



MDSC

16th February 2026

Norwich to Tilbury Project Team

By email: NorwichToTilbury@planninginspectorate.gov.uk.

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Dear Sir/Madam,

Norwich to Tilbury – Representation

Relevant Representation of Boxford (Suffolk) Holdings Ltd and associated companies in respect of the National Grid Electricity Transmission (the “Applicant”) Norwich to Tilbury DCO (the “Project”)

This relevant representation is submitted on behalf of Boxford (Suffolk) Holdings Ltd (BSHL) and Boxford (Suffolk) Farms Ltd, hereinafter referred to as BHSL, pursuant to section 56 Planning Act 2008, in respect of the Norwich to Tilbury DCO, and in particular BHSL’s land situated within the Order Limits and in respect of other land and assets in close proximity to the proposed Order Limits.

This Representation should be read in conjunction with the accompanying Report and indicative financial loss estimates provided to the Applicant and their agent Fisher German.

1. Development Consent Order and Compulsory Acquisition.

1.1 Extent of land to be acquired

The interested parties contend that the power sought via the DCO process and under the Planning Act 2008 exceeds those in the public interest and that the restrictions to be conferred to the applicant would be far more extensive and onerous than necessary to construct, maintain and access an overhead electricity line.

1.1.2 Legislation and guidance

Pasco v Secretary of State 2006 confirms that the decision maker must consider the precise ambit of the statutory power which the acquiring authority relies. Section 122 of the Planning Act 2008 provides:

122 Purpose for which compulsory acquisition may be authorised

(1) An order granting development consent may include provision authorising the compulsory acquisition of land only if the decision-maker is satisfied that the conditions in subsections (2) and (3) are met.

(2) The condition is that the land—

(a) is required for the development to which the development consent relates,

(b) is required to facilitate or is incidental to that development, or

(c) is replacement land which is to be given in exchange for the order land under section 131 or 132.

(3) The condition is that there is a compelling case in the public interest for the land to be acquired compulsorily.

Section 122 therefore sets out two conditions that must be met by the applicant before the Compulsory Acquisition can be consented.



First the decision-maker must be satisfied that the land is required for the stated purpose. The meaning of the word “required” was considered in more detail by the Court of Appeal in *Sharkey and Another v Secretary of State for the Environment and South Buckinghamshire District Council*. McGowan LJ endorsed the approach taken by Roch J and confirmed that:

I agree with Roch J. that the local authority do not have to go so far as to show that the compulsory purchase is indispensable to the carrying out of the activity or the achieving of the purpose; or, to use another similar expression, that it is essential. On the other hand, I do not find the word “desirable” satisfactory, because it could be mistaken for “convenient,” which clearly, in my judgment, is not sufficient. I believe the word “required” here means “necessary in the circumstances of the case.”

Furthermore Guidance Related to Procedures for Compulsory Acquisition (DCLG February 2010) (issued under section 124 PA 2008) sets out general considerations which are to be applied when considering whether compulsory acquisition is justified. The following guidance is given (at paragraph 24):

The first criterion is that the land is required for the development to which the development consent relates. For this to be met, the promoter should be able to demonstrate to the satisfaction of the decision maker that the land in question is needed for the development for which consent is sought. The decision maker should be satisfied, in this regard, that the land to be acquired is no more than is reasonably required for the purposes of the development.

1.1.3 Justification as to why conditions are not met.

It is considered that The Applicant is looking to obtain rights over and impose certain restrictions on land that is not required for the development, maintenance and retention of the new underground and overhead lines for the following reasons;

- The Applicant has included land within the Order Limits that is not designated for any particular use and BSHL is of the opinion that the width of the construction area, given the land use is excessive. Furthermore land has been included to allow for the diversion of 11Kv and 33Kv apparatus, owned and operated by South Eastern Power Networks, yet no detail has been provided in respect of these works, thus how can the ExA be content that this land is actually required.

