP if there are any issues? Should the document be extracted and made available to residents along the route? The Councils believe that it should be a standalone document for easy access / understanding for residents should there be any complaints.</p> <p>GG25 in the CoCP [REP3-026] states that the proposals will be the subject of community consultation, that numbers will be available to report incidents and that a log of the same and actions will be recorded. The reporting of any incidents and the methodology of doing so needs to be displayed on site, be clear and be inclusive. The results of this should be provided to the Council's at not less than three month intervals.</p>	<p>The Applicant considers that the project website would be the location that residents would look for project information and this will contain the latest version of all the Management Plans (as per paragraph 15.5.6) of the CEMP [REP3-024]. The website also contains the contact information for the project, which residents can use to make a complaint. The complaints procedure is also outlined in Section 15.4 of the CEMP [REP3-024].</p> <p>The Applicant considers that additional documents increases both duplication and confusion as to where the correct information is contained.</p> <p>In the Applicant's experience, the majority of complaints on projects of this nature are around landowner concerns or residents of adjacent properties. These are most effectively dealt with by the Applicant, the land agent and the contractor liaising with the party involved</p>

Ref	Matter	Point Raised	Applicant's Comments
			and the Applicant does not consider it necessary to inform the Planning Authority of these types of matters and their resolution. In some cases, where there is a more significant complaint, for example a complaint regarding a breach to a management plan, then there may be a need to inform the Planning Authority, but this would be on a case-by-case basis subject to the nature and seriousness of the complaint.
Item 5	Proposed new requirement – External Appearance of Structures	This requirement should be considered as the plans submitted with the DCO are not finalised; the works are set out in the dDCO but they could look very different depending on final compound designs and colours. This Requirement would assist in securing those details once a contractor is appointed. For example, the colour of the security fencing will be important as well as the mitigation to soften the impacts of the CSE Compounds. It is acknowledged that the compounds themselves will be large, formulaic and industrial in nature.	<p>As acknowledged by the Essex Councils, the Cable Sealing End (CSE) compounds will be 'formulaic and industrial in nature' and the design of these will be substantially dictated by the equipment they contain and the function that they need to provide. The designs will be undertaken by a competent contractor with knowledge of designing high voltage transmission lines. Thus, the Applicant is unclear over which aspects of the design the Council is looking to influence, noting also that other elements (including, for example, accesses and landscape reinstatement planting) are already subject to existing Requirements within the dDCO (document 3.1 (E)).</p> <p>In any event, the Applicant does not agree that matters concerning the final design of transmission infrastructure should be a matter for the local planning authority to approve through an additional DCO Requirement.</p> <p>The Applicant is already required to ensure that the project is designed in accordance with standards set out within or overseen by, amongst others, the Electricity Supply, Quality and Continuity Regulations, British Standards (BS), European Standards, the 'Conseil International des Grands Réseaux Electriques' the International Electrotechnical Commission, and the Electricity Networks Association.</p> <p>In addition, the project must accord with each of the following: National Grid Design Standards, National Grid Technical Specification, National Grid Transmission Procedures, National Grid Policy Statement (Transmission), National Grid Technical Guidance Notes</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>(Electricity) and National Grid Technical Reports (Electricity).</p> <p>Embedded Measure EM-P04 as set out in the REAC [REP4-018], compliance with which is secured through Requirement 4 of the dDCO (document 3.1 (E)), states: <i>'The project will be designed in accordance with National Grid design standards and will be compliant with the guidelines and policies relating to electric and magnetic fields stated in National Policy Statement EN-5 (Department of Energy and Climate Change, 2011b), including the International Commission on Non-Ionizing Radiation Protection guidelines (1998).'</i></p> <p>Taking account of the above, it would be unnecessary and, indeed, inappropriate for the local planning authority to become the determining authority in respect of inherently technical matters for which sufficient control and oversight is already exercised by competent technical matter specialists.</p>
Item 5	Proposed new requirement - Other Requirements	An additional requirement should be also in relation to providing further evidence on the control documents e.g. CEMP, LEMP. It is acknowledged that further work is being prepared in this regard and will be submitted at Deadline 5.	The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans (and indeed Requirement 4 (Management Plans) of the dDCO (document 3.1 (E)) so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.
Item 6	Construction hours	The Council's remain concerned about the proposed working hours and the impact on residents. The Councils are willing to try and work with the applicant to get more sensible working hours, or come up with other ways as Suffolk suggest to mitigate the impact on residents.	<p>The Applicant notes the Councils' submission.</p> <p>The Applicant refers to Section 1.3 of this document which sets out the Applicant's current position regarding this matter.</p>
Item 7	Mechanism for Highway authority recovery of costs	As discussed at ISH2, the Local Highways Authority and the Applicant are in discussion about the highway impacts as a dedicated series of topic specific meetings. The Councils will report back to the ExA at a future deadline as to any agreement reached on the recovery of costs.	The Applicant confirms that it is having fortnightly meetings with the Local Highways Authority to progress discussions on highways matters and further details of any agreements will be provided at a future deadline.

Ref	Matter	Point Raised	Applicant's Comments
20 Issue Specific Hearing 3 – Transport and rights of way			
3	Transport Assessment and methodology used to assess traffic impacts	The only information linking the Transport Assessment and ES to the construction programme is set out in ES Appendix 4.2: Construction Schedule [APP-091]. However, the details there are reasonably limited and as a result it is not possible to provide a meaningful review. The Applicant has indicated they will provide further information to the highway authorities on this matter, which should help to address some of our concerns.	The Applicant submitted the Transport Assessment Construction Vehicle Profile Data [REP4-006] which contains details of the vehicle numbers at Deadline 4. The Applicant will continue to engage with Local Highways Authorities through Thematic meetings regarding additional information.
4	Construction traffic and construction route strategy:	At Deadline 3 the Applicant submitted an updated CTMP [REP3-030], which included the routes for HGV traffic. We will undertake a review of the submitted Appendix and should we have any issues with those routes we will respond appropriately.	Noted.
4	Construction traffic and construction route strategy:	Aside from construction routeing, there appears to be little control or management on construction traffic or construction worker movements within the CTMP [REP3-030]. As an example, a commitment to achieve the assessed staff car share/minibus proportions has not been identified and their target is to only achieve a proportion of 1.3 staff per vehicle (paragraph 6.3.5). As set out in the Councils' response to ITEM 3, given the risks within the assessment methodology, it is considered reasonable to embed a control, monitoring, reporting and enforcement process to identify any material unassessed impacts that occur, and management measures that can be brought in to remedy those impacts.	Regarding securing of these elements, please see the response to item 3.1a and 12a on restricting HGV movements/ staff numbers. The Applicant is happy to discuss alternative wording for the Travel Plan section of the CTMP to more strongly encourage car sharing if suggestions could be provided on the changes desired.
7	Public rights of way, and assessment of construction and traffic impacts on walkers, cyclists and horse riders (WCH)	With regards to the assessment of impacts to users of the public highway, as a starting point the approach for assessing severance, amenity and intimidation is considered to be reasonable at a high level. However, there is concerns set out in our LIR [REP1– 039] and the Councils' response to ITEM 3 regarding the assessment of vehicles relating to the shift patterns and car share; the absence of an assessment of the hour of greatest impact, which is indicated as appropriate within the Institute of	The WCH severance and WCH amenity, fear and intimidation assessments in ES Chapter 12 [APP-080] are developed with reference to the Design Manual for Roads and Bridges (DMRB) LA 112 Population and human health (National Highways, 2020) and the Guidelines for the Environmental Assessment of Road Traffic (GEART) (Institute of Environmental Assessment, 1993).

