



Planning Inspectorate

Norwich to Tilbury – EN020027

National Grid Electricity Transmission

Section 51 advice regarding draft application documents

Issued on 17 April 2025

On 10 March 2025, National Grid Electricity Transmission submitted the draft documents listed in the tables below for review by the Planning Inspectorate as part of its ['Pre-application Service'](#).

The advice recorded in the tables below relates solely to matters raised from the Planning Inspectorate's review of the draft application documents. The advice is limited by the maturity of the documentation provided by the applicant and the time available for consideration and is raised without prejudice to the acceptance decision, the decision about admission to the fast track procedure (where relevant) or the final decision about whether development consent should be granted. The applicant has been given the opportunity to comment on the Planning Inspectorate's draft record of advice before it was published.

Draft development consent order (DCO)

Ref No.	Article/ Schedule/ Requirement	Comment or question
1.	General	<p>This is a largely unfinished draft DCO and as such, the Inspectorate can only provide limited comments. For example, most of the Schedules are missing so at this stage, we cannot comment on matters such as the Requirements (Schedule 3) or the Authorised Development (Schedule 1). There are also a number of areas where time limits are left as [x]. From what is contained, the following comments are provided.</p> <p>The Inspectorate is encouraged that the applicant has not set time limits on the roles and functions of the Secretary of State, and has correctly used the term “temporary closure” instead of “temporary stopping up” in respect to Articles 13, 15, 50 and Schedule 7 and elsewhere.</p>
2.	Article 1 Article 2(10) Article 5(4) Schedule 4(1)(3)(c)	<p>There are inconsistencies in the phrasing of “<i>materially new or materially different...</i>”. For Article 1 and Article 5(4), the phrase “<i>...materially new or materially different to those identified in the environmental statement.</i>” is used. For Article 2(10) and Schedule 4, it reads “<i>...materially new or different in comparison to those reported in the environmental statement.</i>” The latter is considered weak, and the former should be used throughout.</p> <p>The applicant should also consider and amend this wording to “<i>materially new or materially worse to those identified in the environmental statement</i>”. Materially different does not allow for a substantial change to be made which would result in a betterment of the scheme.</p>
3.	Article 27	<p>In respect to temporary possession powers, the applicant should consider whether 14 days’ notice as specified in A27(2) is sufficient and review the Secretary of State’s position on this matter for recently made orders.</p> <p>A27(10). This subparagraph, which does not prevent land identified for temporary possession from being acquired for new rights (as set out in paragraph 3.31.12 of the explanatory memorandum) is not acceptable as currently drafted. The current wording could lead to uncertainty and confusion for those affected by such powers. All land to be identified for CA freehold and new rights should be shown in the application’s Land Plans and Book of Reference documents and secured as such in the DCO. A27(10) should be redrafted “<i>The undertaker may not compulsorily acquire under this Order the land referred to in subparagraph 1(a)(i) and (ii).</i>”</p>

Draft development consent order (DCO)

Ref No.	Article/ Schedule/ Requirement	Comment or question
4.	Article 48(1)	A48(1) should be subject to the provisions of Article 49 (TPOs).
5.	Article 49	<p>The wording of this Article is considered to be too wide-ranging, and with the incorrect balance, for the apparent intended purpose. The premise here should be that TPO trees should not be felled or lopped etc., unless in certain circumstances. Although the explanatory memorandum at paragraph 3.53.3 explains that this wording follows the Bramford to Twinstead wording, the balance suggested here is set out in the more recent Rampion 2 Order. The applicant should consider rewording:</p> <p>49 (1) “Subject to subparagraph (2), the undertaker must not fell, lop, prune, cut, trim, coppice, pollard, reduce in height or width or cut back the roots of any tree which is the subject to a tree preservation order described in Schedule 14 (trees subject to Tree Preservation Order)”.</p> <p>(2) The undertaker may fell, lop, prune, cut, trim, coppice, pollard, reduce in height or width or cut back the roots...” pick up as existing 49(1) and (a) and (b).</p>
6.	Schedule 15	<p>There are currently only two parts to the protective provisions; Part 1 is the general provision for all electricity and gas undertakers and Part 2 is for electronic code operators. It is disappointing no other protective provisions have been included at this stage. At application stage, the protective provisions should be largely agreed with the relevant statutory undertakers and included in the draft DCO. The applicant should follow recent Orders as a starting point for the agreed wording for protective provisions for all other statutory undertakers (e.g Network Rail, National Highways, other gas and electricity suppliers, the Environment Agency and other water bodies if applicable). This will likely assist a smoother examination of these issues, if the application is accepted for examination.</p>

Draft DCO explanatory memorandum

Ref No.		Comment or question
1.	General	See above. As the draft DCO is in its infancy with many Schedules missing, we have included where relevant mention of the EM above.

