

Planning Inspectorate
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Our ref: AE/2025/130950/03-L01
Your ref: -
Date: 25 February 2026

Dear Sir/Madam

NORWICH TO TILBURY - WRITTEN REP NORWICH TO TILBURY

Written Representation

Thank you for the opportunity to comment on the application for a Development Consent Order for the proposed Norwich to Tilbury NSIP. We have inspected the application as submitted and have provided our written representation below. Please be aware, we provided extensive comments as part of our relevant representation. These comments still apply and we request that you consider these as part of our response. Where there has been an update on our position or where we have additional comments to make, we have included these within our response below.

1.0 The Role of the Environment Agency

1.1 The Environment Agency is a statutory consultee on all applications for development consent orders. We have a responsibility for protecting and improving the environment, as well as contributing to sustainable development.

1.2 We have three main roles:

(i) We are an environmental regulator – we take a risk-based approach and target our effort to maintain and improve environmental standards and to minimise unnecessary burdens on business. We issue a range of permits and consents.

(ii) We are an environmental operator – we are a national organisation that operates locally. We work with people and communities across England to protect and improve the environment in an integrated way. We provide a vital incident response capability.

(iii) We are an environmental advisor – we compile and assess the best available evidence and use this to report on the state of the environment. We use our own monitoring information and that of others to inform this activity. We provide technical information and advice to national and local governments to support their roles

in policy and decision-making. One of our specific functions is as a Flood Risk Management Authority. We have a general supervisory duty relating to specific flood risk management matters in respect of flood risk arising from Main Rivers or the sea.

1.0 Biodiversity

1.1 In our relevant representation, we stated that there was some missing information and watercourse surveys. It was subsequently confirmed that some of this additional information was submitted during the course of the Relevant Representation consultation. We are therefore providing further clarification on our current position below.

1.2 We welcome the full results of the watercourse surveys in the Environmental Statement Chapter 8 (their ref: EN020027).

1.3 Having reviewed the updated documents, we still require the following information for review:

- A method statement that will manage invasive non-native species (INNS) and biosecurity via personnel, vehicles, plant, or machinery as per Commitment Reference B04 on page 45 of the Construction Code of Practice.
- A method statement detailing management of the safe passage of fish, otters, water vole within culverts as per Standard Mitigation 8.6.8 B11 on page 65 of Chapter 8 Ecology and Biodiversity.
- Detailed plans for Horizontal Directional Drilling designs and operators' fluid loss procedures (this has historically been during either where HDD works have required a FRAP, or where we have been consulted during the Discharge of Protective Provisions where the requirement for a FRAP has been replaced).

It is understood that these may come at a later stage. The Environment Agency request to be consulted when available.

1.4 We have reviewed the Outline Landscape and Ecological Management Plan (document EN020027). Section 9.7.1 - Environmental Areas of the Outline Landscape and Ecological Management Plan. This states that Bramford Substation does not currently have an Environment Area plan due to insufficient space due to other planned developments. It should be considered if there is scope to create offsite areas of habitat or the development of management plans of existing ancient and deciduous woodland within the site as part of an Environmental Area to compensate for impacts in line with the applicants BNG commitments. This is something that we can address during the Flood Risk Activity Permit stage as suggested enhancement if watercourse activities at Bramford are involved. Therefore, we are happy for this to be excluded for consideration at this stage but should be read by the applicant for awareness.

2.0 Contaminated Land and Land Quality

2.1 In section 8.4 our Relevant Representation, we stated that backfilled ponds should be risk assessed to determine their backfill and that they should be medium risk and individually assessed. If ponds are within the order limits, we would want them individually assessed. We are satisfied that ponds outside the order limits do not need to be assessed.

2.2 In our Relevant Representation, we provided numerous comments in relation to the potential sources of contamination across numerous sites along the route. We note that the applicants response to the Relevant Representations is also due by deadline 1

and we will be able to provide a further update at deadline 2 or 3 depending on when this information is made available, or as requested by yourselves. We understand the applicant has stated that some matters will be secured by commitment. We look forward to seeing the applicant's response to our Relevant Representation.

3.0 Legal Matters

3.1 Limits of deviation – Article 5 is an unusually detailed limits of deviation article. The vertical deviation article has the potential to give the undertaker too much discretion. For example, in this DCO, Article 5(1)(b)(ii), (c) and (d) states that in respect of the pylons, overhead conductors, fibre-optic earth wires and the underground electric line they can deviate vertically to such extent downwards as the undertaker considers necessary or appropriate. We request to be consulted if any changes are made. This should be detailed in the HRA.

3.2 Discharge of water – Article 20. We are pleased to see that Article 20(7) expressly states that nothing in the article overrides the requirement for an environmental permit.

3.3 Requirements 4(3) states that all pre-commencement operations must be carried out in accordance with the outline code of construction practice, [...] the outline landscape and ecological management plan unless otherwise agreed with the relevant planning authority or other discharging authority as may be appropriate to the relevant plan concerned. Aside from the outline plans on the archaeological side (Requirement 5(4)), this appears to be the only mechanism to control the pre-commencement operations.

3.4 The Environment Agency are not expressly listed as a consultee on the discharge of any requirements, which is unusual to see. It is important that the Environment Agency is given the opportunity to provide comments where commitments are secured by requirement.

4.0 Conclusion and summary

4.1 In addition to the comments raised above, the Environment Agency included detailed comments on Flood Risk, Fish, Geomorphology, Waste Management Plan, Groundwater, Pollution Prevention and Navigation. These comments remain current and we request that you review these in conjunction with this response.

4.2 We understand that the applicant is required to provide a response to all Relevant Representations by deadline 1. We will be able to provide a further update to our response should the applicant clarify or respond to any of the points raised within our Relevant Representation.

Yours faithfully



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