

# Bramford to Twinstead Reinforcement

## Volume 7: Other Documents

Document 7.3.2 (C): Draft Statement of Common Ground  
England

Final Issue C  
December 2023

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## Version History

Date	Issue	Status	Description / Changes
April 2023	A	Draft	For DCO submission
October 2023	B	Draft	Update on current status of discussions provided at Deadline 3.
December 2023	C	Draft	Update on current status of discussions provided at Deadline 5.

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# 1. Introduction

## 1.1 Overview

- 1.1.1 A Statement of Common Ground (SoCG) is a written statement produced as part of the application for development consent and is prepared jointly between the applicant and another party. It sets out matters of agreement between both parties, as well as matters where there is not an agreement. It also details matters that are under discussion.
- 1.1.2 The aim of a SoCG is to help the Examining Authority manage the examination phase of the application. Understanding the status of the matters at hand will allow the Examining Authority to focus their questioning and provide greater predictability for all participants in examination. A SoCG may be submitted prior to the start of or during examination, and then updated as necessary or as requested during the examination phase.
- 1.1.3 This SoCG is between National Grid Electricity Transmission Ltd (National Grid, the Applicant) and Natural England relating to the application for development consent for the Bramford to Twinstead Reinforcement ('the project'). It has been prepared in accordance with the guidance published by the Department of Communities and Local Government (Department for Communities and Local Government, 2015).
- 1.1.4 This SoCG has been prepared to identify matters agreed and matters currently outstanding between National Grid and Natural England. The SoCG will evolve as the application progresses to submission and through examination.

## 1.2 Description of the Project

- 1.2.1 National Grid proposes to reinforce the transmission network between the existing Bramford Substation in Suffolk, and Twinstead Tee in Essex. This would be achieved by the construction and operation of a new electricity transmission line over a distance of approximately 29km.
- 1.2.2 The reinforcement would comprise approximately 18km of overhead line (consisting of approximately 50 new pylons and conductors) and 11km of underground cable system (with associated joint bays and above ground link pillars).
- 1.2.3 Four cable sealing end (CSE) compounds would be required to facilitate the transition between the overhead and underground cable technology. The CSE would be within a fenced compound, and contain electrical equipment, support structures, a small control building and a permanent access track.
- 1.2.4 Approximately 27km of existing overhead line and associated pylons would be removed as part of the proposals (25km of existing 132kV overhead line between Burstall Bridge and Twinstead Tee, and 2km of the existing 400kV overhead line to the south of Twinstead Tee). To facilitate the overhead line removal, a new grid supply point (GSP) substation is required at Butler's Wood, east of Wickham St Paul, in Essex. The GSP substation would include associated works, including replacement pylons and underground cables to tie the substation into the existing 400kV and 132kV networks.
- 1.2.5 Other ancillary activities would be required to facilitate construction and operation of the project, including (but not limited to):

- Modifications to, and realignment of sections of existing overhead lines, including pylons;
- Temporary land to facilitate construction activities including temporary amendments to the public highway, public rights of way, working areas for construction equipment and machinery, site offices, welfare, storage and access;
- Temporary infrastructure to facilitate construction activities such as amendments to the highway, pylons and overhead line diversions, scaffolding to safeguard existing crossings and watercourse crossings;
- Diversion of third-party assets and land drainage from the construction and operational footprint; and
- Land required for mitigation, compensation and enhancement of the environment as a result of the environmental assessment process, and National Grid's commitments to Biodiversity Net Gain (BNG).

## 1.3 This Statement of Common Ground

- 1.3.1 This SoCG has been prepared jointly by National Grid as the Applicant, and Natural England as the Government's adviser for the natural environment in England and a statutory consultee on the project.
- 1.3.2 For the purpose of this SoCG, National Grid and Natural England will jointly be referred to as the 'Parties'. When referencing Natural England alone, they will be referred to as 'the Consultee'.
- 1.3.3 This SoCG is structured as follows:
- Section 1 (this section) provides an introduction to this SoCG and a description of its purpose;
  - Section 2 states the role of the Consultee in the application process and details engagement undertaken between National Grid and the Consultee;
  - Section 3 sets out matters agreed between National Grid and the Consultee;
  - Section 4 sets out matters not agreed between National Grid and the Consultee;
  - Section 5 sets out matters where agreement is currently outstanding that are subject to further discussion between National Grid and the Consultee; and
  - Section 6 includes the signing off sheet.

## 2. Record of Engagement

### 2.1 Role of the Consultee in the Process

- 2.1.1 Natural England is an executive non-departmental public body established under the Natural Environment and Rural Communities Act 2006 and sponsored by the Department for Environment, Food and Rural Affairs. Natural England is the statutory adviser to Government on nature conservation in England and works to conserve, enhance and manage England's wildlife and natural features.
- 2.1.2 Natural England's role in relation to the Development Consent Order (DCO) process derives from the Planning Act 2008. The roles and responsibilities of Natural England under the 2008 Act fall into the following categories:
- Statutory consultee - as a prescribed consultee of the Planning Act 2008 in relation to any Environmental Impact Assessment (EIA) or as a nature conservation body under the Habitats Regulations in respect of the Habitat Regulations Assessment (HRA);
  - It is the Government's landscape advisor and the designating authority for National Landscapes (formerly known as Areas of Outstanding Natural Beauty (AONB));
  - It is the Government's designating authority for Sites of Special Scientific Interest (SSSI) and a statutory consultee in relation to these sites; and
  - It is a consenting body/authority.
- 2.1.3 The Consultee has been encouraged to discuss and work with National Grid to provide a local perspective at the pre-application stage of the application process for the project.