Draft sample works plans and land plans

Ref No.	Plan Name and Ref	Comment or question
1.	General	<p>It is unfortunate that the plans submitted are for a previous National Grid NSIP, rather than this project, and the Inspectorate cannot therefore review the draft plans for the project ahead of the submission of the application. However, the following is general advice on plans and illustrative diagrams:</p> <ul style="list-style-type: none"> • It is useful to have most plans at the same scale, with same sections, so that a particular location is always on e.g. Sheet X of Section Y • Ensure that the size of lettering on the land plans is sufficient to read plot references • Ensure that each plot is clearly demarcated on the land plans • Include road names on plans, particularly road names to which the ES and other documents refer • A set of plans which shows all limits of deviation on the same set should be included in the application • If more than one voltage, a diagram showing which lines are which voltages is helpful. This could be shown on cross-sectional diagrams • A plan of plans is helpful to show the relationship of the outline plans and plans for construction stage • Composite overlay diagrams can be useful for areas with a complex range of activities being undertaken in a limited, specific location

Draft consultation report, including section 42 consultee list

Ref No.	Paragraph/ Section	Comment or question
1.	General	Much of the evidence in appendices and tables has not been provided, and as such, the Inspectorate can only provide limited comments. The applicant should ensure these are complete when the final consultation report is submitted.
2.	General	Newspaper clippings to evidence publication of notices (including publication and date) should be included as appendices.
3.	General	Where targeted consultation has been undertaken, the applicant should clearly justify why it considered a targeted approach to be appropriate, rather than a full round of consultation, and include relevant local authority agreement to the approach taken.

Draft Environmental Statement (ES) Project Description Chapter

Ref No.	Paragraph/ Section	Comment or question
1.	General	<p>Whilst the document submitted for review is entitled 'Draft ES - Project Description', the text within comprises the project description chapter of the published Preliminary Environmental Information Report (PEIR).</p> <p>The draft documents review is intended to be undertaken for a set of documents that are mostly complete and reflective of the scheme as it is intended to be sought within the DCO application. This is so that the Inspectorate can identify any aspects that may need clarification and any procedural omissions prior to</p>

Draft Environmental Statement (ES) Project Description Chapter		
Ref No.	Paragraph/ Section	Comment or question
		<p>submission, and to understand more about the proposed application to prepare for the submission and facilitate a process that can deal with the application within statutory timeframes.</p> <p>The Inspectorate notes that the PEIR Project Description Chapter is based on the 2024 preferred draft alignment and that the project design has since been refined. For example, section 4.1.4 of the PEIR Project Description Chapter presents the Waveney Valley Alternative underground cable, which is no longer being taken forward and would presumably not feature in the ES Project Description Chapter. There are also a number of instances where the PEIR Project Description Chapter states that additional details are to be provided in the ES Project Description Chapter, but the Inspectorate does not have sight of that information.</p> <p>As such, based on the available information the Inspectorate cannot provide meaningful comments relating to a draft ES Project Description Chapter. High level comments are provided below.</p>
2.	General, including Table 4.3	<p>The applicant should ensure the ES Project Description Chapter and associated figures reflect the refined project design. The ES Project Description Chapter should clearly describe the option(s) that remain at the point of DCO application and confirm where these are assessed in the ES. Where options have been discounted prior to submission of the DCO application, these should instead be described in the ES Alternatives Chapter.</p>
3.	General - level of detail	<p>The Inspectorate notes the applicant has requested feedback on the level of detail provided in the PEIR project description and considers that the following sections would benefit from more detail within the ES Project Description Chapter. This includes but is not limited to:</p> <ul style="list-style-type: none"> • updated embedded mitigation measures (paragraphs 4.3.3 to 4.3.6 and table 4.2) • Material and waste (paragraph 4.4.8) • Construction materials (paragraph 4.4.11) • Number of workers (paragraph 4.7.5) • Phasing (paragraph 4.7.1)

Draft Environmental Statement (ES) Project Description Chapter

Ref No.	Paragraph/ Section	Comment or question
		<ul style="list-style-type: none"> • Land drainage – location and details of land drainage proposals and how these would be secured through the draft DCO or other legal mechanism (paragraphs 4.7.8 to 4.7.10) • Public Rights of Way (PRoW) – diversions and/ or closures including their locations, with cross-reference to figures as required (paragraph 4.7.11) • Vegetation clearance for overhead lines - veteran trees to be avoided or removed, with cross-reference to figures as required (paragraph 4.8.19) • Crossing protection – location of crossings and working areas around scaffolding, with cross-reference to figures as required (paragraphs 4.8.21 and 4.8.22) • Pylons – types of pylons to be constructed and their associated locations and dimensions (including maximum heights and widths of the steel work itself, along with details of the foundations that would be required at each pylon location), with cross-reference to figures as required (paragraphs 4.9.2 to 4.9.8) • Reinstatement (paragraph 4.8.71) • Decommissioning – a high-level summary of potential effects for each environmental topic, including a description of likely methods for decommissioning (section 4.11)
4.	General - design parameters	The Inspectorate notes that the PEIR Project Description includes some detail on design parameters, however at draft document review stage, a table of parameters is not included and no parameters are provided within the draft DCO. The applicant should ensure the design parameters are clearly presented within the ES Project Description Chapter and that these are consistent with the parameters in the draft DCO.
5.	Section 4.3 - mitigation measures	It should be clear how proposed mitigation measures are to be secured through the draft DCO (or other legal mechanism), with reference to specific draft DCO Requirements and draft/ outline management plans where relevant.

