



Norwich To Tilbury

Nationally Significant Infrastructure Project (NSIP) (“the NSIP”)

Braintree District Council ([REDACTED])

Submission:

Local Impact Report

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Glossary of Acronyms and Abbreviations

ABC – Noise threshold category used in BS 5228-1.

ALC – Agricultural Land Classification.

AMS – Arboricultural Method Statements.

BDC – Braintree District Council.

BMP – Best Practicable Means.

BMV – Best and Most Versatile agricultural land.

BNG – Biodiversity Net Gain.

BPM – Best Practicable Means (noise mitigation).

BSSS – British Society of Soil Science.

CAVAT – Capital Asset Value for Amenity Trees.

CEMP – Construction Environmental Management Plan.

CoCP – Outline Code of Construction Practice.

CSE – Cable Sealing End (compound).

dB – Decibel.

DCO – Development Consent Order.

DMP – Dust Management Plan.

EACN – East Anglia Connection Node.

ECC – Essex County Council.

ECoW – Ecological Clerk of Works.

EHER – Essex Historic Environment Record.

EIA – Environmental Impact Assessment.

EMF – Electromagnetic Fields.

Ha – Hectare.

HVDC – High Voltage Direct Current.

IAQM – Institute of Air Quality Management.

IEMA – Institute of Environmental Management and Assessment.

kV – Kilovolt.

LAQM – Local Air Quality Management.

LEMP – Landscape and Ecological Management Plan.

LIR – Local Impact Report.

LLFA – Lead Local Flood Authority.

LOD – Limits of Deviation.

LPA – Local Planning Authority.

LTSH – Less Than Substantial Harm.

MAFF – Ministry of Agriculture, Fisheries and Food (contextual meaning).

NH₃ – Ammonia.

NLS – National Library of Scotland.

NO_x – Nitrogen Oxides.

NPPF – National Planning Policy Framework.

NPS – National Policy Statement.

NRMM – Non-Road Mobile Machinery.

NSIP – Nationally Significant Infrastructure Project.

NSR – Noise Sensitive Receptors.

OCoCP – Outline Code of Construction Practice.

PEIR – Preliminary Environmental Information Report.

PINS – Planning Inspectorate.

PM₁₀ – Particulate Matter up to 10 microns.

PRoW – Public Rights of Way.

PWS – Private Water Supplies.

PXA – Post-Excavation Assessment.

RPA – Root Protection Area.

SPL – Soil Profile Layer.

SRP – Soil Resource Plan.

TPO – Tree Preservation Order.

TPP – Tree Protection Plans.

UXO – Unexploded Ordnance.

WSI – Written Scheme of Investigation

3 Terms of Reference

3.1 Introduction

- 3.1.1 This report comprises the Local Impact Report (LIR) of Braintree District Council (the Council), which details the likely impact of the proposed development within the Braintree District.
- 3.1.2 The Council have had regard to the purpose of LIRs as set out in s60(3) of the Planning Act 2008 (as amended), Nationally Significant Infrastructure Projects: Advice for Local Authorities (Gov.uk), the Planning Inspectorate's Advice Note One: Local Impact Reports and the Planning Inspectorate's 'Example Documents', in preparing this LIR.
- 3.1.3 National Grid Electricity Transmission have submitted a DCO application for a new 400 kilovolt (kV) electricity transmission connection of approximately 180km overall length from Norwich Main Substation to Tilbury Substation via Bramford Substation, a new East Anglia Connection Node (EACN) Substation and a new Tilbury North Substation.
- 3.1.4 The development includes several different elements including new 50m overhead pylons, underground cables, Cable Sealing End (CSE) compounds, and works to existing overhead lines. The LIR does not describe the proposed development any further, relying on the Applicant's detailed description as set out in Paragraphs 1.1.8 – 1.1.10 of APP-123 (ES Chapter 1 Introduction).
- 3.1.5 The proposed development in Braintree District can be summarised as comprising:

Approximately 15km of the new 400kV electricity line comprising predominantly 50m high lattice pylons, a small section (approx. 0.2km) of underground cable going underneath an existing 400kV line (the Pelham to Rayleigh overhead line) to the north of Fairstead, with two Cable Sealing End Compounds either side of

the undergrounding section (by proposed pylons TB115 and TB110).

3.1.6 The LIR relates to the impacts of the proposed development on Braintree District in Essex.

3.1.7 In addition, the Council has recent experience of dealing with similar applications, including The National Grid (Bramford to Twinstead Reinforcement) Order 2024 (a new 400kV electricity connection between Bramford and Twinstead) which was granted DCO consent on 12th September 2024 (PINS reference: EN020002). That project has now commenced and is in the early phases of delivery. The Council intends to use its experience so far with the delivery of the Bramford to Twinstead NSIP project to inform its approach and responses to this NSIP application.

3.2 Purpose and Structure of the Local Impact Report (LIR)

3.2.1 S60 (3) of the 2008 Planning Act defines LIR's as:

“a report in writing giving details of the likely impact of the proposed development on the authority's area.”

3.2.2 The LIR identifies relevant policies within the Council's Adopted Development Plan and the extent to which the proposed development accords with these policies.

3.2.3 Topic-based headings provide a framework for assessing impacts. Under each heading, key issues are identified, and commentary is included on the Applicant's proposed approach to mitigating these impacts. The headings are as follows:

4. Description of the Area
5. Policy Context
6. Principle of Development and Alternatives
7. Landscape and Visual

8. Biodiversity and Ecology
9. Arboricultural Impacts
10. Historic Environment
11. Geology and Hydrogeology
12. Agriculture and Soils
13. Air Quality and Emissions
14. Noise and Vibration
15. Cumulative Effects
16. Draft Development Consent Order
17. Other Matters
18. Summary

4 **Description of the Area**

4.1 **Project Boundaries and Sections**

4.1.1 The development affects the administrative areas of Norfolk County Council, South Norfolk Council, Babergh District Council, Mid Suffolk District Council Suffolk County Council, Colchester City Council, Tendring District Council, Braintree District Council, Chelmsford City Council, Brentwood Borough Council, Basildon Borough Council, Essex County Council and Thurrock Council.

4.1.2 The project route has been broken up into eight sections as set out in APP-130 (ES Chapter 4 – Project Description):

***Section A:** South Norfolk Council*

***Section B:** Mid-Suffolk District Council*

***Section C:** Babergh District Council, Colchester City Council and Tendring District Council*

***Section D:** Colchester City Council*

***Section E:** Braintree District Council*

***Section F:** Chelmsford City Council and Brentwood Borough Council*

***Section G:** Basildon Borough Council and Brentwood Borough Council (and part of Chelmsford City Council)*

***Section H:** Thurrock Council*

4.1.3 While it is pertinent for the ExA to consider the cumulative impacts of the development across all sections, this LIR primarily focuses on the development in Section E. In addition, it should be noted that for this DCO the Council have engaged with the Applicant in a wider Local Authority

group to ensure, wherever practical, that advice given is measured and consistent.

4.2 Context of Section E (Braintree District Council)

4.2.1 The proposed Order Limits in the Braintree District stretch in a westerly/south-westerly direction from Surrex (A120 boundary shared with Colchester City Council) to north of Fuller Street (near Great Leighs and the Chelmsford City Council boundary).

4.2.2 The route in Section E is primarily rural in nature; it crosses predominantly agricultural fields between several settlements including to the north of Feering and the south of Coggeshall Hamlet, to the north of Rivenhall but south of Silver End, south of White Notley and north of Faulkbourne and Fairstead, and finally north of Fuller Street.

4.2.3 Some of the notable features near the route and route crossings in Section E include (in order from east to west - Surrex to Fuller Street):

- *Road - A120*
- *River Blackwater*
- *Road - B1024*
- *Rivenhall Thicks Ancient Woodland (Local Wildlife Site)*
- *Road - B1018*
- *Braintree - Witham Branch Railway Line*
- *Scheduled Monuments and Listed Buildings at Cressing Temple Barns*
- *River Brain*
- *Faulkbourne Hall Registered Park and Garden*
- *Braintree – Pelham – Rayleigh 400 kV overhead line*
- *Mann/Parsons Ancient Woodland (Local Wildlife Site)*

4.2.4 The development would affect the following Landscape Character Areas (LCA) including:

- *LCA B4: Gosfield Wooded Farmland*
- *LCA B1: Central Essex Farmlands*
- *LCA C6: Blackwater and Brain Valley*

4.2.5 The value, susceptibility and sensitivity of these landscape character areas relative to the development is discussed in the Landscape and Visual section of the report.

5 Policy Context

5.1 Planning Act 2008 (as amended)

5.1.1 When deciding DCO submissions s.104(2) of the Planning Act (PA) 2008 requires the Secretary of State (SoS) to have regard to:

(a) any national policy statement which has effect in relation to the development

(b) the appropriate marine policy documents

(c) any local impact report

(d) any matters prescribed in relation to development of the description to which the application relates

(e) any other matters considered both important and relevant

5.2 National Policy

5.2.1 National Policy Statement (NPS) (EN-1) is the overarching national policy statement for energy. The NPS for Electricity Networks Infrastructure (EN-5) is specific to transmission networks; including assessment of technology-specific impacts and factors influencing site selection and design.

5.2.2 The application was submitted when the November 2023 (designated January 2024) versions of NPS EN-1 and EN-5 were in force. In January 2025, there were newer versions of EN-1 and EN-5 published. The Rule 6 letter dated 13th January 2026 confirmed that the November 2023 versions of the NPS are those which are to be considered for this application, owing to the application being submitted for examination prior to the full implementation of the newer December 2025 versions. This follows Government guidance.

5.2.3 In addition, the Rule 6 letter confirms that the transition provisions set out in Section 1.6 of NPS EN-1 (December 2025) apply to the application as it was accepted prior to publication of the revised policy. It also confirms that the updated NPS are capable of being important and relevant

considerations in the decision-making process and will be referred to during the examination where relevant.

5.2.4 In this case, the Council's approach will be to refer to the 2023 NPSs but to give an overview of any differences in the 2025 NPS versions.

5.2.5 The National Planning Policy Framework (NPPF) (as amended) includes a presumption in favour of sustainable development and sets the framework within which statutory Development Plan policies are required to be prepared. While the NPPF does not form part of the Development Plan for NSIPs, it is a material consideration in the determination of DCO applications.

5.3 Statutory Development Plan

5.3.1 The Council's statutory Development Plan consists of the Braintree District Local Plan 2013 – 2033 (herein referred to as the 'Adopted Local Plan'). Section 1 of the Local Plan was adopted on 22nd February 2021, and Section 2 of the Local Plan was adopted on 25th July 2022. The specific relevant policies in the Development Plan will be referred to within the relevant section in the LIR.

5.3.2 There are also several Neighbourhood Plans within the District and where applicable these also form an important part of the Development Plan. Neighbourhood plans along the route include Feering Neighbourhood Plan (Adopted January 2023) and Kelvedon Neighbourhood Plan (Adopted July 2022).

5.3.3 There are also adopted policies at the County level including the Essex Minerals Local Plan and the Essex and Southend on Sea Waste Local Plan. The Council defer to Essex County Council (ECC) to provide an update on the relevant policies contained within these documents.

5.4 Other Relevant Local Policy

5.4.1 The Council also has a number of relevant Supplementary Planning Documents; the Essex Parking Standards (2009); the External Artificial Lighting SPD (2009) and the Essex Coast RAMS SPD (2020).

5.4.2 In addition, the Council declared a climate emergency in 2019 and committed to reducing its own carbon emissions to zero by 2030 and supporting the wider District to do the same by 2030. The Council subsequently produced a new climate change strategy in 2021, contained within which is a general ambition to increase the generation of renewable energy in the District.

6 Principle of Development and Alternatives

6.1 National Policy

6.1.1 National Policy Statement (NPS) EN-1 2023, emphasises the need for new energy projects to contribute to a secure, diverse, and affordable energy supply and achieve net zero by 2050. Furthermore, Paragraph 2.1.3 of EN-1 recognises that to produce the energy required for the UK and ensure it can be transported to where it is needed, a significant amount of infrastructure is needed at both local and national scale. In addition, Paragraph 3.3.65 states, 'There is an urgent need for new electricity network infrastructure to be brought forward at pace to meet our energy objectives'. This sentiment is echoed in NPS EN-5 2023 but is more specific to electricity networks.

6.1.2 NPS EN-5 (2023) states in Paragraph 2.9.14 that: 'Applicants should demonstrate that they have given due consideration to the costs and benefits of feasible alternatives to the overhead line. Such alternatives may include re-routing, underground or subsea cables. The costs and benefits may include financial costs and benefits, engineering requirements, environmental effects, and the wider community benefits that may result from both the primary proposal and its alternatives. An appreciation of the feasibility e.g. in cost, engineering or environmental terms, of the alternatives should also be included.'

6.1.3 However, NPS EN-1 (2023) states in Paragraph 4.3.22 that "given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:"

*The consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner;
and*

Only alternatives that can meet the objectives of the proposed development need to be considered.

- 6.1.4 Furthermore, Paragraph 4.3.23 of NPS EN-1 (2023) states that the Secretary of State (the decision maker) should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development (which in this case is 2030-2031).
- 6.1.5 In addition, Paragraph 4.3.28 of NPS EN-1 (2023) states alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision.
- 6.1.6 Paragraph 4.3.28 of NPS EN-1 (2023) also states that alternative proposals which are vague or immature can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision.
- 6.1.7 NPS EN-1 2025 places more emphasis on the clean power 2030 mission and strengthens policy support for transmission and distribution upgrades. This is also echoed in NPS EN-5 2025, labelling upgrades to network transmission infrastructure as critical national priority projects.

6.2 Local BDC Development Plan Policies

- 6.2.1 Policy SP1 (*Presumption in Favour of Sustainable Development*) of the Adopted Local Plan states that the Local Planning Authorities 'will take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework.'
- 6.2.2 Policy SP3 (*Spatial Strategy for North Essex*) of the Adopted Local Plan addresses the spatial strategy for North Essex, identifying that existing

settlements will be the principal focus for additional growth with a settlement hierarchy to be identified. Beyond the main settlements the diversification of the rural economy and conservation and enhancement of the natural environment will be supported.

- 6.2.3 Policy SP6 (*Infrastructure and Connectivity*) of the Adopted Local Plan identifies the need for all development to be supported by the provision of infrastructure, services and facilities.
- 6.2.4 Policy LPP1 (*Development Boundaries*) of the Adopted Local Plan states that development outside development boundaries will be confined to uses appropriate to the countryside to protect the intrinsic character and beauty of the countryside.
- 6.2.5 Policy LPP71 (*Climate Change*) of the Adopted Local Plan sets out inter alia the Council's approach to climate change with the intention that the District will meet part of its future energy needs through renewable or low carbon energy sources.
- 6.2.6 Policy 12 (*Climate Change*) of the Feering Neighbourhood Plan states inter alia that 'development proposals are supported that use renewable energy sources and sustainable transport links'.

6.3 Assessment

- 6.3.1 Section 1.3 of document APP-085 (Planning Statement) states that agreements have been signed for 26,919.9 MW of new electricity generation (total generation of 33,472.3 MW minus existing generation of 6,552.4 MW). It sets out that these future connection agreements comprise a large volume of offshore wind generation (including East Anglia Offshore Wind), gas-fired generation, energy storage projects, and a nuclear power station (at Sizewell C).
- 6.3.2 Owing to the above, Paragraph 3.1.6 of document APP-085 (Planning Statement) asserts that without reinforcement, the capacity of the East

Anglia and South East existing network is insufficient to accommodate the connection of the proposed new power sources.

- 6.3.3 The Council accepts, in principle, that the network reinforcement offered by this project is needed to accommodate the additional planned electricity generation in the East Anglia region. The development would have a role to play in the decarbonisation of the UK's energy supply and help deliver the Government targets of net zero by 2050. It would also assist with delivering the Council's climate change strategy.
- 6.3.4 However, such national benefit should not be secured at the expense of local host communities, landscapes and environments that would be affected by such development. In this case, the proposed technical solution involving overhead powerlines supported on pylons would result in the introduction of a significant number of incongruous and intrusive features of industrial character into a predominantly open rural landscape; the effects of which would be permanent and due to the height and scale of the structures involved, cannot be successfully mitigated (impacts set out in detail in Landscape and Visual Chapter 7 of this LIR).
- 6.3.5 In this case, the application includes an ES chapter specifically on 'alternatives' (APP-127). This chapter does not consider an exhaustive list of every theoretical alternative but focuses on so called "reasonable" alternatives consistent with Paragraph 4.3.22 of NPS EN-1 2023. The chapter clarifies that reasonable alternatives exclude 'options with substantially different capacities, delivery timelines, or those that do not meet the Project's strategic objectives are not considered reasonable alternatives for the purposes of this chapter'.
- 6.3.6 Document APP-127 (Alternatives) sets out that all options are assessed against criteria including National Grid's statutory duties under the Electricity Act 1989 (including Section 9(2) duties to develop and maintain an efficient, co-ordinated and economical system of electricity transmission,

and Section 38 and Schedule 9, duties to preserve natural beauty and mitigate environmental effects), the industry-standard Holford Rules for overhead line routing and Horlock Rules for substation siting, and the then-current policy framework including the 2011 versions of National Policy Statements EN-1 and EN-5.

- 6.3.7 As part of the initial assessment of the routing, the Applicant reportedly considered other available options including inter alia increasing operating voltage, Alternating Current (AC) underground cable for the whole route, Direct Current (DC) underground cable and Offshore connections. However, these other options were discounted at an early stage for various reasons, but predominantly due to higher costs (relative to traditional pylons with targeted undergrounding as currently proposed).
- 6.3.8 In addition to the Applicant's assessment, NESO (National Energy System Operator) completed their own independent review and looked at other potential options for grid reinforcement, both inland and offshore. The offshore options did not score highly on the assessment owing to the environmental implications and cost. Some of the other inland options could have provided better environmental outcomes than the current scheme but at the time were not further developed.
- 6.3.9 The Council acknowledges that, in accordance with NPS EN-1, any alternative schemes would need to be delivered within a similar timescale to the proposed development. However, this must also be considered against the timescale of the actual need for network reinforcement. The Hiorns Report (submitted to the ExA with Norfolk County Council's Relevant Representation (RR-2753)) identified that it is extremely unlikely that all contracted generation projects would come forward and/or connect at the volumes stated or by the dates contracted. It identified a need for sensitivity analysis to assess the likelihood of contracted projects proceeding, either at all or within the assumed timescales.

- 6.3.10 The Hiorns report concluded that there was more time available to consider further analysis of potential options, including a potential offshore HVDC link, without prejudicing the development of offshore projects in the East Anglian region. It could not be concluded that the NGET proposal was the best option.
- 6.3.11 In response, NGET stated that it could not delay reinforcement of the transmission network beyond 2030 without breaching its contractual and licence obligations. While the Council accepts the relevance of those obligations, it does not accept that they negate the need for a more detailed review of the assumptions underpinning the contracted generation volumes and connection dates. The Council therefore considers that further review of the contracted electricity generation is required as part of the DCO submission.
- 6.3.12 The Council does not consider that NGET has provided new evidence or sensitivity testing to refute the conclusions of the Hiorns Report that the Norwich to Tilbury project is not demonstrably required by 2030. While the Council has had regard to the TEC Register submitted with the DCO, it considers it essential that greater transparency is provided regarding the status of contracted connections and the likelihood of projects being ready to connect by 2030. Justification for future network expansion must not rely solely on the ESO contracted position.
- 6.3.13 Clarification of the contractual position to inform the need and timescale for the Norwich to Tilbury Project is therefore still required. Until this is evidenced, the Council maintains its position that credible alternatives, such as an offshore-centred approach or HVDC undergrounding delivered at pace, should continue to be fully explored in order to minimise onshore above-ground infrastructure in Essex and reduce visual intrusion and environmental impact.

6.4 Summary

- 6.4.1 In summary, the application proposes overhead lines supported on 50m high lattice pylons, with targeted HVAC undergrounding primarily within the Dedham Vale National Landscape in Essex. As set out in Section 7 of this LIR, the scheme would result in very significant and permanent landscape and visual impacts. If, as suggested by the Hiorns Report, the need for network reinforcement is less time-critical than asserted, the Council considers that alternative approaches to the current lattice pylon scheme — including offshore connections and HVDC undergrounding — should be explored in greater detail to establish whether they could deliver better overall environmental outcomes at proportionate cost, and, if so, be progressed at pace in place of the submitted scheme.
- 6.4.2 Notwithstanding these in-principle concerns, the Council recognises that the transition to low-carbon energy is essential. However, it considers that such transition will only be successful if projects such as Norwich to Tilbury properly address and mitigate, at the earliest opportunity, their impacts on the natural environment, landscapes, local communities and planned development. Should the proposal receive favourable consideration, it is therefore essential that appropriate mitigation and lasting legacy benefits, including socio-economic benefits relating to skills, training and future employment are secured at the earliest opportunity and are sustained thereafter (see Section 17.1).

7 Landscape and Visual

7.1 National Policy

7.1.1 NPS EN-1 2023 includes in its definition of the Mitigation Hierarchy the element of compensation, in addition to avoidance, reduction and mitigation of harm to protect the environment and biodiversity.

7.1.2 Paragraph 5.10.26 of NPS EN-1 2023 states that reducing the scale of a project can help to mitigate the visual and landscape effects. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function, for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.

7.1.3 Paragraph 5.10.27 of NPS EN-1 2023 states that adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.

7.1.4 Paragraph 5.10.28 of NPS EN-1 2023 states that depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.

7.1.5 The Council considers that it would be appropriate for the ExA to give significant weight to EN-5 in respect of this project, as the policy provides

important clarification in relation to landscape and visual issues, in respect of appropriate and reasonable mitigation measures for both protected landscapes, and those landscapes outside them.

- 7.1.6 Paragraph 2.9.9 of NPS EN-5 2023 states that new substations, sealing end compounds (including terminal towers), and other above-ground installations that serve as connection, switching and voltage transformation points on the electricity network may also give rise to adverse landscape and visual impacts.
- 7.1.7 Paragraph 2.9.10 of NPS EN-5 2023 states that cumulative adverse landscape and visual impacts may arise where new overhead lines are required along with other related developments such as substations, wind farms, and/or other new sources of generation.
- 7.1.8 Paragraph 2.11.2 of NPS EN-5 2023 states that the Secretary of State should be satisfied that the development, as far as is reasonably possible, complies with the Holford and Horlock Rules or any updates to them.
- 7.1.9 Paragraph 2.11.3 of NPS EN-5 2023 states that the Secretary of State should also be satisfied that all feasible options for mitigation – including the rationalisation, reconfiguration, or undergrounding of existing electricity network infrastructure, have been considered and evaluated appropriately.
- 7.1.10 Paragraph 2.11.4 of NPS EN-5 2023 states that in circumstances where it can be demonstrated that a mitigation measure and/or technological approach is appropriate and/or necessary for a project, including to limit landscape and visual impact as set out above, the Secretary of State should take this into account in decision making.
- 7.1.11 Paragraph 2.11.5 of NPS EN-5 2023 states that nationally designated landscapes have specific statutory purposes which help ensure their continued protection. The Secretary of State should have special regard to

nationally designated landscapes, where the general presumption in favour of overhead lines should be reversed to favour undergrounding.

7.1.12 NPS EN-1 2025 retains the approach of EN-1 2023 but requires more weight to be given to critical national priority projects in the overall balance of landscape and visual harm vs benefits. This is echoed in NPS EN-5 2025.

7.1.13 The NPPF (2024) in Paragraph 187 sets out that planning policies and decisions should contribute to and enhance the natural and local environment by inter alia:

'(a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland'

7.1.14 Paragraph 188 of the NPPF encourages a strategic approach to maintaining and enhancing networks of habitats and green infrastructure, and the enhancement of natural capital at a catchment scale.

7.2 Local BDC Development Plan Policies

7.2.1 Policy SP7 (*Place Shaping Principles*) of the Adopted Local Plan states inter alia that all new development must meet high standards of urban and architectural design, respond positively to local character and context and protect and enhance assets of historical or natural value.

- 7.2.2 Policy LPP67 (*Landscape Character and Features*) of the Adopted Local Plan states that BDC will take into account the different roles and character of the various landscape areas within the District and recognise the intrinsic character and beauty of the countryside in order to ensure that development is suitable for its context. The Council's Landscape Character Assessments are identified as being central to this assessment. Development which would not be successfully integrated into the local landscape will not be supported. The restoration and enhancement of the natural environment is encouraged, in particular through creation of new green infrastructure and through creating and enhancing the biodiversity of wildlife corridors.
- 7.2.3 Policy LPP69 (*Protected Lanes*) of the Adopted Local Plan seeks to conserve the 'traditional landscape and nature conservation character of roads designated on the Proposals Map as Protected Lanes, including their verges, banks, ditches and natural features such as hedgerows, hedgerow trees and other structural elements contributing to the historic features of the lanes'.
- 7.2.4 Policy LPP65 (*Tree Protection*) of the Adopted Local Plan seeks to protect trees in the District, stating that 'trees which make a significant positive contribution to the character and appearance of their surroundings will be retained unless there is a good arboricultural reason for their removal for example they are considered to be dangerous or in poor condition'.
- 7.2.5 Policy LPP52 (*Layout and Design of Development*) of the Adopted Local Plan requires a high standard of design and layout in all development. It is a lengthy policy and includes 19 criteria which development should meet. Relevant criteria include:
- *Designs to be sensitive to local features of historic and landscape importance*

- *Proposals to incorporate measures for environmental sustainability throughout the construction, occupation and demolition of the development*
- *Layouts to promote a safe and secure environment, crime reduction and prevention, and shall encourage the related objective of enhancing personal safety with the maximum amount of natural surveillance of roads, paths and all other open areas and all open spaces incorporated into schemes*
- *Landscape proposals should consist of native plant species and their design shall promote and enhance local biodiversity and historic environmental assets*
- *Lighting proposals need to be sensitively designed and appropriate for their locality*
- *Long term maintenance of landscaping and public areas required*

7.2.6 Policy 6 of the Feering NP (*Natural Environment and Green and Blue Infrastructure*) states inter alia that development proposals will be supported that protect, and where possible, enhance the natural environment. In addition, it states that development proposals which are likely to have a significant individual or cumulative impact on the Blackwater River Valley or the Langley Green Farmland Plateau Landscape Character Areas should demonstrate how the proposal will protect and enhance the special features and overall character of the area.

7.2.7 Policy DE1 of the Kelvedon NP states inter alia that developments should make a positive contribution to the local character and scale of the area.

7.3 Key Local Context

7.3.1 This LIR is focused on the Landscape context of Section E. The development would affect the following landscape receptors:

LCA B4: Gosfield Wooded Farmland

LCA B1: Central Essex Farmlands

LCA C6: Blackwater and Brain Valley

7.3.2 In addition, the development would affect the following visual receptors:

VRA E1 Coggeshall

VRA E2 Feering and Rivenhall

VRA E3 Kelvedon

VRA E4 Silver End

VRA E5 Black Notley and White Notley

VRA E6 Terling and Witham

7.3.3 The following sections of the report assess the impacts of the development on these receptors.

7.4 Adequacy of Application Submission

7.4.1 The Landscape Visual Impact Assessment (LVIA) methodology accords with Guidelines for Landscape and Visual Impact Assessments Third Edition (GLVIA3), and it is generally agreed that the study provides an accurate reflection of the predicted significant landscape and visual effects associated with the proposals.

7.4.2 The main elements of the LVIA methodology were released for consultation on multiple occasions in the build up to final submission, with the authors demonstrating willingness to adapt in response to requests for changes.

For example, the authors agreed to use Landscape Institute Technical Guidance Note 02/21 to assess landscape value, as well as separating summative assessment categories of 'negligible' and 'no change'.

7.4.3 Preliminary zones of theoretical visibility (ZTV) were also released for consultation and were agreed in advance, representing good practice. The LVIA states that multiple fieldwork visits have been carried out in varying weather conditions and in different seasons. This reflects a thorough approach to assessment.