1.3 Land Rights Strategy (LRS)

We consider that the LRS being imposed by the applicant is not fit for purpose and in this particular instance does not effectively compensate BSHL for the rights and restrictions, which the applicant is looking to impose under the Option Agreement and Deed of Grant. The LRS has been compiled by the Applicant to cover new transmission assets, however in this particular case, the installation of underground and overhead assets in a single location highlights the discrepancy between the two approaches to compensation and the fact that the mechanism relating to the overhead assets is fundamentally inequitable when compared with that relating to the underground assets.

It is worth noting that the Applicant has not entered into any negotiations regarding the LRS and believes it to be fit for purpose.

Looking at the land to be affected by the proposed route, the topography, productivity of the land and valuation thereof is not taken into account by the LRS in respect of the overhead line and a “one size fits all” policy is not appropriate. It is based on the incorrect principle of a single payment per pylon, rather than the easement area, over which rights are sought.

1.4 Alternative Cable Routes

Whilst a change was effected in February 2024 switching the alignment of the underground cable and the overhead line this has potentially worsened the impact on the farming business and the connected packing and distribution business, being Peake Fruit.

The intention and requests made throughout the consultation meetings were that all of the infrastructure was moved to the south of Little Bromley Road, therefore largely avoiding any areas used for the intensive horticultural production. Instead the infrastructure was switched, with the safeguarding of minerals being used as justification, yet in BSHL's view little work has been done to assess the socio-economic impact of this change.

2. Effects during Construction

2.1 Haul Road

We are extremely concerned about the long lasting effects of the haul road and heavy trafficking over productive farmland. The land in question, is extremely fertile land with characteristics that are suitable for the growing of blueberry plants, which is easily damaged by compaction and waterlogging, especially when the duration of the works are considered. The proposed haul road runs in close proximity of the farms reservoir that is used to irrigate the whole holding and glass houses So far no detail has been given as to how excess water is to be managed, which is of a particular concern. Contamination of the reservoir or the changing of water levels could be catastrophic for the business.

In addition there are two methodologies currently being explored for the installation of the haul road, the first being excavation of top soil and the laying of 'Type 1' stone. The second is that of ground stabilisation, essentially the mixing of cement based substances with the soil. Neither proposal is satisfactory and poses a huge risk to the long term fertility of the soil.

2.2 Soil Management

Document: 7.2 Outline Code of Construction Practice Appendix C - Outline Soil Resource Plan has been reviewed briefly, specifically the way in which top soils are to be stored and managed. It is considered that this document lacks detail as far as horticultural cropping is concerned and that bunding and seeding will not be sufficient to prevent the leaching of nutrients and a loss in soil structure and friability.

2.4 Water Quality

It is reiterated that the reservoir situated immediately to the north of the construction area is vital for the irrigation of multiple crops grown on the holding and within the glass houses. Given produce is packed and distributed for human consumption any contamination of the water supply, could result in wholesale contamination of significant volumes of, soft, stone and top fruit.

The detail and mitigation measures described thus far do not adequately address this risk.

3. Subsequent Effects on Land Use & Business

3.1 Water and Irrigation

Once the underground cable is laid this will restrict the ability to lay new irrigation pipes across the land and will inevitably be more costly and impractical for the farm moving forwards, this is not an impact that can be quantifiable in respect of a financial loss.

It is unknown whether the works will impact ground water levels in the future and as a result the irrigation reservoir.



3.2 Horticulture/Specialist Cropping

The new lines could prohibit the use of protection measures used in conjunction with such crops such as poly tunnels and hail netting. The Energy Networks Association's guidance leaflet for farmers 2012, confirms that "*poly tunnels should not be placed under overhead power lines*" the same could be said for hail netting and other similar crop protection structures. Furthermore the Health and Safety Executive (HSE) Agriculture Information Sheet No 8 (Working safely near overhead electricity power lines) also states that poly tunnels should not be erected within of 10 metres (measured horizontally) from the overhead lines, thus increasing the sterilised area. The crop protection system installed over the blueberries is similar to that of poly tunnels, therefore clarification is needed in respect of the over headlines.

Poly tunnels and other crop protection systems are erected using telehandler machines with a long reach. The Management of Health and Safety at Work Regulations 1999 require risks to be properly assessed and controlled. It is therefore impractical to control such risks when operating telehandler machines under electricity lines.