Ref	Matter	Point Raised	Applicant's Comments
		Environmental Management and Assessment Guidelines Environmental Assessment of Traffic and Movement; and the assessment of link sensitivity, all of which can significantly affect impact.	<p>These documents were the latest available relevant guidance when the assessment was undertaken. The referenced Institute of Environmental Management and Assessment guidance was not published until July 2023 and consequently could not be considered in the DCO application, which was submitted in April 2023.</p> <p>GEART indicates that '<i>assessments should consider the period (possibly the hour) at which the impact is greatest and the period at which the impacts exhibit the greatest change</i>' and that '<i>traffic assessments may need to be undertaken for a number of time periods</i>' [emphasis added by Applicant]. It is therefore not definitive in its requirement to assess the hour of greatest impact.</p> <p>The DMRB LA 112 also does not specify a requirement to assess the hour of greatest change. As set out in 12.58 in Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049], it remains the Applicant's view that DMRB LA 112 is appropriate guidance for assessing the construction traffic and transport impacts of a linear infrastructure project (and has been used on other consented linear infrastructure projects such as the Richborough Connection project).</p> <p>It is also noted that for WCH severance, the Applicant has used more onerous traffic flow change thresholds than indicated in GEART. GEART indicates that '<i>changes in traffic flow of 30%, 60% and 90% are regarded as producing 'slight', 'moderate' and 'substantial' changes in severance respectively</i>'. As set out in Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049] (item 12.68), the Applicant has assumed that traffic flow changes greater than 60% represent a 'Large' impact.</p> <p>Regardless of proportional change however, the absolute level of daily construction traffic expected during the very brief construction peak in August 2025 is very low (even with significant contingency added to the</p>

Ref	Matter	Point Raised	Applicant's Comments
			<p>forecast) – this is summarised in ES Figure 12.4 [APP-154]. It is therefore very unlikely that there would be any significant impact on WCH using the public highway during this brief period of peak construction activity.</p> <p>Both LA112 and GEART require a proportional approach to assessment and consider permanent impacts as well as temporary impacts. It is consequently the Applicants view that looking at peak daily traffic flow change is sufficient to ascertain likely impacts on WCH using the public highway, accounting for the temporary nature of the impact and the low absolute levels of construction traffic expected.</p>
7	Public rights of way, and assessment of construction and traffic impacts on walkers, cyclists and horse riders	The Applicant has indicated that they will provide a plan showing link sensitivity to the Councils for ease of review, which we would welcome.	A plan showing the sensitivity categories allocated to different sections of the road network has been prepared to supplement the information provided in Tables 3.1 and 4.1 of ES Appendix 12.1 [APP-134]. This is included as Appendix A of this document..
Public Rights of Way Management Plan			
20.2.1	Community engagement	Limited details have been provided on engagement with the community and wider users and the proposed method of engagement. Paragraph 3.3.1 requires expansion beyond residents. Engagement would additionally be required with relevant user groups for the status of the route and the wider community.	The Applicant welcomes suggestions for both relevant user groups and contact details and can consider including reference to these in the PRowMP [REP3-056] at a future deadline.
20.3.1	Routes with public access affected by the project	Paragraph 4.3.1 requires additional details on the phasing of works to establish the sequencing of closures. Further details are required to enable the Highway Authorities to assess impact on the network and connecting routes. It is currently unclear if adjacent routes will be closed during the same period. An indicative guide would provide further clarity.	The Applicant has responded to this matter in line item 7.1-7.2 in Table 2.1 of this document.
20.4.1 – 20.4.3	PRow Management Signage	At paragraph 5.2.1 advance notices / signage would be required to be displayed on site prior to closures. The	The Applicant will update the PRowMP [REP3-056] at a suitable deadline to say that 'where PRowS are to be closed, a map of the diversion route will be provided on

Ref	Matter	Point Raised	Applicant's Comments
		<p>recommend period of advance notices is a minimum of one week.</p> <p>It should be made clear at paragraph 5.2.3 that alongside the notice a map of the closure route and any applicable diversion must be displayed on site to assist users.</p> <p>The Council agree with the wording proposed for the site notices set out at Paragraph 5.2.5.</p>	<p><i>a sign at the point of closure so users know how to find the diversion route.</i></p>
20.5.1 -20.5.2	Active Management Plan for 'Shared Routes'	<p>It should be made clear at Paragraph 5.3.2 that any appropriate separation between users and construction traffic must not impact on the definitive width of the route.</p> <p>For paragraph 5.3.3 further expansion is required on the meaning of active measures. Does this include gating of the haul road or use of banksman?</p>	<p>The Applicant has noted the defined minimum widths of routes to be maintained in the PRowMP [REP3-056].</p> <p>The Applicant notes the request and will provide additional detail as to the meaning of active measures. This will be made available with the updated PRowMP [REP3-056] intended at a future deadline.</p>
20.6.1	Reinstatement of PRow	<p>Details of the pre commencement condition survey details (as set out at paragraph 5.4.1) should be shared with the Local Highways Authority prior to commencement of works on site.</p>	<p>Noted, no further comment</p>
20.7.1	Change process	<p>For paragraph 6.5.5, it is important that any proposed changes to the PRowMP would also be required to be agreed with the Local Highways Authority.</p>	<p>The PRowMP [REP3-056] is one of the plans listed in sub-paragraph (2) of Requirement 4(1) in the dDCO (document 3.1(E)) which states: '<i>All construction works forming part of the authorised development must be carried out in accordance with the plans listed in sub-paragraph (2) below, unless otherwise agreed with the 'relevant planning authority' or other discharging authority as may be appropriate to the relevant plan concerned.</i>'</p> <p>Further details on the change process are set out in Section 6.5 of the PRowMP [REP3-056].</p>
20.8.1 - 20.8.2	Appendix A - Routes with public access affected by the project	<p>Additional details are required for sequencing on closures as covered in comments on paragraph 4.3.1</p> <p>Clarification is sought on the definition of 'as required'. Any gating of the PRow should be avoided to keep the route barrier free for the least restrictive option. Any crossing should be managed through gating of access way or</p>	<p>The Applicant has responded to this matter in line item 7.1-7.2 in Table 2.1 of this document.</p>

Ref	Matter	Point Raised	Applicant's Comments
		consideration should be given to use of banksman as a managed crossing.	
21.1.1	Specific Comments on the deadline 3 submission: CTMP	The Council notes the stronger wording regarding those measures and processes that are within the CTMP.	The Applicant thanks the authority for the recognition of the change.
21.1.3	Specific Comments on the deadline 3 submission: CTMP	Further clarification is needed over paragraph 7.2.5 on the details that the construction vehicle numbers that are being checked against, along with relevant reporting and enforcement procedures.	<p>Paragraph 7.2.5 in the CTMP states that:</p> <p><i>'Deviations from the authorised routes or changes to traffic levels that are higher than the Transport Assessment (application document 5.7) CTMP assumptions will require discussion of the need for additional mitigation measures with the relevant highway authorities'</i></p> <p>This commitment provides details on how the Applicant (and their contractor) will monitor and report deviations from HGV routing secured in the CTMP and discuss further mitigation measures with local planning authorities should they be required. The mention of traffic numbers in this document is an error given that traffic numbers are not secured in the DCO. This will be amended at Deadline 6.</p> <p>However, the Applicant does remain open to the concept of recording traffic movements at each site and sharing this information with local planning authorities. How this might be worded will be discussed with the local highway authorities.</p>
21.1.4	Specific Comments on the deadline 3 submission: CTMP	Table 4-1 refers to Requirement 4 of the dDCO and requires that the authorised development be carried out in line with this CTMP, with no requirement for submission of a further iteration for discharge. This is not considered to be acceptable.	<p>The Applicant disagrees that a further detailed CTMP [REP3-030] is necessary given the nature of the project and limited highway effects. The Applicant is working with the Local Highway Authorities to fill any perceived gaps in the CTMP (or associated DCO Requirements and permit scheme) by the end of the examination.</p> <p>Reference should also be made to the Applicant's made Richborough Connection DCO which does not include a Requirement to submit a further or detailed CTMP.</p>