7.4.4 Baseline assessment of the existing landscape within the LVIA chapter includes reference to the relevant precedent landscape character assessments. This ranges from a national scale (Natural England's National Character Area Profiles), regional scale (East of England Landscape Typology), down to the local scale (Essex LCA, as well as the Braintree, Brentwood, Chelmsford, Maldon and Uttlesford LCA).

7.4.5 Overall, the Council are content that the LVIA chapter and associated appendices include all necessary extracts and references to the appropriate baseline studies.

7.5 Landscape Value, Susceptibility and Sensitivity

7.5.1 The report references the latest Landscape Institute guidance to assess landscape value (Technical Guidance Note 02/21: Assessing Landscape Value Outside National Designations). However, it is not clear how this has been used to inform the assessments of landscape value. The technical guidance note outlines a series of suggested factors that should be examined to form a comprehensive understanding of landscape value. Whilst some of these factors are briefly touched upon within a wider discussion of landscape value for each receptor, the consideration of landscape value is not thorough.

7.5.2 The summative value judgements provided for each receptor are as follows:

LCA B4: Gosfield Wooded Farmland – medium landscape value

LCA B1: Central Essex Farmlands – medium landscape value

LCA C6: Blackwater and Brain Valley – medium landscape value

7.5.3 Whilst the summative value ratings provided for individual landscape receptors are agreed, it would have been useful to understand more of the justification for each judgement.

7.5.4 In terms of susceptibility, the ratings provided are agreed:

LCA B4: Gosfield Wooded Farmland – medium landscape susceptibility

LCA B1: Central Essex Farmlands – medium landscape susceptibility

LCA C6: Blackwater and Brain Valley – medium landscape susceptibility

7.5.5 In addition, assessments of landscape sensitivity should be formed from an understanding of landscape value combined with landscape susceptibility. Although concerns have been raised on the thoroughness of these contributing assessments, the summative landscape sensitivity ratings are agreed as below:

LCA B4: Gosfield Wooded Farmland – medium landscape sensitivity

LCA B1: Central Essex Farmlands – medium landscape sensitivity

LCA C6: Blackwater and Brain Valley – medium landscape sensitivity

7.6 Landscape Effects

7.6.1 APP-228 (landscape baseline and assessment) outlines potential significant effects on identified landscape receptors. Table 1 below summarises the findings, with an added column providing the Council’s opinion:

Table 1 - Potential Significant Effects on Identified Landscape Receptors

Identified Landscape Receptor	Predicted Landscape Effect (construction)	Predicted Landscape Effect (operation Year 1)	Predicted Landscape Effect (operation Year 15)	Council’s Opinion
LCA B4: Gosfield Wooded Farmland	Moderate and significant (adverse) within approximately 1.5 km of the project.	Moderate and significant (adverse) within approximately 1.5 km of the project.	Moderate and significant (adverse) within approximately 1.5 km of the project.	Construction – Agreed Operation Year 1 – Agreed Operation Year 15 – Agreed
LCA B1: Central Essex Farmlands	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Construction – Agreed Operation Year 1 – Agreed Operation Year 15 – Agreed
LCA C6: Blackwater and Brain Valley	Major and significant (adverse) within approximately 0.5 km of the project,	Major and significant (adverse) within approximately 0.5 km of the project,	Major and significant (adverse) within approximately 0.5 km of the project,	Construction – Agreed Operation Year 1 – Agreed

	reducing to Moderate and significant (adverse) by 1.5km.	reducing to Moderate and significant (adverse) by 1.5km.	reducing to Moderate and significant (adverse) by 1.5km.	Operation Year 15 – Agreed
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7.6.2 The ES is correct to predict significant landscape effects for each of the landscape character areas within the Braintree District. This is an accurate overview of the significant character change that is likely to be caused.

7.6.3 Direct landscape effects are due to result from the removal of existing landscape features, loss of agricultural land, as well as a perceived increase in ‘wirescape’ elements within a relatively rural area.

7.6.4 Construction effects will be magnified by the need for temporary compounds, additional access arrangements, as well as the presence of machinery and material stockpiles.

7.7 Visual Receptors

7.7.1 The LVIA groups visual receptors into general Visual Receptor Areas (VRA). This is organised by proximity to the nearest settlement or settlements. This was informed by an accurate Zone of Theoretical Visibility (ZTV), with actual visibility tested and verified during fieldwork. Viewpoints were consulted on at various points in the build-up to submission of the final LVIA, which represents best practice. This also led to an additional 3no. viewpoints being added to the study at the Council’s request.

7.7.2 The private views from residential properties were also identified as needing assessment. A separate Residential Visual Amenity Assessment was provided in the LVIA and is discussed separately below.

7.8 Visual Value, Susceptibility, and Sensitivity

7.8.1 As the LVIA methodology generalises visual receptors into areas, instead of categorising groups by activity, it is difficult for the authors to be specific

about visual value and susceptibility, and therefore sensitivity. This has resulted in a somewhat generic approach to these judgements within the report. In each case, visual sensitivity is summarised as a range:

VRA E1 Coggeshall – low to high visual sensitivity

VRA E2 Feering and Rivenhall – low to high visual sensitivity

VRA E3 Kelvedon – low to high visual sensitivity

VRA E4 Silver End – low to high visual sensitivity

VRA E5 Black Notley and White Notley – low to high visual sensitivity

VRA E6 Terling and Witham – low to high visual sensitivity

7.8.2 Considering the generic grouping and limited accompanying justification of value and susceptibility, the visual baseline is not particularly insightful and offers limited use.

7.9 Visual Effects

7.9.1 APP-229 (visual baseline and assessment Part 1 of 4) offers consideration of potential significant effects on identified visual receptors. The LVIA assessments within the District are summarised below with the Council's opinions added:

Table 2 - Potential Significant Effects on Identified Visual Receptors

Identified Visual Receptor Area	Predicted Visual Effect (construction)	Predicted Visual Effect (operation Year 1)	Predicted Visual Effect (operation Year 15)	The Council's Opinion
VRA E1 Coggeshall	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and	Major and significant (adverse) within approximately 0.5 km of the project, reducing to	Major and significant (adverse) within approximately 0.5 km of the project, reducing to	Construction – Agreed Operation Year 1 – Agreed

	significant (adverse) by 1.5km.	Moderate and significant (adverse) by 1.5km.	Moderate and significant (adverse) by 1.5km.	Operation Year 15 – Agreed
VRA E2 Feering and Rivenhall	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Construction – Agreed Operation Year 1 – Agreed Operation Year 15 – Agreed
VRA E3 Kelvedon	No effect.	No effect.	No effect.	Construction – Agreed Operation Year 1 – Agreed Operation Year 15 – Agreed
VRA E4 Silver End	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Construction – Agreed Operation Year 1 – Agreed Operation Year 15 – Agreed
VRA E5 Black Notley and White Notley	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant	Construction – Agreed Operation Year 1 – Agreed Operation Year 15 – Agreed

	(adverse) by 1.5km.	(adverse) by 1.5km.	(adverse) by 1.5km.	
VRA E6 Terling and Witham	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Major and significant (adverse) within approximately 0.5 km of the project, reducing to Moderate and significant (adverse) by 1.5km.	Construction – Agreed Operation Year 1 – Agreed Operation Year 15 – Agreed

- 7.9.2 Significant visual effects are predicted for five of the six identified visual receptor areas within the District from construction, year 1 and year 15, with the only exception being residents within Kelvedon. This is agreed and further emphasises the scale and nature of the considerable visual change proposed across parts of the Braintree District, which in some areas would include both the proposed Norwich to Tilbury line alongside the existing 400kV Pelham to Rayleigh line.
- 7.9.3 The photorealistic visualisations included within APP-229 to APP-232 (Appendix 13.3 - Visual Baseline and Assessment) are very useful in assessing the predicted visual effects of the scheme and have been produced using best practice. The descriptive narrative provided for each viewpoint is also helpful and demonstrates a good understanding of predicted change.
- 7.9.4 Although criticism has been made of the LVIA's generic approach assessing visual value, susceptibility, and sensitivity, the summative assessment of effects represents a cautious and honest reflection. All necessary significant effects have been identified.

7.10 Residual Visual Amenity Assessment

- 7.10.1 The Technical Guidance Note produced by the Landscape Institute (2/19) defines residential visual amenity to be ‘the overall quality, experience and nature of views and outlook available to occupants of residential properties, including views from gardens and domestic curtilage’.
- 7.10.2 In terms of residential visual amenity, APP-233 (The Residential Value Amenity Assessment) examined visual effects on 10no. groups or individual properties within the Braintree District. Of these, 2no. properties were identified as potentially experiencing effects that may breach residential visual amenity (E7 West Ford Farm Cottage and E8 Whiteheads Farm).
- 7.10.3 In both instances, further assessment concluded that amenity would not be breached. However, the Council are concerned about the visual amenity of E7 and E8 taking into account Limits of Deviation (LOD). The dDCO as proposed allows lateral and/or longitudinal variations within the Order Limits, with further flexibility as to vertical limits (height above, and depth below, ground). As such, the pylons could be placed anywhere within the Order Limits, which in the case of E7 and E8 are adjacent to their residential boundaries.
- 7.10.4 Any re-positioning of the pylons from the positions shown within the submitted plans could have a greater effect on these and other visual receptors, with seemingly little safeguards to prevent or other mitigate any additional harm of/to those visual receptors.
- 7.10.5 Overall, the scheme could potentially appear “unpleasantly encroaching” and “inescapably dominant” from both properties. These are two of the criteria within the Residential Visual Amenity Assessment (RVAA) methodology that could lead to visual amenity being breached. The Council consider that this needs to be reviewed again (the impact on E7 and E8) and should form part of the site visit route at examination.

7.10.6 Furthermore, it is noted that the LVIA does not identify a single breach of residential visual amenity across the full length of the route from Norwich to Tilbury. While the Council hasn't assessed other City/District/County areas, this does seem highly unlikely given the nature of the project and the LOD.

7.11 Mitigation Measures

7.11.1 APP-226 (The ES Chapter Landscape and Visual) outlines a series of embedded, standard, and additional mitigation measures that have been incorporated within the proposed scheme. Within the Braintree District, mitigation is predominantly focused on 'Sensitive routing and siting of the alignment and Order Limits – as far as practicable, effects on identified environmental (including landscape and visual, ecology and heritage assets) and socio-economics receptors have been avoided and reduced' (Paragraph 13.6.4, Page 38).

7.11.2 The report also states: 'National Grid has considered the proposed materials and colour palette for the CSE compounds and new substation / substation extension including buildings to be sensitive to the environment they are located in, where practicable'. (Paragraph 13.6.4, Page 39). Additional planting is proposed around the Fairstead cable sealing end compounds.

7.11.3 Given the length of the route through the District, and the size, height and visual prominence of the pylons, their landscape and visual impacts cannot be meaningfully mitigated. As a result, effective mitigation would require alternative solutions, such as undergrounding. Without a fundamental change to the proposed scheme, the impacts arising from the pylons cannot be mitigated and the proposed mitigation measures cannot be agreed.

7.11.4 In terms of the Outline Landscape Ecological Management Plan (OLEMP), in respect to Landscaping, the document is considered to be generic and provides minimal site-specific management information. While a detailed

LEMP would follow through requirement, it is imperative that the OLEMP is sufficiently detailed at this stage. The Council would likely support other Host Authorities view of this document in terms of improving it.

7.12 Summary

- 7.12.1 APP-226 (The ES Chapter Landscape and Visual) alongside its appendices provide a technically competent assessment which clearly identifies significant adverse landscape and visual effects across multiple character areas and receptor groups within Braintree District. The assessment confirms that these effects would be substantial, widespread and long-term.
- 7.12.2 The development would also result in residential visual amenity impacts, particularly at E7 West Ford Farm Cottage and E8 Whiteheads Farm. The Council considers that the flexibility introduced by the limits of deviation undermines confidence that the worst-case impacts on these receptors have been fully captured, and that actual effects could be materially greater than those presented.
- 7.12.3 The Council considers that the identified landscape and visual impacts are inherent to the proposed overhead line solution and cannot be adequately mitigated through the measures proposed. Effective mitigation would require a fundamentally different approach, such as undergrounding.
- 7.12.4 As such, the proposed development would give rise to significant and unavoidable adverse landscape and visual harm within Braintree District. In the Council's view, this harm is a key consideration and should carry substantial weight in the Examining Authority's assessment of whether the adverse impacts of the scheme are outweighed by its benefits, noting in particular that the adverse impacts would arise significantly earlier than many of the potential benefits.

8 **Biodiversity and Ecology**

8.1 **National Policy**

8.1.1 Paragraph 5.4.17 of NPS EN-1 2023 states that where the development is subject to an EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.

8.1.2 Paragraph 5.4.35 of NPS EN-1 2023 states that the applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:

- *during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works.*
- *the timing of construction has been planned to avoid or limit disturbance*
- *during construction and operation best practice will be followed to ensure that the risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements.*
- *habitats will, where practicable, be restored after construction works have finished.*
- *opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement, the location and quality will be of key*

importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised.

- *mitigations required as a result of legal protection of habitats and species will be complied with new habitats of value within the site landscaping proposals.*

- 8.1.3 Paragraph 5.4.42 of EN-1 2023 states that as a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.2 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought.
- 8.1.4 Paragraph 5.4.43 of EN-1 2023 states that if significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm and consent may be refused.
- 8.1.5 Paragraph 5.4.44 of EN-1 2023 states that the Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or BNG measures, if offered, are delivered and maintained. Any habitat creation enhancement delivered including linkages with existing habitats for compensation or BNG should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.
- 8.1.6 Paragraph 5.4.45 of EN-1 2023 states that the Secretary of State will need to take account of what mitigation measures may have been agreed between the Applicant and the Statutory Nature Conservation Bodies

(SNCB) and the Marine Management Organisation (MMO) / Natural Resources Wales (NRW) (where appropriate). The Secretary of State will also need to consider whether the SNCB or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.

- 8.1.7 Paragraphs 2.9.3 – 2.9.6 of EN-5 2023 states electricity networks infrastructure pose a particular potential risk to birdlife...the applicant will need to consider whether the proposed line will cause such problems at any point along its length... particular consideration should be given to feeding and hunting grounds, migration corridors and breeding grounds, where they are functionally linked to sites designated or allocated under the 'national site network' provisions of the Conservation of Habitats and Species Regulations.
- 8.1.8 NPS EN-1 2025 retains all statutory protections as its predecessors, but requires any biodiversity and ecology impacts to be considered within the clean power 2030 objective and the infrastructure of critical national priority. This is however not the case where legal thresholds are breached, such as adverse effects on European Sites (Special Areas of Conservation [SAC], Special Protection Areas [SPA] and Ramsar) which fail the Imperative Reasons of Overriding Public Interest. This is echoed in EN-5 2025. Biodiversity Net Gain (BNG) is also more strongly encouraged (but still not mandatory for NSIPS).
- 8.1.9 Paragraph 187 of the NPPF states planning policies and decisions should contribute to and enhance the natural and local environment by inter alia a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the Development Plan); d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future

pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.

8.1.10 Paragraph 193 of the NPPF states similar decision making principles to that of NPS EN-1, that:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; and

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

8.2 Local BDC Development Plan Policies

8.2.1 Policy SP2 (*Recreational Disturbance Avoidance and Mitigation Strategy RAMS*) of the Adopted Local Plan secures financial contributions from relevant developments toward mitigation measures in accordance with the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy 2018-2023 (RAMS) (although the requirement for such contributions relates only to residential schemes).

- 8.2.2 Policy SP7 (*Place Shaping Principles*) of the Local Plan requires all new developments to protect and enhance assets of natural value and to incorporate biodiversity creation and enhancement measures. It also requires an integrated and connected network of green and blue infrastructure.
- 8.2.3 Policy LPP63 (*Natural Environment and Green Infrastructure*) of the Adopted Local Plan states that development must take available measures to ensure the protection and enhancement of the natural environment, habitats, biodiversity and geodiversity of the District. All developments are expected, where appropriate, to contribute towards the delivery of new Green Infrastructure to develop a network of multi-functional green spaces and natural features throughout the District.
- 8.2.4 Policy LPP64 (*Protected Sites*) of the Adopted Local Plan is a lengthy and detailed policy which seeks to protect protected species, priority species and priority habitat. It states that in relation to sites of national or international designation '*sites designated for their international importance to nature conservation; including Ramsar sites, Special Protection Areas, Special Areas of Conservation, should be protected from development likely to have an adverse effect on their integrity whether they are inside or outside the District. Proposals which are considered to have a likely significant effect on these sites will require an Appropriate Assessment in line with European and domestic legislation*'.
- 8.2.5 In relation to Protected Species, Priority Species and Priority Habitat, Policy LPP64 of the Adopted Local Plan also states that proposals which result in a net gain in priority habitat will in principle be supported, subject to other policies in the Development Plan. It goes on to state that '*Where priority habitats are likely to be adversely impacted by the proposal, the developer must demonstrate that adverse impacts will be avoided, and impacts that cannot be avoided are mitigated on-site. Where residual impacts remain, off-site compensation will be required so that there is no net loss in quantity*

and quality of priority habitat in Braintree District. It also requires Ecological Surveys to be submitted by Developers to demonstrate that an adequate mitigation plan is in place.

- 8.2.6 Policy LPP64 (Protected Sites) of the Adopted Local Plan also states that *'proposals resulting in the loss, deterioration or fragmentation of irreplaceable habitats such as ancient woodland or veteran trees will not normally be acceptable unless the need for, and benefits of the development in that location clearly outweigh the loss'*. Finally, the Policy seeks to protect Local Wildlife Sites, Local Nature Reserves and Special Roadside Verges.
- 8.2.7 Policy LPP65 (*Tree Protection*) of the Adopted Local Plan covers Tree Protection. Preservation Orders may be placed on prominent trees which contribute to the character of the local landscape and have a reasonable life expectancy and trees which make a significant positive contribution to the character and appearance of their surroundings should in general be retained unless there are good arboricultural reasons for their removal. It also states that when considering the impact of development on good quality trees the Council will expect developers to reflect the best practice guidance set out in BS5837:2012 (as amended). Trees of higher quality are also identified as being a material consideration in the planning process. Overall, the Policy seeks to retain and protect trees and to ensure that unnecessary, poorly considered or excessive tree loss is prevented.
- 8.2.8 Policy LPP66 (*Protection, Enhancement, Management and Monitoring of Biodiversity*) of the Adopted Local Plan addresses the protection, enhancement, management and monitoring of Biodiversity. It states that *'Development proposals shall provide for the protection of biodiversity and the mitigation or compensation of any adverse impacts. Additionally, enhancement of biodiversity should be included in all proposals, commensurate with the scale of the development'*. Some examples of

enhancement are given such as watercourse improvements to benefit biodiversity and water quality, habitat creation and wildlife links.

8.2.9 Policy 6 of the Feering NP states inter alia that all proposals should seek to deliver biodiversity net gain, in addition to protecting existing habitats and species.

8.2.10 Policy NE3 of the Kelveon NP states all development proposals should seek to maintain and enhance green infrastructure and biodiversity and should, wherever possible, provide net gains for biodiversity.

8.3 Key Local Context

8.3.1 There are a number of important biodiversity and ecology sites within the Braintree District which have the potential to be impacted by this development. These include the following Local Wildlife Sites (LWS) wholly or partly within the Order Limits:

- *Coggeshall Hall Farm LWS (Figure A – Appendix 1)*
- *Rivenhall Thicks LWS (Figure B – Appendix 1)*
- *Hallhook Row LWS (Figure C – Appendix 1)*

8.3.2 LWS adjacent to the Order Limits:

- *Sandy Wood (Figure D – Appendix 1)*
- *Mann/Parson's Wood (Figure E – Appendix 1)*

8.3.3 Brockwell Meadows Local Nature Reserve (LNR) is also located in the wider area to the south of Kelvedon. (Figure F – Appendix 1)

8.3.4 Ancient woodland 'irreplaceable habitat' is included in the Hallhook Row LWS, Rivenhall Thick LWS, Sandy Wood LWS, and Mann/Parson's Wood LWS.

8.3.5 The Order Limits within Braintree District include only one 'Important' hedgerow as defined by wildlife and landscape criteria under the Hedgerow Regulations 1997. This is however not to diminish the importance of retaining as many trees and hedgerows as possible.

8.3.6 Habitats of Principal Importance (i.e. habitats that are a priority for biodiversity conservation) acknowledged within the Order Limits through Section E include:

- *Arable field margins*
- *Ponds*
- *Lowland mixed deciduous woodland*
- *Hedgerows*
- *Rivers and streams*

8.4 Adequacy of Application Submission

8.4.1 The ecological receptors included for impact assessment within the ES Chapter 8 are as follows.

8.4.2 International (Statutory) Designated Sites, National (Statutory) Designated Sites, Local (Non-statutory) Designated Sites, Habitats including Ancient Woodland, Priority Habitats, Species-rich/Important Hedgerows, Groundwater Dependent Terrestrial Ecosystems and Other Habitat.

8.4.3 In addition, Protected Species/Species of Conservation Concern (Flora) including Vascular and Non-vascular Plants and Fungi, Invasive Non-Native Species – Plants, and Protected Species/Species of Conservation Concern (Fauna) including, Terrestrial Invertebrates, Aquatic Macroinvertebrates, Invasive Non-Native Species – Aquatic Macroinvertebrates, Fish, Reptiles, Birds (Schedule 1, breeding, wintering and passage), Bats (roosting, foraging and commuting), Hazel Dormouse, Otter, Water Vole, Badger, Species of Principal Importance (common toad,

brown hare, harvest mouse, hedgehog and polecat) and Great Crested Newt.

- 8.4.4 After completing a review of the completed ecological survey work, the Council considers that the ES chapter generally provides an appropriate assessment of likely impacts on identified ecological receptors. This includes for both statutory and non-statutory designated sites, habitats, and protected and Priority species.
- 8.4.5 In addition, the project's embedded mitigation has avoided the potential for significant impacts on designated sites. The project's embedded mitigation has also aimed to avoid or otherwise limit the potential for negative impacts on habitats and protected species. However, the Council is concerned about the approach taken to the tree bat roost surveys.
- 8.4.6 Where static bat detector surveys within the Order Limits recorded barbastelle bat activity above a defined threshold, robust roost survey methods were employed, including aerial inspections, dusk emergence surveys, backtracking surveys, and radio-tracking. However, this level of tree roost survey was only undertaken at 12 discrete locations, which covers only a fraction of the overall potential for bat roost tree impacts¹ across the route.
- 8.4.7 This survey deficit appears to be justified by the supposition that: (1) barbastelle are a more important conservation concern than other bat species (despite the roosts of other species having equivalent legal protection); and (2) simply going through the Natural England bat mitigation

¹From the ES Chapter 8 (Nov 2025) "*Tree removal would be required to facilitate construction. A total of 2,975 trees and 23.99 ha of tree groups within the surveyed area were identified that have the potential to support roosting bats. ... Of these assessed trees, the trees that have been identified for complete removal comprise: 113 trees with PRF-M, 257 trees with PRF-I, 801 FAR trees and 16 trees with hibernation features. Of these assessed trees, the trees that would require management for electrical clearances, haul roads, etc., comprise: 50 trees with PRFM, 101 trees with PRF-I, 265 FAR trees and, three trees with hibernation features.*"

licensing process wherever it is found to be needed will ultimately and inevitably result in a neutral or positive impact outcome.

- 8.4.8 The Council regard this as a flawed approach, lacking evidence to support it. Impacts on all protected bat species need to be assessed with reasonable confidence and the proposed mitigation considered appropriate, prior to determination, to support a lawful decision.
- 8.4.9 If a greater level of roost tree survey is not feasible prior to consideration of the DCO by the ExA, the Council consider an evidence-based aggressive estimation of the percentage of PRF-M (Preliminary Roost Features - potential) trees that evidently (or very likely) support a significant level of bat roosting, should be submitted prior to determination.
- 8.4.10 In addition, the Council consider that the design of a more confidently proportionate bat tree roost mitigation/compensation scheme is required, prior to determination.
- 8.4.11 It is also noted that most predicted habitat impacts are being regarded as temporary and ultimately of negligible significance because of the commitment to restore the habitats after the construction phase of the project. This temporary habitat loss reasoning is also applied to certain protected species / species of conservation concern impact assessments (e.g. bat foraging and commuting).
- 8.4.12 In principle, the above approach is not an unreasonable deduction for long-term assessments. However, the potentials for short-medium term impacts on local fauna species populations are under-emphasised in the ES, as is the potential that not all habitat restoration may be successful to a like-for-like standard. The 5-year post completion time limit for habitat re-establishment is minimal and the Council consider that such short-term involvement in the habitat restoration is unlikely to result in comprehensive success.

- 8.4.13 As such, if the habitat re-establishment is not as successful as it is assumed it will be within the ES, then habitat and protected species (e.g. bats and breeding birds) impacts from the project will be higher than predicted.
- 8.4.14 With respect to impacted habitats which fail to be fully restored, a commensuration portion of the proposed BNG would then actually be compensation as opposed to net gain. If increasing the 5-year time limit for habitat re-establishment works is not feasible (e.g. because of constraints to securing extended land access), then an evidence-based replacement planting failure percentage should be factored into the planned mitigation so that the 'negligible' habitat and protected species impact assessments are cushioned and more reliable.
- 8.4.15 Notwithstanding the above concerns, the Council approve of other mitigation measures and compensation commitments made, which are expected to be finalised in consultation with the Host Authorities and secured by Requirements of any DCO made (e.g. outline CoCP and LEMP).

8.5 Local Impact of Development

- 8.5.1 Where the new electricity connection will be via new 400kV overhead line and will require vegetation removal, it is reported that a 40m wide swathe will be removed to facilitate construction activities. An additional up to 8m of vegetation either side of the 40m would be managed during construction, operation, and maintenance, to allow for clearance to be maintained, and an additional up to 22m of vegetation either side would potentially be affected. This adds up to a potential impact corridor of 100m in width.
- 8.5.2 Where the electricity connection will be via underground cabling, this will be installed by a combination of open-cut trenching and trenchless techniques (e.g. horizontal directional drilling). For the open-cut installation, a 120m wide swathe of vegetation may be removed and up to 50m of vegetation

either side of this could potentially be affected during construction.

Therefore, the potential impact corridor for open-cut installation would be 220m wide. Trenchless installation still requires a 200m wide construction corridor, but the interaction with vegetation should be far less outside of the drilling/boring ingress and egress locations.

- 8.5.3 The potential for impacts to the Brockwell Meadows LNR is, after proposed mitigation measures, rated as negligible. The predicted construction phase impacts to all the Braintree District LWSs falling within the Order Limits are rated as minor, temporary, and reversible, and the residual impacts post mitigation are all appraised as negligible. This includes the oversailing of new 400 kV line through a portion of Coggeshall Hall Farm LWS, possible hydrological linkage with Sandy Wood LWS, and the potential for accidental encroachment into ancient woodland at Hallhook Row LWS and Rivenhall Thicks LWS.
- 8.5.4 The Council does not refute the conclusions of the impact assessments. However, for the assessments to remain valid, it is critical that the proposed mitigation measures are implemented as specified within the relevant control documents and supporting ES information.
- 8.5.5 Notwithstanding the above, as set out in the Adequacy of Application Submission section above, the Council are not reasonably confident that the impacts on bats is known based on insufficient survey data. Further study data is required to fully understand the potential impact on bats.
- 8.5.6 In terms of cumulative effects, the Council do not disagree with the assertion in APP- 282 (Environmental Statement Chapter 17 - Cumulative Effects) that that inter-project cumulative effects on ecology and biodiversity receptors within the areas surrounding the Project would be not significant during both construction and operation (and maintenance). This is owing to a number of factors including:

- *The embedded mitigation of the project route has very largely avoided a potential for significant impacts on any designated sites.*
- *The construction phase is expected to have primarily temporary impacts. After the construction of the pylons, overhead lines, and underground cable sections, those affected areas are anticipated to be restored back to similar, if not equivalent, natural habitats (although bearing in mind a currently limited habitat establishment commitment and on-going vegetation height management requirements).*
- *The operational stage of the project has few potential ecological impact pathways, and which are of limited impact potential.*
- *The Norwich to Tilbury project as a whole has significant ecological impact potential owing to its scale – a 180km electricity transmission route plus compounds and construction infrastructure. However, where a lesser component section of the project may share a zone of influence with another development proposal, that section alone would be expected to have a much lower impact potential (see the reasoning points above).*

8.6 Mitigation

8.6.1 In terms of mitigation, the reliabilities of the residual ecological impact predictions stated within Table 8.23 of APP-158 (ES Chapter 8 – Ecology and Biodiversity). The reliability of the residual ecological impact predictions depends on the correct execution of prescribed mitigation measures. However, repeated use of phrases such as “where practicable” introduces scope for subjective interpretation, potentially resulting in variable implementation.