The underground cable poses a different issue in that these structures are installed up to 1.5 m deep into the ground and activity that is often restricted by any easement rights imposed under the DCO.

3.3 Contractual Losses with Retailers

At present the business has a number of long term contracts with major retailers within the UK, which is predicated on a consistent supply of quality fruit at the agreed volumes. The scheme poses a major risk to retaining these customers which are vital to the business. The scheme will inevitably remove the ability to supply blueberries to said customers and it will be incredibly difficult to mitigate this loss and manage the contracts that are built on very long term relationships.

Should there be any interruption to the water supply (reservoir) or electrical supply then this could affect a greater volume of fruit that is destined for the supermarket shelves.

3.4 Airstrip and Fishing Lodges

Within the order limits is ground that has consent to be used as a landing strip for light aircraft. The new overhead lines will not allow the reuse of this airstrip.

Ancillary to the use of the reservoir for irrigation purposes, fishing rights are let to anglers and plans were being drawn up for the installation of small lodges to allow the anglers to stay overnight and create a diversified income stream for the farming business. The presence of the overhead lines will have a huge impact on this proposal and it is considered that the development of the fishing lodges will no longer be viable due to the visible and noise disturbance created by the lines.

Yours sincerely

[Redacted signature]

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Mobile: [Redacted]

Enc.



**BOXFORD (SUFFOLK) FARMS LTD, BOXFORD SUFFOLK HOLDINGS LTD
AND
PEAKE FRUIT LIMITED**

**LOSS OF INCOME FROM THE NORWICH TO TILBURY ELECTRICITY
CONNECTION SCHEME**

[REDACTED]
Fisher German
The Atrium
Risby Business Park
Risby
Bury St Edmunds
IP28 6RD

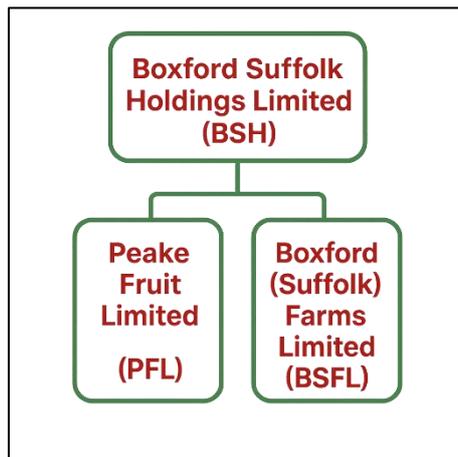
Our Ref: MC/BSFL

Dear Toby,

20th November 2025

Boxford (Suffolk) Farms Limited, Boxford Suffolk Holdings Limited and Peake Fruit Limited - Loss of Income from Electricity Pylons - Outline Claim

Susanna Rendell contacted Mark Chandler of Finn's (1865) Ltd to prepare a report outlining the potential losses arising from the National Grid installing underground and overhead electricity lines on land located in between Ardleigh and Little Bromley in Suffolk. The businesses affected by the proposed route are shown.



National Grid provided Susanna Peake Rendall and Boxford Suffolk Farms Ltd with Heads of Terms dated 19th August 2025 for the entering into a voluntary Deeds of Easement covering both the overhead and underground electricity cables. At the time a large proportion of the land was owned within a pension fund, however subsequently the farming business (Boxford Suffolk Farms Limited) has acquired the land from the pension fund.

The project is moving swiftly and the Development Consent Order (DCO) has now been submitted to the Planning Inspectorate (PINS).

The project timetable as listed on the National Grid website is shown below:



It is pertinent at this point to outline that a blueberry plantation takes 5 years to establish and produce a consistent yield.

The plans attached at Appendices 1&2 show the alignment of the underground and overhead lines as planned across Hill Farm (the holding). This mainly affects the current blueberry plantation, with the works area covering at least 80% of the planted area, with the remainder rendered unviable due to the small awkward area to the north of the working area. In addition there is some land take to the south of the lake to the west, which is the farms only source of water for the purposes of irrigating valuable soft, stone and top fruit crops grown on the farm. Ancillary to the irrigation use the lake is also used as a commercial fishing lake, with plans to establish small cabins around the lake to generate additional income for the farming business.

