

Written Representation by Network Rail Infrastructure Limited in relation to the National Grid (Sea Link) Order 202[x]

Planning Inspectorate Reference Number: EN020026

Unique Identification Number: [REDACTED]

Further to Network Rail Infrastructure Limited's (**Network Rail/NR**) relevant representation submitted on 23 June 2025, NR wishes to make this written representation in relation to National Grid Electricity Transmission (the **Promoter**) application (**Application**) for the above development consent order (**DCO**).

The Application includes provisions which would, if granted, authorise the Promoter to carry out works on and in close proximity to operational railway land in the control of Network Rail, to use such land temporarily and to acquire permanent interests in such land, and disapply railway legislation which allows NR to carry out its statutory undertaking in respect of the region. This DCO also has potential to impact both bridges and level crossings.

As set out in Network Rail's earlier relevant representation, the Book of Reference identifies 34 plots in Kent and 3 in Sussex (**Plots**) of land over which Network Rail have rights or land is owned or occupied by Network Rail, in respect of which compulsory acquisition powers are sought. These include land forming part of (or adjacent to) the operational railway - the East Suffolk Line, Ashford to Ramsgate Line and Kent Coast Line.

The Promoter has identified in the Book of Reference that the rights sought to be compulsorily acquired from NR fall within both Class 1 and 2, and without the adequate protective provisions in place, the acquisition of these rights could have a detrimental impact on the safe and efficient running of railway.

The Promoter is seeking, through compulsory purchase (**Compulsory Powers**), the permanent acquisition of rights over the Plots (including rights of access to land adjoining the Railway and rights to install overhead lines over the railway) in accordance with the class rights above. The Promoter has provided Network Rail with the Table of Interests in the Book of Reference (Part 1 – Categories 1 and 2) which detail the proposed works and the nature of the powers sought over the Plots.

NR objects to the use of Compulsory Powers and the exercise of the class rights over the Plots to deliver the development to be authorised by the DCO on the ground that the proposed works will interfere with the safe and efficient operation of the railway and give rise to impacts on NR's railway and associated infrastructure. The exercise of class rights are a particular cause for concern for NR due to the impacts that they will have, and the exercise of these on NR property without the necessary provisions in place would be at the detriment of public safety.

Network Rail are aware that the development may also have an impact on various bridges and level crossings and are, at the time of writing currently assessing what these impacts are. Network Rail will provide a further update in respect of the same to the Inspectorate once such implications have been determined.

Impacts on NR / Protective Provisions

Updated draft Protective Provisions have been received from the Promoter and are being reviewed by Network Rail. These take a restrictive line on the protections offered to NR and the operational railway

and are broadly aligned with a general position currently under negotiation between NR and the Promoter. As matters stand, agreement has not been reached on the points of principle in those general discussions and as such the particular amendments cannot be accepted by Network Rail. A revised draft will shortly be provided to the Promoter for their review.

Network Rail's position remains that their standard set of Protective Provisions should appear on the face of the Order, with any negotiated set appended to a Framework Agreement, a draft of which is being provided to the Promoter.

Asset Protection input

There are currently discussions taking place with the Promoter in relation to interfaces with the railway in Kent. There is a Memorandum of Understanding with Network Rail Kent, and a Basic Asset Protection Agreement has been signed to allow for ongoing discussions. Clearances have also been issued. The Memorandum of Understanding deals with the 2 overhead lines crossing the railway south of Minster and the upgrade of a level crossing (Cricket Private Level Crossing) in the same location for haul road use. We understand that discussions on the detail of the proposals continue and the position will require to be finalised before Network Rail can withdraw their objection to the Scheme.

Updates on these discussions will be provided to the Examination when available. Separate discussions are also progressing on works required to Benhall Bridge, outwith the ambit of the DCO.

Traffic Routing

The application (via the Outline Construction Traffic Management Plans – one for Suffolk 7.5.1.1, one for Kent 7.5.1.2) describes the proposed routes by which vehicles (including HGVs) will provide access to, and egress from, the Applicant's proposed development. These Routes interact with the East Suffolk Line, Ashford to Ramsgate Line and Kent Coast Line (**Railway**) and potentially impact on 2 bridges and 2 level crossings in Suffolk and 2 bridges and 2 level crossings in Kent:

Suffolk:

- Level Crossing – Leiston Tmog (on the B1122) (abnormal loads only)
- Level Crossing – Middleton Road (on the B1122) (abnormal loads only)
- Bridge - Rose Hill (A1094) Overline Bridge (84t limit)
- Bridge – Saxmundham (B1211) Underline Bridge (described as having tight geometry)

Kent:

- Level Crossing - Marsh Farm Road, Minster
- Level Crossing - 900m southeast of Minster (this is the Level Crossing which is intended to be upgraded by the Promoter)
- Goss Hall Underline Bridge (BME2)

Network Rail wishes to ensure that the Scheme will not have a detrimental impact on the Bridges, the Crossings or the operation of the Railway and that the safety of the Railway is maintained during the construction, operational and decommissioning phases of the Scheme.

The Outline Construction Traffic Management Plans for the Order describes an increase in total vehicle movements:

- For Suffolk - 638 vehicle movements per day at peak of construction activities. The daily peak for HGVs will be 346 movements
- For Kent – 508 vehicle movements per day at peak construction. The daily peak for HGVs will be 216 movements

While these vehicle movements are intended to be shared across various routes, their impact requires to be assessed by Network Rail. There is no information currently provided in the Outline CTMPs in relation to any decommissioning phases.

Network Rail wishes to ensure that the vehicle and HGV movements on, under or near the Bridges and the Crossing are undertaken safely at all times. Network Rail must be able to exercise adequate control over the use of the Bridges and the Crossing by the Applicant and its contractors to ensure that vehicle and HGV movements are properly regulated. The detail of the Outline Construction Traffic Management Plans is therefore being fully reviewed by its engineers to allow a more detailed response to be made and discussions undertaken with the Promoter.

Conclusion

As set out above, Network Rail continues to investigate the extent of the risk to its assets from the construction and operation of the Scheme and is liaising with the Promoter in relation to any mitigation required. It is anticipated that this dialogue will continue during the examination process.

Until agreement has been reached with the Promoter on all matters to its satisfaction, including confirmation that the attached Protective Provisions will be included on the face of the DCO, Network Rail will not be in a position to withdraw its remaining objections to the making of the DCO. Network Rail reserves the right to be heard at an appropriate hearing to explain in detail the impacts of the scheme on its operations and also reserves the right to supplement these representations once further determinations have been made in respect of the interference of Network Rail rights.

Submitted Deadline 1, 18.11.25

Addleshaw Goddard LLP