- 8.6.2 As such, Ecological Clerk of Works (ECoW) oversight and influence throughout the construction stage of the Norwich to Tilbury project will be critical to the faithful execution of the CoCP and LEMP directives and the resulting degree of mitigation success. The Council advise that a commitment should be made, and requirements set, as to the qualifications and experience of the ECoWs to be used on the project. We also request a clarification to be made of the project ECoW hierarchy and decision capability, assuming that there will be multiple ECoWs employed on the project.
- 8.6.3 Given the scale of this proposed development is as large as it is, the negative consequences from the poor execution of mitigation could become cumulatively significant.
- 8.7 Biodiversity Net Gain (BNG)
- 8.7.1 BNG is being offered by the Applicant despite not being mandatory for NSIPs at the time of submission. While this is welcomed, details regarding the location, delivery, management and monitoring of off-site habitat creation remain unresolved.
- 8.7.2 The Council seek reassurance that BNG habitats created or enhanced will have a minimum of 30 years secured for management.
- 8.8 Summary
- 8.8.1 While the Council generally agrees with the conclusions of the Biodiversity and Ecology ES chapter and appendices in respect of the nature and scale of impacts identified, it considers that the evidence base in relation to bat roosting across the route remains insufficient to support a lawful decision at this stage. In particular, further evidence is required prior to determination to enable the likely impacts on all protected bat species to be understood with reasonable confidence and to ensure that appropriate mitigation has been properly assessed.

8.8.2 Notwithstanding this, the Council recognises that a post-consent programme of ecological mitigation, including Ecological Clerk of Works (ECoW) oversight and the delivery of Biodiversity Net Gain (BNG), will be necessary and must be secured through robust and enforceable DCO Requirements. However, such post-consent controls cannot substitute for an adequate pre-determination understanding of impacts. The strength, precision and enforceability of the DCO Requirements will therefore be critical in determining whether the Norwich to Tilbury project ultimately results in a positive, neutral or adverse ecological outcome for Braintree District and other host authorities along the route.

9 Arboricultural Impacts

9.1 National Policy

- 9.1.1 Paragraph 4.6.6 of NPS EN-1 (2023) states that Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible.
- 9.1.2 Paragraph 4.6.13 of NPS EN-1 (2023) states inter alia that development may deliver environmental gains such as the enhancement, expansion or provision of trees and woodlands.
- 9.1.3 Paragraph 5.11.27 of NPS EN-1 (2023) states inter alia that existing trees and woodlands should be retained wherever possible... the applicant should assess the impacts on, and loss of, all trees and woodlands within the project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.
- 9.1.4 Paragraphs 5.4.14 and 5.4.15 of NPS EN-1 (2023) place considerable importance on the retention of ancient woodland, ancient trees, veteran trees and other irreplaceable habitats. This is echoed by Paragraph 5.4.53 which states that The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists.

9.1.5 NPS EN-1 (2025) places the same importance on retaining ancient woodlands and minimising arboricultural impacts, but requires these impacts to be considered in the clean power 2030 objective and schemes of critical national priority. NPS EN-1 (2025) also places a greater emphasis on compensation planting as a legitimate response to unavoidable impacts.

9.1.6 The NPPF (2024), Paragraph 136 states, that existing trees should be retained wherever possible.

9.2 Local BDC Development Plan Policies

9.2.1 Policy LPP65 (Tree Protection) of the Adopted Local Plan seeks to protect trees in the District, stating that 'trees which make a significant positive contribution to the character and appearance of their surroundings will be retained unless there is a good arboricultural reason for their removal for example they are considered to be dangerous or in poor condition'.

9.2.2 Both Kelvedon and Feering Neighbourhood Plans place a strong emphasis on the retention of trees and hedgerows.

9.3 Key Local Context

9.3.1 There are numerous trees and hedgerows across the route in the Braintree District, including a number of Local Wildlife Sites that include ancient woodlands (as detailed in the Biodiversity and Ecology section above) and two veteran trees.

9.3.2 The veteran trees are labelled as T805 and T820 in APP-236 (Arboricultural Impact Assessment – (AIA)). T805 is an Oak Sp BS 5837 Category A3, and T820, known locally as 'Henry' is an English Oak, also categorised as BS 5837 Category A3.

9.4 Adequacy of Application Submission

9.4.1 It is stated throughout the AIA report that the assessment is in accordance with BS 5837:2012. However, the Council is not in agreement with this as

there are omissions within the report and contradictory or limited references between the report and the accompanying plans. As such a full assessment of the impacts cannot be carried out (see Local Impact of Development section below).

9.5 Local Impact of Development

9.5.1 APP-236 (The Arboricultural Impact Assessment – (AIA)), Table A13.6.2, sets out that within Section E, the following High and Moderate quality trees and groups would require removal, or are constrained by the proposals:

- *8 trees proposed for removal with 4 stated as having the potential to be affected/managed.*
- *1 group to be removed, 25 part-removed, 1 affected/managed.*
- *12 trees retained with protection measures.*
- *3 tree groups retained with protection measures.*

9.5.2 It is understood that the above list does not take into account Category C or lower quality vegetation, which is reported to require the removal of canopy totalling 19,028sq.m. However, the Council are not able to confidently interpret what the categories of the removals are based upon or indeed complete our own independent assessment of the category of each tree/hedge/group, owing to the lack of information contained on the accompanying plans. Further information is required on the tree removals/impacts, particularly tree reference numbers on the plans and corresponding categories, so that a full assessment of likely losses can be made.

9.5.3 There are no veteran trees within Section E that have been scheduled for removal, and it is noted that the design has evolved to now retain veteran tree T820, known locally as 'Henry'. Whilst this is a notable design change,

there are no details of the associated impacts that the scheme will have on this tree although it has been identified as affected.

9.6 Mitigation and/or Compensation

9.6.1 The Council considers that Requirement 8 (Retention and removal of trees, woodland and hedgerows) of the Development Consent Order (DCO) [APP-056] should be strengthened to include the submission of Arboricultural Method Statements (AMS) and Tree Protection Plans (TPP) that include Root Protection Areas (RPAs). As currently drafted, all that is required is a plan showing what is to be retained and removed; this does not provide the necessary information about how trees are to be protected. The proposed Requirement wording is similar to that of the Bramford to Twinstead NSIP (PINS reference: EN020002), and there have been numerous difficulties at the discharge of Requirement stage in resolving issues of tree/hedge protection and removal.

9.6.2 In addition, the Council considers that there should be an element of due diligence embedded in Requirement 8 to minimise hedgerow and tree loss as far as possible by optimising routing and access designs at the appropriate stage. It has become apparent that during the Bramford to Twinstead discharge of Requirements there have been extensive and, in the Council's opinion, excessive hedgerow and tree losses (i.e. more than was reasonably foreseen and/or reasonably required to facilitate the development). This due diligence would also result in less disturbance to rural residents by minimising loss/removal and, in turn, reduce road closures necessary to carry out the removal works.

9.6.3 Furthermore, any replacement planting needs to be in the right place with the right species mix, be disease-resistant and have suitable provisions in place for aftercare, particularly in respect of watering, to help ensure that any new planting survives. Consideration should also be given to securing replacement planting as soon as possible.

- 9.6.4 The submitted Ancient Woodland and Veteran Tree Strategy (APP-232) sets a mitigation hierarchy to be followed that outlines avoidance, mitigation, rectifying and compensation methods in relation to veteran trees and shows suitable remediation works when impacts have been identified to veteran trees. For T805, it has been proposed for entry within approximately >50% of its Root Protection Area (RPA) to facilitate temporary and permanent construction and operational works, as well as 11 kV underground cable alignment mitigation.
- 9.6.5 Although this is within the pre-existing highway and the impacts to this tree are considered minimal, it is recommended that suitable working methodology is in place to minimise any disruption. Both T805 and T820 have been outlined to follow the avoidance hierarchy of the mitigation strategy, which meets the government guidance 'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions'. As such, the Council believes the impact to these trees has been suitably acknowledged in the context of the scheme.
- 9.6.6 However, while changes to the Order Limits during the pre-application stage have now enabled the retention of veteran tree T820, there are various operations within the root protection area of this tree. Veteran trees are sensitive to changes in ground conditions, so this veteran tree (and any other veteran trees) will need sufficient protection during the construction phase of the development. This adds further weight to strengthening Requirement 8 to include additional details of tree protection during construction.
- 9.6.7 Finally, the Ancient Woodland's Rivenhall Thick and Mann Parson Wood have been shown within the Outline Landscape and Ecological Management Plan as having minor removals required to facilitate the scheme but overall meet the threshold as a buffer of at least 15m has been applied. Therefore, there is no objection from the Council on these matters

providing that the detailed design doesn't alter any impacts to any Ancient or Veteran Trees within the Braintree District.

9.7 Tree Replacement Scheme

9.7.1 In addition, the Council note that the Applicant is committed to a tree replacement planting scheme on a 3:1 ratio using stock of native species (taking into consideration any associated risk of pest and disease). The mechanism to secure this tree planting is however yet to be agreed and discussions are ongoing with the Council and the Applicant. As such, at the time of preparing this LIR, the Council are unable to provide a detailed assessment of the tree compensation planting proposals. However, the Council will be suggesting that consideration should be given to the use of CAVAT (Capital Asset Value for Amenity Trees) in assessing losses and informing what compensatory planting ratio could be used. This would facilitate the calculation of compensation of tree removal and support tree protection and management strategies.

9.7.2 In addition, the Council may be willing to host some of the new tree planting; however, this would be dependent on securing a suitable financial contribution to support both the establishment and long-term management of the trees.

9.8 Summary

9.8.1 Overall, the Council considers that, in principle, the impacts of the proposed development on veteran trees and ancient woodland within Braintree District are capable of being managed from an arboricultural perspective, subject to appropriate protection and mitigation. However, the Council's ability to reach a fully informed view is constrained by the limited information provided within the Arboricultural Impact Assessment, particularly in relation to the identification and categorisation of trees affected and the absence of sufficient detail on the accompanying plans.

- 9.8.2 In addition, the Council considers that Requirement 8 of the draft Development Consent Order requires strengthening to ensure that arboricultural protection measures, including arboricultural method statements, tree protection plans and root protection areas, are clearly defined and secured prior to construction. Without this additional detail, there is a risk that the scale of tree and hedgerow loss could exceed that currently assessed.
- 9.8.3 The acceptability of the arboricultural impacts of the scheme is therefore dependent on the provision of further information and the inclusion of robust and enforceable DCO Requirements to ensure that tree retention, protection, and replacement planting are delivered as intended.

10 **Historic Environment**

10.1 **National Policy**

- 10.1.1 Paragraph 5.9.1 of NPS EN-1 (2023) states that the construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment above, at, and below the surface of the ground.
- 10.1.2 Paragraph 5.9.2 of EN-1 (2023) states that the historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, landscaped and planted or managed flora. Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called 'heritage assets'.
- 10.1.3 A heritage asset may be any building, monument, site, place, area or landscape, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its 'significance'. Significance derives not only from a heritage asset's physical presence, but also from its setting,
- 10.1.4 Paragraph 5.9.30 of EN-1 (2023) states 'Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; [...] Registered Battlefields; grade I and II* Listed Buildings; Grade I and II* Registered Parks and Gardens; and World Heritage Sites, should be wholly exceptional'.
- 10.1.5 Paragraphs 5.9.32 and 5.9.33 of EN-1 (2023) state 'Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its

optimum viable use' and 'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

- 10.1.6 Overall, Section 5.9 of EN-1 (2023) requires impacts (both direct and indirect) to be understood, and harm avoided or minimised through design and mitigation, with loss of archaeological assets preserved by record where justified.
- 10.1.7 NPS Policy EN-1 (2025) retains the protection of heritage assets, but requires them to be considered within the Clean Power 2030 objective and critical national priority projects.
- 10.1.8 The NPPF (2024) places significant weight on the protection of heritage assets; Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.1.9 Paragraph 213 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, Grade I and II* listed buildings, Grade I and II* Registered Parks and Gardens, and World Heritage Sites, should be wholly exceptional.
- 10.1.10 Paragraph 214 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated

heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

10.1.11 Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

10.1.12 Paragraph 216 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

10.2 Local BDC Development Plan Policies

10.2.1 Policy SP7 (*Place Shaping Principles*) of the Adopted Local Plan requires all new development to protect and enhance assets of historical value.

10.2.2 Policy LPP47 (*Built and Historic Environment*) of the Adopted Local Plan states that the Council will promote and secure a high standard of design and layout and the protection and enhancement of the historic environment in order to respect and respond to local context, especially in the District's historic areas where development may affect the setting of listed buildings and other heritage assets.

- 10.2.3 Policy LPP57 (*Heritage Assets and their Settings*) of the Adopted Local Plan seeks to protect heritage assets and their settings stating that the Council 'will seek to preserve and enhance the immediate settings of heritage assets by appropriate control over the development, design and use of adjoining land'.
- 10.2.4 Policy LPP59 (*Archaeological Evaluation, Excavation and Recording*) of the Adopted Local Plan addresses archaeological matters and seeks to ensure that sites of archaeological importance are appropriately investigated.
- 10.2.5 Policy 4 (*Heritage Assets and Settings*) of the Feering NP states inter alia that impacts on heritage assets may be acceptable where they would not lead to significant impacts.
- 10.2.6 Policy HE3 (*Non - Designated Heritage Assets*) of the Kelvedon NP states that development proposals should respect, and, where possible, enhance the setting, character and appearance of non-designated assets within the Neighbourhood Plan area.

10.3 Key Local Context

- 10.3.1 The proposed route crosses Braintree District from the A120 in the northeast, which preserves the route of a Roman road, across a largely rural agricultural landscape and valleys north of the A12 to exit near Fairstead.
- 10.3.2 In terms of **designated heritage assets**, there are none directly within the Order Limits; however, the project boundaries encompass the setting of many designated heritage assets including listed buildings and three conservation areas (Coggeshall, Silver End and White Notley). The impacts upon specific designated heritage assets are discussed in the Local Impact of Development section below.
- 10.3.3 In terms of **archaeological** context, there are no scheduled monuments located within the Order Limits, however two scheduled monuments are

located within close proximity to the Order Limits. Non-designated heritage assets within the Order Limits are primarily below ground, archaeological remains. A number of these are recorded on the Essex Historic Environment Record and there is potential for further, currently unknown, archaeological remains of high significance within the Order Limits.

10.4 Adequacy of Application Submission

10.4.1 In terms of **above ground heritage assets**, it is considered that the Applicant's assessment broadly complies with NPS EN-1. However, clarification has been sought from the Applicant regarding the identification of built non-designated heritage assets (NDHAs) as part of the baseline assessment carried out for the Environmental Statement.

10.4.2 Locally listed buildings 'or those of equivalent quality in their fabric or historical associations' and 'Assets of local importance' have been assigned a Low Value/Sensitivity in the Applicant's Assessment Methodology and the settings of these assets have not been assessed due to 'the lack of potential for any impacts to these assets to result in significant effects...'. Further clarification has been provided by the applicant that '*as they would not experience physical impacts there is no potential for significant effects as a result of change to setting for assets of these values.*'

10.4.3 The Council considers that the impact of the development on the setting and significance of some built NDHAs has therefore not been assessed.

10.4.4 Paragraph 5.9.33 of NPS EN-1 2023 requires that '*in weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*'. The Applicant has not expressed impacts on built NDHAs specifically in terms of 'harm to significance.' Their assessment identifies whether any element of an asset would be physically impacted

(lost/removed) by the project and assesses impact through change to setting only for medium- and high-value non-designated heritage assets.

- 10.4.5 In terms of **below ground heritage assets**, designated and non-designated heritage assets are presented in Environmental Statement (ES) Chapter 11. Historic Environment (AS-068 Revision B) and supported by a number of assessments including; Historic Environment Baseline Report (Final Issue A) (APP-209), Historic Environment Assessment Tables (Final Issue B)(AS-070), EACN Substation Geophysical Survey Report (Final Issue A)(APP-211)), Geophysical Survey Results Reports (APP-212, AS-072, AS-072, AS-074, AS-076), Trial Trenching Results Reports (APP-213 and AS-078), and Geoarchaeological Monitoring of Ground Investigation Works Report (Final Issue A) (APP-214)).
- 10.4.6 These are supplemented by Figures; Historic Environment Study Area (Final Issue A) (APP-216-6.11.F1 ES Figure 11.1), Designated Heritage Assets Assessed in the ES Chapter (AS- 080), Non-Designated Heritage Assets Assessed in the ES Chapter (Final Issue A)(AS-081), Phase 1 and 2 Geophysical Survey Areas and Archaeological Trial Trenching Priority Areas (Final Issue B) (AS-082) and Phase 2 Geophysical Survey Preliminary Results (AS-083).
- 10.4.7 The Applicant's assessment of the impacts of the project on the historic environment have been provided taking account of all proposed mitigation measures. The overall approach to mitigating the negative effects of the development is set out in document 6.5 Environmental Statement Chapter 5 - EIA Approach and Method (Final Issue A) (APP-135) of the submission. Mitigation has been split into three types by the Applicant in relation to heritage assets: embedded, standard and additional. Descriptions of these are outlined on pages 118-121 of document 6.11 Environmental Statement Chapter 11- Historic Environment (Final Issue B) (AS-069).

10.4.8 It was agreed that a field evaluation would be required to support the application and provide sufficient evidence to allow the determination of the impact of the scheme on archaeological remains. A programme of geophysical survey and trial trench evaluation has been carried out prior to submission of the application and is currently ongoing.

10.4.9 Geophysical survey of Priority Areas is near complete and trial trenching for Priority Areas has been completed within Braintree District. The full results of the trial trench evaluation will not be available with time to review prior to determination of the application. The trial trench report submitted is interim only and does not include full assessment of the archaeological remains. The application fails to include sufficient evidence to support the baseline data. The Applicant has failed to fully comply with the policy set out in Paragraph 5.9.11 with regards to archaeology and geoarchaeology and National Planning Policy Framework (NPPF) Paragraph 207 (2024).

10.5 Local Impact of Development

10.5.1 In terms of **designated above ground heritage assets**, the level of impact is set out in APP-210 (Environmental Statement Appendix 11.2 - Historic Environment Assessment Tables). This includes harm to 58 identified heritage assets within the Braintree District, ranging from a low level of less-than-substantial harm to a mid-level of less-than-substantial harm (LTSH).

10.5.2 Rather than repeat the list of all 58 identified heritage assets set out in Tables A11.2.2 and A11.2.22 of APP-210, the Council wish to highlight the following affected assets:

- *The scheduled monuments at Coggeshall Abbey and Cressing Temple,*
- *6 Grade I buildings (four at Coggeshall Abbey, two at Cressing Temple) and*

- 6 Grade II* buildings (*Houchin's Farm, Feeringbury Manor and Feeringbury Manor Barn, Newneys Farm, Troys Hall and Rivenhall Place*)

- 10.5.3 The assessment of impact is agreed and is understood to be based upon the route shown in the Works Plans (APP-019, APP-020, APP-022 and APP-023).
- 10.5.4 However, Article 5 of the draft DCO (dDCO) (APP-056) allows for lateral, longitudinal (horizontal) and vertical limits of deviation (LoD) of the shown pylon route in the work plans mentioned above. In this case, the Order Limits are approximately 100 metres wide for the proposed overhead line (50 metres either side of the centre line of the proposed overhead line), although it does vary at certain points along the route.
- 10.5.5 The Council is concerned that the LoD, if used, would worsen the temporary construction and permanent impacts on the setting and significance of heritage assets to those set out in the Applicant's Environmental Statement assessments (which are based on the Works Plan (APP-017 - Document 2.3), Figure 4.1 Proposed Project Design (APP-133 document 6.4.F1) and 4.2 Project Design – Permanent Features (APP-134 document 6.4.F2)).
- 10.5.6 The LoD could bring pylons and overhead lines up to 50 metres closer to heritage assets (laterally) and allow movement anywhere along the line of the project (longitudinally), exacerbating their detracting visual impacts. Pylons may also be of an additional height of up to 6m from the pylon design heights set out in the Works Plan. The LOD also apply to other permanent above ground structures such as substations which would allow for them to be built 10% higher than put forward as part of the examination documents.
- 10.5.7 The LoD are of particular concern to the Council with regards to the following designated heritage assets closest to the Order Limits and where

a mid-level of LTSH to their significance has been identified by the Applicant at the Operation and Maintenance phase of the project:²

- *Post House (1123423) – mid level*
- *Hole Farmhouse (1146854) – mid level*
- *Forge Cottage (1338147) – mid level*
- *Hill Farmhouse (1123461) – mid level*
- *Pond Cottage (1123455) – mid level*
- *Homecot (1146765) – mid level*
- *Rook Hall (1170991) – mid level*
- *Pound Farmhouse (1123812) – mid level*
- *Hungry Hall Farmhouse (1123868) – mid level*
- *Monk's Farm Cottages (1171147) – mid level*
- *The Old Cottage (1123839) – mid level*
- *Barn 20 Metres North West of Coggeshall Hall Farmhouse (1123869) – mid level*
- *Coggeshall Hall Farmhouse (1306737) – mid level*
- *Cockerell's Farmhouse and Bakehouse (1169484) – mid level*

² NB These are provided as examples and are not intended to be an exhaustive list of all assets where there are potential concerns with regards to the limits of deviation. There is the potential for designated heritage assets that have been assessed as having a Low level of LTSH to their significance during the operational phase to instead experience a Mid-level of LTSH due to pylons, overhead lines and other permanent above ground structures being in closer proximity than the existing plans, due to the proposed lateral and longitudinal limits of deviation.

- *Barn Approximately 40m South-West of Great Warley Hall (1337818) – mid level*
- *Great Warley Hall (1123449) – mid level*
- *Granary Approximately 20m South of Westcocks Farmhouse (1168121) – mid level*
- *Farm Outbuilding Approximately 10m East of Westcocks Farmhouse (1122745) – mid level*
- *Westocks [sic] Farmhouse (1168106) – mid level*
- *Oak Cottages (1123421) – mid level*
- *Oak Farmhouse (1123422) – mid level*
- *Dines Hall (1123448) – mid level*
- *Barn Approximately 10m South-East of Newneys Farmhouse (1337819) – mid level*
- *Newneys Farmhouse (1123450) – mid level*
- *Porter's Farmhouse (1171011) – mid level*
- *Ford Farmhouse and Ford Farmhouse Barn (1122614) – mid level*
- *The Stores (1146812) – mid level*
- *Barn of Feeringbury Farm, 60 m South East of Feeringbury Manor (1123829) – mid level*
- *Waterwheel and Mounting Approximately 23 m Southwest of Feeringbury Manor (1337602) – mid level*
- *Ancillary Building 6 m Southeast of Feeringbury Manor (1123828) – mid level*

- *Feeringbury Manor (1306710) – mid level*

- *Houchin's Farmhouse (1123187) – mid level*

- 10.5.8 As such, the Council requests that the Applicant provide greater certainty regarding pylon positions, particularly for the following listed buildings, to assure that the LoD will not result in greater harm than identified:
Feeringbury Manor group (1306710, including Barn 1123829); Monks Farm Cottages (1171147); Pound Farmhouse (1123812); Hungry Hall Farmhouse (1123868); Westocks Farmhouse group (1168106); and Rivenhall Place (1122598).
- 10.5.9 In terms of **archaeological and other heritage impacts**, the overall approach to mitigating the negative effects of the development is set out in Document 6.5 Environmental Statement Chapter 5 - EIA Approach and Method (APP-135).
- 10.5.10 Mitigation has been split into three types by the Applicant in relation to heritage assets: embedded, standard and additional. Descriptions of these are outlined on pages 98 -100 of document 6.11 Environmental Statement Chapter 11 - Historic Environment (APP-208).
- 10.5.11 The Historic Environment Baseline Report (APP-209) has considered ten scheduled monuments within the Study Area and established that there would be no impact on the majority of these designated heritage assets as their settings do not extend to the Order Limits. This is considered an accurate assessment. Two scheduled monuments have been considered further in terms of setting, they include Coggeshall Abbey (1018865) and Cressing Temple (1002122) and no significant impact has been identified, which is agreed.
- 10.5.12 Four non-designated heritage assets were found to have a significant effect during the construction phase of the Project due to changes in their settings including Rivenhall Place designed parkland landscape, Great Warley and

Dines Hall moated site and a late 17th to early 18th century timber framed barn on Porters Farm. It is unclear how this will be mitigated and further clarification should be provided.

- 10.5.13 No further assets are predicted to experience adverse impacts resulting in residual significant effects during the construction phase of the Project. This conclusion is largely based on assessment of known heritage assets recorded on the Essex Historic Environment Record (EHER) and based on the 'value' and significance assigned to those heritage assets as part of the assessment methodology. However, this assessment is difficult to assign with confidence from purely desk-based assessments. Establishing the 'value' and significance of below ground archaeological remains requires evaluation (geophysical survey and trial trenching), as required by NPS EN-1. For this reason, the 'value' of many of the archaeological remains listed is unsubstantiated and the assessment methodology cannot be effectively used on all the assets listed in the historic environment baseline report.
- 10.5.14 The application and assessment were to be supported by the results of geophysical surveys and a trial trenching evaluation which would have provided adequate information for assessment purposes. Six priority geophysical surveys were proposed within the Braintree District and one priority area for trial trenching. The identification of 'priority areas' for archaeological evaluation fieldwork was previously agreed and was based on the scale of the potential impacts of the project construction works on archaeology, and the future ability for detailed design to microsite to avoid or reduce effects to archaeology.
- 10.5.15 Of the six Priority geophysical survey proposed for Braintree District three are complete, one part complete and two not yet undertaken. Geophysical survey has identified potential archaeological features within two of the Priority areas. One Priority trial trench evaluation has been largely completed which revealed sparse archaeological remains of low value. The Phase 2 geophysical survey is currently being undertaken which has

revealed unknown features of probable archaeological origin including enclosures, a possible ring ditch and trackway suggesting potential for archaeological remains relating to ritual and settlement activity.

- 10.5.16 Without further information from the results of intrusive evaluation, the conclusions of the ES regarding what is significant in terms of residual effect cannot be fully determined. Specifically, those archaeological sites identified through cropmarks and finds scatters. This information would be required to determine an appropriate mitigation strategy.
- 10.5.17 In addition, without further evaluation in areas where there is no record of archaeological remains, the potential presence of heritage assets or their significance remains difficult to assess to the required level. Further intrusive assessment by trial trenching would provide clarity on significance and reduces project risk.
- 10.5.18 As such, owing to the above, the level of impact upon non-designated heritage assets, specifically archaeological remains, set out in document APP-210: 6.11.A2 Environmental Statement Appendix 11.2 - Historic Environment Assessment Tables (Final Issue A) cannot be fully agreed until further assessment on archaeological remains is completed and the information made available for review.
- 10.5.19 Within Braintree District the project will largely consist of overhead lines and pylons with one section of underground cabling and associated infrastructure as well as many kilometres of access roads to serve the overhead lines and pylons. The cable corridor in underground sections is likely to be up to 120m wide, pylon bases will be a minimum of 60m by 60m and haul roads would require topsoil strips of at least 21m wide.
- 10.5.20 Furthermore, significant negative impacts are anticipated from the construction phase of the development where the groundworks proposed would cause truncation of potential archaeological remains. Impacts to the historic environment, specifically archaeology, are identified as direct

physical and indirect effects during construction and are listed in section 11.4.23 (AS-069). They include, but are not limited to, groundworks associated with the underground cabling, pylon bases, creation of access routes, temporary construction compounds and working/storage areas.