Ref	Matter	Point Raised	Applicant's Comments
21.1.5	Specific Comments on the deadline 3 submission: CTMP	Table 4-1 states that as 'a Main Works Contractor has not yet been identified, the timing and numbers are subject to change. Therefore, it is not appropriate to include these details within the CTMP at this time'. Clarity between this statement and paragraph 7.2.5 is sought. An initial cap on HGV movements that is equivalent to the project peaks assessed in the Transport Assessment should be incorporated. If a contractor wanted to amend these caps; they could do so through amendments to the CTMP, approved by the relevant highway authority, and by evidencing that there would be no additional impacts. Without controls being included at this point of the process, it is unlikely that they will ever form part of the CTMP.	See response to point 12a above for the Applicant's position on this.
21.1.7 – 21.1.8	Specific Comments on the deadline 3 submission: CTMP	<p>Further clarity is sought on paragraph 5.4.4 and whether this is a commitment to transport staff by minibus/crew bus, if so the proportion of staff to be transported needs to be set out as a commitment within the CTMP, so that that project achieves the assessed car share proportions.</p> <p>There should be a stronger commitment at paragraph 6.2.4 of the CTMP that car sharing or the use of a minibus/crew bus will be used for travelling around the site rather than it being assumed.</p>	<p>The CTMP paragraph 6.2.2 states that it is anticipated that staff will travel in mobile gangs to site. The CTMP also states that the workforce who arrive and depart by crew vans should be monitored and states that the contractor will set targets around increasing the number of staff using sustainable transport modes. The Applicant is open to discussions on strengthening this wording to make it clearer that the contractor would be encouraged to use crew vans to reduce the number of vehicles on the road.</p> <p>The arrangements set out in the CTMP are based on those used on comparable projects and reflects the need for crew vans providing portable welfare facilities, tools/materials and transport. As such, the benefits of these vehicles are such that use of separate vehicles is minimised in practice.</p>
21.1.9	Specific Comments on the deadline 3 submission: CTMPF	<p>As set out in our response to Question TT 1.13.21 of the Examiner's questions [REP3-061] at Deadline 3, the Council outlined a number of areas of particular concern relating to the CTMP; these being:</p> <ul style="list-style-type: none"> Surveying of the condition of the highway network for remediation. Partially resolved. Further information is needed. 	<p>Discussions are ongoing on these topics. The Applicant would respond on each point as follows:</p> <ul style="list-style-type: none"> The CTMP paragraphs 5.2.2-5.2.3 state: '<i>In accordance with good practice measure GG06 in the CoCP (application document 7.5.1), a full record of condition will be carried out (photographic and descriptive) of the access points and LRN that may be affected by construction activities. This is</i>

Ref	Matter	Point Raised	Applicant's Comments
		<ul style="list-style-type: none"> ● Absence of monitoring of construction and workforce traffic. It is understood that TT02 will ensure Global Positioning System (GPS) monitoring of construction routes and there is an indication that construction traffic will be recorded at paragraph 7.2.4. Further information is sought on what traffic is to be monitored and how vehicle numbers will be reported to the highway authorities. ● Absence of commitment to achieve staff modal share through commitment to minibus and car sharing. Not resolved; there continues to be no commitment to achieve the staff mode share. ● Absence of commitments to survey staff movements. The CTMP includes commitment towards surveying of staff movements in the form of a travel survey. This appears to be partially resolved, but further commitment to monitoring of total staff vehicle movements. ● Absence of reporting on CTMP monitoring and non-compliance to highway authorities. Not resolved: there is no commitment to report the findings of the monitoring to the highway authorities; nor any meaningful process for remedial actions if the CTMP fails to achieve its targets. 	<p><i>anticipated to include taking detailed records including photographs showing boundary features such as fencing or hedgerows and surfacing (paying particular attention to any potholes or other pre-existing features). The initial survey will be undertaken prior to construction and it is anticipated that this will be regularly checked throughout construction to that the surface of the highway altered for the project remains in good repair and safe for the public traffic using the highway. 5.2.3 The records will be available for comparison following reinstatement and after the works have been completed, to demonstrate that the standard of reinstatement at least meets that recorded in the pre-condition survey.'</i></p> <ul style="list-style-type: none"> ● The Applicant will monitor the vehicles entering and exiting each site, including the times of access. The Applicant is willing to secure this monitoring and share this information with local highway authorities. ● The Applicant includes a Travel Plan in the CTMP to encourage sustainable transportation and reduce single-occupancy car journeys. The Applicant is happy to discuss additional or alternative wording to encourage sustainable travel if suggestions could be provided. ● In addition to the commitment in the CTMP, as discussed in the third bullet above, the Applicant is happy in principle to record staff vehicles arriving at each site and provide this information to the local highway authorities. ● In terms of monitoring and remediation beyond the above, this will be discussed in meetings to identify whether any changes can be made to address this concern.

Ref	Matter	Point Raised	Applicant's Comments
22 Issue Specific Hearing 4 - Various Environmental Matters			
Item 3 - Biodiversity	Point 2 – clarification of proposals for ecological matters including BNG	<p>At the hearing, the Applicant confirmed that there would be different types of planting across the development; reinstatement planting, embedded measures (mitigation for visual), woodland planting / softening. A reinstatement plan was also submitted at Deadline 3 [REP3-036].</p> <p>The Council's main concerns around the ecological placement, mitigation, enhancement of planting is around the period of aftercare sought. With Essex both having a dry climate, and the complications for planting on newly bunded structures that this emphasises the request for aftercare to be extended to a period 10-15 years to enable the growth of vegetation to be properly managed.</p> <p>Furthermore, although establishment of trees can in theory be achieved in 5 years, it will take 30 years minimum to achieve condition for functioning woodland. There is a significant concern on the planting and landscaping proposals - particularly natural regeneration of woodland – and these areas require detailed discussion with the Applicant outside of the Hearing.</p> <p>In relation to CEMP plus its appendices REAC and CoCP (all April 2023), it is noted from the ISH discussion that there will be an updated CoCP to include the Environment Agency requirements in the CEMP.</p>	<p>The Applicant notes that LEMP Appendix B: Reinstatement Plan was submitted as part of the application in April 2023 but was updated at Deadline 3 [REP-036] based on feedback from third parties.</p> <p>The Applicant considers that it has the right balance of five years across most of the project, which consists mainly or reinstatement of hedgerows. The Applicant is proposing to maintain embedded planting for the life of the assets (including the cable sealing end compound and the GSP) and has also proposed 30 years in relation to MM09 to the north of Hintlesham Woods SSSI.</p> <p>The Applicant notes that the CEMP, CoCP and REAC [REP3-024, REP3-026 and REP4-018] respectively] were updated at Deadline 3 to include new commitments such as the wording of GH07 agreed with the Environment Agency. The REAC was then further updated at Deadline 4 [REP4-018] to present a complete list of commitments made on the project.</p>
Item 4 – Historic Environment	AP5 – Heritage assets of concern	<p>In response to Action Point 5 from the Hearing, a list of assets which will be affected:</p> <ul style="list-style-type: none"> Gentry's Farm, 1169822– part of a cluster of listed buildings (Also barn at Gentry's: 1123269, cart lodge: 1337883 and cottage: 1337894) which are close to the Order Limits and the GSP substation. The Order Limits seem to include an area across the surrounding fields to the south, which would appear to be an access route, although not specified as such in the General Arrangement Plan (APP-018, sheet 23). Were this to be used as an access point, the loss of hedgerow and changes to wider setting in terms of increased traffic, 	<p>The assessment in relation to specific listed buildings is presented in ES Appendix 8.2: Historic Environment Impact Assessment [APP-127]. As stated in paragraph 4.3.3, the sites screened into the assessment was based on the zone of theoretical visibility mapping and also by site visits undertaken by a heritage consultant to understand the potential changes in visual setting to listed buildings.</p> <p>The construction effects are assessed in paragraph 4.3.2, which concludes that there would be short term temporary changes to the setting of listed buildings during construction ranging from neutral to minor</p>