### 2.2 Summary of Pre-application Discussions

- 2.2.1 Pre-application discussions were held with Natural England between 2009 and 2013 prior to project pause. A summary of these discussions can be found in options appraisal reporting, such as the Connections Option Report (National Grid, 2012). Due to the lapse in time since these original discussions took place and as key staff may have changed, the SoCG only records the meetings and matters agreed since the project restarted, with the first meeting held between the Applicant and Consultee in January 2021.
- 2.2.2 Table 2.1 summarises the consultation and engagement that has taken place between the Parties prior to submission of the application.

Table 2.1 – Pre-application Discussions

Date	Topic	Discussion points
14 January 2021	Introductory meeting	Joint meeting with the South East Anglia (SEA) Link project and Bramford to Twinstead Reinforcement to introduce the needs case in the region and the options appraisal that will be undertaken going forward.
26 February 2021	Approach to Scoping	The Applicant outlined the approach to data collection, targeted/validation surveys and the topics that would be included within the Scoping Report. The Applicant agreed to send out a copy of the draft survey scope and the Outline Code of Construction Practice (CoCP) to the Consultee for comment.

Date	Topic	Discussion points
13 March 2021	Launch of Non-Statutory Consultation	National Grid wrote to the Consultee as they are a prescribed consultee in the DCO process, informing them of the start of the non-statutory consultation and inviting their views. The non-statutory consultation was held for six weeks, between 25 March 2021 and 6 May 2021.
1 April 2021	Issue of draft CoCP	The Applicant emailed the Consultee a copy of the Outline CoCP for comment. This sets out the proposed good practice measures for reducing impacts to ecology from the project.
21 April 2021	Issue of Ecological Survey Proposal	The Applicant emailed the Consultee a copy of the Ecological Survey Proposal, which sets out the proposed approach to updating the ecological surveys for the project for comment.
6 May 2021	Response to Non-Statutory Consultation	The Consultee provided their response to the non-statutory consultation. (Natural England Reference DAS/351286).
8 June 2021	Response to Scoping Report	The Consultee provided their response to the Scoping Report to the Planning Inspectorate. (Natural England Reference 35285).
8 June 2021	Protected Species and Surveys Meeting	The Applicant outlined the approach to species surveys and discussed the response to non-statutory consultation by the Consultee.
23 June 2021	Hintlesham Woods Meeting (joint meeting with RSPB)	The Applicant and Consultee discussed the project proposals including details of surveys and proposals at Hintlesham Woods. The purpose of the meeting was to introduce RSPB to the project.
5 July 2021	Great crested newts (GCN)	The Applicant has agreed with the Consultee to apply the District Level Licencing (DLL) approach to GCN on the project. An initial Impact Assessment and Conservation Payment was agreed and the certificate was received on 5 July 2021.
11 August 2021	Landscape Meeting	The Applicant and Consultee discussed the proposed assessment of Dedham Vale National Landscape (formerly AONB) and Stour Valley and the wider Landscape and Visual assessment.
8 September 2021	Ecology Thematic Meeting	The Applicant provided a project update and technical discussions around surveys, BNG and the HRA.
16 September 2021	Landscape Thematic Meeting	The Applicant provided a project update and technical discussions around National Policy Statement updates, Special Landscape Areas, viewpoints, photomontages, community areas and BNG.
2 November 2021	SOCG meeting and discussion on Hintlesham Woods Options	The Applicant and Consultee discussed matters to be agreed on the SOCG. The Applicant and Consultee also discussed the two options proposed at Hintlesham Woods.
11 November 2021	Hintlesham Woods Meeting (joint meeting with RSPB)	The Applicant and Consultee discussed the proposals at Hintlesham Woods including the two options that will be presented at Statutory Consultation.
16 November 2021	Protected species (email)	The Consultee provided the Applicant with email advice on protected species surveys under the Discretionary Advice Service (DAS) including dormouse.
17 November 2021	General update meeting	The Applicant and Consultee discussed further details on Hintlesham Woods and the two options proposed at this location.



Date	Topic	Discussion points
14 December 2021	Hintlesham Woods SSSI advice on Options 1 and 2	The Consultee provided the Applicant with advice on the two options proposed at Hintlesham Woods under the DAS (Natural England Reference DAS/375746).
6 January 2022	Protected species	The Consultee provided the Applicant with email advice on protected species surveys under the DAS including bats.
19 January 2022	Launch of the Statutory Consultation	National Grid wrote to the Consultee as they are a prescribed consultee in the DCO process, informing them of the start of the statutory consultation and inviting their views.  The Statutory Consultation was held for a period of eight weeks between 25 January 2022 and 21 March 2022 and provided the opportunity for the public and stakeholders to see how the project has evolved since the non-statutory consultation, and comment on further detailed engineering design and environmental assessment work.
28 January 2022	GCN	The Applicant and Consultee discussed the principles of the district level licence (DLL) for great crested newts.
10 February 2022	Bats	The Applicant and Consultee discussed the approach to bat surveys and what is needed for the draft licence application.
16 February 2022	General update meeting	The Applicant provided a project update and technical discussions around the two Hintlesham options, the approach to the setting study and the GSP substation planning application.
22 February 2022	Dormouse	The Applicant issued a technical note to the Consultee outlining its approach to dormouse surveys on the project.
3 March 2022	Ecology Thematic Meeting	The Applicant provided a project update and technical discussions around surveys and BNG.
15 March 2022	GCN	The Consultee provided a provisional GCN DLL Impact Assessment and Conservation Payment Certificate for the GSP substation and associated works.
21 March 2022	Response to Statutory Consultation	The Consultee provided their response to the Statutory Consultation (Natural England Reference 381511).
27 April 2022	GCN	The Consultee provided a GCN DLL Impact Assessment & Conservation Payment Certificate prior to planning application for the GSP substation and associated works.
13 August 2022	Ecology Bats and HRA Meeting	The Applicant provided a project update and technical discussions around bat surveys and HRA.
1 September 2022	Launch of the targeted consultation	National Grid wrote to the Consultee as they are a prescribed consultee in the DCO process, informing them of the start of the targeted consultation and inviting their views, which ran between 8 September 2022 and 19 October 2022, with a focus on the western part of the Stour Valley.
6 September 2022	Ecology Thematic Meeting	The Applicant provided a project update and technical discussions around surveys, BNG and targeted consultation.
29 September 2022	National Landscape (formerly AONB) Setting Meeting	Meeting to present the setting study drafted for the project, and how the setting is considered in the EIA.
3 October 2022	Route Corridor 2A and 2B Meeting	Meeting to discuss the Route Corridors 2A and 2B, including an overview of the selection process and response to feedback from the Consultee.