- 10.5.21 In addition, the potential impact of other associated environmental mitigation, such as ecological habitat creation or landscape planting and drainage works. It is acknowledged that standard construction methods and groundworks for ecological and drainage measures are assumed to cause removal of all near-surface archaeology within the footprint of the works (Section 11.4.33 - AS-069).
- 10.5.22 In addition, changes to the local water and burial environment could alter the preservation of archaeological sites within and beyond the development areas.
- 10.5.23 The application is supported by a suitable level of desk-based research, as listed in section 11.4.2 (APP-208).
- 10.5.24 Geophysical survey and archaeological trial trenching are currently ongoing. Due to access issues, the first stage of geophysical survey was not completed at the time of submission. The ES chapter concludes that 'the historic environment baseline presents a reasonable basis for assessment, but further information is forthcoming' (AS-069 Section 11.4.32). The historic environment baseline provides a reasonable basis for known archaeological remains, however potential for further archaeological remains within the Order Limits has not been fully assessed and this information would be required to provide a more comprehensive basis for assessment.
- 10.5.25 Despite the adequacy of desk-based research, the level of information submitted with the application fails to provide sufficient information on the nature, extent and significance of heritage assets in order to determine the impact on archaeological remains by the proposed scheme.

- 10.5.26 This is due to factors such as incomplete coverage of the geophysical survey and trial trench evaluation and lack of intrusive investigation to allow corroboration of the geophysical survey.
- 10.5.27 The archaeological potential of the proposed scheme area is not understood to the required level, and previously unknown archaeological remains may be present within the proposed scheme area. A high percentage of the land within the scheme remains under investigated and therefore the risk of encountering high value heritage assets remains a significant risk.
- 10.5.28 Two protected lanes of possible medieval date are located within the Order Limits and therefore potentially impacted by the Project. Negative impacts are anticipated on their significance from construction; in order to provide access or for underground cabling. While reinstatement of any lost trees/hedgerow following the completion of construction will assist in offsetting this negative impact, more certainty is required about the recording and monitoring of this impact.
- 10.5.29 The development would potentially result in a direct permanent and harmful change to a range of non-designated heritage assets. This would be a significant effect. The Applicants have provided information to inform the examination via the Historic Environment chapters of the ES. Further information and documents are however required to establish an appropriate programme of evaluation and mitigation for archaeology. This information is necessary to fully inform the decision-making process, and the planning balance as set out in the relevant policies.

10.6 Cumulative Effects

- 10.6.1 Cumulative effects of the development are split by the application into two categories: intra-project and inter-project.

- 10.6.2 Intra-project cumulative effects identified by National Grid are those caused by the project and therefore formally assessed within the Environmental Statement. These include contamination of below ground deposits due to construction, setting effects and changes to groundwater. No further comment on this is necessary, as the intra-project effects are part of the overarching assessment.
- 10.6.3 Inter-project cumulative effects are those which are resultant of the combination of the Norwich to Tilbury project (this application) and other existing projects.
- 10.6.4 In terms of **above ground heritage assets**, the Applicant sets out their conclusions relating to inter-project effects within the document 6.17.A3 Environmental Statement Appendix 17.3 - Inter-Project Cumulative Effects (APP-284). Within this document, the applicant outlines other consented schemes within the District which, combined with the Norwich to Tilbury project, have the potential to exacerbate the effect on heritage assets.
- 10.6.5 Of those identified, the Council agree that the combination of this project and the identified consented developments will result in no further impact on any built heritage assets as described in EIA terms. However, the Council would highlight that the combination of the permitted solar farm on Land West of Park Road, Rivenhall (Braintree planning reference: 21/03735/FUL) will result in a rather notable change of character to this landscape which could be assessed in greater detail. The appeal decision for this application noted that the proposal will cause less than substantial harm to the significance of the listed buildings at Rivenhall Place.
- 10.6.6 Were both schemes built out, the combination of the solar farm with the Applicants proposals, would result in a higher level of less than substantial harm than the applicant has identified (Lower Less Than Substantial Harm, p147 of document APP-215).

10.6.7 In terms of **Archaeological and other cumulative impacts**, within Braintree District a further National Grid project is planned for construction over similar timescales. The National Grid Bramford to Twinstead Reinforcement (2024) requires the construction and operation of a new 400 kilovolt (kV) electricity transmission line over a distance of approximately 29km. It comprises approximately 18km of overhead line and around 11km of underground cable. Much of the underground cabling lies within the Braintree District and crosses the Stour Valley where significant archaeological remains may be preserved, based on the information held on the Essex Historic Environment Record. The archaeological mitigation for this project is currently being undertaken and further mitigation is proposed.

10.6.8 No significant inter-project cumulative effects have been identified as part of the assessment. The reasoning for this is expanded in Section 17.5.52 (APP-281) which states:

'While there would be overlap of the Order Limits for other developments and the Project, effects to archaeology would only occur once by whichever construction would take place first. These effects would be mitigated as appropriate and agreed with the LPA (such as through excavation, recording, and publication). Any affected archaeology would be removed as a result of the mitigation/construction and therefore the inter-project effects for construction and operation (and maintenance) would be negligible and not significant'.

10.6.9 The Council consider that this statement is incorrect as the cumulative effects would be derived from the increase in land take across the combined Order Limits of both or more projects, and not from overlap.

10.6.10 The cumulative impact of the project would be because of the increase in the total area of land take and not overlap, and therefore the scale of

potential archaeological remains which could be lost as a result of the mitigation/construction is increased.

- 10.6.11 Archaeological remains are a finite and non-renewable resource. This cumulative impact may not be determined as significant through the process of the assessment but should be considered an adverse effect of the project wherever archaeological remains are removed due to truncation from construction activities.
- 10.6.12 As the nature of the archaeological remains that may be affected is currently unknown the impact and significance cannot be determined effectively through this form of assessment. While mitigation by record may reduce the cumulative impact in EIA terms, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted (NPPF, 2024 Paragraph 218).

10.7 Mitigation

- 10.7.1 The Applicant's assessment of the impacts of the project on the historic environment has been provided taking into account all proposed mitigation measures. The overall approach to mitigating the negative effects of the development is set out in Document 6.5 Environmental Statement Chapter 5 - EIA Approach and Method (APP-135) of the submission. Mitigation has been split into three types by the Applicant in relation to heritage assets: embedded, standard and additional. Descriptions of these are outlined on pages 98-100 of document 6.11 Environmental Statement Chapter 11- Historic Environment (APP-208).
- 10.7.2 The embedded and standard mitigation measures are acceptable in principle, however, the residual effects of the proposals at both Construction and Operation and Management phases of the project include a Mid-level of less than substantial harm to the significance of some designated heritage assets.

10.7.3 Regarding additional mitigation measures, the document reads:

11.6.10 As a result of the assessment within this ES, as defined in Section 11.7, additional mitigation is required. Any mitigation for historic buildings or historic landscapes would be secured through the measures set out in embedded and standard mitigation above.

10.7.4 The Council consider this is ambiguous. It may be meant to read 'additional mitigation is not required'. Equally, the Applicant may (fairly) be accepting that 'mitigation is required' (so the word additional should be deleted). Clarification is required on this point.

10.7.5 It is agreed that in many cases, the introduction of measures such as additional planting to screen the proposed development in views from, towards and including built heritage assets would not be desirable where it would have the effect of curtailing or truncating views across an open agrarian landscape setting which contributes to the understanding of an asset's historic function and which helps reveal its architectural interest.

10.7.6 Following the Council's review and assessment of the Applicants conclusions on the impacts of the project on heritage assets, for each designated heritage asset where a Mid-Level of less than substantial harm has been identified to its significance at the Operation and Maintenance phase of the project, the Council would request further details are provided by the Applicant regarding the embedded mitigation measures that have been employed, for example, the selected overhead line routes and pylon locations and whether or what, if any, alternatives were assessed prior to the submitted project design.

10.7.7 Standard mitigation measures relate to the Construction phase of the project. These are discussed in the outline CoCP section below.

10.7.8 Following the Council's review and assessment of the Applicant's conclusions on the impacts of the project on heritage assets, for each designated heritage asset where a Mid-Level of less than substantial harm has been identified to its significance at the Construction phase of the project the Council would request further details are provided by the Applicant regarding the mitigation measures that have been employed, for example, the selected locations of haul roads and other aspects of construction related activity and infrastructure and whether or what, if any, alternatives were assessed prior to the submitted project design.

10.8 Management Plans

Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (AMS/WSI)

10.8.1 The proposed approaches and commitments to archaeological investigations to be undertaken post-consent are set out in document 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (Final Issue A) (APP-328). This document will form the basis of detailed Written Scheme of Investigations (WSIs) for archaeology. The document will be directly referenced in the DCO under Requirement 5 and therefore it is paramount that it is approved early in the examination process to ensure the completion of evaluation of the archaeological resource following consent and that appropriate measures are in place to successfully mitigate any archaeological remains that will be impacted upon by the scheme.

10.8.2 The Outline AMS/WSI requires amendments for it to be considered an adequate management plan for archaeology. Further detail is required in the Outline WSI as it forms the foundation of later strategies, so it is clear how this work will proceed, and what is expected of the contracting unit(s) responsible for investigation. It has been agreed, with the archaeological representatives for the Applicant, that detailed comments be provided

separately in combination with other Host Authorities in order to come to agreement on the content of the Outline AMS/WSI.

- 10.8.3 The document considers that 'Appropriate and proportionate geophysical (magnetometer) survey and archaeological trial trenching has been undertaken to date' (Section 1.3.4). The levels of evaluation proposed prior to submission were agreed between the Applicant and relevant parties during the pre-application stage. The evaluation, including geophysics and trial trenching, was not completed prior to submission. Full reporting of these investigations has not been completed. This would not be considered sufficient information to submit with an application.
- 10.8.4 The report proposes that post-consent archaeological evaluation would be limited in extent and to certain locations. These comments need to be re-considered in light of the current stage of the evaluation fieldwork. It would be expected that all areas where impact to the archaeological resource is expected would be evaluated through intrusive archaeological methods (archaeological trenching).
- 10.8.5 The document requires clarity on the scope and extent of further evaluation required prior to any agreed mitigation. Evaluation will be required in all areas of potential impact where topsoil will be removed, including (but not limited to) undergrounding, pylon bases, haul roads, ecological mitigation measures and drainage measures. The evaluation would include further geophysical survey, and archaeological trial trenching investigation. The Outline WSI could be supported with the addition of a figure illustrating the areas that remain to be evaluated. This will allow all parties to be clear about the scope and level of evaluation that may be required should consent be given.
- 10.8.6 The main mitigation methods proposed are agreed in principle including preservation in situ, excavation and strip, map and sample excavation. It is

agreed that avoidance of significant archaeological remains would be the preferred approach to mitigation.

- 10.8.7 It would not be acceptable to rely on archaeological monitoring and recording (Section 5.3.131- 5.3.138) as a mitigation method during construction unless undertaken on areas that have been previously evaluated and the extent/significance of potential archaeology has been adequately understood.
- 10.8.8 With regard to preservation of sites through burial, Section 5.3.6 to 5.3.11 may need updating following current research into the most suitable methods and materials. The most up to date methods and practices for burial or sealing of remains will need to be agreed in discussion with the Historic England Regional Scientific Advisor.
- 10.8.9 Section 6.1.1 makes reference to the processing of finds however no further details are provided. A section on finds processing and processes for the treatment and conservation of metal finds should be included within the Outline WSI. Finds would need to be examined by a suitable qualified specialist so that the results can be included in the evaluation reports. This information would be required for the identification of mitigation areas.
- 10.8.10 The proposals for reporting and provision of updated information need further consideration. The full reporting of the previous, current and forthcoming evaluations is considered a priority as this will be the basis for the selection of sites for mitigation. The reporting of trial trench evaluations should be included as a separate section within the outline WSI as the information required to make a balanced decision on mitigation will differ from a site that has been chosen for mitigation.
- 10.8.11 Agreement on the content of the Post-excavation Assessment Report (6.3) needs to be discussed in conjunction with both Norfolk and Suffolk archaeological advisors to ensure the requirements do not clash across county boundaries. It would be preferable to only include Essex sites within

each post examination report and not a combination across the counties unless the sites cover a landscape that crosses county boundaries such as the Stour Valley.

- 10.8.12 It is considered there would be scope to demonstrate a commitment to delivering enhanced public understanding/benefit and legacy as part of the mitigation (Section 6.8) considering the significant size of the scheme and the interest in the heritage of the area. There is more opportunity for publication and outreach which should be expanded on in the Outline WSI.

Outline Code of Construction Practice (CoCP)

- 10.8.13 Standard and additional mitigation measures for heritage are set out in the Outline CoCP (APP-300).

- 10.8.14 Of these, the following are relevant:

H06: Where practicable, maintain elements within the landscape such as vegetation, hedgerows, walls and earthworks (such as boundary banks or ditches). Where such features cannot be retained, replacement will be installed as appropriate (including reinstating hedgerows, fences, walls and earthworks).

- 10.8.15 The Council recommend that this is further expanded to clarify the definitions of 'appropriate' replacements, and ask for the relevant local authorities to be contacted before such elements are removed, to discuss the manner of replacement as well as the extent of any removals of fences, walls, etc.

H07: Commitment NV04 (see Outline CoCP (document reference 7.2)) will be applied in relation to any designated historic buildings with potential to be impacted by construction vibration.

- 10.8.16 The Council recommend expansion of H07, to create a hotline or method of contact for building owners who are concerned about the effects of

construction vibration on their buildings as works are undertaken, to allay fears and allow the monitoring of effects.

- 10.8.17 In addition, no structures or buildings have been identified where there is the potential for damage from vibration from potential piling activities. This is agreed, however construction Noise and Vibration Mitigation measures NV04 and NV05 should be put in place to avoid damage to designed heritage assets rather than rectifying any damage arising from the works after the fact. Site specific measures should be set out in the Main Works Contractor(s) Noise and Vibration Management Plan as set out in NV05 and agreed prior to relevant works commencing.
- 10.8.18 In addition, standard and additional mitigation measures for archaeology are also set out in the Outline CoCP (APP-300). Mitigation requirements are included within Section 6 (6.1.13) of the outline CoCP with reference to the Outline AMS and WSI (APP-328) and mitigation measures listed in Table 6.1. Register of Environmental Commitments.
- 10.8.19 Historic Environment (archaeology) is covered under H01 to H05 and are agreed as appropriate.
- 10.8.20 H04 should add 'The Principal Contractor(s) will be responsible for making sure staff are aware of what to do in the event of an unexpected heritage asset. This should include toolbox talks within site inductions'.
- 10.8.21 Mitigation for Protected Lanes is included under H06. In order to protect the historic features of the protected lane a permanent record should be completed prior to any changes which would allow more accurate re-instatement. The requirement for this should be included under H06 and the mode and mechanism for this process included in the final Landscape and Ecological Management Plan (LEMP). It is noted that the measures proposed by the National Grid Bramford to Twinstead project (H05) included a more robust mechanism for their protection. It is recommended that this measure is adopted. See below:

'A topographic survey will be undertaken in advance of construction of each Protected Lane (Essex) and Historic Lane (Suffolk) within the Order Limits where likely to be affected by physical works. The survey will include mapping of any historic earthwork features associated with the lane, including banks and ditches. During construction, the contractor will seek to limit the working area to the narrowest section of lane that is practicable for the works. Any historic features associated with the lane will be reinstated at the end of construction to the pre-work condition, including the replanting of hedgerows and reinstatement of historic earthworks'.

Outline Landscape and Ecological Management Plan (LEMP)

10.8.22 The Outline Landscape and Ecological Management Plan (LEMP) (APP-321) includes measures to protect and reinstate historic landscape features including protected lanes, in addition to the commitment set out in H06 of the Outline CoCP (APP-300). The plan does not include sufficient controls to ensure the accurate re-instatement of historic features should removal or changes be required during construction. The following should be added to Section 7.9:

7.9.2 - Should removal of features, other than hedgerows, associated with the protected lane be required, such as banks, verges, earthworks, a suitable method of recording of all historic features associated with the protected lane should be carried out in order to facilitate accurate re-instatement.

10.9 Requirement 5 (Archaeology)

10.9.1 The Requirement wording for Archaeology (Requirement 5) in the dDCO (APP-056) does not currently take into account the post-consent programme of archaeological trenching required, or secure timescales for delivery of the Post-Excavation Assessments.

10.9.2 It is suggested that Article 5(4) in the dDCO is **replaced** with the wording below and an **additional** point, 5(5), is included. This will give clarity for sign-off (our proposed condition 5(4)) and also provide reassurance of a robust mechanism for securing both the field and post-excavation works.

***Replaced Wording** - 5 (4) Intrusive site preparation works must not take place until an archaeological or geoarchaeological written scheme(s) of investigation in accordance with the outline written scheme(s) of investigation as appropriate has been submitted to and approved by the discharging authority in consultation with Historic England. The archaeological or geoarchaeological written scheme(s) of investigation required under this sub-paragraph must be implemented as approved.*

***Additional Wording** - 5 (5) Unless otherwise agreed with the local planning authority:*

(a) No later than one year following the completion of the fieldwork specified in each site-specific written scheme of investigation, a site-specific post excavation assessment (PXA) for that site must be completed in accordance with the Written Scheme of Investigation and submitted to the local planning authority for approval.

(b) No later than one year following the approval of the final site-specific post excavation assessment, an archaeological updated project design for all applicable sites, must be submitted to the local planning authority for approval. The archaeological updated project design must be produced in general accordance with the detailed Written Scheme of Investigation for each stage, include details of the scope of post-excavation analysis and publication and have regard to the site-specific research agendas set out in the site-specific written schemes of investigation.

(c) Post-excavation analysis and publication must be carried out in accordance with the approved archaeological updated project design and provision made for the full archive to be submitted to the appropriate museum.

10.10 Summary

- 10.10.1 Although no designated heritage assets lie within the Order Limits, the proposed development would affect the setting of numerous listed buildings and three conservation areas within Braintree District. In addition, the archaeological potential along the route is considered high, with both known and currently unknown below-ground heritage assets likely to be present.
- 10.10.2 While the Applicant's assessment broadly addresses national policy requirements in relation to the historic environment, the Council considers that the evidence base remains insufficient to support a fully informed decision. In particular, the incomplete programme of archaeological field evaluation means that the significance of archaeological remains, and therefore the true level of impact, cannot be reliably assessed at this stage.
- 10.10.3 The Council also has concerns regarding the potential for greater harm to the setting and significance of heritage assets arising from the limits of deviation proposed within the draft DCO, which could result in impacts exceeding those assessed in the Environmental Statement.
- 10.10.4 The acceptability of the heritage impacts of the scheme is therefore dependent on the provision of further archaeological evidence, clarification of impacts on non-designated heritage assets, and the securing of robust, precise and enforceable DCO Requirements. Without this, there is a risk that the proposed development would result in greater and less well-understood harm to the historic environment than currently identified, contrary to national and local policy.

11 Geology and Hydrogeology

11.1 National Policy

- 11.1.1 The Secretary of State should be satisfied that development consent can be granted taking full account of environmental impacts.
- 11.1.2 Paragraph 5.11.5 of NPS EN-1 (2023) states that where pre-existing land contamination is being considered within a development, the objective is to ensure that the site is suitable for its intended use. Risks would require consideration in accordance with the contaminated land statutory guidance as a minimum.
- 11.1.3 Paragraph 5.11.17 of NPS EN-1 (2023) states that applicants should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.
- 11.1.4 NPS EN-1 (2025) widens the considerations in relation to geology, hydrogeology and contamination, including reviewing new and emerging technology risks including carbon capture, hydrogen infrastructure leakage and marine contaminants.
- 11.1.5 Paragraph 187 of the NPPF (2024) states (inter alia) that e) *'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans'*.

11.2 Local BDC Development Plan Policies

- 11.2.1 Policy LPP70 (*Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards*) of the Adopted Local Plan states that proposals for all new developments should prevent unacceptable risks

from all emissions and other forms of pollution (including light and noise pollution) and ensure no deterioration to either air or water quality.

- 11.2.2 Policy LPP70 of the Adopted Local Plan further states that Development will not be permitted where, individually or cumulatively and after mitigation, there are likely to be unacceptable impacts arising from the development on Inter alia: *The natural environment, general amenity and the tranquillity of the wider rural area; surface water and groundwater quality, groundwater source protection areas, drinking water protected zones and compliance with statutory environmental quality standards.*
- 11.2.3 Policy LPP70 of the Adopted Local Plan also states that development will be permitted if there is no unacceptable risk to: siting on known or suspected unstable land; siting on land which is known to be or potentially affected by contamination or where the land may have a particularly sensitive end use and the storage or use of hazardous substances.
- 11.2.4 Policy 6 (Natural Environment and Green and Blue Infrastructure) of the Feering NP states inter alia that development proposals will be supported that protect, and where possible, enhance the natural environment. Policy 7 (Flood Management) of the Feering NP states that the use of natural flood management techniques is supported wherever possible.
- 11.2.5 Policy NE8 (Flood Prevention) of the Kelvedon NP states inter alia that new development which reduces flood risk will be supported.

11.3 Scope of Assessment

- 11.3.1 This review focuses only on Section E and does not include assessment on the Effects on Controlled Waters receptors (other than Private Water Supplies), including groundwater and surface water. These receptors are regulated by the Environment Agency. It does also not include the effects on mineral resources which are regulated by Essex County Council.

11.4 Adequacy of Application Submission

- 11.4.1 The Council made previous comments relating to the (Preliminary Environmental Information Report) PEIR questioned the use of freely available historical mapping from the National Library of Scotland (NLS) and whether this source provided appropriately detailed information with which to categorise anticipated baseline conditions.
- 11.4.2 A review of ES Section 9.4.2 (APP-181) did not identify a reference to the source(s) of information utilised to identify potentially contaminative previous land uses, although reference to NLS mapping is included in the Biography of the ES chapter. However, Section 9.1.6 of the accompanying Baseline Information and Preliminary Contamination Risk Assessment (APP-181) does make reference to historical Ordnance Survey maps from Envirocheck reports as sources of information but for 'parts of the route' only.
- 11.4.3 Overall, uncertainties remain. As such, the data used to inform judgements of baseline conditions require further clarification and justification.

11.5 Local Impact of Development

Local Geological Sites

- 11.5.1 The PEIR review indicated that although sites of local geological importance were considered, it failed to fully consider potential indirect effects to this specific receptor.
- 11.5.2 APP-181 (Section 9.7.14) states that all construction activities that involve physical disturbance to the ground are remote from any geologically sensitive sites, and as such it is not anticipated that there would be the potential for the proposed works to affect baseline conditions resulting in loss or damage to these sites, either directly or indirectly. The Council would generally concur with this observation.

Groundwater

- 11.5.3 It is understood that a comprehensive assessment of the risks to groundwater receptors, particularly an identified private water supply within the Councils jurisdiction, was absent from the PEIR. However, the PEIR did state that further assessment of potential risks and impacts to groundwater receptors would be undertaken to support the subsequent ES chapter.
- 11.5.4 APP-184 (Appendix 9.3) comprises a Groundwater Baseline and Qualitative Groundwater Risk Assessment that was produced to inform the assessment of potential impacts to groundwater receptors. Table A9.3.16 of this report identifies the Newneys Farm private water supply as being approximately 40m from the Order Limits and states the following:
- The closest Project works to the abstraction comprise the construction of permanent access tracks. The intrusive works required are relatively shallow and unlikely to interact with the groundwater in this area. The Project proposals are not anticipated to have any impacts on groundwater quality, levels or flow at this location and therefore impacts on the PWS are considered to be unlikely.*
- 11.5.5 Table A9.3.9 also identifies a single licensed groundwater abstraction within the BDC area (Section E), used for spray irrigation (ref: 8/37/31/*G/0187), which was considered remote from significant construction works, with potential impacts assessed as not significant.
- 11.5.6 The Council would generally concur with the conclusion of the ES that, in the absence of significant groundworks within Section E, impacts on groundwater receptors arising from minor works such as access track construction are unlikely to be significant.

Land Contamination

- 11.5.7 The assessment of impacts associated with land contamination have been carried out in broad compliance with current guidance and best practice.
- 11.5.8 As discussed previously, it appears that NLS data has not been solely relied upon to identify potential sources of contamination, as reference is made to purchased Envirocheck data incorporating historical Ordnance Survey mapping. It is assumed that this database also identified other potential contamination sources (e.g. petrol stations, landfill sites and historical industrial uses), although the ES chapter does not explicitly reference these sources beyond the bibliography.
- 11.5.9 In terms of risk assessment, reference was made to APP182 (6.9.A1 Environmental Statement Appendix 9.1 - Baseline Information and Preliminary Contamination Risk Assessment), and in particular Table A9.1.11.
- 11.5.10 The previous PEIR review commented that information relating to risk classification was somewhat ambiguous. However, the ES chapter does provide further details of the identified conceptual sources and the rationale behind the potential for generating contamination. From this initial classification none of the potential sources of contamination identified within the BDC area were judged to warrant further detailed assessment as detailed by APP-181 (Section 9.3.12).
- 11.5.11 Although the Council would generally agree with the low risk rating awarded to all identified sources of contamination within Section 5 of the site, it may be prudent to ascertain the scope of the assessment carried out and the specific information upon which the various low risk ratings were based i.e. did any of the 10No. referenced Envirocheck reports relate to the Section E area under BDC's jurisdiction? Further clarity is needed and requested from the Applicant.

Unexploded Ordnance

11.5.12 The only reference to unexploded ordnance (UXO) included in the ES chapter is in APP-181 (Section 9.6.4) that discusses ‘embedded mitigation’ where it is stated that UXO would be ‘would be considered within the engineering design of the new infrastructure in accordance with good practice’. The ES chapter also references Table 4.2 of Chapter 4: Project Description as providing a general overview of embedded measures, although no reference to UXO was noted in this document. Further clarity is needed and requested from the Applicant.

11.6 Control Document – Outline CoCP

11.6.1 The content of the Outline CoCP covers all relevant issues for Contaminated Land, Geology and Hydrogeology. The content of the measures in the Outline CoCP is considered appropriate. The level of detail is commensurate with that which would be expected in an Outline CoCP.

11.6.2 Some of the commitments in the Outline CoCP (e.g. GH10) include notification of the Local Planning Authority “as appropriate” as part of unexpected contamination protocols and post-consent ground investigations. Clarification of how this notification will be secured through the DCO is required. The Council also requires details on how this notification procedure will operate in practice, and what post-consent documentation the Applicant will submit in compliance with the procedures outlined in the Outline CoCP.

11.7 Summary

11.7.1 The Council notes that a number of matters raised at the PEIR stage in relation to contaminated land, geology and hydrogeology have been addressed through the subsequent Environmental Statement, and that the nature and scale of the impacts identified within Braintree District are generally considered appropriate and manageable in principle.

- 11.7.2 However, some uncertainty remains regarding the sources and level of detail of baseline information used to inform the assessment within the BDC area, particularly in relation to historic land uses and potential unexploded ordnance (UXO). Further clarification is required to ensure that baseline conditions and associated risks have been adequately characterised.
- 11.7.3 In addition, the Council considers that greater clarity is required on the practical operation of certain commitments within the Outline Code of Construction Practice, including notification procedures and post-consent investigation requirements, to provide sufficient confidence that risks will be appropriately managed during construction.
- 11.7.4 Subject to these matters being satisfactorily addressed and secured through robust and enforceable DCO Requirements, the Council considers that the geology and hydrogeology impacts of the proposed development are capable of being managed in accordance with national and local policy.