Ref	Matter	Point Raised	Applicant's Comments
		<p>cutting through the fields will have a harmful impact on the setting of these listed buildings. Whilst not marked as any potential access corridor at this stage, as the section of fields potentially be incorporated in later stages? These buildings have not been assessed as they are out of the 250m scoping remit, however the flat landscape and connection to the landscape suggest an assessment would be beneficial, particularly if the LoD could allow for an increase in the height and change of position of the existing pylons. Visibility of the GSP substation in Butler's Wood unlikely, but again no assessment of such is included in the documents.</p> <ul style="list-style-type: none"> • Nether House Farm, list entry 1123031. This house is close to the CSE compound, which will be a noticeable part of the farm's wider, southern setting. From this here will be an increase in traffic, changes to landscape, noise and visual impact. This can be considered less than substantial harm to its setting, particularly as this is a farmhouse which has links with the surrounding landscape. Concluded in the ES that the impact will be 'Negligible adverse'. • Netherby Cottage – will the LoD affect the impact/setting? Eg if there is a higher pylon, including modification of the existing line proposed. The ES concludes there will be 'No change/neutral', but its unclear if this based on no change or increased height, movement etc as per my general question above. • Moorcote, list entry number 114804 and Ansell's, list entry number 114803. There will be the removal of pylons but a new underground corridor to the north. Lots of disturbance during the construction phase. No assessment of these buildings has been included in the impact assessment. • Abbot's Farm, list entry number 1122866. This is close to the new Stour Valley West CSE compound. The 	<p>adverse effects. These have been assessed as not significant for any listed buildings within the study area due to the temporary nature of the works and their limited capacity to adversely affect the properties.</p> <p>In terms of the specific properties listed:</p> <ul style="list-style-type: none"> • Gentry's Farm (1169822 and cluster): The Order Limits include for a low voltage power connection to the south of these listed buildings, as shown on Sheet 23 of Figure 4.1 [PDA-002]. This would be all underground and would not affect the setting of the listed buildings during operation. There would be no visibility of the GSP substation given the intervening vegetation along the road and at Waldegrave Wood. Adverse effects during construction would be temporary and not significant, given the scale of work involved. • Nether House Farm (1123031): The assessment concludes that the effect to this property would be 'minor adverse' (not significant and less than substantial harm). This is owing to the limited project inter-visibility and lack of unsympathetic visual intrusion into the building's setting. • Netherby Cottage (1306791): No new pylons are being proposed here, the Order Limits are for installation of the arcing horns on the existing pylons. Therefore, there would be no new or taller pylons in the vicinity of the property, hence the 'neutral' effects concluded in the ES. • Moorcote (1122874) and Ansell's Farmhouse (1166093) lie to the south of the trenchless crossing to the south of Ansell's Grove, therefore there would be limited disturbance during construction beyond the drill pits and no effects on setting during operation due to this being an underground cable section.

Ref	Matter	Point Raised	Applicant's Comments
		<p>proposed realignment of the existing route will be slightly further away from the listed buildings, however there are three new pylons in the compound. The change to the existing pylon is going to be beneficial in terms of the view, however the LoD could change this. The ES concludes that the changes will be 'Small beneficial/Minor Beneficial', but it would be useful if the pylon relocation was set out beforehand, particularly as the visual relationship between the existing pylon and listed building is so visually intrusive.</p> <ul style="list-style-type: none"> All Saints Church, list entry number 1168870 and Wickham Hall, list entry number 1338001. No change proposed but the nearby (very close) pylons are within the DCO. Upgrading or enlarging them would have an impact – would the LoD allow this? CSE platform tower modification is proposed close by and this could change the setting of the listed buildings if they are moved/manipulated compared to existing. <p>Overall, there are a number of heritage assets which could be affected by the development in Braintree District. While there is no overhead line proposed, it is understood that other equipment like the CSE compound will have some LoD which could have higher impacts on these heritage assets.</p>	<ul style="list-style-type: none"> Abbot's Farm (1122866): The location of the existing and the new pylon are shown on Sheet 28 of Figure 4.1 [PDA-002]. The new pylon would be further away from the property than the existing one. The house is also well screened benefiting from mature trees and hedgerow along the boundary to the north which screen views towards the CSE compound. The proposed overhead realignment will be further away from the listed property than the existing overhead line because of the position of the CSE compound. The pylons associated with this are approximately 400m north-east of the property and views across to them will be heavily filtered by the existing mature vegetation. All Saints Church (1168870) and Wickham Hall (1338001) both lie over 1.5km away from the GSP substation. The Order Limits near to these properties are for the installation of the arcing horns to existing pylons. Therefore, there would be no new or taller pylons in the vicinity of the property, hence the 'neutral' effects concluded in the ES.
Item 4 – heritage	OWSI and extra wording in the REAC	The Councils acknowledge Applicants intention to add an additional item to the REAC which would include archaeological matters, it was something the Inspector brought up however no details on the wording was provided by the Applicant and, as mentioned in the comments, no further details were provided on the updates to the OWSI.	ECC requested that wording was added to the REAC which was submitted at Deadline 4 [REP4-018]. The updated OWSI has been provided at Deadline 5 (document 7.11 (B)).
Item 5 - Landscape	Action point 11 – additional viewpoints and assessments	Acknowledge that Viewpoints H-09 and H-10 are included to represent views from PRow closer to the GSP substation. A photomontage from H-09 would still be useful to demonstrate effectiveness or not of proposed mitigation at the substation. If Year 15 demonstrated residual	<p>The Applicant notes that the GSP substation has been consented by BDC and no additional photomontages were requested as part of that planning consent.</p> <p>The assessment presented in ES Chapter 6: Landscape and Visual [APP-074], which determines the need for</p>

Ref	Matter	Point Raised	Applicant's Comments
		negative effects, then some landscape compensation, softening or enhancements could be offered between the PRoW and the GSP substation development.	mitigation planting, does not rely on the photomontages, which are for illustrative purposes only to illustrate the proposals to others. Therefore, the Applicant does not consider an additional photomontage is necessary at this point in Examination.
Item 5 - Landscape	Point 7 – The need for an additional viewpoint and what form you suggest the visualisation would take.	Paragraph 3.2.1 of The Council's Deadline 2 Response [REP2-009] considered that there should be an additional location point for the Accompanied Site visit. Now the ASI has occurred without view of the haul route, the Councils offer no further comment.	The Applicant has no further comments on this.
Item 5 - Landscape	Point 7 – Additional viewpoints and assessments - From the PRoW network east of the A131	Our comments on this matter are set out in LV1.9.19, Deadline 3 response [REP3-061] . We included Appendix 1 of our Deadline 3 response which showed proposed assessment locations at the junction of Twinstead 21, Twinstead 1 and Great Henny 18. We consider that a photomontage is needed to demonstrate the effectiveness or not of proposed mitigation. If a photomontage has already been completed then please could the Applicant provide a copy for us to review.	The Applicant assumes that this proposed viewpoint was to look west towards the GSP Substation. Since the GSP Substation has planning permission and is currently under construction, the Applicant does not consider that additional viewpoint locations or assessment is required in this location. The Applicant does not consider that additional viewpoint locations or assessment is required in this location.
	Point 7 – Additional viewpoints and assessments - From the PRoW network on the edge of Wickham St Paul (GSP)	The Councils are requesting a photomontage from the bridleway immediately west of the GSP substation c 200m away in order to demonstrate the effectiveness or not of proposed mitigation. The LEMP includes some mitigation but it is only scrub. Predicted growth rates imply that even the woodland planting proposed is likely not sufficient to fully screen the installation. The assessments at year 15 are overly optimistic in the in the reductions of adverse effects. Landscape and visual compensation needed for effects that cannot be mitigated.	<p>Representative viewpoints on PRoW close to Wickham St Paul included six locations; H-04, H-06, H-07, H-08, H-09 and H-10. These represented views at a range of distances from the GSP Substation. These are the same viewpoints which were submitted in the planning application for the GSP substation which was approved in October 2022 by BDC (22/01147/FUL) and the variation approved in September 2023 (23/01488/VAR).</p> <p>Sheet 23 of LEMP Appendix B Vegetation Reinstatement Plan (document 7.8.2(B)) indicates that to the western end of the GSP Substation there are blocks of woodland and scrub, scrub being used under the existing overhead line where tree planting is not possible.</p> <p>The assessment presented in ES Chapter 6: Landscape and Visual [APP-074], which determines the need for mitigation planting, does not rely on the photomontages, which are for illustrative purposes only to support site</p>