Date	Topic	Discussion points
14 October 2022	HRA	The Applicant provided a copy of the draft HRA to the Consultee for comment.
17 October 2022	Hintlesham Woods	Meeting to discuss Hintlesham Woods options and barbastelle bats.
19 October 2022	Response to Targeted Consultation	The Consultee provided their response to the Targeted Consultation (Natural England Reference 405638).
4 November 2022	HRA	The Consultee provided feedback on the draft HRA report.
25 November 2022	Issue of updated CoCP and Construction Environmental Management Plan (CEMP)	The Applicant provide a copy of the draft CoCP and CEMP to the Consultee for comment.
01 December 2022	Issue of Landscape and Ecological Management Plan (LEMP)	The Applicant provide a copy of the draft LEMP to the Consultee for comment.
13 December 2022	Taking forward Option 1	Meeting to confirm that Option 1 (and not Option 2) would be taken forward into the application for development consent.
22 December 2022	Bat licence	The Applicant provided the Consultee with the results of the bat surveys and the draft bat licence for comment.
22 December 2022	Dormouse licence	The Applicant provided the Consultee with the results of the dormouse surveys and the draft dormouse licence for comment.
22 December 2022	Badger licence	The Applicant provided the Consultee with the results of the badger surveys and the draft badger licence for comment.
06 January 2023	Provision of comments on the draft CoCP, CEMP and LEMP	The Consultee provided feedback on the draft CoCP, CEMP and LEMP (Natural England Reference 415979).
24 January 2023	Further details on Option 1	Meeting to discuss construction activities and timings of works in and around Hintlesham Woods for Option 1.
27 February 2023	GCN	The consultee granted a GCN DDL (2023-00406-EPS-DLL) for the GSP substation and associated works.
03 March 2023	Working near designated trees, ancient woodland, ancient trees and veteran trees	The Consultee provided advice on the draft LEMP proposals for working near designated trees, ancient woodland, ancient trees and veteran trees.
07 March 2023	Bat licence	The Consultee provided their response on the draft bat licence.
13 March 2023	Bat licence	National Grid confirmed that further survey would be undertaken of seven trees where inspections could not take place.
15 March 2023	Bat licence	The Consultee provided the Letter of No Impediment (LONI) with caveats for the bat licence.
15 March 2023	Dormouse licence	The Consultee provided their response on the draft dormouse licence.
24 March 2023	Badger licence	The Consultee provided the LONI for the badger licence. This identified issues that will need to be addressed before the licence application is formally submitted.

## 2.3 Summary of Post-submission Discussions

2.3.1 Table 2.2 summarises the consultation and engagement that has taken place between the Parties post submission of the application.

Table 2.2 – Post-submission Discussions

Date	Topic	Discussion points
16 June 2023	Update on the Application and wider project	The Applicant provided an update on the project and that the Application was submitted to the Planning Inspectorate in April 2023. The Applicant also described the key documents of relevance to Natural England and signposted to where these could be found in the Application.
31 July 2023	Relevant Representation	The Consultee outlined the key points within the Relevant Representation response and the Applicant agreed to take these away to see how they could be addressed.
7 September 2023	Discussions on Statement of Common Ground	The Applicant updated the Consultee on matters raised in the Relevant Representation and how these were being addressed.
19 October 2023	Discussions on Statement of Common Ground	The Parties discussed updates on the project and the matters outstanding in the SoCG.
22 November 2023	Discussions on Statement of Common Ground	The Parties discussed updates on the project and the matters outstanding in the SoCG.

## 3. Matters Agreed

Table 3.1 – Matters Agreed

SoCG ID	Matter	Agreed Position	Date Agreed
<b>3.1 The Project</b>			
3.1.1	Consultee Engagement	The project's approach to engagement and consultation has been proactive and professional.	02/11/2021
3.1.2	Need for the Project	The need for the project has been identified and understood.	02/11/2021
3.1.3	Policies and legislation	That appropriate relevant national policies and legislation have been included and the proposals demonstrate an awareness of the statutory obligations regarding biodiversity.	02/11/2021
3.1.4	Option 2 at Hintlesham Woods	The Consultee supports the decision by the Applicant to not take Option 2 forward as part of the application for development consent.	20/02/2023
<b>3.2 Assessment Approach and Methodology</b>			
3.2.1a	Baseline Environment – Landscape and Visual	The study areas used for the baseline data collection (as presented within the Scoping Report and the Preliminary Environmental Information (PEI) Report) is suitable and the list of baseline data sources is appropriate.	02/11/2021
3.2.1b	Baseline Environment – Landscape and Visual	The scope of the general landscape and visual assessment (LVIA) based on what was presented in the Scoping Report and the PEI Report, is appropriate subject to separate comments below relating to the setting of Dedham Vale National Landscape (formerly AONB). Please refer to the Consultee's Written Representations [REP2-026] for their current position.	20/10/2023
3.2.2	Landscape viewpoints	The Consultee has agreed to defer the selection of viewpoints for the visual assessment to the Landscape Officer(s) at the local planning authorities and to Dedham Vale National Landscape (AONB) and Stour Valley Partnership.	20/03/2023
3.2.3	Baseline environment - Biodiversity	The study areas used for the baseline data collection (as presented within the Scoping Report) is suitable and scope and detail of the information on biodiversity included in the application is robust. The Applicant is using a source-pathway-receptor approach in the assessment, following feedback from the Consultee on the Scoping Report to not just use arbitrary distances for the impact assessment.	20/10/2023
3.2.4a	Scope of biodiversity assessment	The methods and study areas proposed for the biodiversity assessments within the Scoping Report and the PEI Report are appropriate.	20/10/2023
3.2.5	Ecological survey methodology	<p>The Consultee is not providing bespoke comment on survey methodology that does not inform European Protected Species (EPS) licence or affect a protected site, although may provide detailed advice in exceptional cases where significant harm is likely (for example to an important but non-designated population) or on specific issues not covered by the standing advice.</p> <p>The Consultee has directed the Applicant to the relevant standing advice where appropriate. It is for the Applicant to determine that the survey methodology is appropriate for the</p>	27/03/2023