12 **Agriculture and Soils**

12.1 **National Policy**

- 12.1.1 Paragraph 5.11.15 of EN-1 (2023) states that proposals should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, preventing unacceptable levels of soil, air, water or noise pollution, and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land.
- 12.1.2 Paragraph 5.11.12 of EN-1 (2023) states that applicants should seek to minimise impacts on the Best and Most Versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification (ALC)) and, where significant development of agricultural land is demonstrated to be necessary, they should prefer poorer quality land (Grades 3b, 4 and 5).
- 12.1.3 In addition, Paragraph 5.11.13 of EN-1 (2023) states that applicants should identify the effects of a development on soil quality, and on soil functions, and seek to minimise impacts. Measures that protect or improve soil health should be considered.
- 12.1.4 Paragraph 5.11.34 of EN-1 (2023) states that the Secretary of State will need to be satisfied that the reasoning and evidence presented by the Applicant justifies the loss of open space or agricultural land, including the best and most versatile agricultural land, and that the benefits (including the need for the infrastructure) clearly outweigh the loss. Where possible, poorer quality land should be preferred.
- 12.1.5 EN-1 (2025) provides a stronger emphasis for soils and agriculture including linking impacts to BNG, wider environmental net gain and Local Nature Recovery Strategies. It also expands requirements for cumulative impact assessments, a tightened justification test for loss of BMV land, and new long term soil restoration and monitoring expectations.

- 12.1.6 Furthermore, the Government has, in more recent times, placed significant emphasis upon food security, notably with the publication of the “United Kingdom Food Security Report 2024” but in recent Ministerial Statements going as far as to state that food security is inseparable from national security (most recently as 12 February 2026 in a speech delivered by Environment Secretary Emma Reynolds)³.
- 12.1.7 Paragraph 187 of the NPPF (2024) states that planning decisions should enhance the natural environment by; a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 12.1.8 Further, Footnote 65 to the NPPF (2024) confirms that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
- 12.2 Local BDC Development Plan Policies
- 12.2.1 Policy LPP70 (*Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards*) of the Adopted Local Plan states inter alia that soil quality must be protected during development to protect good quality land and to protect the ability of soil to allow water penetration by avoiding compaction.
- 12.2.2 In addition, while not a policy in its own right, Paragraph 6.28 of the Adopted Local Plan states that the majority of land in the Braintree District

³ Environment Secretary speech on food security, resilience and standards - GOV.UK / www.gov.uk/government/speeches/environment-secretary-speech-on-food-security-resilience-and-standards

is Best and Most Versatile, with 65.8% classified as Grade 2. Paragraph 6.29 goes on to state that *whilst the Council will seek to develop poorer quality agricultural land, it is inevitable that due to the significant increased housing provision requirement, this will lead to unavoidable development on 'best and most versatile agricultural land', as there are insufficient brownfield sites to meet this demand.*

12.2.3 The Feering and Kelveon Neighbourhood Plans recognise the value of high-quality agricultural land.

12.3 Key Local Context

12.3.1 APP-138 (ES Chapter 6 Agriculture and Soils) sets out in Table 6.8 that the extent of extent of grades 1, 2 and 3 agricultural land comprises 100% of the proposed Order Limits in Section E, totalling 286ha. Table 6.10 reports that 0% is Grade 1, 1% is Grade 2 and 96% is Grade 3a agricultural land, equating to 97% Best and Most Versatile land within Section E.

12.3.2 The accuracy and approach of this assessment is discussed in the subsequent sections below.

12.4 Adequacy of Application Submission

ES Chapter 9 – Agriculture and Soils (APP-138)

12.4.1 An approach was presented to Natural England (NE) for the use of ALC predictive mapping where detailed ALC surveys had not been carried out due to access constraints. This approach was required to provide a better estimate of the extent of BMV land than relying on the available Provisional ALC mapping. This is a reasonable approach to take incorporating methodology from a recognised methodology for predicting ALC grade to give a more accurate assessment of BMV land within the ES. There will still need to be detailed surveys undertaken pre-construction to inform soil handling measures which is proposed in more detail later in the ES.

- 12.4.2 The Applicant has sufficiently engaged with NE on this methodology providing the outcomes of the predictive mapping approach. They have stated that during the meeting Natural England 'agreed that this data does fill the gaps and considered it was precautionary enough to inform the EIA'.
- 12.4.3 In APP-138, it is reported that a detailed ALC survey of approximately 1,011 ha (representing 54% of the proposed survey areas within the Order Limits) was undertaken between September 2023 and January 2025, in accordance with the published ALC guidelines (MAFF, 1988). ALC surveys were undertaken within the Order Limits, along the central alignment at a density of 1 auger per 100m, with additional auger points at a density of 1 auger per hectare (ha) located where the Order Limits are wider to accommodate, for example, substations and Cable Sealing End (CSE) compounds. Soil profiles were further examined at 12 soil pit locations across the route in a number of representative soil types.
- 12.4.4 This survey density and methodology is in line with industry best practice and will provide the detail required to inform a detailed Soil Management Plan for the areas where the detailed soil surveys could be undertaken. Some concerns are raised within the review of the ALC Report on the survey approach.
- 12.4.5 Following the detailed ALC surveys, it is reported that predictive ALC grading was undertaken on a 100 m grid (equivalent to approximately one sample point per hectare) across the entire Order Limits. This approach provides predicted ALC grades for the approximately 856ha where surveys were not possible. By applying this approach across the entire Order Limits, it allows for analysis on the accuracy of the prediction (comparing predicted grades against surveyed grades) and assessment of whether the prediction under or overestimates the effects on BMV.
- 12.4.6 The Predictive ALC grading methodology aligns with that of the Welsh Government's Predictive ALC Map. The data sources used for soil and

interactive limitations look to be the most suitable and although most do not give the exact data required for ALC determination, they give a good indication. The approach to ground truth the Predictive grading with the use of survey data helps show the robustness of this approach. Further review will be required to check on the differences found between surveyed and predicted grades.

- 12.4.7 The assessment methodology draws on guidance from IEMA on how agricultural land and soils should be assessed within EIA. The Council supports the use of IEMA guidance, as it represents the most up-to-date best practice for assessing impacts on soils and agricultural land.
- 12.4.8 Furthermore, the methodology for identifying sensitive receptors, their sensitivity and magnitude of impacts presented is in line with the IEMA guidance, with direct inclusion of the tables from the guidance. This therefore conforms to industry best practice.
- 12.4.9 The Applicant has clearly stated the limitations of the assessment with regards to the inclusion of Predictive ALC data. *'Given the extent of land covered by detailed ALC surveys (1,011 ha) within the Order Limits and the extent of BMV land confirmed through these surveys, the available information is sufficient to ensure a rational and informed judgement could be formed to assess the likely significance of effects of the Project on agricultural land and soils, and to ensure that the overall assessment of significance has not been under-reported'*. The Council supports this approach and agree that that the inclusion of this data has not led to an under reporting of the presence of BMV land and therefore the significance.
- 12.4.10 A detailed breakdown of the ALC grades has been provided across the different local council administrative areas within the Order Limits with an overall total BMV land coverage of 82.25% presented. This is a useful way to present the data especially if a cumulative impact assessment is provided for loss of BMV land within each administrative area.

- 12.4.11 The soil type and texture data has been presented as the mapped soil associations with indications as to whether they are present within each of the Project Sections. The accuracy of this mapping data to determine the baseline soil textures is low. It would be better to use surveyed topsoil data to provide a more accurate determination of the sensitivity of the soil resource present on site. As the whole study area was not surveyed this information is not available and highlights another limitation of the assessment. However, due to the size of the Order Limits most soil types result in a major significant effect, therefore this is not that critical for the assessment. There are commitments to having the non-surveyed area surveyed pre-construction to ensure this information is available for the soil management plans for each section which is more critical.
- 12.4.12 Although additional surveys are being committed to, there are no details on the proposed survey point density. On linear features an approach is often put forward to ensure there is a survey point every 100m and additional points at 50m spacing where there is a change in soil type. This will help to accurately map the soil resources.

Appendix 6.1 – Agricultural Land Classification Report (APP-139)

- 12.4.13 The ALC Survey Report has been produced following the correct guidance and has been prepared and approved by soil scientists with the appropriate training and credentials.
- 12.4.14 The methodology for the survey and reporting follows industry best practice, although some aspects are below the expected requirements. Concern is raised with there only being 16 profile pits to cover 1,011ha and potentially 26 different soil associations as indicated in the baseline section of the ALC report. There are also variations in ALC grades across all sections.
- 12.4.15 From the British Society of Soil Science (BSSS) guidance on ALC surveys, soil profile pits should be included to represent the main mapping units and

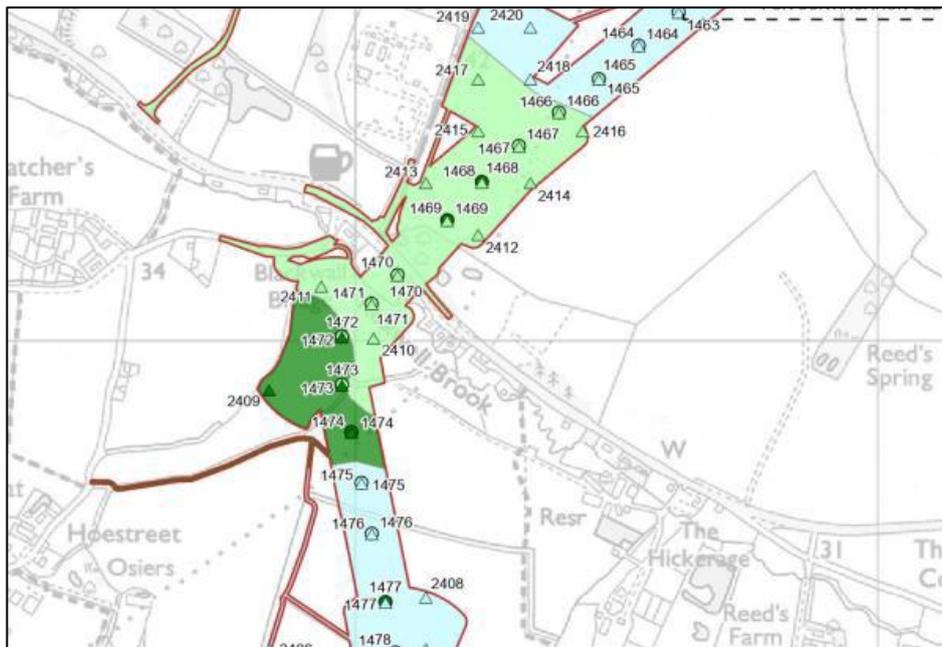
soil types. The information from the pits is critical to determine the accurate information on subsoil structure, stone content and gleying characteristics which cannot be accurately determined from an auger boring. There are wide sections of the Study Area that do not have profile pits included, and it would be difficult to accurately determine the subsoil structure and stone content within those areas.

- 12.4.16 The pits all appear to be relatively shallow compared to the auger borings. It is recognised that a pit does not need to be dug to the full 1.2m and can be stopped once you are 15cm within an SPL, but there are some which do not go deep enough to identify the SPL. For pit 8 for example the SPL is recorded as starting from 55cm, however the pit depth is only 55cm. Without structure and stone data for lower subsoils, droughtiness and wetness limitations can be missed. Knowing stone content for this type of temporary development can also be a critical point for landowners when it comes to soil reinstatement, especially if there is potential for stone material to ingress to soil workings.
- 12.4.17 There are also very few samples sent for analysis for the size of the survey and the different soil types and textures surveyed. It would be expected to have a greater proportion of survey points with lab analysis to confirm texture.
- 12.4.18 The ALC assessment provides a very high level overview of the climatic, site, soil and interactive limitations. More detailed commentary on the assessment of ALC grade would be expected within an ALC report given the amount of variation in soil types and degree of limitations found across the Order Limits. Splitting the Order Limits into its sections with multiple ALC reports would allow this to be done more easily.
- 12.4.19 The Predictive ALC grading methodology aligns with that of the Welsh Government's Predictive ALC Map. The data sources used for soil and interactive limitations look to be the most suitable and although most do not

give the exact data required for ALC determination they give a good indication. The approach to ground truth the Predictive grading with the use of survey data helps show the robustness of this approach.

12.4.20 From a review of the output and figures presented within the ES Chapter (APP-138) it indicates that the predictive model would have been used for more than two thirds of the Order Limits. A review of the ALC maps also shows that the drawing of ALC mapping units has preferentially used the Predicted ALC grades with a large number of surveyed ALC grades overwritten to the predicted ALC grade. This therefore indicates that the mapping of ALC grades is based on less than the 1,011ha of land surveyed. An example of this is provided below. The circles represent surveyed points and triangles are predicted ALC points. This section of the Order Limits shows that the ALC mapping units are based on the predicted ALC grades alone with the grades of surveyed ALC points different to the mapping unit they are within.

Figure 1 - Mapping of ALC Grades



12.4.21 The predicted ALC is a good approach to cover areas not surveyed and the methodology incorporated shows to be in line with the approach used in Wales. Concern is raised with the amount of reliance that has been placed on this system to provide the distribution of ALC grades and its use in overwriting surveyed ALC grades for certain sections of the route.

12.5 Local Impact of Development

12.5.1 The assessment contained within APP-138 (Document 6.6 Environmental Statement Chapter 6 – Agriculture and Soils) assumes that all mitigation measures are in place before assessing the effects. This is in line with the IEMA industry guidance.

12.5.2 During construction it is identified that the impacts on soil have the potential to occur over an area of up to 3,755ha across the whole route. It details that in accordance with the good practice measures within the Outline CoCP the land required temporarily for construction will be reinstated to its pre-construction condition. This is therefore highlighting the temporary nature of the impacts and the basis of the initial part of their assessment.

12.5.3 The resulting residual effect is identified as a temporary large magnitude impact on very high, high and medium sensitivity soils, assessed as a major adverse effect and significant. The Council agrees with this assessment.

12.5.4 Although the proportion of soil textures across the Order Limits has not been quantified, the assessment has taken a worst-case approach due to the size of the project and assigned a large magnitude of impact for all soil types for the impact on soil structure. The Council agree with the approach taken for this assessment.

12.5.5 For impacts on agricultural land it has been assessed that 3,461ha of agricultural land will be temporarily removed from agricultural production

during construction. 2,923ha (84.4%) is mapped as BMV land. The Council agree with the resulting assessment that it will be of major significance.

- 12.5.6 The total figure of 3,461ha of agricultural land would mean that the ALC grade for approximately 2,744ha of that land would have been derived from the predictive model (only 1,011ha was surveyed). This is higher than the figure provided within Paragraph 6.4.8 of APP-138 (856ha) for the amount of land that the predicted ALC approach provided. This appears to be misleading as there is no clarification within the assessment of effects sections that states the proportion of land for which the Predicted ALC approach has been used for. Further review of the approach to mapping the ALC grades for the Order Limits is provided later in the report.
- 12.5.7 For the operation and maintenance of the project the assessment of effects on soils during operation (and maintenance) was scoped out, in accordance with the EIA Scoping Opinion (document reference 6.20), as site-won soils would be reused on site for landscaping and ecological habitats. The Council accept and agree that any disturbance to soils from activities for maintenance and repair works will be covered by the SRP and therefore will have minimal impacts on soil resources.
- 12.5.8 For Agricultural Land during the operation of the project there will be a permanent loss of agricultural land required for the permanent infrastructure. Table 6.13 of APP-138 shows that the amount of BMV land loss will be 172.7ha (73.7%) across the whole route (no area specific breakdown is provided), therefore, constituting a large magnitude impact. The Council agree with the assessment that this would be a major adverse effect which is significant.
- 12.5.9 It is unclear whether the area of permanent agricultural land loss has been subtracted from the agricultural land within the Order Limits to determine the temporary land loss during construction. If it has not, then the amount of

land being assessed as having temporary impacts has been overestimated. This will not impact on the significance of the assessment.

12.5.10 Any temporary haul routes should be designed in such a way to avoid damage to agricultural land, especially any drainage measures which may have been implemented by the landowner. The Council's experience with regard to the Bramford to Twinstead NSIP is that the haul routes appear to be excessive in number and have resulted in excessive hedgerow removal, which could potentially be avoided. In addition, Requirement 10 (reinstatement schemes) should be strengthened to ensure that temporary haul routes are required to be removed following completion of construction.

12.6 Mitigation and CoCP

12.6.1 The embedded mitigation contained within APP-183 states that environmental appraisal has been an integral part of the project design to ensure environmentally sensitive features are avoided. There are no details provided of how the ALC mapping has been used in the micro-siting of permanent infrastructure or routing of the transmission network. Comment should be made on whether ALC grade has been considered.

12.6.2 The embedded mitigation that has been listed relevant to Agriculture and Soils are related to landscaping and replacement planting to reduce the effects of the development. These are welcomed measures to include as it will see a sustainable re-use of soil resource within the development where soils have been stripped.

12.6.3 The standard mitigation sections includes reference to Agriculture and Soils measures within the CoCP. These measures will help ensure the land will be reinstated to its pre-construction condition.

12.6.4 For measure AS02 contained within the CoCP (APP-300): 'Land required temporarily for construction will be returned to its former agricultural use /

condition or a use / condition as discussed with the landowner, where practicable'. There is no specific reference to ensure land is returned to its baseline ALC grade. The Outline SRP details what the reinstatement and monitoring requirements should be to ensure land is returned to its former condition. The inclusion of this measure would mean that any land parcel will need to have a pre-construction soil assessment carried out so that the soil condition is known. The use of the predictive ALC grade or baseline data from the desk study would not be suitable.

- 12.6.5 It is detailed that the Outline SRP will need to be updated by the Main Works Contractor prior to the commencement of construction. This is in line with standard practice but should also state that it will be approved by the relevant Local Planning Authority.

Outline CoCP - Appendix C - Outline Soil Resource Plan (APP-303)

- 12.6.6 A review was provided on this document in June 2025. This section will only detail comments relating to unresolved matters.
- 12.6.7 In Paragraph 1.7.3 this should be altered to state that soil stripping operations must not be started until the ground has a full dry day and the soil moisture criteria set out in Annex B have been met to allow the restating of soil handling operations. There is a high likelihood that the soil will still be in a plastic state after one full dry day. There is a paragraph later in the section that allows the handling of wet soils in exceptional circumstances so this would cover it if there is an urgent critical requirement to handle soils when they are plastic.
- 12.6.8 All other previous comments have now been addressed regarding the Outline Soil Resource Plan.

12.7 Summary

- 12.7.1 The Council recognises that the Applicant has engaged constructively with Natural England and that the predictive ALC approach, calibrated with

available survey data, is methodologically robust and more reliable than reliance on provisional ALC alone. Nevertheless, clarification is required on the proportion of the Order Limits assessed using the predictive model and on the weighting given to surveyed ALC points when defining final mapping units, to ensure BMV extent is fully and transparently evidenced.

- 12.7.2 The assessment methodology for agricultural land and soils is appropriate, and the Council agrees with the conclusions on significance for both temporary and permanent effects. However, the presentation of temporary land-take should confirm whether permanent land-take has been subtracted to avoid any over-statement of temporary effects (noting this would not alter the reported significance).
- 12.7.3 While the ALC survey follows recognised practice, confidence would be improved by addressing profile pit density and depth, given their importance for subsoil structure, stone content and wetness/droughtiness limitations that inform reinstatement quality.
- 12.7.4 Subject to (i) the clarifications above, (ii) an update to the Outline Soil Resource Plan to tighten soil plasticity handling criteria and require pre-construction soil assessments (noting predictive/desk data alone is insufficient), and (iii) strengthening Requirement 10 to ensure removal of temporary haul routes and full reinstatement, the Council considers the agriculture and soils impacts to be capable of being managed in accordance with national and local policy.

13 Air Quality and Emissions

13.1 National Policy

- 13.1.1 Paragraph 5.2.1 of EN-1 (2023) states that energy infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside and species. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) and up to a diameter of 2.5 microns (PM2.5) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx).
- 13.1.2 Paragraph 5.2.16 of EN-1 (2023) states that the Secretary of State should give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits.
- 13.1.3 Paragraph 5.2.19 of EN-1 (2023) states that in all cases, the Secretary of State must take account of any relevant statutory air quality limits, objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the Secretary of State should refuse consent, objectives or targets.
- 13.1.4 EN-1 (2025) requires consideration of PM2.5 targets, updated statutory duties, and Clean Power 2030 objectives. It mandates strong justification when deviating from national datasets, and demands “exceptional justification” and “substantial mitigation” for nearby sensitive receptors. In addition, it tightens rules around statutory limit breaches and integrates new environmental targets.

13.1.5 Paragraph 187 of the NPPF (2024) states that planning policies and decisions should contribute to and enhance the natural and local environment by inter alia: *e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.*

13.2 Local BDC Development Plan Policies

13.2.1 Policy LPP52 (*Layout and Design of Development*) of the Adopted Local Plan seeks to ensure protection of neighbour amenity with regard to privacy, overshadowing, loss of light and overbearing.

13.2.2 Policy LPP70 (*Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards*) of the Adopted Local Plan states inter alia that Development will not be permitted where, individually or cumulatively and after mitigation, there are likely to be unacceptable impacts arising from the development on: (inter alia) air quality.

13.2.3 Policy 12 (*Climate Change*) of the Feering NP states inter alia development proposals are supported that clearly demonstrate the potential risks to the human and natural environment, and how those risks will be adequately addressed by appropriate avoidance, alleviation and mitigation measures.

13.2.4 Policy NE7 (*Pollution*) of the Kelvedon NP states inter alia that development proposals should avoid any significant increase in air, land, water, odour, noise, or light pollution to a level which could detrimentally impact upon the health, quality of life, and residential amenity of existing and future residents.

13.3 Key Local Context

13.3.1 Baseline conditions throughout Section E are reported to be good, with concentrations of NO₂, PM₁₀ and PM_{2.5} well below the relevant objectives/target values. The baseline is anticipated to improve further owing to improving vehicle emission factors and changes in fleet composition, as well as reductions in industrial emissions and non-road sources; these trends are widely observed, and the Council agrees with this interpretation.

13.4 Adequacy of Application Submission

ES Chapter 7 Air Quality – (APP-147)

13.4.1 The PM_{2.5} target values in Table 7.1 need to be amended, as these are currently quoted incorrectly. This section should state that the current limit value is 20 µg/m³, with an interim target value of 12 µg/m³ to be achieved by 31/01/2028 and a target value of 10 µg/m³ to be achieved by 31/12/2040.

Appendix 7.1 – Air Quality Assessment Methodology (APP-148)

13.4.2 The selection of human and ecological receptor locations is in line with guidance and appropriate to the assessment.

13.4.3 For modelling of traffic emissions, the assessment methodology conforms to standard practice and where assumptions have been made (in regard to road types and traffic speeds [Section 7.3.9]) these are justified.

13.4.4 Meteorological input data have been obtained for 2023 from a single recording station (Stansted Airport). Given the length of the project route, it is unlikely that any single station would be fully representative of the entire study area. For example, Section E (Braintree District) may be better represented by data from Andrewsfield Recording Station. However, as predicted concentrations are well below objective levels, any minor variation would be unlikely to alter the overall conclusions.

Appendix 7.2 – Air Quality Baseline Data – (APP-149)

- 13.4.5 One Part A process with emissions to air is located within 2 km of the Order Limits in Section E: the Indaver Rivenhall Limited facility for the incineration of non-hazardous waste. This site has begun its initial phase of incineration.
- 13.4.6 One air quality monitoring location listed within 2km of the Order Limits in Section E (NO₂ roadside diffusion tube reference BR11, located at High Street Kelvedon [586386, 219106]). This location reported an annual mean NO₂ concentration of 16.5 µg/m³ in 2023 (compared to the annual mean objective of 40 µg/m³). This remains the most recent published data.

Appendix 7.3 – Air Quality Assessment Results

- 13.4.7 The risk categorisation of Section E for construction dust impacts is reported as 'high risk' for dust soiling but low risk for human health and ecological effects, in line with guidance, in the absence of site-specific mitigation. Further mitigation is therefore recommended in line with guidance; this is considered appropriate.
- 13.4.8 It is recognised that there is some uncertainty regarding Non-Road Mobile Machinery (NRMM) emissions associated with the project; the proposed mitigation measures appear appropriate although their likely effect cannot be quantified.
- 13.4.9 The reported model verification procedure conforms to standard methodology and guidance, and model performance is acceptable in line with the LAQM.TG (22) guidance. Modelled pollutant concentrations are below objectives and impacts considered negligible at all receptors considered, including those of Section E.
- 13.4.10 With regard to ecological receptors, five have been modelled within Section E; however, none are predicted to experience an exceedance of the critical levels for NO₂ or ammonia (NH₃), nor an exceedance of the 1% process

concentration threshold for nitrogen deposition, and therefore no adverse effects are expected, in line with relevant IAQM guidance.

13.5 Local Impact of Development

13.5.1 A number of key assumptions have been made in the construction dust assessment including:

- *It is assumed that construction dust effects will occur across the full extent of the Order Limits. Likewise it is assumed where there is uncertainty regarding the scale of earthworks that a 'large' magnitude applies. These are worst-case approach but are considered appropriate in the circumstances to reduce uncertainty and capture the fullest possible extent of impacts;*
- *It is assumed that construction dust effects will occur across the full extent of the Order Limits. Likewise it is assumed where there is uncertainty regarding the scale of earthworks that a 'large' magnitude applies. These are worst-case approach but are considered appropriate in the circumstances to reduce uncertainty and capture the fullest possible extent of impacts;*
- *Non-road Mobile Machinery (i.e. generators) installed at construction sites are assumed to be operating continuously for the duration of the works; this is seen as a robust assumption.*

13.5.2 Section specific construction dust assessments are not presented in the main chapter for reasons of space and are reviewed in Appendix 7.2 (APP-147), although it is noted that there are some predicted significant impacts in the absence of site-specific mitigation. The residual impacts following the implementation of mitigation at high-risk sites is expected to be not significant, with which the Council would agree but note that this is contingent on the proposed mitigation being fully implemented.

13.5.3 Residual impacts from vehicle emissions and NRMM emissions on human and ecological receptor locations are predicted to be negligible and therefore not significant.

13.6 Mitigation

Outline Code of Construction Practice (OCoCP) – APP-300

13.6.1 Reference is made to the Council's previous comments on the Outline CoCP accompanying the PEIR, which recommended that reference be made to the siting of NRMM and ensuring compliance with emissions regulations. This does not appear to have been addressed in Section AQ02, which is the relevant location in the document. This should be amended.

Outline Code of Construction Practice Appendix D – Dust Management Plan (DMP)

13.6.2 The Council has previously reviewed the DMP and concluded that it was comprehensive and suitable for purpose, and this conclusion still applies. It is noted that the observation above in relation to NRMM is fully addressed within the revised DMP. The Council require that section AQ02 in the OCoCP be amended for consistency across related documents.

13.7 Summary

13.7.1 The Council considers that the overall approach to assessing air quality and emissions is appropriate and proportionate, and that baseline conditions within Section E are good, with predicted pollutant concentrations well below relevant objectives.

13.7.2 The assessment demonstrates that, in the absence of mitigation, construction-phase dust impacts could be significant. However, subject to the full and effective implementation of the proposed mitigation measures, including those set out in the Dust Management Plan, residual air quality

impacts are predicted to be not significant for both human and ecological receptors.

- 13.7.3 Notwithstanding this, the Council considers that further clarification and alignment are required between the air quality assessment and the Outline Code of Construction Practice, particularly in relation to the siting and emissions control of non-road mobile machinery (NRMM), to ensure mitigation commitments are robustly secured.
- 13.7.4 Subject to these matters being addressed and secured through clear and enforceable DCO Requirements, the Council considers that the air quality and emissions impacts of the proposed development are capable of being managed in accordance with national and local policy.

14 Noise and Vibration

14.1 National Policy

- 14.1.1 Noise and vibration are considered in 5.12 of EN-1 (2023). It highlights the impact that noise can have on the quality of human life (Paragraph 5.12.1) and wildlife and biodiversity (Paragraph 5.12.4).
- 14.1.2 Paragraph 5.12.14 of EN-1 (2023) outlines mitigation measures for operational and construction noise, including point 4 which allows for *‘using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites’*.
- 14.1.3 In addition, Paragraph 5.12.18 of EN-1 (2023) states that when preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.
- 14.1.4 EN-1 (2025) expands the noise and vibration considerations, including strengthened modelling, evidence, and baseline expectations, expanded construction noise and CEMP obligations, greater emphasis on soundscape quality and good acoustic design and more detailed protection for vulnerable groups and health equity.
- 14.1.5 Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by: e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels*

of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions.