Ref	Matter	Point Raised	Applicant's Comments
			visits. In addition, since the GSP substation has planning permission and is currently under construction, the Applicant does not consider that additional viewpoint locations or photomontages required in this location.
Item 5 - Landscape	Sufficiency of visual mitigation for the CSE compounds - Specifically for Stour Valley West compound	<p>Key infrastructure such as the CSE compounds should have comprehensive landscape design and mitigation plans and cross-sections as part of the submission, and not be included solely as part of the landscape management document. –This is explored more generally in paragraph 7.6.1 of LIR [REP1-039].</p> <p>There are two small areas of proposed woodland to the north and southwest of the compound, some linear belts of landscape softening and large areas of proposed areas of net gain. Details of the landscape softening, and net gain are not included in the LEMP. If these land parcels do contain woodland planting, it is likely then the landscape and visual effects can be contained. However, VP G.07 Photomontage from southwest of the compound indicates that at Year 15 very little screening will have been achieved. Extensive additional mitigation planting is needed if the Year 15 image is correct.</p>	<p>The Applicant acknowledges there will be open views of the CSE compound from a short section of PRoW as described by the assessment for Viewpoint G-07 in Appendix 6.4 [APP-106]. Views from the PRoW would also benefit from the removal of 400kV pylons to the north of the CSE compound resulting in a medium-small magnitude of change.</p> <p>Locations for planting within the area to the south of the CSE compound are limited due to the location of both the cable and the presence of the overhead line.</p> <p>As the PRoW crosses the middle of the field, it was considered inappropriate to include planting along the PRoW alignment due to the current land uses (agricultural operations) and therefore the open views were retained.</p> <p>The Applicant is currently working with the landowner on the proposals for BNG which would also help to further screen views during operation.</p>
AOB	Removal of the 132kV overhead line between Twinstead Tee and the GSP substation	It is noted from the hearing that UKPN have not been asked by the ExA to comment directly on the project related to the removal of the additional section of 132kV line between the GSP substation and the Twinstead Tee. While this is disappointing to hear, the Councils would urge the ExA to give this point due consideration despite it being out of the order limits, owing to the fact that this project would make the section of line redundant.	As noted in the Applicant's Written Summary of Oral Submissions Made to ISH4 [REP4-034] , the overhead line is owned by UKPN and it would be a decision for UKPN as to whether to retain or remove the line. The Applicant's Order Limits do not include this section of overhead line.

5. Applicant's Comments on the Submission from Dedham Vale AONB and Stour Valley Partnership

5.1 Introduction

- 5.1.1 Table 5.1 summarises the Applicant's comments to submissions provided by Dedham Vale AONB and Stour Valley Partnership (the Partnership) at Deadline 4 [REP4-001]. The Applicant's comments on the Appeal Decision [REP4-025] are considered under the second line item in Table 5.1.

5.2 Table of Responses

Table 5.1 – Applicant's Comments on the Partnership's Deadline 4 Submission

Reference	Matter	Point Raised	Applicant's Comments
Any Post Hearing Submissions or Other Documents Requested by the ExA at the Hearings [REP4-001]			
N/A	The setting of the Dedham Vale AONB, and the case for additional undergrounding in section F	The AONB Partnership considers that additional undergrounding in Section F should be taken forward if there are sufficient policy drivers or evidence of need.	The Applicant has no further comments to make on this matter in addition to the comments already provided in previous submissions.
N/A	Consideration of the statutory purpose of the AONB	<p>The AONB Partnership considers that the statutory purpose of the AONB will be significantly negatively impacted during construction. Negative impacts to part of the AONB should be seen as impacts to the AONB as a whole given the AONB is a single entity. The Partnership draws the ExA's attention to para 18 of Appeal Ref: APP/L3815/W/21/3289451, 112 Main Road, Hermitage, Southbourne PO10 8AY [REP4-025].</p> <p>That says: <i>The appellant stresses that the site area represents 0.4% of the AONB. It is open to question whether such a percentage can really be considered 'negligible' in the context of a protected landscape. Moreover, given that the AONB includes large tracts of</i></p>	<p>The Applicant has responded to this matter in response to AP 8 in the Applicant's Response to the November Hearing Action Points [REP4-042].</p> <p>The Applicant considers that the example provided by the Partnership is not comparable to the project, as it relates to permanent effects associated with a housing development within an AONB and not short-term temporary effects that lead to an overall benefit to the AONB during operation.</p>

Reference	Matter	Point Raised	Applicant's Comments
		<i>water, it is unclear how much of the dry land area of the AONB this figure actually represents. It is therefore of limited value both as a measure in itself, and as an accurate indicator of the magnitude of effects.</i>	
N/A	Special qualities of the Dedham Vale AONB	<p>The AONB Partnership considers that the special qualities of the AONB will be significantly negatively impacted during construction. Impacts will include significant negative impacts on landscape quality, scenic quality, relative tranquillity from construction activity. It acknowledges that this will be of a temporary nature but consider the impact will still be felt and should be compensated for.</p> <p>Furthermore, it considers surface vegetation is likely to be impacted during the operation phase by the development due to impacts on soil structure and drainage patterns and the inability to plant trees above the underground lines.</p> <p>It is concerned that the needs of the Stour navigation (Sudbury to Cattawade) are not being fully considered during the construction phase and the installation of river crossings.</p>	<p>The Applicant acknowledges that there would be temporary construction effects on the special qualities of the AONB as set out in Dedham Vale AONB Special Qualities and Statutory Purpose [REP1-032]. However, it maintains that there is no requirement to compensate for these short-term temporary effects when there is an overall long term operational benefit to the AONB from undertaking these works, as stated verbally at Issue Specific Hearing 4, see the Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 4 [REP4-034].</p> <p>Chapter 11 of the CEMP [REP3-024] sets out the good practice measures for handling soil during construction. These measures will protect the soil structure and therefore there is unlikely to be an impact on soil structure and drainage patterns as a result of the project.</p> <p>As shown on Sheets 12 to 15 of LEMP Appendix A: Vegetation Retention and Removal Plan [APP-183], the underground cables within the AONB pass through arable areas within limited trees.</p> <p>The Applicant notes that there will be a negligible effect on navigation along the River Stour, as only a short stretch of the river (not in the AONB) would be affected during installation and removal of the temporary bridge and lowering of the 132kV overhead line for safety reasons. As stated in paragraph 1.5.3 of the CTMP [REP3-030], these will be short term in duration (i.e. up to one week for each).</p>
N/A	Location of the Dedham Vale East CSE compound.	The AONB Partnership have no further comment to make on this element beyond its earlier submissions during consultation and at Issue Specific Hearing 4.	The Applicant has responded to the location of the Dedham Vale East CSE compound in Chapter 3 of Applicants Comments on Written Representations [REP3-048] and also verbally at Issue Specific Hearing 4, see the Applicant's

Reference Matter	Point Raised	Applicant's Comments
		Written Summaries of Oral Submissions to Issue Specific Hearing 4 [REP4-034].

6. Applicant's Comments on the Parish Councils of Assington, Bures St Mary, Leavenheath, Little Cornard, Polstead and Stoke by Nayland

6.1 Introduction

6.1.1 Table 6.1 summarises the Applicant's comments to submissions provided by Parish Councils of Assington, Bures St Mary, Leavenheath, Little Cornard, Polstead and Stoke by Nayland ('the Parish Council's') at Deadline 4 [REP4-016 and AS-010]. The Applicant has no comments on Section 1 of the response.

6.2 Table of Responses

Table 6.1 – Applicant's Comments on the Partnership's Deadline 4 Submission

Reference	Matter	Point Raised	Applicant's Comments
Any Post Hearing Submissions or Other Documents Requested by the ExA at the Hearings [REP4-001]			
2	Relocation of the Dedham Vale East CSE compound in Section D/E to Layham Quarry	<p>The Parish Councils set out their response about why they consider that CSE compound should be moved to Layham Quarry.</p> <p>In REP3-048, the Applicant asserts that extending the undergrounding from Millfield Woods to the quarry would be constrained by the two blocks of woodland at Millfield Wood and the existing operational overhead line, presumably a reference to clearances required to pylons 4YL033 to 036 and the associated overhead cables [APP-018 Sheet12]. This point was reinforced in the recent hearing [ISH4 00:42:36] where the Applicant confirmed when asked that the presence of woodland and operational lines presented a constraint to moving to the quarry that meant that there was insufficient open area available to extend the undergrounding to the quarry site.</p>	<p>Regarding the request to relocate Dedham Vale East CSE compound to Layham Quarry, the Applicant has responded to this in Issue Specific Hearing 4, see the Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 4 [REP4-034] which states:</p> <p><i>A CSE compound located at Layham Quarry was specifically considered in response to consultation feedback. Layham Quarry is approximately 800m from the proposed CSE compound location. Whilst Layham Quarry is currently inactive (since 2013), a planning application to extend the timescales for extraction has been granted until 2032 and the owners of the quarry intend to recommence operations at some point in the future. Whilst a move to Layham Quarry would locate the CSE compound further away from the AONB, the additional cost associated with the extra underground cabling (rather than overhead lines) would not</i></p>