Draft Environmental Statement (ES) Project Description Chapter

Ref No.	Paragraph/ Section	Comment or question
		Management plans described in the PEIR Project Description Chapter, such as the Outline Code of Construction Practice, should be referenced in the interpretation section of the draft DCO, included in the list of certified documents and the delivery of final versions secured through appropriate requirements.
6.	Section 4.6 - limits of deviation	The Inspectorate notes that the PEIR Project Description includes some detail on the limits of deviation (section 4.6). The applicant should ensure these details are updated where applicable and clearly identified in the ES Project Description Chapter, ensuring consistency with the draft DCO.
7.	Paragraphs 4.7.2 and 4.7.3	The applicant should ensure the core working hours for construction and the operations that may take place outside of the core working hours (as described in the ES Project Description Chapter) are consistent with what is specified in the draft DCO and appropriately secured. The applicant should make effort to agree these details with relevant local planning authorities and should evidence any such agreements within the application documents.

Draft planning statement

Ref No.	Paragraph/ Section	Comment or question
1.	General	The request from the applicant was to review the open space assessment which can be found at page 96 of the document, ending at page 102. However, the whole document has been reviewed. The document as a whole is at present policy heavy, with little assessments of the planning effects, many of which still need to be added. This includes sections in minerals, Green belt, development land and allocations, land quality and BMV.

Draft planning statement		
Ref No.	Paragraph/ Section	Comment or question
		As such, the Inspectorate cannot provide advice on these matters. Nevertheless, comments are provided on what has been included in the draft statement thus far.
2.	General	<p>The applicant should check the paragraph numbering. The lead paragraph on page 96 for this section is 7.3.65, but the following section entitled “open space” reverts to 7.3.1. The paragraph following paragraphs 7.3.2 on page 96, and then again paragraph 7.3.9 on page 98 also revert to 7.3.1 and is in a different font. So there are multiple paragraphs numbered as 7.3.1 etc. For the purposes of the comments below, the paragraphs as numbered in the document and the page number will be referenced in the interests of clarity.</p> <p>The applicant should also check the document for typographical errors throughout.</p> <p>The applicant could seek to group its planning policy assessments in one place in each section; currently they appear and re-appear as you read onwards.</p>
3.	7.3.5 (page 97)	<p>The paragraph states, in relation to potential effects on open spaces <i>“If it was considered that it will not be materially affected by the project, no further assessment was required as the NPS policy is not engaged.”</i></p> <p>Aside from whether the correct tense is used in the final wording, the applicant should explain what is meant here by <i>“materially affected”</i>, or what the ES has identified as such.</p>
4.	7.3.4 (page 99)	<p>Comments that the national policy statements override other local and national policies are true. However, the Secretary of State has a duty to consider local impact reports, which potentially include perceived conflicts with local plan or other policies. Likewise, other policies are likely to be important and relevant. As such, the applicant should ensure that this is clearly demonstrated in the Planning Statement.</p>
5.	7.3.7 (page 100)	<p>The applicant should review this paragraph as it is confusing as presently drafted. The sentence opens with <i>“in accordance with paragraph 5.11.9...”</i> in reference to the NPS and then quotes it but then does not explain what specifically is in accordance with it.</p>

Draft planning statement		
Ref No.	Paragraph/ Section	Comment or question
6.	Table 7.2	It would have been useful to provide some early comments on the open space land identified by the applicant as being “ <i>materially affected</i> ” by the proposed development. The applicant should be transparent in its assessment and ensure there is clarity and parity with the local impact reports on this matter.
7.	Section 9	The conclusions section is still to be added. However, the applicant is advised to ensure that the planning conclusions and balance assess the potential effects taken individually and cumulatively; and <u>then</u> weighed against local and national policy including the critical national priority test. It is important that the applicant does not over-rely on the CNP status, without clearly demonstrating how it has applied the mitigation hierarchy, in agreement with the statutory nature conservation bodies.

Draft book of reference (BoR)		
Ref No.	Page/ Plot Ref	Comment or question
1.	Page 4	Incomplete wording in the title of column 4.
2.	Page 5	In the table heading, reference is made to Part 4 rather than Part 5.
3.	General	As no details have been added to the draft Book of Reference and the draft land plans provided are not for this project it is not possible to see how the two interact and therefore it is not possible to provide any further detailed comments.