14.2 Local BDC Development Plan Policies

14.2.1 Policy SP7 (*Place Shaping Principles*) of the Adopted Local Plan requires all new development to protect the amenity of existing and future residents with regard to inter alia noise and vibration.

14.2.2 Policy LPP70 (*Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards*) of the Adopted Local Plan addresses emissions and pollution. It states that new development should prevent unacceptable risk from all emissions and other forms of pollution including noise pollution. Development will not be permitted where cumulatively or individually (after mitigation) there are likely to be unacceptable impacts to the general amenity and tranquillity of the wider rural area.

14.2.3 Policy 12 (Climate Change) of the Feering NP states inter alia development proposals are supported that clearly demonstrate the potential risks to the human and natural environment, and how those risks will be adequately addressed by appropriate avoidance, alleviation and mitigation measures.

14.2.4 Policy NE7 (Pollution) of the Kelvedon NP states inter alia that development proposals should avoid any significant increase in air, land, water, odour, noise, or light pollution to a level which could detrimentally impact upon the health, quality of life, and residential amenity of existing and future residents.

14.3 Key Local Context

14.3.1 The project Order Limits for Section E predominantly pass through a rural environment, with numerous residential properties located either directly adjacent to, or in close proximity to, the Order Limits.

14.3.2 Rural areas consistently exhibit lower ambient/background sound levels than urban areas, particularly during night-time periods when traffic and human activity reduce significantly. In such low-ambient environments, small absolute increases in noise are more noticeable and can result in greater perceived impact, audibility, and annoyance.

14.3.3 As a result, construction activities have the potential to cause significant effects on nearby residents and wildlife. It is therefore imperative that construction activities (and associated noise impacts) are appropriately controlled, as reinforced by Paragraph 5.12.18 of EN-1 (2023).

14.4 Adequacy of Application Submission

Scope of Assessment

14.4.1 Owing to the sensitive location of the development, as well as the Limits of Deviation (LoD) afforded by the DCO, the Council considers that a worst-case approach to assessing noise and vibration impacts is imperative, in order to ensure that sufficient mitigation measures can be put in place to prevent significant adverse effects.

14.4.2 In its Relevant Representation, the Council raised concerns regarding the adequacy of the noise assessment, noting that it did not appear to assess worst-case noise impacts when taking the LoD into account. The Council also expressed concern regarding the reliance on Best Practicable Means (BMP) alone as the primary form of noise mitigation.

14.4.3 The Council has since met with the Applicant and their noise consultants (30 January 2026) to better understand how noise impacts have been assessed and whether the mitigation proposed to date is appropriate.

14.4.4 The Applicant set out the rationale for the selection of the pylon locations assessed and their relationship to the LoD. It was stated that the Environmental Statement assessed a relative worst-case scenario based

on fixed pylon locations only, with impacts measured from the edge of defined pylon construction areas.

14.4.5 The Applicant confirmed that, unlike underground cables which were assessed across the full extent of the Order Limits, the assessment for pylons did not extend to the wider LoD or to the potential extent of longitudinal or lateral deviation. While it was asserted that constraints on pylon siting, particularly the requirement to retain overhead conductors within the LoD, would limit deviation from the assessed locations, it was nevertheless acknowledged that some lateral deviation could still occur.

14.4.6 The Applicant also confirmed that pylon construction areas, defined as extensive areas surrounding each assessed pylon location (approximately 60 m² for standard pylons and 70–80 m² for angled pylons), represent the areas within which construction activities could potentially take place. The extent of these areas raises concern, as they have not been assessed in detail and may result in construction-related noise sources being located closer to existing sensitive receptors than those assumed within the Environmental Statement.

14.4.7 In light of the above, the Council considers that uncertainty remains as to whether noise impacts arising from construction activities have been fully and robustly assessed, particularly where pylon construction areas extend beyond the immediate vicinity of the assessed pylon locations.

Assumptions for Mitigation (Best Practicable Means)

14.4.8 The Applicant used a nominal 10 dB noise reduction figure attributed to the application of Best Practicable Means (BPM) in order to assess the likely noise impacts at the nearest sensitive receptors following mitigation. The Applicant acknowledged that this assumed 10 dB reduction represents a best-estimate of the noise attenuation likely to be achieved, and that it was adopted partly to simplify the assessment. It was further stated that a more

detailed consideration of the level of mitigation required would be undertaken at the detailed design stage by the appointed contractors.

- 14.4.9 The Council's view is that a worst-case approach to mitigation should be applied at this stage of the assessment. In particular, the Council considers that reliance on a nominal 10 dB reduction associated with BPM introduces uncertainty, as the effectiveness of BPM measures can vary significantly depending on factors including, but not limited to; the type of construction activity, plant used, programme, and local topography. In practice, this may result in noise reductions that are materially less than the assumed 10 dB.
- 14.4.10 Indeed, if the assumed 10 dB reduction is not achieved in practice, construction noise levels at sensitive receptors could be materially higher than predicted, potentially resulting in significant adverse effects that have not been robustly assessed or mitigated.
- 14.4.11 The Council therefore considers that, at pylon locations where construction activities are predicted to result in significant adverse effects at nearby receptors without the application of the assumed 10 dB reduction, mitigation should instead take the form of defined temporal restrictions on construction activities. An example of this can be found within the Bramford to Twinstead Development Consent Order, Requirement 7(5) (page 65) (PINS Reference EN020002). Extract below:

Figure 2 – Bramford to Twinstead NSIP Temporal Restrictions

(5) No construction activities may take place between 19.00 and 07.00, or on Sundays, Bank Holidays or other public holidays at:

- (a) pylon PCB 64;
- (b) pylon 4Y004A;
- (c) pylon RB44;
- (d) pylon RB7;
- (e) pylon RB33;
- (f) pylon RB25; and
- (g) pylon 4YLA002,

as shown on Figure 4.1 in the environmental statement figures (document reference 6.4(B)).

14.5 Local Impact of Development and Required Mitigation

- 14.5.1 The potential noise impacts on residents and wildlife within this predominantly rural area are considered to be significant. This is due, in part, to the construction working hours proposed by the Applicant, namely 07:00 to 19:00 Monday to Friday and 07:00 to 17:00 on Saturdays, Sundays, bank holidays and other public holidays, as set out in Requirement 7(1) of the draft Development Consent Order (dDCO) (APP-056).
- 14.5.2 In addition, Requirement 7(5) of the dDCO would permit start-up and close-down activities to take place for up to one hour either side of the core working hours, with no specified noise limit expressed in decibels (dB). Furthermore, a number of construction activities are permitted to take place outside of the core working hours listed in Requirement 7(4).
- 14.5.3 Taken together, the proposed construction hours, the start-up and close-down provisions, and the activities permitted outside core working hours are considered by the Council to be excessive in the context of this rural location. This approach provides limited respite for noise-sensitive receptors (NSRs) and, particularly at weekends, has the potential to understate the significance of construction noise effects at NSRs, as discussed in Section 14.4 above (Adequacy of Application Submission).
- 14.5.4 By way of example, the NSR located off Old Mill Lane (Threadkells), to the south-east of Coggeshall Hamlet, has been identified as experiencing a 'Medium' magnitude of impact in relation to construction noise prior to mitigation. This receptor is located approximately 140 m from a proposed pylon location (TB78). Table A14.1.2 of APP-256 indicates that pylon construction noise levels at this NSR would be in the range of 60–66 dB. During weekend periods, these levels could exceed the relevant ABC category threshold by more than +5 dB, which would indicate a 'Large'

magnitude of impact. This issue is likely to apply to other NSRs along the route.

- 14.5.5 The Council further considers that a noise limit should apply during start-up and close-down periods at the nearest NSRs. A maximum noise limit of 50 dB is considered appropriate, with precedent for this approach provided by Requirement 7(4) of the Bramford to Twinstead Development Consent Order (page 65).
- 14.5.6 In addition, with regard to piling activities (Requirement 7(2)), the Council considers that the proposed restriction should apply to all piling operations, consistent with the approach taken in the Bramford to Twinstead DCO, rather than being limited to percussive piling only, as currently proposed within the Norwich to Tilbury dDCO.
- 14.5.7 The Council considers that if more reasonable construction working hours were adopted, such as Monday to Friday 07:00–19:00 and Saturday 08:00–13:00, in line with the recommended limits set out in BS 5228-1, and in combination with the other amendments identified above, the likely impacts on NSRs would be significantly reduced and would be less likely to necessitate additional temporal restrictions.
- 14.5.8 Notwithstanding the above, following discussions held with the Applicant on 30 January 2026, the Applicant agreed to review its assessment to identify whether there are properties that may be affected to such an extent that additional mitigation measures, including temporal restrictions, may be required having regard to the proposed working hours.

14.6 Summary

- 14.6.1 The Council considers that the submitted noise and vibration assessment does not robustly reflect a worst-case scenario. Pylon construction has been assessed from fixed locations and defined construction areas, rather

than across the full extent of potential longitudinal and lateral movement permitted by the Limits of Deviation (LoD).

14.6.2 When combined with reliance on a nominal 10 dB reduction attributed to Best Practicable Means (BPM), which is inherently variable by activity, plant, programme and topography, this introduces material uncertainty in a low-ambient, rural context. There remains a reasonable likelihood that construction noise at sensitive receptors could be higher than predicted, giving rise to significant adverse effects that have not been fully assessed or secured through mitigation.

14.6.3 As a result, there remains a reasonable likelihood that construction noise at nearby sensitive receptors could be greater than predicted, giving rise to significant adverse effects that have not been fully assessed or secured through robust mitigation.

14.6.4 To address this, a more precautionary, enforceable framework should be secured in the dDCO, including:

revised core working hours (07:00–19:00 Monday–Friday; 08:00–13:00 Saturday; no routine Sunday/public-holiday working);

a 50 dB limit during start-up and close-down at the nearest noise-sensitive receptors;

restrictions on all piling activities (not percussive piling only); and

targeted temporal restrictions where residual significant effects remain.

14.6.5 Subject to securing these controls, and applying location-specific temporal restrictions where necessary, the Council considers construction noise impacts would be materially reduced, more accurately reflected in the assessment, and acceptably managed for the duration of the works. If these controls are not secured, there would remain a clear risk of significant

adverse effects at sensitive receptors that have not been adequately mitigated.

- 14.6.6 In the event that the Examining Authority is not minded to accept the Council's recommended changes set out above, the Council considers it essential that defined and enforceable temporal restrictions are secured within the final Development Consent Order. Without such measures, there would remain a clear risk that construction noise impacts at sensitive receptors could give rise to significant adverse effects that have not been adequately mitigated.

15 **Cumulative Effects**

15.1 **National Policy**

- 15.1.1 Paragraphs 3.3.71-3.3.80 of EN-1 (2023) emphasise that uncoordinated grid projects can cause unnecessary cumulative community and environmental impacts. It promotes coordinated network designs to avoid cumulative impacts. Paragraphs 4.1.5–4.1.7 state that the Secretary of State must weigh adverse impacts including cumulative effects against project benefits.
- 15.1.2 EN-1 (2025) retains the requirements of EN-1 (2023) but strengthens them by reviewing development more at a strategic level, to ensure the embedding cumulative-impact reduction into strategic energy system planning.

15.2 **Local BDC Development Plan Policies**

- 15.2.1 Policy LPP52 (*Layout and Design of Development*) of the Adopted Local Plan states inter alia that use of sustainable modes of transport are promoted in the design and layout of new development. The highway impact shall be assessed and the resultant traffic generation and its management shall seek to address safety concerns. Developments which will result in a severe impact upon the highway network (taking into account cumulative impacts) will be refused unless they can be effectively mitigated.
- 15.2.2 Policy LPP78 (*Infrastructure Delivery and Impact Mitigation*) of the Adopted Local Plan states inter alia that Developers and land owners must work positively with BDC, neighbouring authorities and other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered and then mitigated, at the appropriate time, in line with their published policies and guidance.

15.3 Projects for Potential Cumulative Impacts

15.3.1 The Norwich to Tilbury development has potential inter-cumulative effects with other projects in the region, notably in relation to construction impacts (disturbance to residents and demands on the labour force), landscape and visual (with existing infrastructure), and public health (pedestrians, cyclists and horse riders).

15.3.2 Within Braintree District, this NSIP would overlap or intersect with several projects at either the construction and/or operational stage. These include major projects such as the Bramford to Twinstead NSIP (PINS reference EN020002) (construction phase), the existing Pelham to Rayleigh 400 kV overhead line (operational phase), the Rivenhall Incinerator (PINS reference EN010013) (construction and operational phases) (Figure A in Appendix 2), and a draft allocation of approximately 5,000 dwellings to the north of Kelvedon, known locally as Kings Dean (Figure B in Appendix 2). For Kings Dean, the proposed line would pass through the northern part of the allocation.

15.3.3 It would also directly interact/intersect with other projects including:

- *The approved solar farm at Land East of Littlebury Coggeshall Road Feering (construction and operational phase) (figure C in Appendix 2)*
- *The proposed up-to 600 dwelling parker land development at Land South West of Coggeshall Road Kelvedon (construction and operational phase [if granted planning permission – essentially phase 1 of draft allocation for 5000 homes] (figure B in Appendix 2)*
- *Bradwell Quarry (construction and operational phase), (figure D in Appendix 2)*

- *The approved solar development at Land West of Park Road Rivenhall, (figure E in Appendix 2)*
- *Cressing Farm equestrian facilities, (figure F in Appendix 2)*
- *The recently consented solar farm at Land South West of Cressing Temple Witham Road Cressing (construction and operational phase) (figure G in Appendix 2)*

15.3.4 Finally, the project boundaries would go close to the consented DCO scheme known as “Longfield” (PINS reference EN010118) which is in the construction phase.

15.3.5 Overall, these projects have the potential to give rise to significant cumulative inter-project effects.

15.4 Cumulative Impacts by Topic

15.4.1 Many of the cumulative impacts of the project have been discussed within the relevant sections of this Local Impact Report. The following provides a concise summary of the key cumulative impacts identified.

15.4.2 In relation to **agriculture and soils**, the Council’s agricultural land resource faces combined pressure from the transmission reinforcement together with multiple energy, residential and infrastructure schemes. The Environmental Statement (APP-281) acknowledges cumulative effects, particularly in relation to the loss of Best and Most Versatile (BMV) land.

15.4.3 In relation to **landscape and visual effects**, the development would be located within a predominantly agricultural landscape but would be seen in combination with other infrastructure, including the existing Pelham to Rayleigh 400 kV overhead line. The presence of multiple lines within the same viewshed would result in cumulatively significant wirescape effects.

- 15.4.4 In relation to the **historic environment (above ground)**, cumulative inter-project effects would result in increased harm to Rivenhall Place when considered alongside the consented solar farm development.
- 15.4.5 In relation to the **historic environment (below ground)**, significant cumulative effects would arise from the increased land take across combined Order Limits, resulting in impacts on archaeological remains, which are a finite and non-renewable resource.
- 15.4.6 In relation to **socio-economics, recreation and tourism**, the Environmental Statement (APP-281) concludes that cumulative effects on skills, employment and tourism would be negligible and not significant. While the Council defers to Essex County Council on detailed labour market impacts, it considers that the concentration of major projects across the East of England is likely to place significant pressure on the labour force, with a substantial proportion of workers likely to be drawn from outside the local area. The Council therefore does not agree with the ES conclusion that cumulative labour impacts would be insignificant.
- 15.4.7 In relation to other topics, the Environmental Statement identifies minor to moderate cumulative effects on Public Rights of Way (PROWs), recreation, highways and transport. While the Council defers to Essex County Council on highways matters, it considers that, when combined with other schemes and overlapping construction programmes, cumulative impacts could be significant.
- 15.5 Overall Impact
- 15.5.1 The Norwich to Tilbury NSIP would give rise to multiple intra-project impacts, most notably in relation to noise, dust, visual intrusion, temporary land loss and traffic disruption during construction. In addition, the scheme would contribute to cumulative inter-project impacts within Braintree District and across the wider eastern region, including effects on traffic, landscape character, loss of agricultural land and demands on the skilled labour force.

- 15.5.2 Overall, the proposed development has the potential to result in significant cumulative impacts. These impacts require careful consideration by the Examining Authority when weighing the scheme in the overall planning balance. Noting again that, in assessing the balance, the earlier any benefits are secured and delivered, the quicker the adverse impacts, alone or in cumulation, can start to be mitigated.
- 15.5.3 Furthermore, when benefits are stated as being prospective, consideration should be given to the weight given to such future benefits where the quantification of tangible benefits is less certain and their realisation less secure.

16 Draft Development Consent Order (DCO)

16.1 Overview

16.1.1 The Council was offered an opportunity by the Applicant to review a version of the draft Development Consent Order (dDCO) ahead of the submission (albeit noting that there were some omissions). The Council, working with Essex County Council (ECC), provided comments to the Applicant detailing a number of concerns. However, no feedback was offered by the Applicant on the comments provided. Furthermore, it appears from the Development Consent Order as submitted (APP-056) that many of the comments provided have not been taken into account, and no explanation has been offered.

16.1.2 While the Council will continue to engage with the Applicant regarding the dDCO, there continue to be a number of issues which require resolution before any order can be made. In setting out these issues which are summarised below, the Council draws on its experience with the Bramford to Twinstead (B2T) DCO (PINS reference: EN020002) as well as local requirements and circumstances.

16.2 Required Amendments

Article 2 “Pre-commencement Operations”

16.2.1 The Norwich to Tilbury (N2T) DCO includes a range of works excluded from the commencement of development, labelled as “Pre-commencement Operations”.

16.2.2 The scope of these pre-commencement operations is extensive and includes multiple additional elements compared to the B2T DCO, including utilities protection works, fencing and protection slabs, temporary laydown areas, and the receipt and erection of construction plant and equipment. The effect of this is to allow a wide range of not insignificant (i.e. demonstrably material/significant) works to go ahead before formal

commencement of the Works which triggers associated controls linked to that milestone.

- 16.2.3 The Council previously made representations to B2T to the effect that many operations, such as the establishment of construction compounds, should be excluded from the definition of pre-commencement operations. However, having regard to the precedent set in the B2T DCO, the Council requests instead that an additional tailpiece is added to the definition of pre-commencement operations:

‘except those operations which the relevant planning authority considers give rise to a materially new or different environmental effects beyond that considered in the Environmental Statement as notified to the undertaker by the relevant planning authority’

- 16.2.4 This amendment is requested to ensure adequate control over such works.

Article 2 “Control Documents”

- 16.2.5 The B2T DCO listed a number of control documents at Article 2 including:

outline construction environmental management plan

outline construction traffic management plan

outline landscape and ecological management plan

outline materials and waste management plan

outline public right of way management plan

outline written scheme of investigation

- 16.2.6 In this case, the N2T DCO includes an “outline code of construction practice” but does not include a Construction Environmental Management Plan, Materials nor a Waste Management Plan. Clarity should therefore be

provided as to which documents will cover the scope of these matters, given their importance in managing the delivery phase of the scheme.

Article 2 “Environmental Statement”

- 16.2.7 The Council requests that any supplemental Environmental Statement submitted for the purpose of discharging Requirements is added to the list of certified documents, to ensure there is a central repository for all relevant environmental material.

Article 2 – “Maintain”

- 16.2.8 This is a wide definition on page 7 of the N2T DCO which includes a number of operations which may be necessary in the future to maintain the authorised development for the duration of its lifetime, including use of technology. However, there is no clarity as to who determines whether there is a materially new/different impact from that described in the ES.
- 16.2.9 In order to provide clarity, the last three lines of this definition should be removed and substituted by the text as follows:

“maintain” includes ... provided such works do not in the opinion of the relevant local planning authority give rise to any materially new or materially different environmental effects to those identified in the Environmental Statement, and any derivative of “maintain” must be construed accordingly;

Article 3 – Development Consent

- 16.2.10 Development consent etc. granted by the Order is set out on page 10 of the N2T DCO.
- 16.2.11 The Council considers that the undertaker should be under a mandatory obligation (‘shall’ instead of ‘may’) either to complete the authorised

development in full or, where the scheme is not fully completed, to decommission works and remove any obsolete structures which are no longer required for the scheme.

Article 4 – Maintenance of Authorised Development

16.2.12 Article 4 (page 10 of the N2T DCO) relates to the maintenance of the authorised development.

16.2.13 The Council request that a mandatory obligation should be added on undertaker to maintain ('shall' instead of 'may') and also to decommission and remove parts of the authorised development which become obsolete.

Article 5 – Limits of Deviation

16.2.14 The Limits of Deviation (LoD) are out on page 10 of the N2T DCO.

16.2.15 These allow for longitudinal and lateral deviation (unrestricted) within the Order Limits, as well as vertical deviation. The N2T DCO proposes a vertical deviation of 6m (excluding pylons outside the Braintree District).

16.2.16 The explanatory memorandum sets out why flexibility across the scheme in its entirety is necessary to avoid the risk of the scheme becoming incapable of implementation due to unforeseen ground conditions or engineering considerations. This is accepted in principle by the Council.

16.2.17 However, the limits set by the LoD have potentially significant implications for landscape and visual impacts, heritage impacts and noise, as discussed in the relevant chapters of this LIR, particularly where the equipment is to be both re-sited laterally within relevant LOD, in combination with being taller than originally conceived.

16.2.18 The Council consider that a vertical deviation of 6m is too high and unjustified. This should be amended to a maximum of 4m high, consistent with the B2T DCO (Article 5), to minimise environmental impacts.

Article 14 – Power to alter layout etc of streets

- 16.2.19 This provision is set out on page 17 of the N2T DCO.
- 16.2.20 The Council request notification as relevant planning authority in relation to such works.

Article 17 – Access to Works

- 16.2.21 This provision can be found on page 19 of the N2T DCO.
- 16.2.22 The Council request notification as the relevant planning authority in relation to such works, as a minimum; preferably the Council as relevant planning authority would like to be consulted by the relevant street authority before a decision is made under this provision and for the time for deemed consent to be extended to (at least) 35 days, all in line with B2T DCO (Art 16).

Article 20 – Discharge of Water

- 16.2.23 This article sets out the circumstances in which the Applicant can discharge into a sewer/watercourse and is found on page 20 of the N2T DCO.
- 16.2.24 The Council consider that deemed consent should be issued after 35 days as per B2T DCO (page 19) to allow more time for affected parties to respond.

Article 21 – Protective Works

- 16.2.25 This article can be found on pages 21-23 of the N2T DCO.
- 16.2.26 This provision authorises protective works inside/outside the order limits as appropriate. The Council requests that the relevant planning authority is consulted where any protective works outside the Order Limits are proposed, in case these result in any development for which planning permission is required.

Article 50 – Felling and Lopping of Trees

- 16.2.27 This article appears on page 46 of the N2T DCO.
- 16.2.28 This provision allows for wide powers to do the tree work which the undertaker reasonably believes to be necessary. This wording is similar to that of the wording in Article 47 of the B2T DCO, except that the time limit for deemed consent from the relevant highway authority in relation to tree works in the highway at Art 50(5) should be amended to (35) days in line with B2T.
- 16.2.29 During the B2T examination, the Council raised concerns regarding the phrases “overhanging” and “near”, which are vague and lack certainty. Despite this, the wording was retained in the B2T DCO (Art 47).
- 16.2.30 Rather than re-argue this point, the Council requests advance notice of any tree works proposed outside the Order Limits and that the consent of the relevant planning authority is required prior to such works, with deemed consent to be given after (35) days, in line with B2T to enable the opportunity for appropriate controls / conditions to be imposed in relation to such works for the better amenity of the wider area.
- 16.2.31 This is particularly important owing to the Council’s experiences on B2T (as set out in Paragraph 9.6.2 of this LIR).

Article 51 – Trees subject to Tree Preservation Orders (TPO)

- 16.2.32 This article appears on page 46 of the N2T DCO.
- 16.2.33 In this case, owing to the special importance of trees subject to TPOs, a definition of “near” is required for Art 51(2) to aid interpretation. Additional wording should be added to the effect that advance notice of proposed works must be given to the relevant planning authority and opportunity given for the relevant planning authority (within the timeframe for deemed consent allowed elsewhere in the Order) to impose reasonable conditions

(i.e.as to method of pruning/appropriate timing of tree work) before such tree works are allowed to proceed.

Article 56 – Safeguarding

16.2.34 This article appears on page 48 of the N2T DCO.

16.2.35 This article places an obligation on BDC as relevant planning authority to consult the undertaker in relation to future proposed development within the Order land before granting any new consent. In addition, this obligation to consult must be registered as a local land charge.

16.2.36 The term “business days” is used in the context of this Article but not elsewhere in the DCO. The Council recommends that all time limits throughout the DCO are expressed consistently in business days.

Article 61 – Service of Notices

16.2.37 This article appears on page 50 of the N2T DCO.

16.2.38 The Council requests that an agreed protocol between Council and undertaker is established from the outset in order to secure efficient and direct communication between parties.

Schedule 1 – Authorised Development

16.2.39 Schedule 1 is set out on pages 53 – 73 of the N2T DCO.

16.2.40 There are 40 categories of work plans of which numbers 13-17, 31-32, 37 and 40 affect Braintree District. The description of ‘authorised development’ is widely drafted to include a whole range of associated development which affords (much) latitude to the undertaker.

16.2.41 However, to introduce some control over associated but currently unspecified works, then the words “in the opinion of the relevant planning authority” should be added to the final paragraph of the definition of ‘associated development’ at page 73 before the words ...‘give rise to

materially new.... ‘to bring the text in line with Schedule 3 paragraph 1(4) but also the suggested amendments to definition of “maintain” (Article 2). Without such clarification it is unclear who is to be the arbiter of whether such works give rise to such effects in case of dispute.

- 16.2.42 In addition, a typo is noted in the preamble to Work 32 and this should be corrected (Substitute ‘Braintree District’ for ‘Braintree Borough’)
- 16.2.43 The relevant planning authority should be notified as to which works have been carried out as Associated Development for these purposes for ease of monitoring.

Schedule 3 (Requirements) - Overview

- 16.2.44 Schedule 3 sets out the proposed Requirements for the DCO project
- 16.2.45 Comments in this LIR focus primarily on legal matters rather than the detailed substance of individual Requirements, which are addressed in the relevant topic chapters. The Examining Authority is therefore requested to consider this LIR as a whole when assessing the suitability of the proposed Requirements.
- 16.2.46 For ease of reference, the table below signposts to specific substantive amendments requested elsewhere in this LIR.

Table 2 – Requirement Amendment Signposting

Requirement	Relevant Section of LIR
Requirement 4 (control documents)	Sections 7.11.4, 8.6, 10.8, 11.6, 12.6, 13.6, 14.5
Requirement 5 (Archaeology)	Section 10.9
Requirement 7 (Construction Hours)	Section 14.5

Requirement 8 (retention and removal of trees, woodland and hedgerows)	Section 9.6
Requirement 10 (reinstatement schemes)	Section 12.6

- 16.2.47 The Council also reserves the right to support additional Requirement amendments proposed by other Host Authorities.
- 16.2.48 It is also noted that several Requirements commonly included in other National Grid DCOs are absent, including provisions relating to artificial lighting, species-specific mitigation, residential amenity, construction compounds and noise and vibration controls.
- 16.2.49 The Council requests that the Examining Authority carefully consider whether additional Requirements are necessary (beyond what is requested within this LIR).

Schedule 3 – Paragraph 3(2)

- 16.2.50 This schedule is set out on pages 106 of the N2T DCO.
- 16.2.51 This provision requires a stages plan to be submitted prior to commencement. This provision is also found in the B2T DCO. However, there is no requirement (unlike in the Brechfa and Richborough DCO's) for the relevant planning authority to approve that staging plan prior to commencement of works.
- 16.2.52 As such, the Council request that “for approval” is added at end of the text at Art 3(2).
- 16.2.53 In addition, the Council request prior notice is given to the relevant planning authority as to commencement of each stage as soon as practicable but in any event not later than 10 days before works commence in order to support good communication.