The nature of the farming business and the crop of blueberries means that the calculation of the losses will be complicated and whilst a best estimate has been made there is likely to be additional losses over and above those stated, which are less tangible, such as contractual losses, efficiencies and impact on customer relations. The purpose of this report is to show the potential losses in relation to the scheme.

The losses resulting from this work will be:

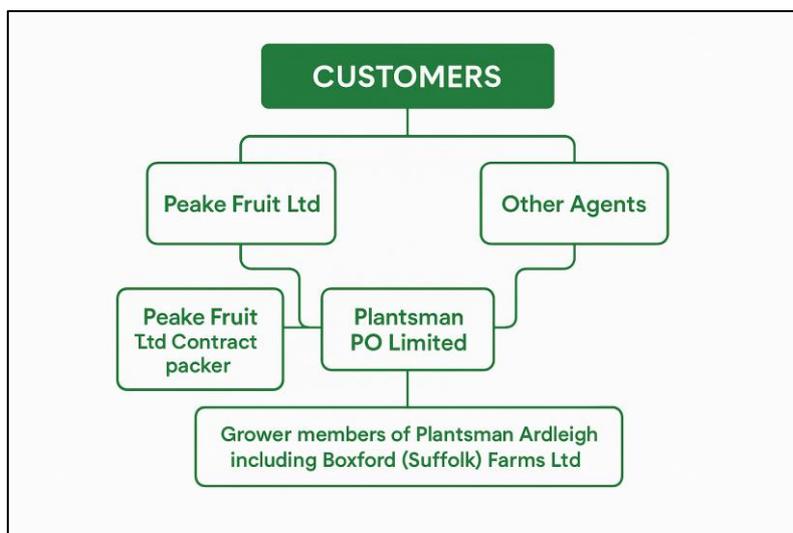
1. Disturbance of Management:
 - a. Costs incurred by having to liaise with the customer and potentially acquire fruit from elsewhere to satisfy the
 - b. One off extra costs in interest charges and loss of fruit income from the change in timing of production caused by the disturbance.
2. Loss of production and other income including SFI etc.
3. Loss of packing revenue within the pack house.
4. Consequential Losses resulting from activities by National Grid's works on site.

Background

Boxford (Suffolk) Farms (see website www.peakefruit.co.uk) commenced top fruit growing in 1938, strawberry production in 1997 and blueberry production in 2004. The business is a member of Plantsman PO (Producer Organisation), which markets its top and soft fruit. It joined the largest soft fruit co-operative, Berry Gardens (KGG) in 2004.

Robert England manages the growing operation at Boxford (Suffolk) Farms (BSFL) and Robert Rendall is the Managing Director for Peake Fruit Limited the packing and marketing operation.

The supply chain is shown below:



The impact of the proposed work will be on the crop production at BSFL, at the PO and to Peake Fruit.

Fruit production

BSFL is a family run business that has been innovating top and soft fruit growing for over 70 years. It markets top fruit directly to Co-op, Morrisons and Sainsburys, and under the NHS School Fruit & Vegetables Scheme.

The business is multi-faceted and is investing heavily in the UK fruit sector with a view to supplying more lines to their existing and new customers.

The experience gained in blueberry production is being used to develop a new higher yielding production system to meet market demand for an expanding market for healthy fruit. The blueberry crop performs best under low pH soil conditions, which is uncommon in the UK. The field affected has ideal low pH soil conditions for blueberry production with pH levels at 5.5 with south facing slopes, which enable early season production (when prices are higher).

There is no other land available on the farm with the right soil pH. Whilst blueberry production in pots is achievable the industry experience is that the crops need to be replaced more frequently (every 8-10 years compared to 25-30 years in the soil) and would not be economic. The blueberry crop is covered in crop protection coverings & planning permission for these has been obtained by BSFL. At this stage it appears that the coverings and structures within the easement strip and under the overhead lines will be prohibited, hence the total loss assumed. Coverings are vital to produce a longer crop window, but to also safeguard the crop against damage from birds etc.

BSFL has invested heavily in irrigation reservoirs, underground mains and infrastructure. This has included investment in Autoagronom system recently. National Grid will need to ensure that their works to not impact upon the current underground irrigation system or the reservoir.