SoCG ID	Matter	Agreed Position	Date Agreed
		EIA in line with the standing advice and agree this with the relevant planning authorities.	
3.2.6	Scope of landscape and visual assessment	The methods and study areas proposed for the LVIA within the Scoping Report were appropriate, but other issues and points of detail requiring consideration and assessment will inevitably emerge as the actual assessment progresses and the Consultee's understanding of the project also grows; and may also arise when we are able to review the final LVIA.	20/03/2023
3.2.7	GCN	The District Level Licencing approach has been agreed on the project and no field survey or assessment is proposed with respect to GCN. An initial payment has been agreed and that a review of the payment is required based on the draft Order Limits at application.	02/03/2023
3.2.8	Riparian mammals	Agreement that watercourses with temporary works would require riparian mammal (otter and water vole) field surveys of the working area plus 200m upstream and downstream. The Applicant has confirmed that would be no permanent works to watercourses. If this were to change, the survey area would need to extend 500m up and downstream of the working area.	02/11/2021
3.2.9	Bats – Roosts	Trees and buildings within the Order Limits plus 50m have been / shall be assessed (subject to access being granted) from ground level for bat roosting potential, in accordance with the guidelines from the Bat Conservation Trust. Subsequent tree climbing and emergent/re-entry surveys will be undertaken in 2023.	27/03/2023
3.2.10	Habitats	That a UK Habitats survey of the full Order Limits where land access permits and a condition assessment of habitats, hedgerows, rivers and ditches is a suitable level of habitat survey on which to base the assessment and to provide the baseline data for the Defra 3.1 metric.	02/11/2021
3.2.11	Hedgerows	The Consultee advises the project to follow its standing advice regarding countryside hedgerows. Hedgerows (including important hedgerows) will be identified on the plans submitted within the application for development consent.	06/04/2022
3.2.12	Protected plants, fungi and lichens	The Consultee advises the project to follow its standing advice regarding protected plants, fungi and lichens. If protected plants, fungi and lichens are identified within the Order Limits, mitigation measures will be included within the LEMP submitted with the application for development consent.	06/04/2022
3.2.13	Reptiles, terrestrial invertebrates, fish and aquatic fauna and other notable species	The Consultee advises the project to follow its general standing advice for protected species and its reptile specific standing advice.	06/04/2022
3.2.14	Other Notable Species	Other Notable Species (i.e. hedgehog, common toad and harvest mouse) are assumed to be present within the Order Limits. A Habitat Suitability Assessment will be undertaken upon review of the UK Habitats survey information in conjunction with desk study information to inform the assessment. No specific field survey is proposed.	02/11/2021

SoCG ID	Matter	Agreed Position	Date Agreed
<b>3.3 Environmental Impact Assessment</b>			
3.3.1	CoCP – Draft version for application	The Consultee received a copy of the draft CoCP in November 2022 and has had the chance to provide comments on this document. This contains good practice measures, which are appropriate for the project and the CoCP provides a suitable mechanism for securing these measures. The Consultee's agreement is based on the information reviewed at this stage and may wish to make further comment once the DCO and ES have been reviewed.	23/03/2023
3.3.2	CEMP – Draft version for application	The Consultee received a copy of the draft CEMP in November 2022. The Consultee provided feedback on the CEMP in January 2023 (Natural England Reference 415979).	20/03/2023
3.3.3	LEMP	The Consultee received a copy of the draft LEMP in November 2022. The Consultee provided feedback on the LEMP in January 2023 (Natural England Reference 415979).	20/03/2023
<b>3.4 Habitats Regulation Assessment</b>			
3.4.1	HRA Report	That the Consultee has been issued with a copy of the draft HRA Report for comment and provided feedback on this document on 4 November 2022.	20/03/2023
<b>3.5 Dedham Vale National Landscape (formerly AONB) and Stour Valley</b>			
3.5.1	Dedham Vale National Landscape (formerly AONB)	The boundary of Dedham Vale National Landscape (formerly AONB) will be considered as it is currently designated. It is agreed that there is at present no boundary identified for a potential extension and that the identification of such a boundary cannot be identified by the Applicant and would be the responsibility of Natural England alone.	02/11/2021
3.5.2	Stour Valley	The Stour Valley will not be considered as a designated landscape in its own right or as part of the Dedham Vale National Landscape (formerly AONB), as any outcome of the designation process cannot be pre-empted by the applicant. The key consideration is that the Stour Valley should be considered as part of the setting of the National Landscape (formerly AONB), underlined by the fact that there is a joint management plan. The weight is on the setting, as this would protect any potential future designation. Therefore, the Stour Valley will be considered as forming part of the setting of the Dedham Vale National Landscape (formerly AONB) within the ES.	15/12/2021
3.5.3	Setting of the National Landscape (formerly AONB)	The Consultee agrees to the proposed method for assessing setting (as described in the Dedham Vale AONB approach and Identification of Setting Study (issued 20 September 2022)). The Consultee defers to the Dedham National Landscape (formerly AONB) and Stour Valley Partnership to comment on the results of the survey and has recommended that the National Landscape (formerly AONB) comments are considered when finalising the document.	20/02/2023
<b>3.6 Ancient Woodland</b>			
3.6.1	Ancient woodland and potential ancient woodland	The Ancient Woodland Inventory (AWI) is a suitable tool for identifying ancient woodland greater than 2ha. That a desktop and field survey is required to identify potential ancient woodland less than 2ha that is not recorded on the AWI.	02/11/2021
3.6.2	Identification	The Consultee has directed the Applicant to the relevant standing advice, 'Ancient woodland, ancient trees and	20/10/2023