Schedule 3 – Paragraph 6 – Design and Layout Plans

- 16.2.54 This schedule is set out on page 107 of the N2T DCO.
- 16.2.55 This provision requires the authorised development is to be carried out “in general accordance with” the levels shown on plans. The dDCO does not expressly provide for what “general accordance” means (aside from in reference to environmental effects).
- 16.2.56 The ES generally assumes the pylons as in the midline of the Order Limits. If a pylon is closer to a receptor, but also higher, then there is likely to be a negative impact on said receptor (as being closer without change in height is likely to make it more dominant/overbearing etc). The dDCO appears to “disapply” any effect from lateral movement within the Order Limits.
- 16.2.57 For consistency with other provisions and in the interests of sound planning principles, the wording “general accordance with” should be amended to “in substantial accordance with.”
- 16.2.58 The planning authority should have a say in whether the changes give rise to any materially new or materially different environmental effects from those identified in the environmental statement. As such, the wording should be updated:

The authorised development will not be in substantial accordance with the design and layout plans (elevations) to the extent that any departure from the design and layout plans (elevations) in the opinion of the Local Planning Authority gives rise to any materially new or materially different effects...

Schedule 3 – Paragraph 7 – Construction Hours

- 16.2.59 This schedule is set out on pages 107 of the N2T DCO.
- 16.2.60 The hours of work sought are excessive and allow for no meaningful respite for local residents. The Council’s suggested amendments to the working

hours, and other provisions in this schedule, can be found in Section 14 of this LIR.

- 16.2.61 In addition to this, the relevant Local Planning Authority should be notified of any working outside of core hours. The wording of the dDCO should be updated to reflect this requirement.

Schedule 3 – Paragraph 12 – Design of Buildings

- 16.2.62 This schedule is set out on pages 109 of the N2T DCO.
- 16.2.63 As per previous comments, for consistency and in the interests of sound planning principles, the wording “in general accordance with” should be amended to “in substantial accordance” with.

Schedule 4 – Discharge of Requirements – Paragraph 1

- 16.2.64 This schedule is set out on pages 110 of the N2T DCO.
- 16.2.65 The N2T DCO as drafted only allows 28 days for a decision to be made on any submitted application for approval/consent/agreement pursuant to a Requirement. The explanatory memorandum explains that the 28-day period is appropriate for a project of this scale and size to ensure the timely delivery of the project.
- 16.2.66 This is not acceptable to the Council. A 28-day period is insufficient to assess complex technical matters and cross-boundary issues. There are limited numbers of officers with detailed knowledge of the project, and the cumulative effect of staff leave would render this timeframe even less achievable. Furthermore, the risk of deemed consent after 28 days could result in Requirements being refused or approved without sufficient time to fully assess or resolve outstanding issues.
- 16.2.67 It is noted that other projects provide longer periods for the discharge of Requirements. For example, the National Grid Hinkley Point C Connection Project Order 2016 allowed 8 weeks for major applications and 5 weeks for

minor applications; the Brechfa Forest Wind Farm Connection Order 2016 (PINS reference EN020016) allowed 8 weeks; and the Bramford to Twinstead NSIP (PINS reference EN020002) allowed 35 days.

16.2.68 Based on direct experience with the Bramford to Twinstead NSIP, even a 35-day period is very challenging and has, on occasions, led to Requirements not being determined favourably due to time constraints. While extensions of time are often agreed through good working relationships, this could largely be avoided with a more reasonable statutory timeframe.

16.2.69 The Council considers that 56 days (8 weeks) would be a reasonable period to facilitate the effective discharge of Requirements. The Council therefore requests that the time period for discharging Requirements is extended to 56 days, as opposed to the 28 days currently proposed.

16.2.70 The Council also suggest considering the consistent use of business days rather than calendar days for calculating consent periods.

Schedule 4 – Discharge of Requirements – Paragraph 2 and 3

16.2.71 This schedule is set out on pages 110-111 of the N2T DCO.

16.2.72 The Council considers that a longer period is required (a minimum of 7 business days) to enable consultees to determine whether further information is required. Where the Council, as discharging authority, is required to consult third parties, an amendment should be made to require the undertaker to serve the relevant documentation on the relevant Requirement consultee at the same time as serving it on the Council as the discharging authority. This approach is adopted to some extent within the B2T DCO and enables more efficient use of time.

16.2.73 Paragraph 3 - the fee at Schedule 4 Paragraph 3(1)(b) needs to be updated in line with latest planning fee guidance at the time the Order is confirmed. The regulations allow for a year on year increase in fees with the next

increase anticipated in April 2026; given the proposed seven year implementation period and it is likely that the prescribed fee may increase significantly during this period.

16.3 Summary

- 16.3.1 The Council has significant concerns with the Draft Development Consent Order (DCO) as submitted for the Norwich to Tilbury project. While the Applicant provided the Council with an opportunity to comment on a pre-submission draft DCO, many substantive concerns raised jointly by the Council and Essex County Council have not been addressed in the submitted Order, nor has any explanation been provided where comments have been disregarded. This lack of engagement undermines confidence that the DCO, as drafted, provides an appropriate or proportionate framework for controlling the construction, operation, maintenance and decommissioning of the scheme.
- 16.3.2 Drawing on direct experience of the Bramford to Twinstead DCO and other comparable National Grid projects, the Council considers that the N2T DCO departs from established and accepted precedents in a number of material respects. In particular, the DCO confers excessively wide powers on the undertaker, limits the ability of the relevant planning authorities to exercise effective oversight, and relies on imprecise or undefined terminology that introduces unnecessary uncertainty and risk.
- 16.3.3 Key concerns include the overly expansive definition of pre-commencement operations, the absence or downgrading of critical control documents, and insufficient safeguards to ensure that future maintenance, associated development and deviations from approved plans do not give rise to materially new or different environmental effects. The proposed limits of deviation, especially in respect of vertical deviation, are not adequately justified and pose clear risks to landscape, heritage and residential amenity. The Council also objects to the lack of mandatory obligations

requiring the Undertaker to complete, maintain, decommission or remove infrastructure where it becomes obsolete.

- 16.3.4 The Council further considers that the proposed Requirements regime is inadequate. Several Requirements commonly found in comparable DCOs are missing entirely, and others provide insufficient time for proper consideration of complex technical submissions. The proposed 28-day discharge period is unreasonably short and risks deemed consent without proper scrutiny; a minimum 56-day period is sought to enable applications to be properly processed, alongside greater consistency in the use of business days when calculating relevant time limits. In addition, the Council seeks clearer approval roles for the relevant planning authority, improved notification provisions, and more robust consultation requirements, particularly where works take place outside the Order Limits or affect protected assets such as trees subject to Tree Preservation Orders.
- 16.3.5 Overall, the Council does not consider that the DCO, as currently drafted, strikes an appropriate balance between flexibility for delivery and the need for proper environmental protection, transparency, and local authority control. The Council therefore requests that the Examining Authority give careful consideration to the amendments sought throughout this LIR and, where necessary, recommend further changes to ensure that the DCO is clear, enforceable, consistent with established precedent, and capable of being implemented without unacceptable impacts on the environment or local communities.

17 **Other Matters**

17.1 **Socio-Economic, Recreation and Tourism**

- 17.1.1 The Council is concerned that the proposal would give rise to notable socio-economic, recreation and tourism impacts during the construction phase of the development. While the Council would generally defer to Essex County Council on detailed socio-economic matters, the following locally specific issues are considered pertinent to the assessment of impacts within Braintree District.
- 17.1.2 The proposal would affect existing businesses located along the proposed pylon route and associated construction routes. Much of the land affected is in active agricultural use. The development would result in severance of agricultural fields and disruption to access arrangements for businesses and agricultural holdings, particularly during the construction phase. These impacts are likely to be exacerbated during periods of peak construction activity and under existing busy traffic conditions.
- 17.1.3 During construction, effective and ongoing community and business liaison will be critical to managing and mitigating local disruption. Where impacts cannot be reasonably avoided or mitigated, appropriate compensation mechanisms should be made available to affected parties.
- 17.1.4 The development would generate temporary benefits in terms of employment and economic activity during construction. However, no local skills and employment plan has been submitted as part of the application. Given the scale, duration and geographic extent of the project, the absence of such a plan represents a missed opportunity to maximise local economic benefits.
- 17.1.5 A skills and employment plan should therefore be secured to support local labour participation, provide targeted training opportunities, and enable the local workforce to develop skills transferable to future infrastructure

projects, including the operation and maintenance of pylons and overhead lines.

- 17.1.6 In addition, a Skills Fund, proportionate to the scale and impact of the development, should be established and used to:

Invest in local further education facilities and provision

Sport employment and skills programmes relevant to the construction and energy sectors

Enhance careers education and school engagement

Fund local authority officer resource required for engagement, monitoring and oversight of the employment and skills strategy.

- 17.1.7 In summary, having regard to the scale of the development, the extent of construction-related disruption, and the opportunity to deliver a meaningful and lasting socio-economic legacy, the Council considers that a locally focused skills and employment plan, supported by an appropriately resourced skills fund, is necessary. These measures should be secured to mitigate adverse socio-economic impacts, maximise local benefits, and ensure that the scheme delivers a positive and proportionate legacy for communities affected by the development.

17.2 Highways and Transportation

- 17.2.1 During the construction phase, the development is anticipated to give rise to considerable impacts on the local and strategic highway network. Any new or altered access points, whether temporary or permanent, must be demonstrably safe and appropriate for their intended use. In this regard, the Council fully supports the position of Essex County Council, as the Highway Authority, and considers its comments on highway and transportation impacts to be afforded significant weight.

17.2.2 In addition, road closures continue to present a significant challenge across the District, particularly in its more rural areas where alternative routes are limited and communities rely heavily on a small number of key roads. The impact of these closures can be substantial, placing pressure on the local road network, increasing journey times, and creating difficulties for residents, local businesses, and essential services. The Council's recent experience with B2T has further highlighted how sensitive rural communities are to disruption and underlines the importance of careful planning, communication, and coordination when road closures are necessary.

17.3 Public Rights of Way

17.3.1 There are several Public Rights of Way (PRoW) within and adjoining the Order Limits. The Council defers to the Essex County Council Public Rights of Way team in relation to the detailed assessment of impacts on these routes. PRoW are an important asset in providing public access and recreational opportunities within the countryside and make a positive contribution to the recreational and tourism value of the area. In order to maintain continued access to the countryside and minimise disruption to users, PRoW should, wherever reasonably practicable, remain open and accessible throughout the construction phase of the development.

17.4 Health and Wellbeing

17.4.1 The construction of the development is likely to give rise to a range of public health impacts affecting local communities within and adjacent to the Order Limits. These impacts may result from construction traffic and routing, hours of operation, the formation and use of vehicular accesses, traffic management measures, and associated safety operations. It is essential that these matters are fully assessed and robust mitigation secured to protect public health and community wellbeing. In this regard, the Council fully supports the position of Essex County Council and considers its comments on public health matters to carry significant weight.

17.5 Hydrology Land Drainage and Flood Risk

17.5.1 The Council defers to Essex County Council, in its roles as Lead Local Flood Authority (LLFA) and Highway Authority, and to the Environment Agency in relation to flood risk, drainage and water environment matters. Changes to watercourses and drainage have the potential to result in indirect and cumulative impacts on ecology, flora and fauna (including trees), agricultural land and soils, and residential amenity. It is therefore essential that mitigation is considered and applied in a coordinated and holistic manner.

17.6 Electromagnetic Fields

17.6.1 The Council has not undertaken an independent assessment of the potential impacts of electromagnetic fields (EMF) arising from the development, as it does not hold in-house technical expertise in this specialist area. The Council therefore defers to the Examining Authority to determine whether the Applicant has appropriately followed relevant guidance, standards and procedures in relation to EMF.

17.7 Community Benefits

17.7.1 The application is silent on the provision of community benefits or compensation. The proposal would give rise to clear and extensive residual impacts that would adversely affect the local economy, environment, and the health and wellbeing of communities within Braintree District. Many of these impacts are long-term in nature and cannot be fully avoided, mitigated or compensated through the planning regime alone. While the Norwich to Tilbury Project would deliver significant benefits at a national level, the Council contends that these benefits do not, in themselves, offset the scale and intensity of harm experienced at the local level.

17.7.2 Again, the Council would note that the weight to be ascribed to future benefits may be lesser given inherent uncertainty and issues with

quantifying the stated future benefits. Adverse impacts are more likely to be immediate in nature and/or more readily quantifiable however.

- 17.7.3 Although community benefits do not form part of the statutory planning balance, they are a relevant consideration and should be appropriately addressed by the Applicant in line with published Government guidance. In this context, the Council considers that funding or other forms of community benefit should be directed towards projects within Braintree District that support and benefit communities directly affected by the proposals, particularly in light of the long-term impacts of the development. The Council therefore invites further discussion and information from the Applicant on how community benefits would be delivered and targeted locally.

18 **Summary**

18.1 **Overview**

- 18.1.1 This Local Impact Report has been prepared in accordance with section 60(3) of the Planning Act 2008 and provides a detailed assessment of the likely impacts of the Norwich to Tilbury Nationally Significant Infrastructure Project on Braintree District.
- 18.1.2 The Council recognises the national and regional importance of reinforcing the electricity transmission network to support decarbonisation, energy security and the delivery of renewable generation. In principle, the Council accepts that additional network capacity in East Anglia is required. However, the Council does not consider that the existence of national need removes the requirement for the scheme to be robustly justified, proportionately designed, or appropriately controlled in order to minimise harm to local communities, landscapes and the environment.
- 18.1.3 Within Braintree District, the proposed development would pass through a predominantly rural landscape of high sensitivity and value, containing significant agricultural land, heritage assets, ecological resources and dispersed residential receptors. The Environmental Statement confirms that the scheme would give rise to widespread, significant and long-term adverse effects, particularly in relation to landscape and visual amenity, agricultural land, heritage settings and construction-phase disturbance. Many of these impacts are inherent to the proposed overhead line solution and cannot be meaningfully mitigated through the measures currently proposed.
- 18.1.4 While the Council acknowledges that the Environmental Statement is generally competent in identifying impacts, there remain material uncertainties, gaps in evidence and reliance on post-consent control mechanisms which undermine confidence that the worst-case effects have been fully assessed or can be adequately managed. This is particularly the

case where extensive flexibility is afforded through the Limits of Deviation and wide drafting of the Development Consent Order.

- 18.1.5 The Council is also concerned that the Draft Development Consent Order, as submitted, does not provide a sufficiently robust, precise or enforceable framework for controlling the construction, operation, maintenance and decommissioning of the scheme. In several key respects, the DCO departs from established precedent (including the Bramford to Twinstead DCO), weakens the role of the Local Planning Authority, and confers excessive discretion on the Undertaker. Without substantial amendment, there is a real risk that the impacts experienced on the ground would be materially worse than those assessed.
- 18.1.6 Finally, whilst a matter for the decision maker, the weighting of impacts (adverse and beneficial) should be aligned with the immediacy of that impact but also the degree to which it is or can be quantified. In short, the more immediate and certain/quantified the impact, the more logical it would be to prescribe that impact greater weight.
- 18.1.7 Accordingly, while the Council has engaged constructively throughout the process and will continue to do so, it does not consider that the application, as currently drafted, provides a sound basis for consent. The acceptability of the scheme within Braintree District is dependent on the resolution of the outstanding matters set out below and the securing of materially stronger controls through the DCO and its Requirements.
- 18.2 Outstanding Matters / Issues
- 18.2.1 The following matters remain outstanding and require resolution by the Applicant and careful consideration by the Examining Authority. They are not presented in any order of priority.

Justification of Need and Timing

- 18.2.2 Insufficient transparency and sensitivity testing in relation to contracted generation volumes and connection dates.
- 18.2.3 Unresolved concerns arising from the Hiorns Report regarding whether the scheme is demonstrably required by 2030.
- 18.2.4 Inadequate consideration of whether additional time exists to pursue alternatives with materially reduced onshore impacts.

Alternatives and Design Strategy

- 18.2.5 Limited exploration of alternatives that could materially reduce permanent landscape and visual harm, including offshore-led or HVDC-based solutions.
- 18.2.6 Heavy reliance on cost as the primary reason for rejecting alternatives, without sufficient weight given to long-term environmental and community impacts.

Landscape and Visual Effects

- 18.2.7 Significant, widespread and unavoidable adverse landscape and visual impacts across multiple Landscape Character Areas and Visual Receptor Areas.
- 18.2.8 Residential visual amenity impacts at specific properties that may be understated, particularly when Limits of Deviation are applied.
- 18.2.9 Lack of effective mitigation capable of materially reducing the identified harm.

Limits of Deviation

- 18.2.10 Excessive flexibility in lateral, longitudinal and vertical deviation, with a proposed vertical tolerance of up to 6 metres.

- 18.2.11 Risk that actual impacts on landscape, heritage and residential amenity would be materially worse than those assessed.
- 18.2.12 Insufficient safeguards to ensure deviations do not give rise to materially new or different environmental effects.

Historic Environment

- 18.2.13 Incomplete archaeological field evaluation, meaning the significance of below-ground heritage assets is not fully understood.
- 18.2.14 Insufficient assessment of impacts on non-designated heritage assets and their settings.
- 18.2.15 Risk of greater harm to designated heritage assets arising from Limits of Deviation.
- 18.2.16 Requirement 5 (Archaeology) not sufficiently robust to secure evaluation, mitigation and post-excavation work.

Biodiversity and Ecology

- 18.2.17 Insufficient evidence to support a lawful conclusion on impacts to bat roosts across the route.
- 18.2.18 Over-reliance on post-consent licensing and mitigation to address survey deficits.
- 18.2.19 Uncertainty around habitat restoration success and the adequacy of the five-year establishment period.
- 18.2.20 Need for stronger, more enforceable ecological controls, including ECoW roles and BNG delivery.

Arboriculture

- 18.2.21 Inadequate detail within the Arboricultural Impact Assessment and associated plans.

- 18.2.22 Risk that tree and hedgerow losses could exceed those assessed.
- 18.2.23 Requirement 8 requires strengthening to secure arboricultural method statements, tree protection plans and due diligence.

Agriculture and Soils

- 18.2.24 Significant temporary and permanent loss of Best and Most Versatile agricultural land.
- 18.2.25 Apparent disregard of the role of food security in issues of national security (noting that the Council concede that energy security is a further element of national security).
- 18.2.26 Reliance on predictive ALC data without sufficient clarity on its weighting relative to surveyed data.
- 18.2.27 Requirement 10 requires strengthening to secure reinstatement, removal of temporary haul routes and long-term soil protection.

Noise and Vibration

- 18.2.28 Noise assessment does not robustly reflect worst-case scenarios when Limits of Deviation are applied.
- 18.2.29 Over-reliance on assumed Best Practicable Means noise reductions.
- 18.2.30 Construction hours proposed are excessive for a rural area and offer insufficient respite.
- 18.2.31 Requirement 7 requires substantial amendment, including tighter working hours, noise limits and temporal restrictions.

Draft Development Consent Order

- 18.2.32 Overly wide definitions of pre-commencement operations, maintenance and associated development.

- 18.2.33 Absence of key control documents and weaker Requirements than comparable National Grid DCOs.
- 18.2.34 Insufficient approval, consultation and notification roles for the Local Planning Authority.
- 18.2.35 Inadequate timescales for the discharge of Requirements, with an unacceptable risk of deemed consent.
- 18.2.36 Lack of mandatory obligations for completion, maintenance, decommissioning and removal of obsolete infrastructure.

Cumulative Effects

- 18.2.37 Under-assessment of cumulative impacts, particularly in relation to landscape, archaeology, agricultural land and construction disturbance.
- 18.2.38 Failure to adequately consider combined effects with Bramford to Twinstead, existing transmission infrastructure and other major developments within the District.

Socio-Economic Impacts and Community Benefits

- 18.2.39 Absence of a skills and employment plan or mechanism to secure a lasting local legacy.
- 18.2.40 Lack of clarity on how community impacts will be mitigated or compensated.
- 18.2.41 No defined approach to community benefits despite long-term residual harm.

18.3 Closing Position

- 18.3.1 Taken collectively, these outstanding matters are not just minor or technical in nature. They go to the heart of whether the Norwich to Tilbury project can

be delivered in a manner that is proportionate, justified and acceptable within Braintree District.

- 18.3.2 The Council therefore requests that the Examining Authority give substantial weight to this Local Impact Report when assessing the planning balance and determining whether the adverse impacts of the scheme have been adequately avoided, minimised and controlled, and whether the public benefits are sufficient to outweigh the identified harm.

Appendix 1 – Local Wildlife Sites & Local Nature Reserves

LWS denoted by green hatching and if multiple, a purple star.