Peake Fruit

The loss of a large volume of fruit (blueberries) will reduce efficiencies and throughput at Peake Fruit, the packing and distribution company that is owned alongside BSFLL.

The potential impact from this is variable, but nonetheless could be substantial and could have wider implications from a customer point of view. PFL

The potential impact from this is variable but is nonetheless substantial In the report I have outlined the potential direct loss from reduced volumes of fruit but have not quantified the impact from major loss of customers.

National Grid Route

The planned route through the farm disrupts all of the current blueberry plantation that was established for a specific customer and will have wide reaching implications. The overhead line due to its placement on the boundary will be less disruptive, whereas the underground cable will render the existing blueberry plantation unviable, not only during the works but post works due to the restrictions on the use of land comprised within the easement strip.

National Grid's agents, Fisher German have been notified several times regarding the potential impact, but the route alignment remains unaltered. Whilst it is appreciated that the land on the opposite side of the Little Bromley Road maybe suitable for quarrying the installation of both the overhead and underground cables would be better placed on that land. There is always the need for large buffers to boundaries when quarrying, which could provide a corridor for the cables. That land also appears to be in a straightforward arable cropping rotation, so the impact financially would be significantly lessened.

Disturbance

A full cost analysis has been completed for the loss of the blueberry plantation and is included at Appendix 3. This is fairly self-explanatory but in essence looks at the following:

1. Initial investment cost to establish the blueberry plantation.
2. Current sunk cash.
3. Income forgone.
4. Losses attributable to Peake Fruit as a marketing entity.
5. Interest on the above.

The summary is listed below:

<u>Summary- 30 Years</u>				
Investment Cost			£	352,121
Sunk Cash Years 2 to 4			£	32,127
Net Cash Years 5 to 30			£	17,163,862
Peake Fruit Contribution on All Sales			£	1,342,974
Interest Cost Cash			£	100,705
Interest Earned Income			£	7,772,854
<u>Total of Above</u>			£	<u>26,764,643</u>

The financial model is based upon a 30 year period, as this is a conservative estimate on the life of the current blueberry plants. The figures have of course been adjusted in line with

inflationary increases based upon the current rates.

The model assumes a full loss of the whole area, as based upon the current plans and discussions the small amount of blueberries that might be left in the northern part of the field would not be viable to farm and in any case the structures cannot be erected over small areas, as they are installed in a linear fashion and are designed as such.

Mitigation

My client is aware that there is a duty to mitigate, however in this particular instance this is deemed to be extremely difficult, if at all possible. As mentioned above, blueberry plants require a specific soil type in order to grow and fruit consistently, in addition irrigation is essential. The plantings also have to be sufficiently close to an existing holding for reasons of husbandry and transportation.

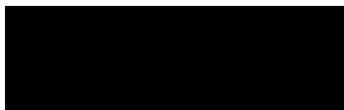
Farmland values are continually increasing and have reached record levels. The values vary widely and it is subject to local supply and demand. Land with irrigation, particularly in East Anglia is at a premium. BSH opinion is that obtaining land to buy, to replace land lost as a result of the new line within the local area would be extremely difficult to obtain and could only be achieved with significant premiums to arable land values with irrigation. They have approached neighboring farmers to buy land but have not been successful so far because they are not prepared to sell. It is apparent that the land on the opposite side of the road was marketed for sale, however due to the legal restrictions that exist over that land i.e. the right to extract mines and minerals the business cannot commit to any expenditure on that land as there is no certainty of when the crop might have to be removed.

At present UK supply of blueberries sits at around 6000 tonnes, of which 15% is set to be produced by the blueberries that will be affected. The remaining volume is grown by a number of sizable farming businesses which are in direct competition with BSFL & PFL, therefore it is not commercially viable to acquire blueberries from another source.

Conclusions

This report shows the potential losses relating to the proposed scheme and should the scheme not be amended then BSFL & PFL will seek to incur huge financial losses, which cannot be mitigated against.

Yours sincerely,

A solid black rectangular box used to redact the signature of Mark Chandler.

**Mark Chandler Director
Finn's (1865) Limited**