SoCG ID	Matter	Agreed Position	Date Agreed
		veteran trees: advice for making planning decisions' (Natural England and Forestry Commission, January 2022). The Consultee noted in their relevant representations [RR-042] (NE-36) that the Applicant has identified potential ancient woodland sites that are not recorded on the ancient woodland inventory and welcome the Applicant's decision to implement the mitigation hierarchy to treat them as such.	
<b>3.7 Biodiversity Net Gain</b>			
3.7.1	Calculation	The Defra 3.1 metric is a suitable tool for calculating 10% BNG on the project. The Consultee can agree to using metric 3.1 so long as it is used consistently and not 'mixed and matched' with other versions of the metric. Once BNG becomes mandatory for Nationally Significant Infrastructure Projects in 2025, developers will need to use the Statutory Metric.	20/10/2023
<b>3.8 Protected Species Licences</b>			
3.8.1	EPS Licences	Draft EPS licences have been submitted. LONI with caveats have been issued for bats and badgers. A revised draft licence for dormouse has been submitted to the consultee (on 26 September 2023) and is being reviewed.	20/10/2023
3.8.2	Badger	That the results of the badger surveys and a draft badger licence have been provided to the Consultee for comment in December 2022. Natural England provided a Letter of No Impediment on 24/03/2023. This identified issues that will need to be addressed before the licence application is formally submitted.	04/04/2023
3.8.3a	Bats	That the results of the bat surveys and a draft bat licence have been provided to the Consultee for comment in December 2022. The Consultee provided a LONI (with caveats) to National Grid on 15 March 2023.	20/03/2023
3.8.3b	Bats - surveys	Surveys will need to be relevant and recent at the point of the full licence submission and as such, updated surveys may be required. Every effort should be made to follow best practise guidelines. However, where deviation or introduction of a Licensing Policy approach is proposed, additional justification will be required to ensure the approach is proportionate and the risks can be mitigated accordingly. Additional comments were provided for consideration as part of the assessment for the full draft application 2023-63751-EPS-AD1. The Consultee provided the Applicant with a LONI with caveats on 15/03/23.	04/04/2023
3.8.4	Hazel dormouse	The Applicant has resubmitted a draft protected species licence application for dormouse (26 September 2023) to the Consultee. This will be reviewed and a decision on the issue of a LONI will be made in due course.	20/10/2023

## 4. Matters Not Agreed

Table 4.1 – Matters Not Agreed

SoCG ID	Matter	The Consultee Position	National Grid's Position
4.1	The Project		
4.1.1			
4.2	Assessment Approach and Methodology		
4.2.1			
4.3	Environmental Impact Assessment		
4.3.1			
4.4	Habitats Regulation Assessment		
4.4.1			
4.5	Dedham Vale National Landscape and Stour Valley		
4.5.1			
4.6	Ancient Woodland		
4.6.1			
4.7	Biodiversity Net Gain		
4.7.1			
4.8	Protected Species Licences		
4.8.1			



## 5. Under Discussion

Table 5.1 – Matters Under Discussion

SoCG ID	Matter	The Consultee position	National Grid's Position
<b>5.1 The Project</b>			
5.1.1	Route selection	<p>There is a route option which would avoid damage to Hintlesham Woods SSSI that has not been taken forward (Corridor 2A - identified in 'Bramford to Twinstead Tee Connection Project: Connection Options Report' [APP-164].</p> <p>The Consultee reviewed the ES and Hintlesham Woods SSSI Assessment and requested further information in their Relevant Representations [RR-042]. The Applicant subsequently provided the Technical Note on Ancient and Potential Ancient Woodland [REP3-046] which has now been reviewed. The Consultee still considers there to be outstanding matters relating to working within and near ancient woodland, which are provided in the document (Our ref: 458767) submitted by the Consultee at Deadline 5.</p>	<p>The chosen route corridor is suitable and the chosen route alignment has been designed to avoid known high value ecologically designated sites, and physical impacts to ecologically designated sites where practicable.</p> <p>The Applicant submitted the Technical Note on Ancient and Potential Ancient Woodland [REP3-046] at Deadline 3 providing further details on the works near ancient woodland, including Hintlesham Woods SSSI.</p>
<b>5.2 Assessment Approach and Methodology</b>			
5.2.1	Breeding and overwintering birds	<p>The Consultee has provided advice on further assessment of impacts to breeding birds in their Relevant Representations [RR-042] (section 2, and NE06 and NE07) and Written Representations [REP2-026] (section 3 and WR-NE08). The Consultee has received the Technical Note on Noise Levels at Hintlesham Woods [REP3-057], which we are continuing to review and aim to provide our response at Deadline 6</p>	<p>A Schedule 1 breeding bird survey has been completed at Hintlesham Woods. No other field survey for breeding or overwintering birds is proposed for the rest of the project as the extensive desk study and previous survey data from 2009-2013 is considered sufficient to inform the assessment of likely significant effects and to inform any required mitigation strategy.</p> <p>The Applicant submitted the Technical Note on Noise Levels at Hintlesham Woods [REP3-057] at Deadline 3 providing further details on peak noise levels.</p>
5.2.2	Baseline environment - Biodiversity	<p>The Consultee acknowledges the response provided by the applicant regarding Arger Fen SSSI and its reasoning for excluding it from the Groundwater Dependent Terrestrial Ecosystem (GWDTE). However, it is still the Consultee's position that as a matter of completeness, it should be included in the GWDTE assessment, even if it is concluded that there is no impact pathway.</p>	<p>The Applicant maintains that there is no pathway to effect for Arger Fen and therefore it does not need to be covered in the GWDTE assessment.</p>