Figure A - Coggeshall Hall Farm LWS

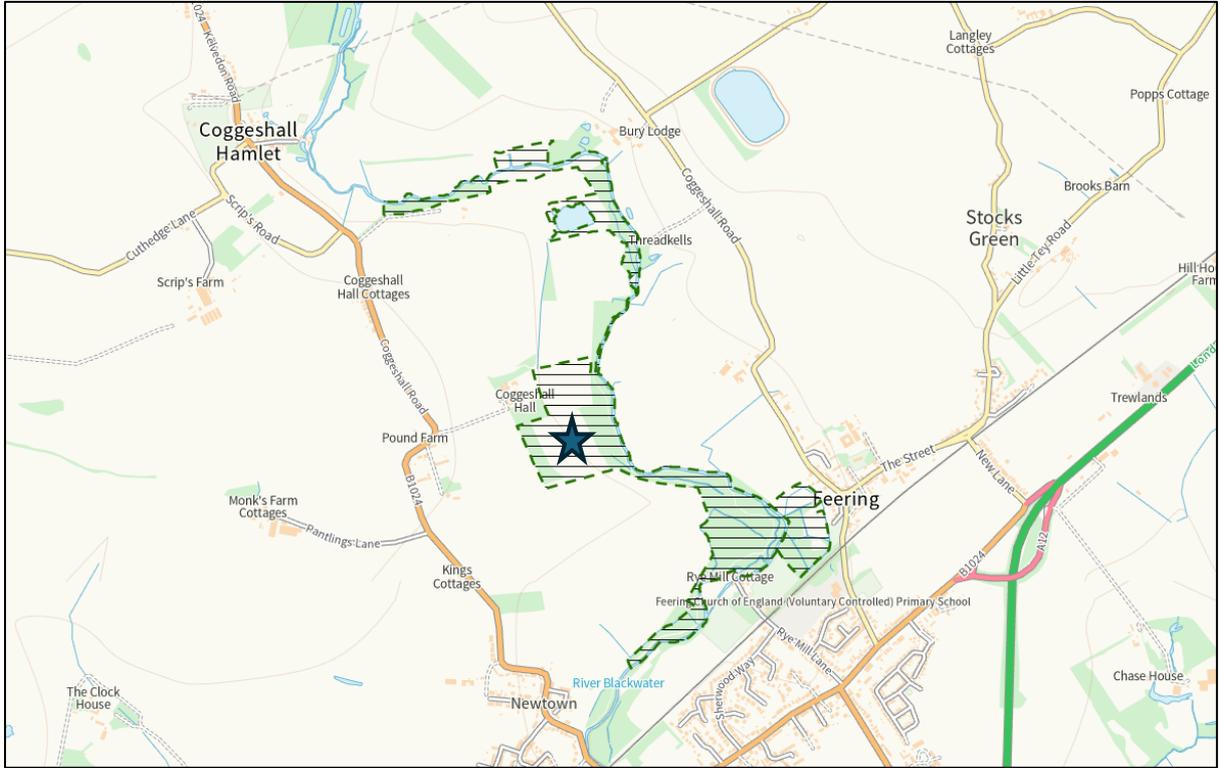


Figure B – Rivenhall Thicks LWS

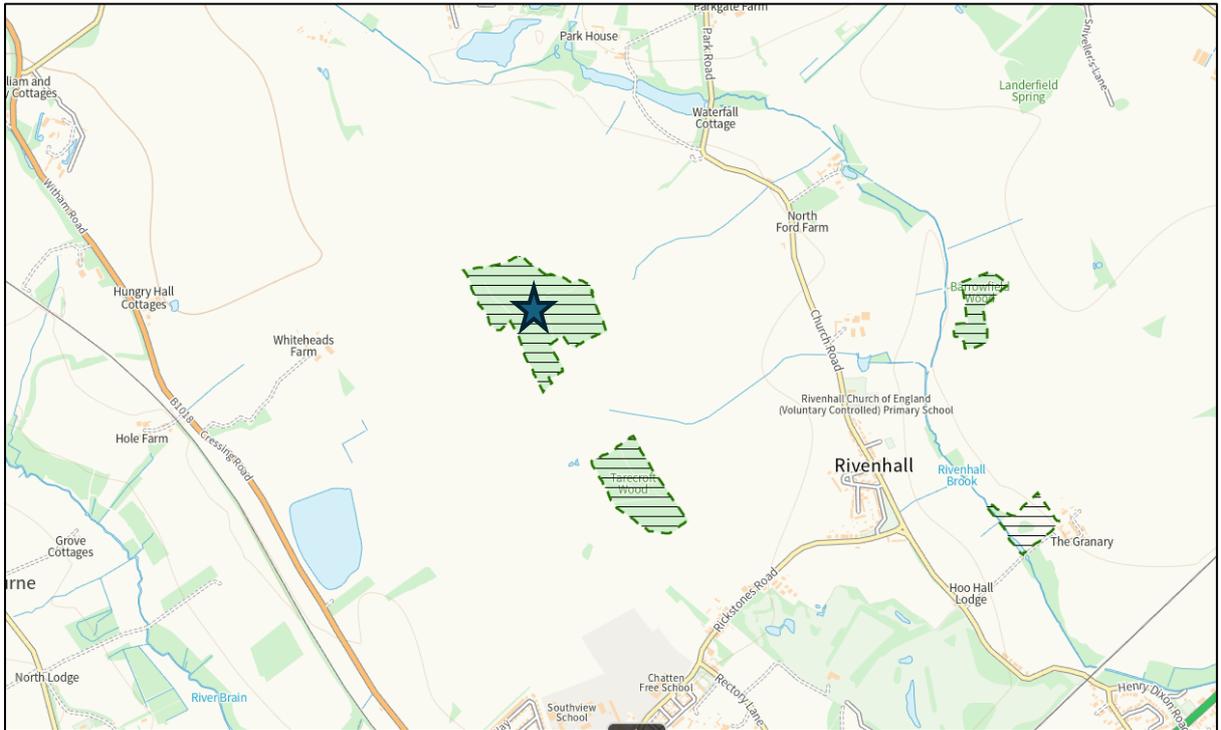


Figure C – Hallhook Row LWS

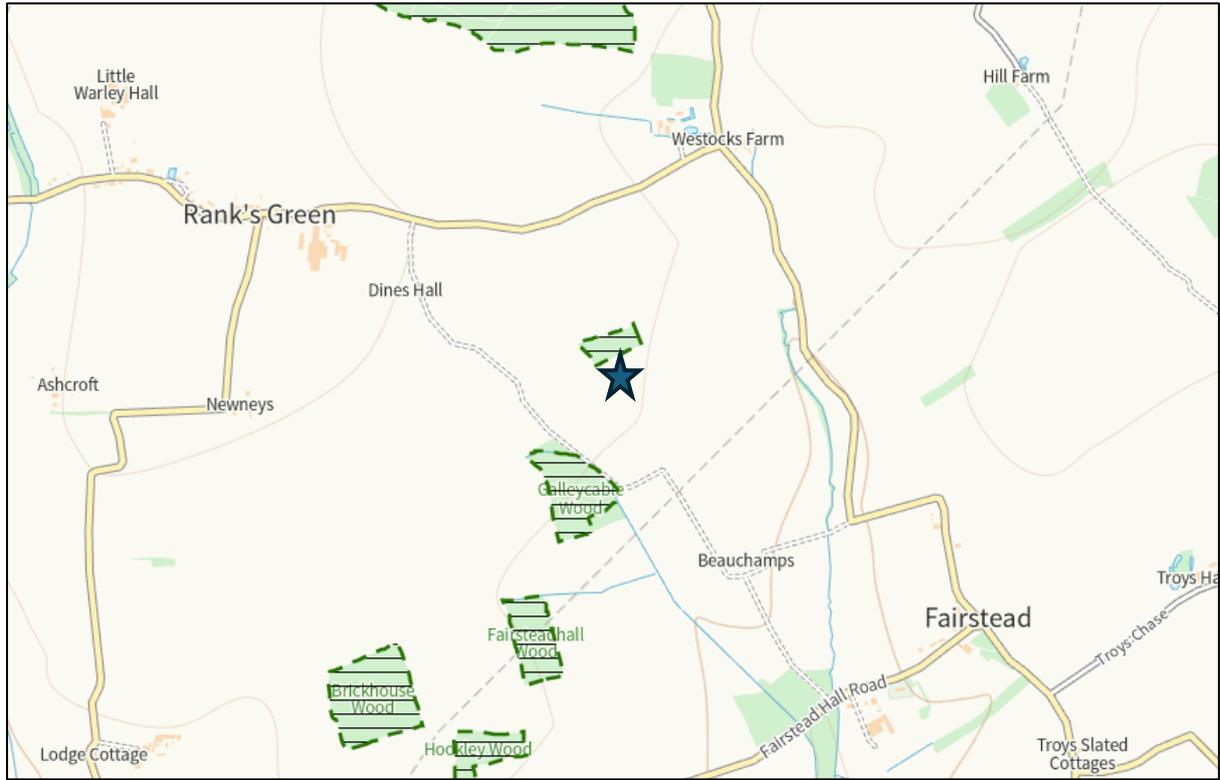


Figure D – Sandy Wood LWS

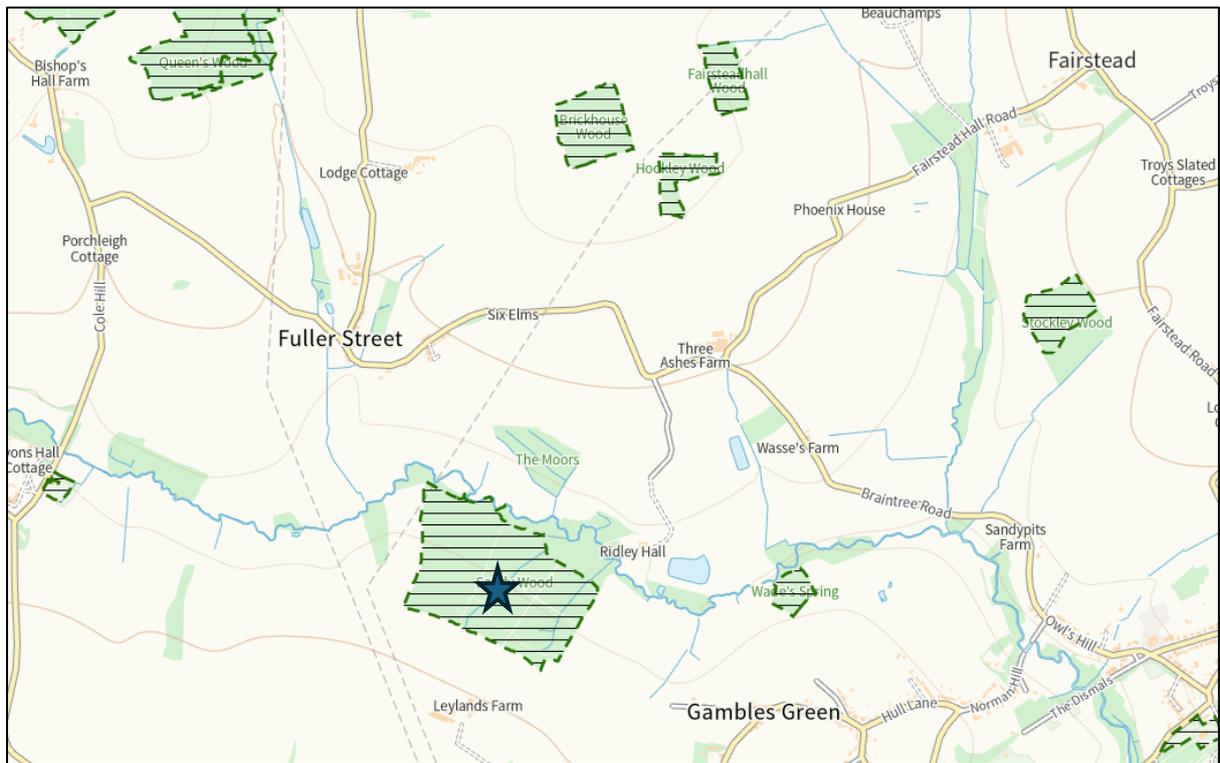


Figure E – Mann/Parson’s Wood LWS

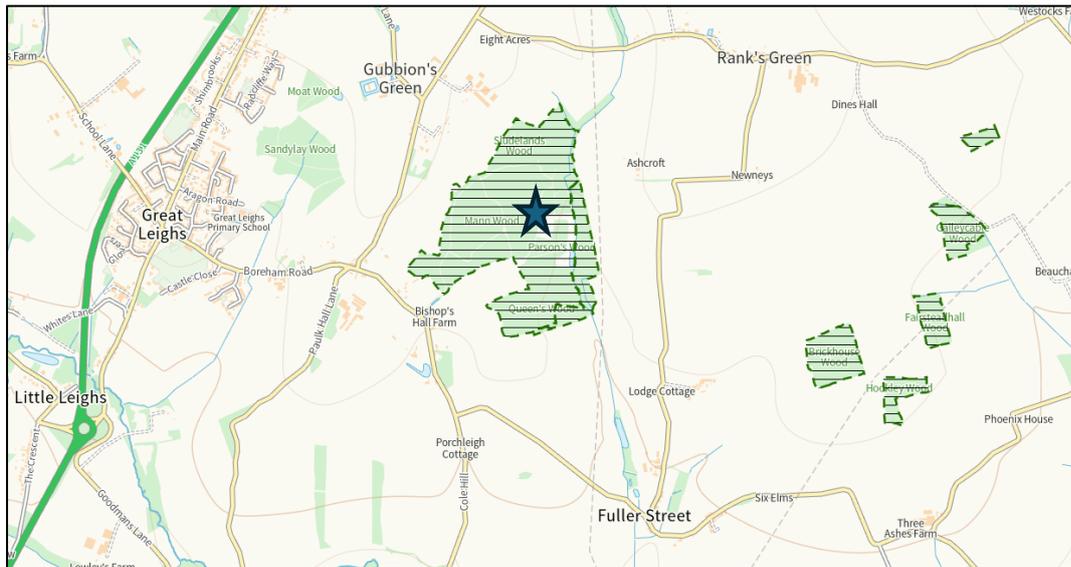


Figure F - Brockwell Meadows Local Nature Reserve (LNR)

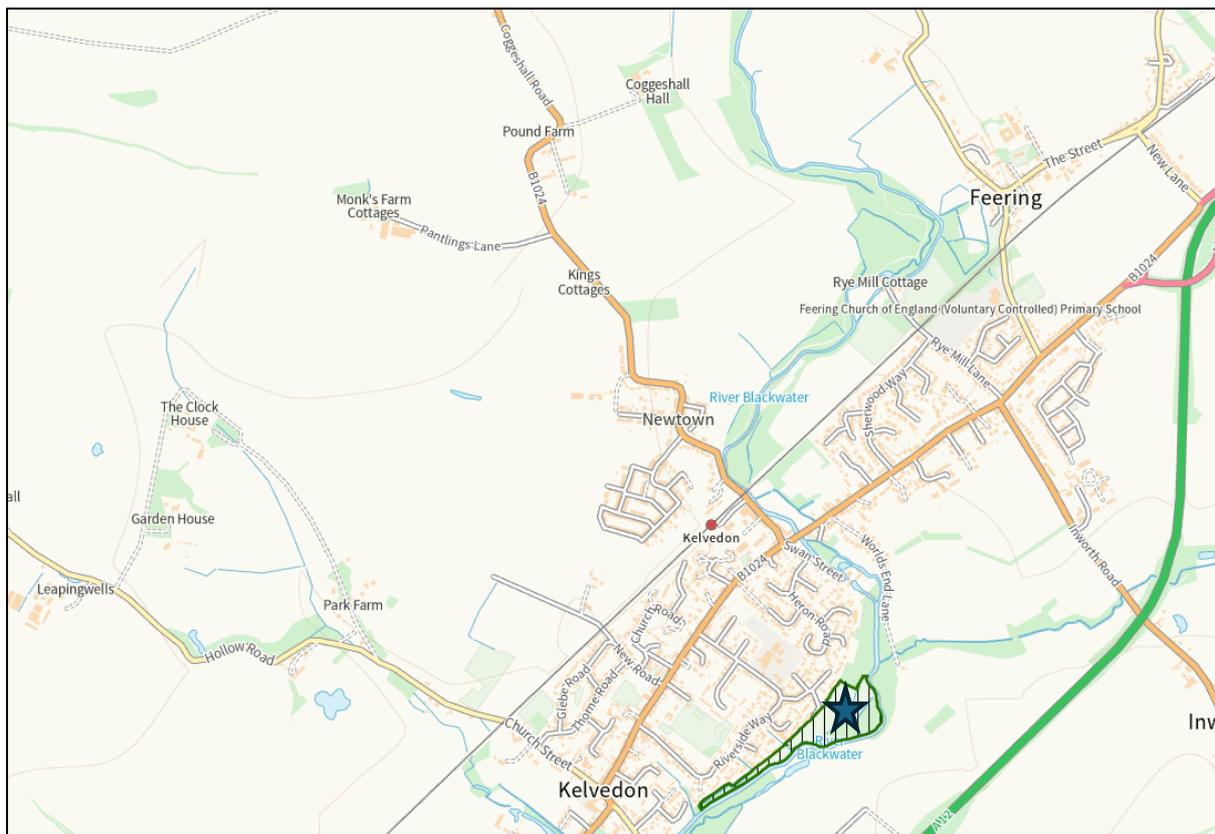


Figure B – ‘Kings Dean’ – Recent Allocation of 5000 dwellings (marked by pink) – Other plan is Phase 1 600 dwelling application

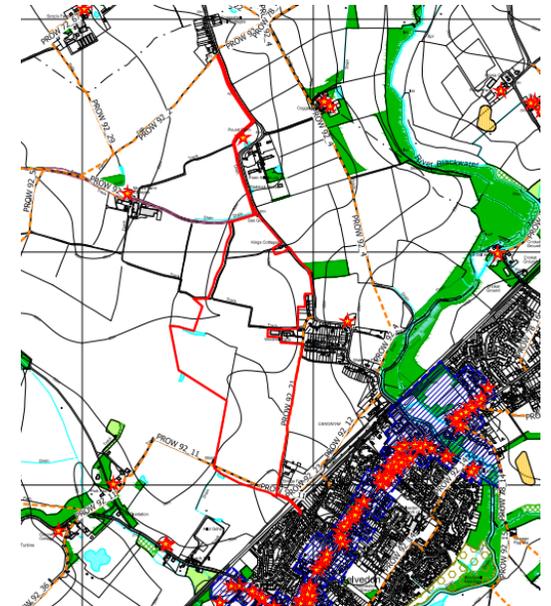
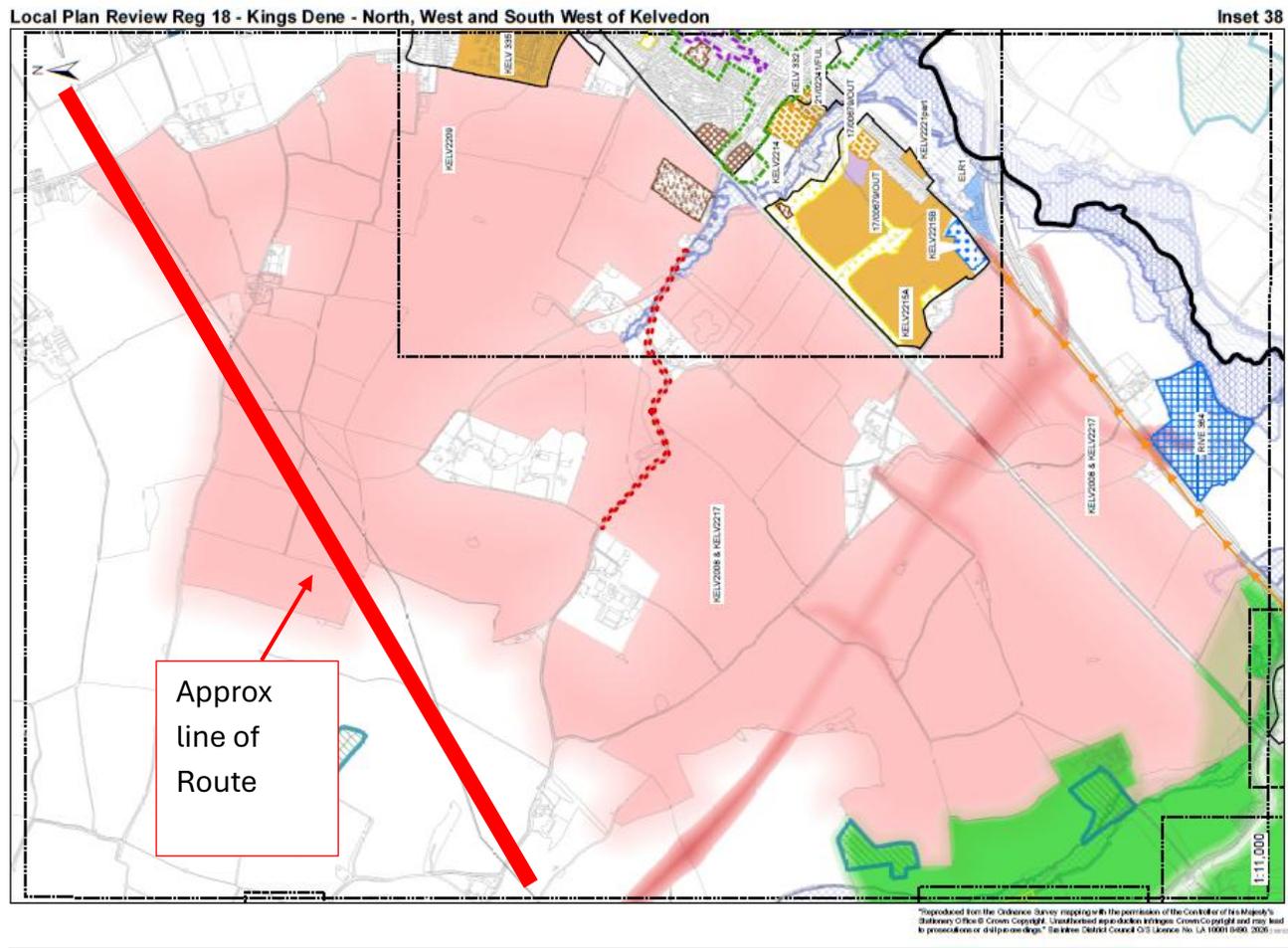


Figure C – 'at Land East of Littlebury Coggeshall Road Feering Solar Farm

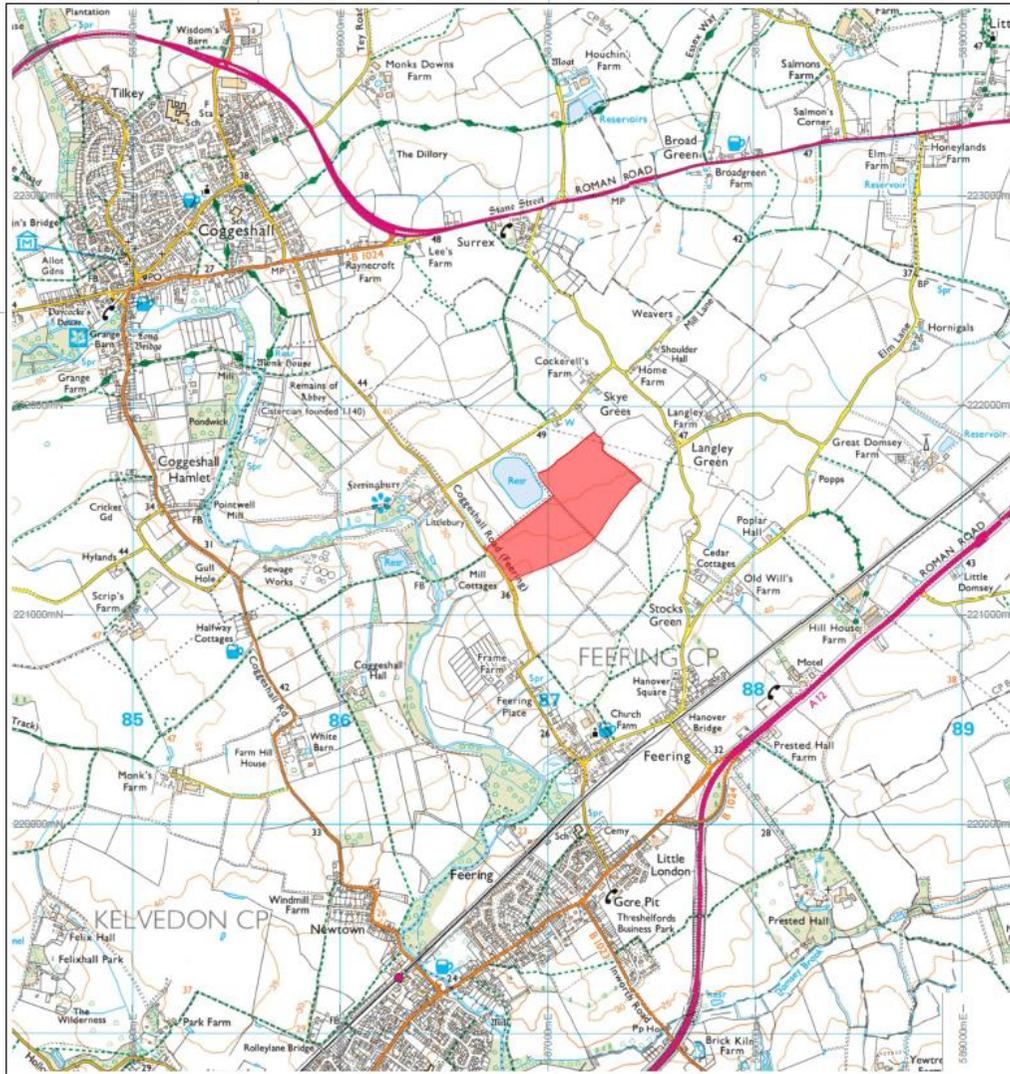


Figure D – 'Bradwell Quarry'

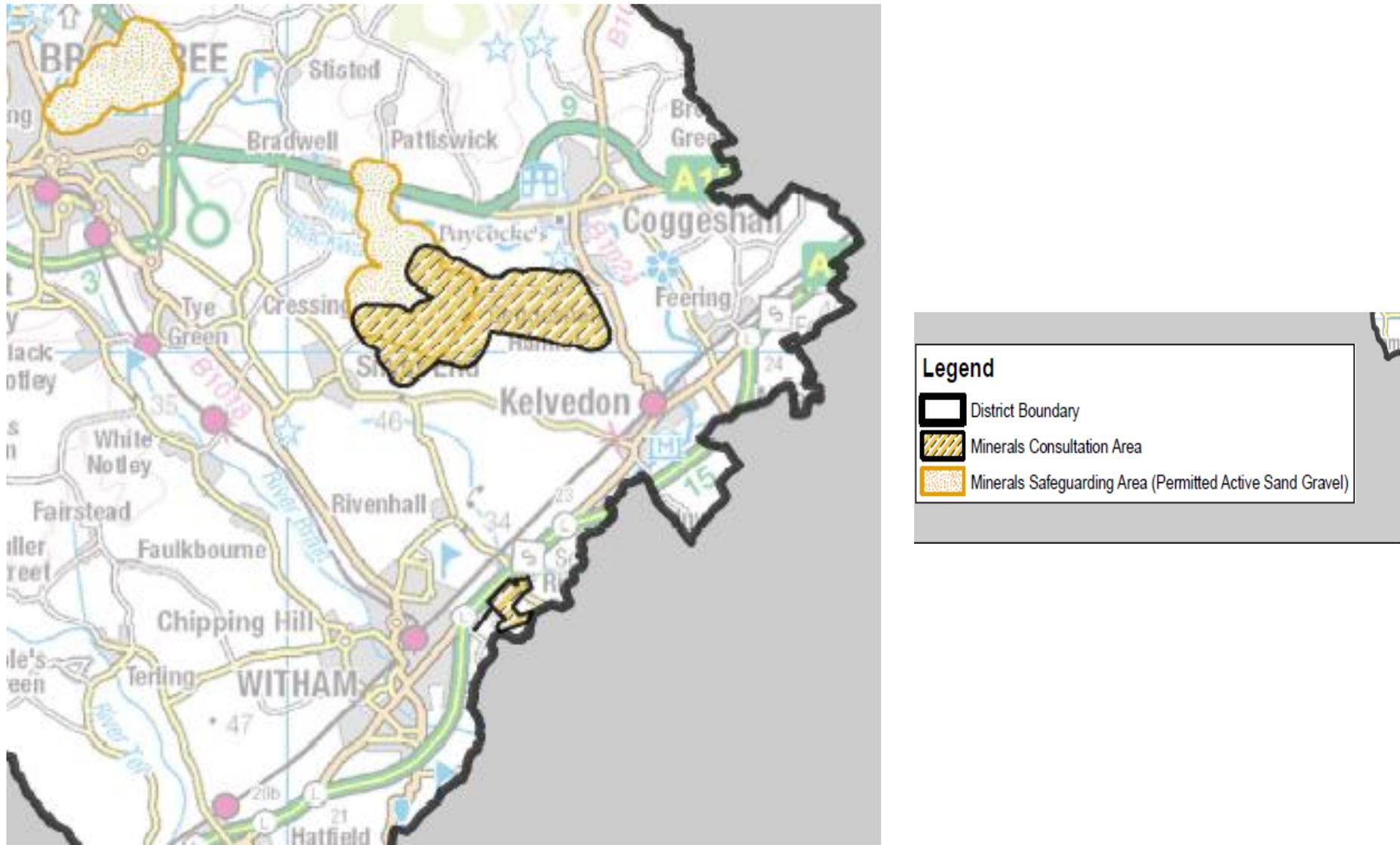


Figure E – ‘Land West of Park Road Rivenhall Solar Development

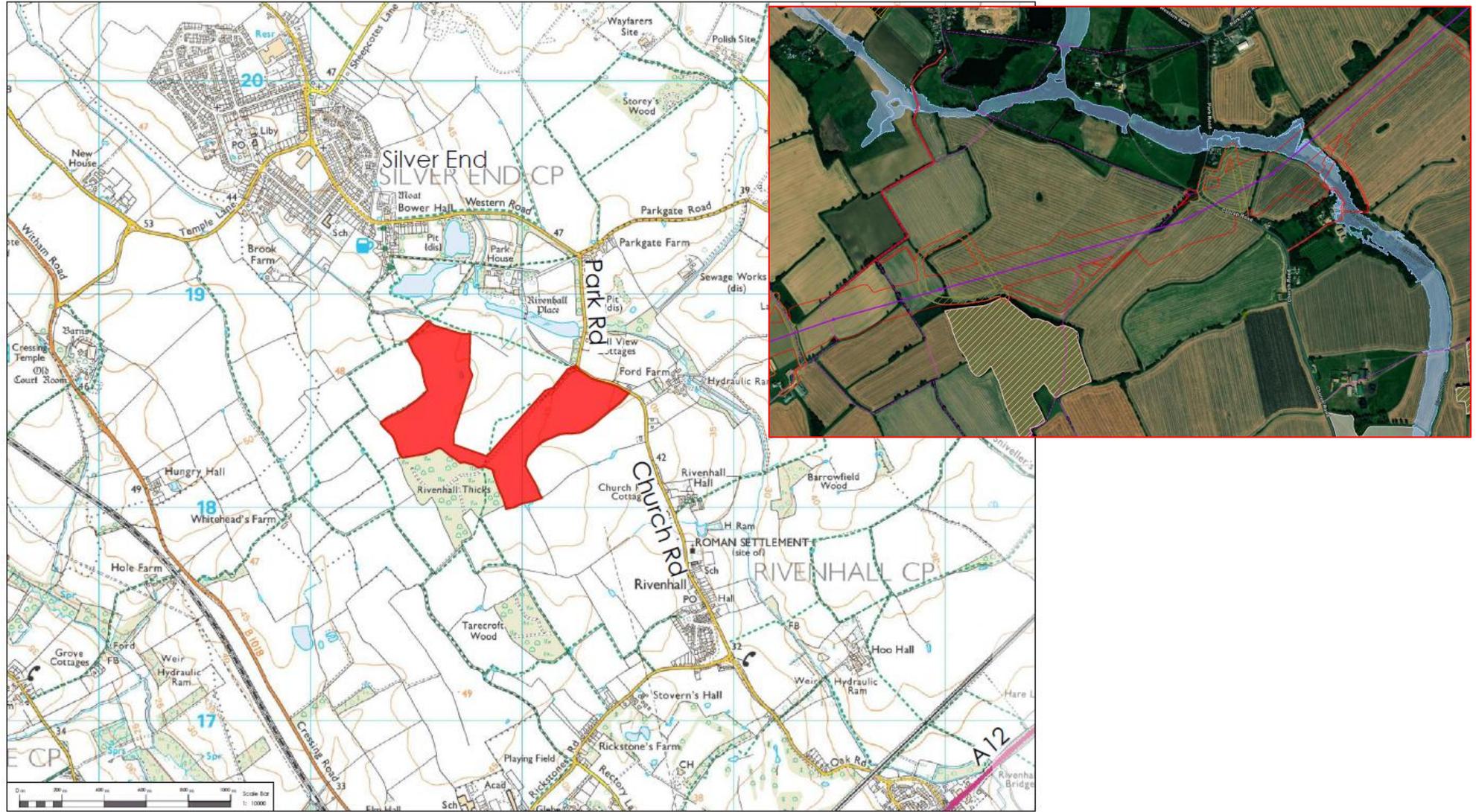


Figure F – Cressing Farm equestrian facilities

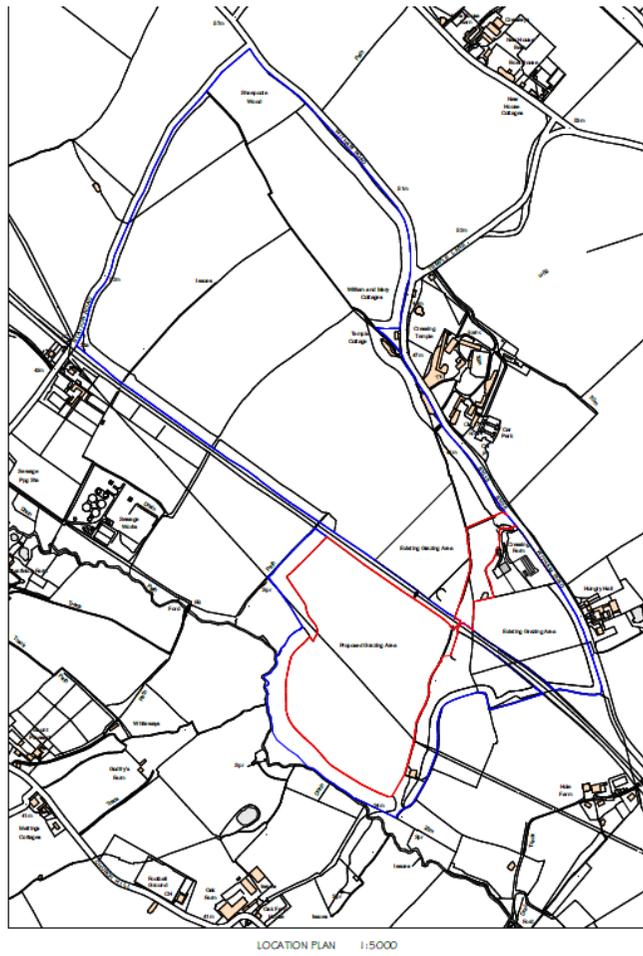


Figure G - Land South West of Crossing Temple Witham Road Crossing (solar)