Reference Matter	Point Raised	Applicant's Comments
	<p>We are bound to challenge these assertions by the Applicant on the face of the evidence provided by the Applicant. The land plans appear to us to demonstrate that there is ample clearance to both the Millfield Woods North and South and to any of the retained pylons and overhead lines between there and the quarry to construct and extend the undergrounding in standard cross-section [APP-027] from the current site to the quarry. From a civil engineering perspective, the supposed constraints do not appear to have affected the capacity for undergrounding just 100- 200m to the west of the Millfield Woods site [APP-018 Sheet 12]. For the Applicant to assert otherwise appears to us to misrepresent the case against the quarry.</p>	<p><i>be justified in terms of policy or the Applicant's statutory duties (as a regulated business) to be economic and efficient. The move would also not be in accordance with mineral safeguarding policy. It is noted in the Planning Statement [APP-160] that the new overhead line in this location would not result in the sterilisation of minerals, as minerals could be extracted from beneath the overhead line, however, a CSE compound development at this location and underground cables connecting into it may conflict with the future extraction of minerals at this site. The Applicant has therefore concluded that when taking into account all of its statutory duties and National Policy, on balance the proposed location is considered to be suitable.</i></p> <p>In addition to the request to relocate the CSE compound to Layham Quarry, the Applicant was also asked by SCC and BMSDC in their LIRs [REP1-045] to look at placing the CSE compound more centrally between Millwood Road and Heath Road. This would bring the CSE compound close to the existing 400kV (operational) overhead line being retained, which would increase the landscape and visual impacts and the woodlands themselves would then constrain the working area in terms of available space for construction of the CSE compound itself.</p> <p>The Applicant has inadvertently responded collectively to the above two requests (to move the CSE compound to Layham Quarry and separately to move the CSE compound more centrally in the existing location), particularly in Chapter 3 of Applicants Comments on Written Representations [REP3-048]. For the avoidance of doubt the Applicant therefore confirms that the statement “<i>the working area for an underground cable route to Layham Quarry would be constrained by the two blocks of woodland at Millfield Wood and the existing operational overhead line.</i>” regarding the justification for not relocating the CSE compound to Layham Quarry is incorrect. The Applicant does not consider that this error materially changes the conclusion as set out above.</p>

Reference	Matter	Point Raised	Applicant's Comments
3	Issues related to the incremental cost of undergrounding	<p>While we understand the Applicant's unwillingness to publish detailed cost estimates because of the risk of influencing contractors' tender prices during the pre-construction phase, we believe it is vital that the ExA requests sufficient detail on the incremental costs to assess the Applicant's submissions.</p> <p>For the same reasons, we believe that a similar assessment of the incremental cost of undergrounding through Section F should be presented for evaluation by ExA, noting that our proposal here would obviate the need for two CSE compound completely.</p> <p>We do not believe that the Secretary of State would be able to make a cost-benefit evaluation of our proposals, in accordance with EN-5 without ExA's endorsement or otherwise of the reliability of the alleged additional costs, albeit that these might be examined in camera.</p>	As set out in the Applicants Comments on Written Representations [REP3-048] <i>'in general terms the cost of underground cables is between four and ten times the cost of an overhead line equivalent.'</i> In accordance with the Applicant's statutory duties any additional cost (which is ultimately borne by bill payers) must be justified in policy terms. As set out previously the Applicant does not consider this to be the case in this location (or for Section F).
Further written comments on CSE Compounds following Bramford to Twinstead Issue Specific Hearing 4 [AS-010]			
2.1 – 2.3	The proposed access road to Stour Valley East CSE compound from the B1508	<p>During ISH4 we referred to the high level of visual impact from the proposed permanent access road to the CSE compound [APP-018 sheets 19 and 20]. Our concerns focus on the visibility of the road from the Daws Hall area (TL 88764 36643).</p> <p>If the whole of Section F were undergrounded as we propose, the CSE compound and its permanent access road would no longer be needed, removing the visual impact of the access road completely.</p> <p>The proposed permanent access road creates a new junction on the B1508 and crosses a currently completely undeveloped area, which is highly visible from the opposite side of the Stour valley.</p>	<p>The Applicant has listened to the feedback from the Parish Councils regarding the permanent access route and can confirm that it will add a new commitment to the REAC [REP4-018] at a future deadline that says: <i>'A landscape architect will be involved in the detailed design to advise on suitable finishes for the permanent access route at Stour Valley East CSE compound as part of reducing the landscape and visual effects of this feature.'</i></p> <p>Please see Reference 3 with regard to undergrounding in Section F.</p>
2.4 – 2.6		While we believe that the undergrounding of Section F could be comprehensively justified in order to reduce the proposed development's impact on both the Dedham Vale AONB and the SVPA, in the event that undergrounding is not pursued, we propose an alternative route for the CSE compound access using an existing junction to the south of the one proposed at	The Applicant considered a number of options to access the proposed Stour Valley East CSE compound during the pre-application design and consultation stages. Due to the secluded location of the CSE compound it is a difficult location to access. Options considered included: from the east

Reference	Matter	Point Raised	Applicant's Comments
		<p>TL 89910 36603, passing two houses then using existing track all the way. The access is serviceable in terms of splay onto the B1508.</p> <p>In our view, this alternative is preferable for three key reasons:</p> <ul style="list-style-type: none"> Visual impact is greatly reduced: the track already exists, and is well hidden by mature hedge and trees from the other side of the valley. Views from the Little Cornard area of the B1508 and Spout Lane would be less impacted than by a new road through a field, and the need for a new junction with the B1508 would be removed. Upgrading the existing track to a permanent road would improve access for all to the area including the houses it passes and for agricultural vehicles, providing a community benefit. Adding hedging to screen the access from the B1508 would further reduce the impact. Disruption and excavation of an area close to an existing and occupied badger sett (near PCB 78) would also be reduced. <p>The current impact of the Stour Valley East CSE compound access road is significant in our view, and we appeal to the ExA and the applicant to give our proposals careful consideration</p>	<p>(starting at G-AP1 or G-AP2), from the north (near Workhouse Green) and various points off the B1058.</p> <p>The conclusion of this work was that an access directly from the B1058 (G-AP3) as contained within the application documents was preferred for the permanent CSE access balancing various considerations, including:</p> <ul style="list-style-type: none"> The need to construct this access for construction of the cable route in any event, avoiding the need for an additional separate access being required for operational use; Suitable access and visibility directly on to the B1508; Terrain and topography for HGVs; Distance from residential properties; Security and management to avoid unauthorised use of the access route; and Management and diversion of PROWs. <p>It is the Applicant's view that the current proposed access route is acceptable and with the additional commitment described above would reduce the impact as described in the Parish Council's submission.</p>
3.1 - 3.3	Relocation of Dedham Vale East CSE compound to Layham Quarry	<p>Two further benefits of relocating the CSE compound from the Millfield Woods site to Layham Quarry have been identified.</p> <ul style="list-style-type: none"> Releasing the Millfield Woods site would allow some 5.6Ha (by our estimation) of land to be returned to productive agricultural use post-construction. Furthermore, consequential to the additional section of undergrounding, the removal of pylon PCB42 and the cancellation of new pylon RB33 would dramatically improve the setting of Pope's Green Farm, a Grade II listed property [APP-151 Fig 8.2 Sheet 2, ref 1037139] located within 100m of the pylons. 	<p>The Applicant has responded to the reasons why Dedham Vale East CSE compound is located where it is, and why a move to Layham Quarry is not appropriate in Chapter 3 of Applicants Comments on Written Representations [REP3-048] and also verbally at Issue Specific Hearing 4, see the Applicant's Written Summaries of Oral Submissions to Issue Specific Hearing 4 [REP4-034].</p>

7. Applicant's Comments on the Submissions from Michelle Maslen

7.1 Introduction

7.1.1 Table 7.1 summarises the Applicant's comments to submissions provided by Michelle Maslen at Deadline 4 [REP4-047]. The Applicant's comments on the flood map [REP4-002 and REP4-026] are considered under the response in Table 7.1.

7.2 Table of Responses

Table 7.1 – Applicant's Comments on Michelle Maslen's Submission

Reference	Matter	Point Raised	Applicant's Comments
Any Specific Responses to Points Raised in Oral Submissions to the Hearings [REP4-047]			
N/A	Climate change and surface water	We have had to address numerous issues connected to surface water, both rainfall and run-off during our time here. From a purely personal point of view, the past two storms have presented yet more challenges with flooding. The government website clearly states and shows that we are at high risk of long-term flooding from surface water and we are very concerned about the environmental impact of the foundations needed for these pylons. How will these, not insignificant, foundations affect the surface water issue already present, not only at our property, but many others too no doubt?	The Applicant has undertaken a Flood Risk Assessment [APP-059] which states that foundations associated with the pylons are very small and would not increase flood risk. The Applicant cannot comment or advise on existing flood risk or drainage matters to properties.