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<b>5.3 Environmental Impact Assessment</b>			
5.3.1	Environmental impacts on SSSI sites (Cornard Mere, Little Cornard SSSI, Cattawade Marshes SSSI, Stour Estuary SSSI, Orwell estuary SSSI)	If it is agreed that the HRA concludes no adverse effects on the integrity of the European sites occurring, there should be no additional impacts upon the SSSI interest features of these sites.	That no likely significant effects have been identified to these sites as a result of the project.
5.3.2	Little Blakenham Pit SSSI	The Consultee accepts the response on page 110 provided in the Applicant's Comments on Relevant Representations [REP1-025] and agrees with the conclusion of the Applicant's assessment of Little Blakenham Pit SSSI.	The Applicant does not consider additional bat surveys are required for Little Blakenham Pit SSSI and has no further comment on this matter.
5.3.3a	Hintlesham Woods SSSI (General including land take, duration and programme)	<p>Please refer to the Consultee's Written Representations [REP2-026] (sections 3 and WR-NE05, WR-NE06, WR-NE07, WR-NE08, WR-NE09) for their current position on Hintlesham Woods SSSI. The Consultee has reviewed the Technical Note on Ancient and Potential Ancient Woodland [REP3-046] provided by the Applicant. The Consultee still considers there to be outstanding matters relating to working near Ancient Woodland, which are recorded in the document (our ref: 458767) submitted by the Consultee at Deadline 5.</p> <p>The Consultee has received the Technical Note on Noise Levels at Hintlesham Woods [REP-057], which we are continuing to review and aim to provide our response at Deadline 6.</p>	The Applicant has prepared two technical notes for Deadline 3; one on peak sound levels at Hintlesham Woods SSSI [REP3-057] and the other providing further details on the works near ancient woodland [REP-046].
5.3.3b	Hintlesham Woods SSSI Interest Features (Ancient Woodland and breeding birds)	<p>The Consultee has reviewed the Technical Note on Ancient and Potential Ancient Woodland [REP3-046] provided by the Applicant. The Consultee still considers there to be outstanding matters relating to working near Hintlesham Woods SSSI, which are recorded in the document (our ref: 458767) submitted by the Consultee at Deadline 5.</p> <p>The Consultee has received the Technical Note on Noise Levels at Hintlesham Woods [REP-057], which we are continuing to review and aim to provide our response at Deadline 6.</p>	The Applicant has prepared two technical notes for Deadline 3; one on peak sound levels at Hintlesham Woods SSSI [REP3-057] and the other providing further details on the works near ancient woodland [REP-046].
5.3.4	County Wildlife Sites	The Consultee provided advice in relation to County Wildlife Sites in our pre-application non-statutory and statutory consultations (dated 6 May 2021, Consultee ref: 351286, and dated 21 March 2022, Consultee ref: 381511). The advice stated that the avoidance-mitigation-compensation hierarchy should	The Applicant has submitted the Technical Note on Ancient and Potential Woodland [REP3-046] at Deadline 3 providing further details on the works near ancient woodland, including Bushy Park

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		<p>be clearly followed, and impacts should be considered in line with paragraphs 175 and 179 of the NPPF and paragraphs 5.3.13, 5.3.16 - 18) of the NPS EN-1.</p> <p>The Consultee provided advice in their Written Representations [REP2-026] (section 10), which contained outstanding issues relating to Bushy Park Wood, Butler's Wood and Waldegrave Wood.</p> <p>The Consultee has now reviewed the Technical Note on Ancient and Potential Ancient Woodland [REP3-046] provided by the Applicant. The Consultee still considers there to be outstanding matters relating to working near these sites, which are recorded in the document (our ref: 458767) submitted by the Consultee at Deadline 5.</p>	Wood, Butler's Wood and Waldegrave Wood.
5.3.5	Priority habitats	<p>The Consultee provided advice in relation to Priority Habitats in their pre-application non-statutory and statutory consultations (dated 6 May 2021, Consultee ref: 351286, and dated 21 March 2022, Consultee ref: 381511). The advice stated that the avoidance-mitigation-compensation hierarchy should be clearly followed, and impacts should be considered in line with paragraphs 175 and 179 of the NPPF.</p> <p>The Consultee provided further comment with regards to priority habitats in their Written Representations [REP2-026] (sections 6 and 9 and WR-NE22, WR-NE23, WR-NE40). The Consultee welcomes the information provided in the Applicant's response to First Written Questions (EC1.3.3), which provides clarity on permanent and temporary loss of Habitats of Principle Importance (HPI).</p>	The Applicant has provided a response to this matter in response to EC1.3.3 in Response to First Written Questions submitted at Deadline 3 ( <b>document 8.5.4</b> ).
5.3.6	Agri-environment schemes	<p>Agri-environment schemes were not included in the scope of the ES by the Applicant. The Consultee has previously provided advice in relation to Agri-environment schemes in pre-application non-statutory and statutory consultations (Consultee ref: 351286, dated 6 May 2021 and Consultee ref: 381511, dated 21 March 2022) to be considered by the Applicant and will not be providing any further comment.</p>	<p>Agri-environmental schemes are assessed within ES Chapter 11: Agriculture and Soils. Paragraph 11.6.12 states that '<i>Areas of land under agri-environment and stewardship schemes would be affected temporarily. This land is considered to be a receptor of medium to high sensitivity, and the short term, temporary nature of the impact is considered to be of small magnitude, resulting in a short term minor adverse effect which would be not significant.</i>'</p> <p>Compensation in relation to agri-environmental schemes is considered a land matter and is not included in the scope of the ES.</p>
5.3.7a	CEMP	<p>The Consultee still considers there to be outstanding matters with the CEMP.</p>	The Applicant has responded to these matters in the Applicant's

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		Please refer to the Consultee's SoCG comments on outstanding matters for Stour and Orwell Estuaries SPA and Ramsar site, Habitats Regulation Assessment, and Soils and best and most versatile (BMV) Agricultural Land.	Response to Written Representations at Deadline 3 [REP3-048].
5.3.7b	LEMP	The Consultee still considers there to be outstanding matters with the LEMP. Please refer to the Consultee's SoCG comments on outstanding matters for Hintlesham Woods SSSI, Soils and BMV Agricultural Land and Working Near Ancient Woodland.	The Applicant has responded to these matters in the Applicant's Response to Written Representations at Deadline 3 [REP3-048].
5.3.7c	CoCP	Whilst the Consultee welcomes the added detail to the good practice measures GH06 and GH07, it is considered that the outstanding matters relating to the CEMP and LEMP may result in further refinement of the CoCP good practice measures.	The Applicant has responded to these matters in the Applicant's Response to Written Representations at Deadline 3 [REP3-048].
5.3.8	Stour and Orwell Estuaries SPA and Ramsar sites.	Please refer to the Consultee's written representations [REP2-026] (section 2 and WR-NE01, WR-NE02, WR-NE03, WR-NE04) for their current position on the Stour and Orwell Estuaries SPA and Ramsar sites. The Consultee acknowledges the response provided by the Applicant to our Written Representations key issue WR-NE01. Whilst the Environment Agency is the relevant authority in relation to matters relating to groundwater and surface water quality, Natural England is an advisor to other competent authorities, acting as a ' <i>nature conservation body</i> ' according to regulation 5 of the Conservation of Habitats and Species Regulations 2017 (as amended) and therefore we consider it is of relevance to be consulted on the hydrogeological risk assessment.	The Applicant considers that the assessment and conclusions presented in the HRA Report ( <b>Document 5.3 (B)</b> ) are appropriate and that the project is unlikely to have a significant effect on HRA sites.
<b>5.4 Habitats Regulation Assessment</b>			
5.4.1	Habitats Regulation Assessment	Please refer to the Consultee's Written Representations [REP2-026] (section 2 and WR-NE01, WR-NE02) for their current position on the HRA. The Consultee acknowledges the response provided by the Applicant to our Written Representations key issue WR-NE01. Whilst the Environment Agency is the relevant authority in relation to matters relating to groundwater and surface water quality, Natural England is an advisor to other competent authorities, acting as a ' <i>nature conservation body</i> ' according to regulation 5 of the Conservation of Habitats and Species Regulations 2017 (as amended) and therefore we consider	<p>The Applicant considers that the assessment and conclusions presented in the HRA Report (<b>Document 5.3 (B)</b>) are appropriate and that the project is unlikely to have a significant effect on HRA sites.</p> <p>The Applicant considers that the Environment Agency is the competent authority with regards to the Hydrogeological Risk Assessment.</p>

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		it is of relevance to be consulted on the hydrogeological risk assessment.	
<b>5.5 Dedham Vale National Landscape (formerly AONB) and Stour Valley</b>			
5.5.1	Dedham Vale National Landscape (formerly AONB) – Special qualities	The information provided has been sufficient for the Consultee to assess the proposed development's effects on the special qualities of the National Landscape (formerly AONB). Our focus has been on the avoidance of significant adverse operational stage impacts to the National Landscape and with respect to this, we do not have any further concerns to raise regarding the conclusions drawn. The National Landscape Partnership may be able to provide further detailed insights and advice on this matter given their role in producing the area's statutory management plan and their local understanding of how and where the area's special qualities are expressed.	The special qualities of the National Landscape (formerly AONB) have been assessed for construction and operation in ES Chapter 6: Landscape and Visual [APP-074].
5.5.2	Dedham Vale National Landscape (formerly AONB) – Setting study	The Consultee does not have any outstanding concerns regarding the setting of the National Landscape but advise that the Applicant gives appropriate consideration and weight to any information and advice provided by the National Landscape (formerly AONB) Partnership because it stems from a locally based and detailed knowledge of the area. That knowledge encompasses landscape character, the area's defined 'special qualities', its management needs and vulnerability to this type of development.	The Dedham Vale National Landscape (formerly AONB) Approach and Identification of Setting Study [APP-099] has informed the landscape and visual assessment presented in ES Chapter 6: Landscape and Visual [APP-074].
5.5.3	Dedham Vale National Landscape (formerly AONB) – viewpoints and photomontages	Natural England advise that this issue is settled and the Consultee has no further comment.	The Applicant has no comment on this matter.
<b>5.6 Ancient Woodland</b>			
5.6.2	Route selection	<p>The Consultee has directed the Applicant to the relevant standing advice, 'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions' (Natural England and Forestry Commission, January 2022).</p> <p>The Consultee has advised in their Written Representations [REP2-026] (section 8) that there are still outstanding issues to address with regards to ancient woodland. The Consultee has reviewed the Technical Note on Ancient and Potential Ancient Woodland [REP3-046] provided by the Applicant at Deadline 3. The Consultee still considers there to be outstanding matters relating to working near Ancient Woodland, which are</p>	<p>That Ancient Woodland and potential ancient woodland has been avoided through the corridor selection and route alignment process.</p> <p>The Applicant submitted the Technical Note on Ancient and Potential Ancient Woodland [REP3-046] at Deadline 3 providing further details on the works near ancient woodland.</p>