8. Applicant's Comments on the Submissions from Alan Hall

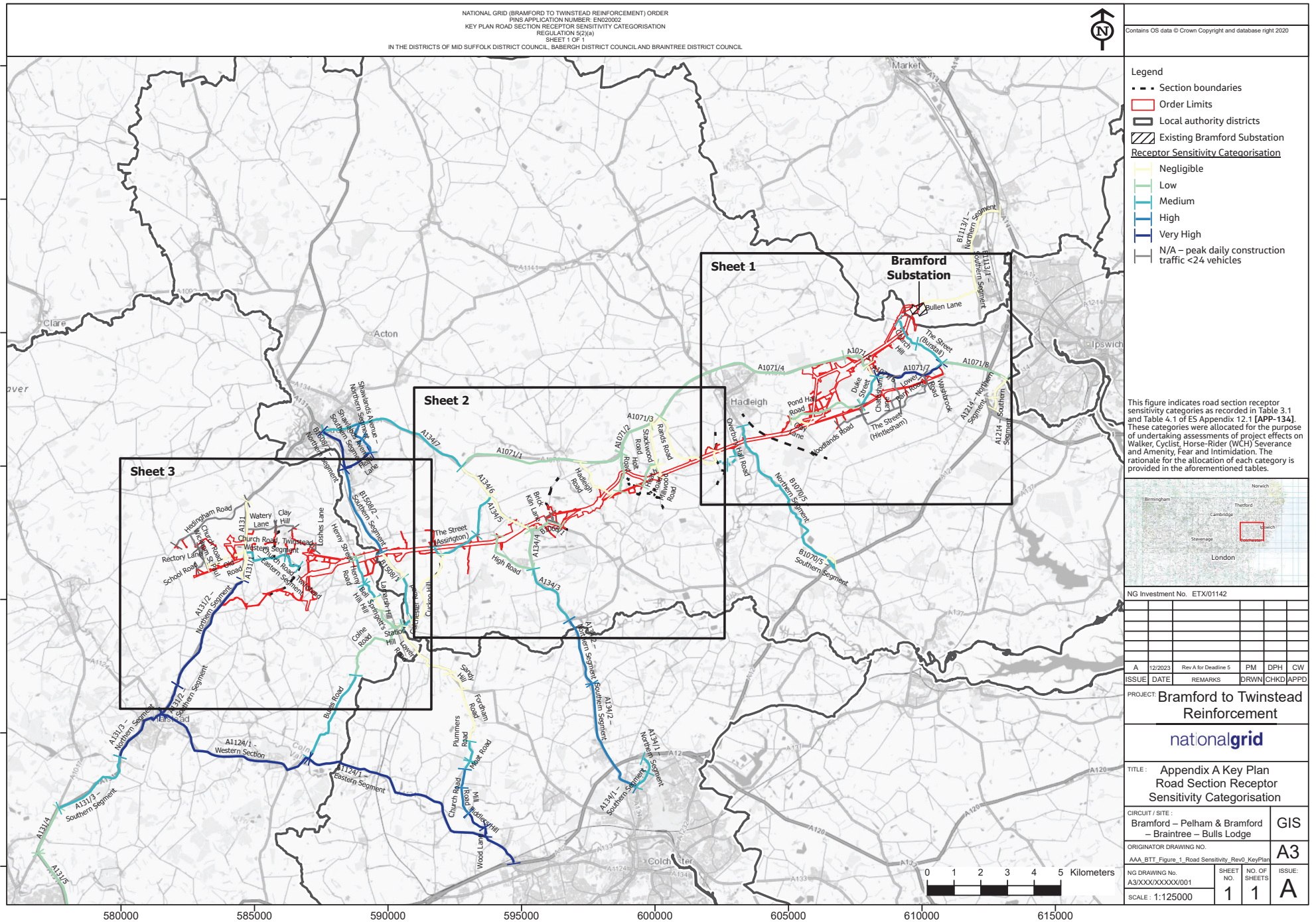
8.1 Introduction

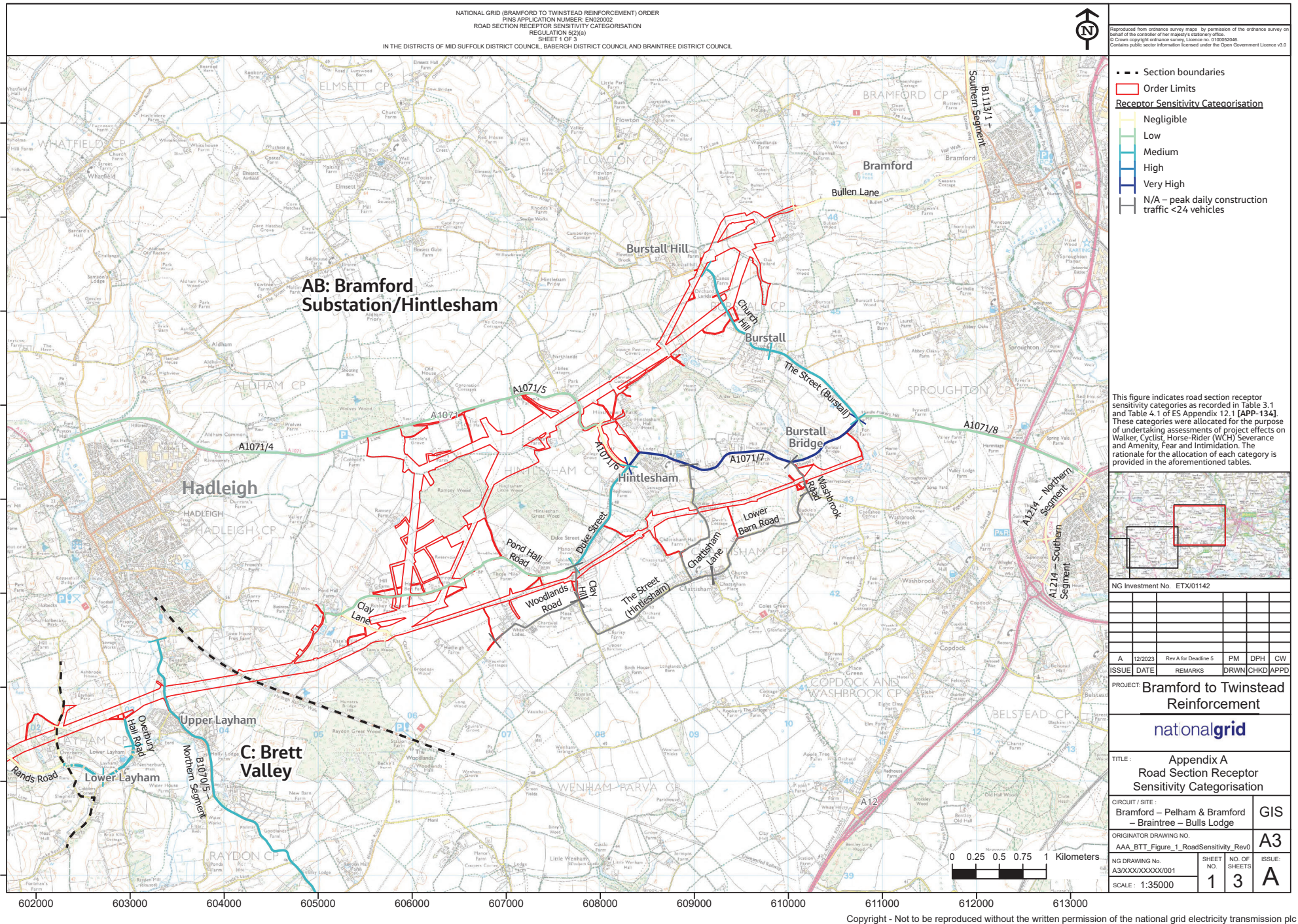
8.1.1 The Applicant has noted the submissions provided by Alan Hall at Deadline 4 [REP4-035], [REP4-007] and [REP4-053].

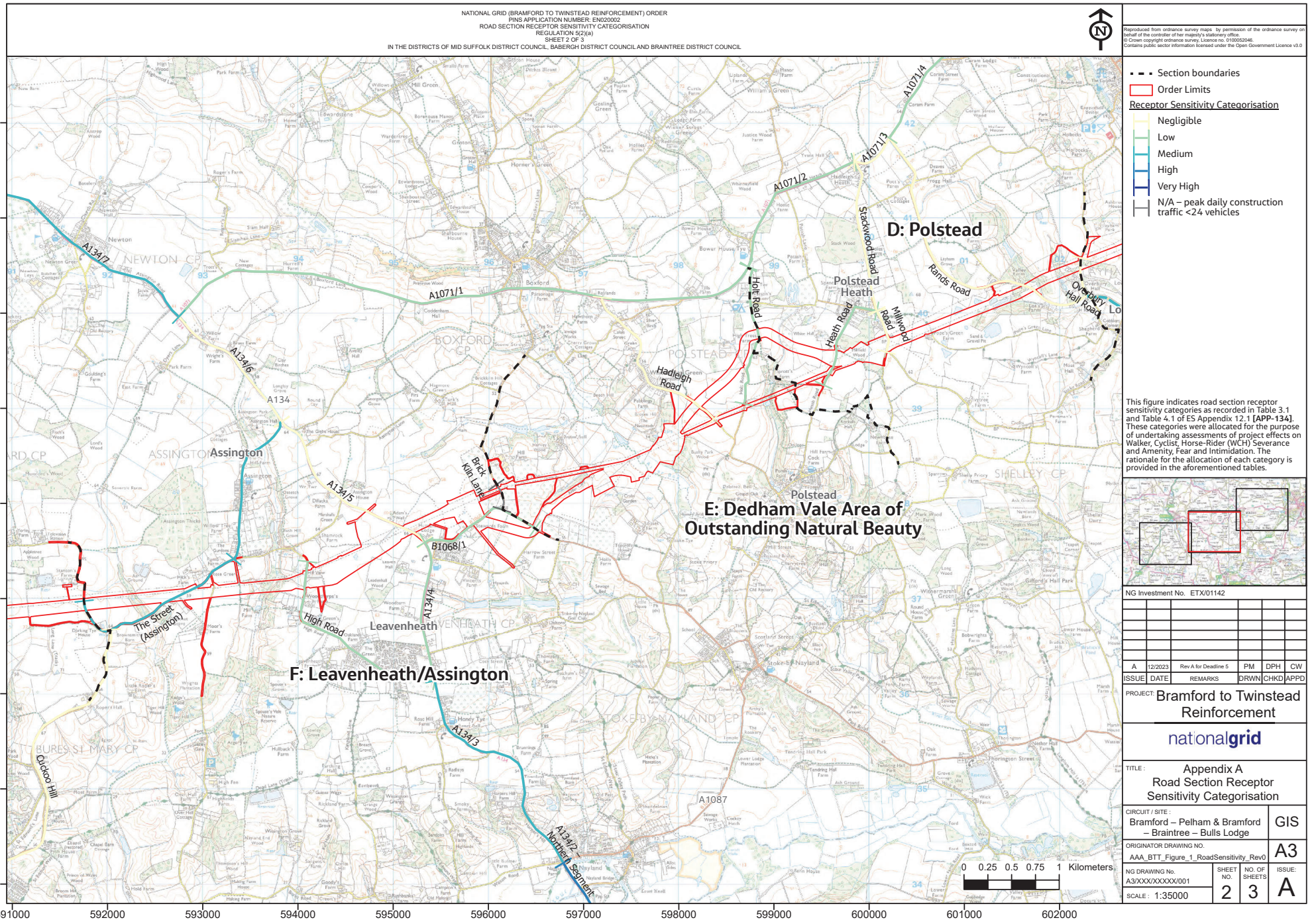
8.2 Response

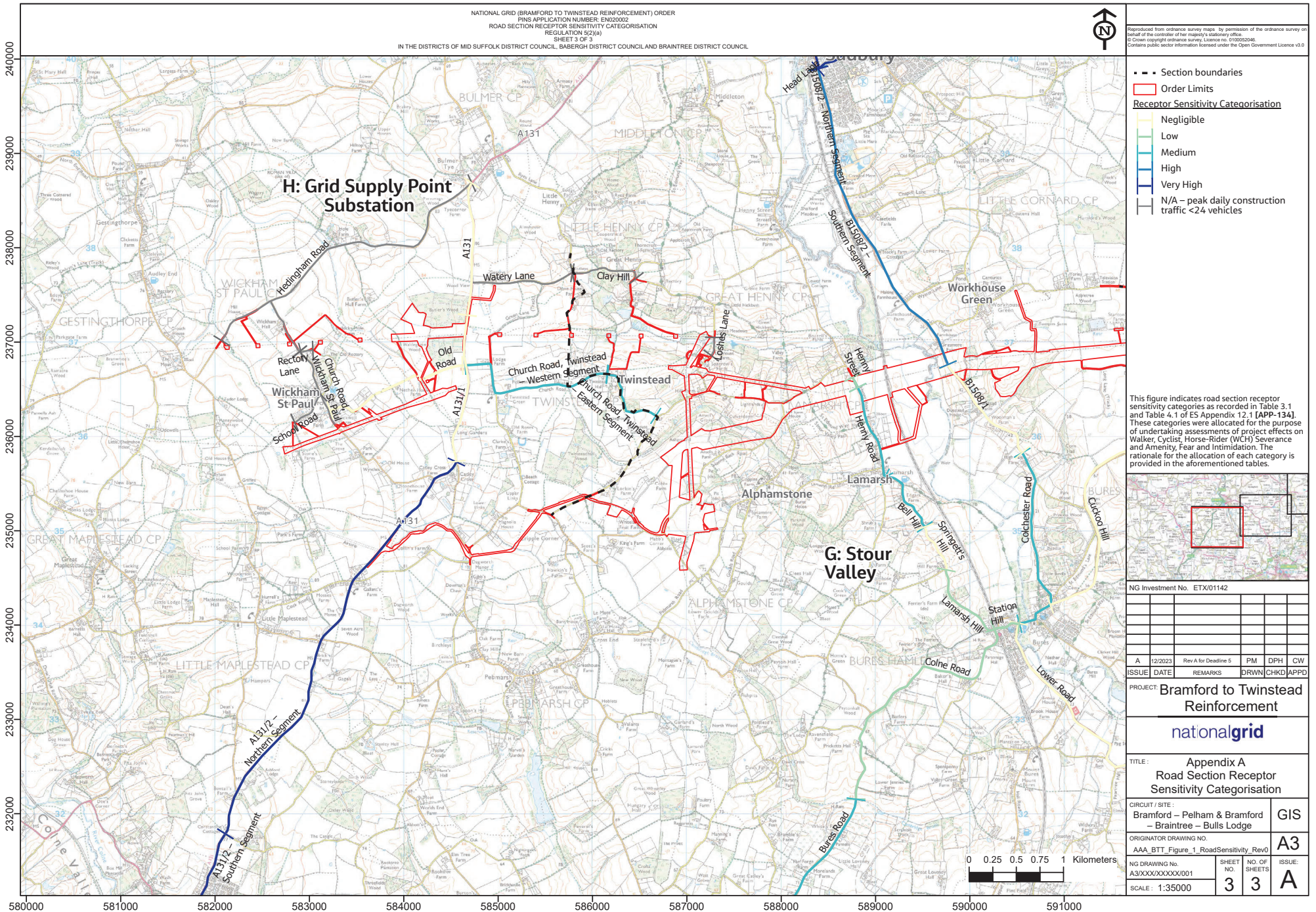
8.2.1 The Applicant has committed to undertaking further survey work in relation to Access Point AB-AP4 including a topographical survey and speed survey. Once this data is gathered the Applicant will undertake further discussions with the landowner with regards to his concerns. The Applicant will provide an update on this work at a future deadline.

Appendix A: Road Section Receptor Sensitivity Categorisation









Page intentionally blank

National Grid plc
National Grid House,
Warwick Technology Park,
Gallows Hill, Warwick.
CV34 6DA United Kingdom

Registered in England and Wales
No. 4031152
nationalgrid.com