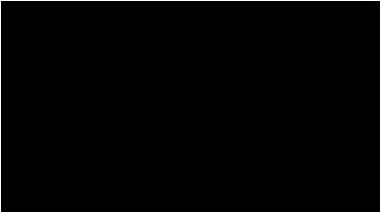
SoCG ID	Matter	The Consultee position	National Grid's Position
		recorded in the document (our ref 458767) submitted by the Consultee at Deadline 5.	
5.6.3	Working near Ancient Woodland	The Consultee has advised in their Written Representations [REP2-026] (section 8) that there are still outstanding issues to address with regards to ancient woodland. The Consultee has reviewed the Technical Note on Ancient and Potential Ancient Woodland [REP3-046] provided by the Applicant at deadline 3. The Consultee still considers there to be outstanding matters relating to working near Ancient Woodland, which are recorded in the document (our ref: 458767) submitted by the Consultee at Deadline 5.	That the proposed approach to working near Ancient Woodland and Veteran Trees, including measures within root protection zones where applicable, is appropriate.  The Applicant submitted the Technical Note on Ancient and Potential Ancient Woodland [REP3-046] at Deadline 3 providing further details on the works near ancient woodland.
<b>5.7 Biodiversity Net Gain</b>			
5.7.1	Calculation	As advised in the Consultee's Written Representations [REP2-026] (section 5), the Applicant has not yet demonstrated 10% net gain for each unit type and have not met all trading rules, but the Consultee supports the Applicant's continued work towards achieving both.	That the information provided in the Environmental Gain Report [APP-176] provides evidence as to how the Applicant would deliver net gain on the project.  Section 8.3 of the Environmental Gain Report states that the Applicant will seek opportunities during the detailed design stage to increase the distinctiveness and condition of the habitats created and support the meeting of the trading rules and is confident that this can be met within the Order Limits.
<b>5.8 Protected Species Licences</b>			
5.8.1	Badger	Although the 2022 badger survey results are comprehensive and detailed, they are constrained to the Order Limits and a 30m survey buffer. As previously stated, this survey area is relatively limited, but has been justified on the grounds that the project is limited to a 'temporary construction stage impact' (no engineering details available). The survey has identified a significant number of badger setts, 27 of which appear to be destined to be temporarily closed at various times during a 4-year period. The restricted survey area gives only limited knowledge of alternative setts available to displaced animals; if there are insufficient setts available they could re-enter the temporarily closed setts and delay the work schedules.  The Consultee's position is still under review, and we will provide an update at the next deadline.	A badger survey has been undertaken looking for evidence of badger presence, including badger setts, within the Order Limits and a 30m survey buffer. As a project limited to temporary construction stage impact on badger only, the 30m survey area is considered adequate. A draft badger licence [APP-123/124] has been provided as part of the application for development consent. A large volume of setts have been identified within the survey area that would provide alternatives to any temporary sett closures. The letter of no impediment was included in ES Appendix 7.9 Annex A: Badger Draft Licence [APP-123/124].

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5.8.2	Hazel dormouse	On 26 October 2023 the Consultee's Wildlife Licencing team discussed with the Applicant the additional information required to continue the assessment of the draft dormouse licence. In a meeting on 22 November 2023, the Applicant updated the Consultee to say the feedback is still being reviewed and will be provided in due course.	The Applicant submitted an updated draft Dormouse Licence to Natural England on 19 October 2023 to reflect Natural England's feedback on the application version. Natural England provided feedback on this draft on 26 October 2023. The Applicant is undertaking further updates to the draft dormouse licence to reflect these comments. An update will be given at a future deadline.

## 5.9 Soils and Best and Most Versatile (BMV) Agricultural Land

5.9.1	Soils and BMV Agricultural Land	The Consultee provided comment in our Written Representation. <b>[REP2-026]</b> (section 7, and WR-NE25 to WR-NE36 and Part III). The Consultee has reviewed document 8.5.2: Applicant's Comment's on Written Representations and document 8.5.4: Applicant's Responses to First Written Questions. The Consultee still considers the soil mitigation measures to lack an adequate level of detail. Natural England has requested that the detailed Agricultural Land Classification surveys should be undertaken to inform the impact assessment, the soil handling methodologies, and the reinstatement criteria. These remain outstanding with no subsequent justification as to why these have not been undertaken. Please refer to the document (our ref: 485764) on Soils and BMV Agricultural Land submitted by the Consultee at Deadline 5 for further detail of our current position.	The Applicant has responded to these matters in the Applicant's Response to Written Representations at Deadline 3 <b>[REP3-048]</b> .
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# 6. Approvals

Signed	
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On Behalf of	National Grid
Name	Sally Rotherham
Position	Consents Officer
Date	29/11/2023

Signed	
On Behalf of	Natural England
Name	Samuel Kench
Position	Senior Adviser
Date	29/11/2023



# Reference List

Department for Communities and Local Government (2015) *Planning Act 2008: Guidance for the examination of applications for development consent*. March 2015 (Department for Communities and Local Government, 2015)

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