



NORWICH TO TILBURY

EN020027

Comments on Submissions received at Deadline 1

Babergh District Council [REDACTED]

Mid Suffolk District Council [REDACTED]

Deadline 2

12 March 2026



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Glossary of Acronyms

<i>DCO</i>	<i>Development Consent Order</i>
<i>ES</i>	<i>Environmental Statement</i>
<i>NSIP</i>	<i>Nationally Significant Infrastructure Project</i>
<i>PPA</i>	<i>Planning Performance Agreement</i>

“BDC” refers to Babergh District Council; “MSDC” refers to Mid Suffolk District Council; “BMSDC” refers to BDC and MSDC jointly; “SCC” refers to Suffolk County Council; and “the Councils” refers to BDC, MSDC, and SCC jointly.

Purpose of this Submission

The document has been prepared by Babergh and Mid Suffolk District Councils to respond to the Applicant’s submissions, and where appropriate representations made by other interested parties, received at Deadline 1 (“**D1**”) for Norwich to Tilbury. Examination Library references are used throughout to assist readers.



Comments on submissions received at Deadline 1

Table 1: 8.4.3 (A) Report on Interrelationship with Other Infrastructure Projects [REP1-134]				
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	BMSDC’s Comments	References
1a	Lead officer	Table 2.1	<p>DC/21/06273 - This application was withdrawn. Please refer to application ref DC/24/04832</p> <p>DC/21/00060 and DC/23/02118 - This development is currently under construction.</p>	
1b	Lead officer	Para 3.1.2	<p>BMSDC are concerned that the approach to coordination between projects is predicated on a physical interface of order limits / planning unit which would not adequately address the cumulative impacts of the delivery of projects within the same geographic area and temporal space on the surrounding local highway network in terms of construction traffic and diverted / disrupted local traffic, the local housing market in terms of pressure on accommodation for construction work forces, the local communities in terms of the social integration of temporary work forces and the local economy in terms of loss of rental accommodation, disrupted traffic routes and pressure of local facilities and resources.</p>	
1c	Lead Officer	Para 3.2.12	<p>BMSDC consider it important to recognise the pressure the Bramford to Twinstead NSIP, together with the proposed development, poses on the communities, environment, businesses, landscape and highway network around Bramford substation as further development</p>	



			is attracted to the land within the surrounding area as a result of the additional capacity for connections facilitated by the cumulative developments. It is critical, therefore, that the applicant takes the similar approach of ‘managing internally’ to deliver an appropriate scheme of strategic mitigation for the area around Bramford substation in response to these impacts. BMSDC welcome the opportunity to work with the applicant and other stakeholders to inform this mitigation.	
1d	Lead officer	Para 3.2.26	Mid Suffolk seeks greater assurance that the applicant will work with EcoPower Suffolk to appropriately mitigate the cumulative effects of the two projects on the communities, landscape, environment, highway network and businesses in the area.	
1e	Lead officer	Para 3.3.7	BMSDC seek to make a factual correction: This development crosses the administrative boundary between Mid Suffolk and Babergh districts. Permissions DC/21/00060 and DC/23/02118 are the respective implemented permissions. BMSDC refer to the comments at 1c above.	
1f	Lead officer	Para 3.3.9, 3.3.14 and 3.3.15	BMSDC refer to the comments at 1c above and add concerns in relation to the resilience of Bullen Lane as the only means of access and egress serving critical national infrastructure installations Bramford substation, EA1 substation, EA3 converter station as well as the cited battery energy storage system developments. BMSDC therefore consider it necessary for the strategic approach to mitigation to include consideration of resilience, security and public	



			health and safety in respect of the sustainability of a single point of vehicular access and the risk of incident at any of the installations.	
1g	Lead Officer	Table 6.1	<p>Whilst it is welcome that the proposed development will not interfere with the area identified for landscape mitigation in the Bramford to Twinstead DCO, BMSDC consider a strategic approach to the mitigation of the cumulative effects of all development around Bramford substation to be of critical importance, as set out above.</p> <p>Babergh District Council considers it important that mitigation of the cumulative visual effects of the project in combination with the North Falls and Five Estuaries DCO developments considers all physical elements of the development, including overhead lines, in the assessment and mitigation of visual effects on the setting of the National Landscape.</p> <p>Mid Suffolk District Councils requests greater clarity as to the approach to coordinated mitigation of the cumulative effects of the proposed development in combination with the EcoPower Suffolk Solar NSIP.</p> <p>BMSDC requests greater clarity as to the approach to coordinated mitigation of the cumulative effects of the proposed development in combination with the Verdant solar development.</p>	
1h	Lead officer	Para 7.1.5	BMSDC consider it critical that the scope of ‘effective interface management’ in terms of good design includes appropriate and effective mitigation of cumulative effects of projects in combination.	



1i	Lead officer	Para 7.1.6	BMSDC welcome the appointment of a design champion. BMSDC request details of the champion and the terms of, and timetable for, engagement with stakeholders including BMSDC.	
1j	Lead officer	Paras 7.2.1 to 7.2.8 inclusive	BMSDC are disappointed that the applicant has not taken a similar collaborative approach to the mitigation of the project, in terms of design, traffic and transport, visual and landscape and noise mitigation, with Bramford to Twinstead and the other developments sited around Bramford substation.	
1k	Lead officer	Para 9.2.5	With respect to the statement: “Paragraph 3.6.37 reports Bramford to Twinstead’s commitment to work internally with the Project, to engage with other developers to ensure a joined-up approach to landscaping proposals around the Bramford Substation”. BMSDC welcome this commitment and look forward to participating with other stakeholders in the strategic planning of appropriate mitigation.	
1l	Lead officer	Appendix A	The drafts order limits for the EcoPower Suffolk solar NSIP are not shown	



Table 2: 6.6.A1 Environmental Statement Appendix 6.1 - Agricultural Land Classification Report Figure A6.1.1 - Detailed Agricultural Land Classification (ALC) [APP-139]				
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	BMSDC's Comments	References
2a	Lead officer	<i>Whole document</i>	BMSDC reiterates the concerns raised regarding the impacts of the development on Best and Most Versatile agricultural land in the joint BMSDC / SCC LIR	[REP1-178]



Table 3: 8.4.1 Applicant's Comments on Relevant Representations [REP1-132]				
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	BMSDC's Comments	References
3a	Ecology consultant	Table C1.1, row 3	As late November 2025, ecological surveys had been completed on all but 3% of the land within the Order Limits. This information has been reviewed by BMSDC. The survey adequacy is largely considered to be acceptable, but there are concerns regarding the bat roost assessment.	
3b	Ecology consultant	Table C1.1, row 5	<p>It is BMSDC's opinion that the bat roost impacts of tree clearance for the development route cannot be predicted with a reliable level of certainty prior to a DCO decision. Focusing mitigation only "<i>Where the presence of a roost is confirmed...</i>" will under-provide for what should be anticipated as the true degree of impact on bat populations. The pre- construction approach to further roost surveys (which is a deviation from standard survey requirements) obliges a more extensive mitigation commitment than what is currently proposed, to compensate for the impact assessment uncertainty.</p> <p>Natural England's mitigation licensing Policy 4 is an approach by which a lower than standard survey effort will be accepted for licensing purposes. Policy 4 may be considered applicable in such instances where the following three conditions apply:</p> <ul style="list-style-type: none"> i. costs or delays associated with carrying out standard survey requirements would be disproportionate to the additional certainty that it would bring 	



			<ul style="list-style-type: none"> ii. ecological impacts of development can be predicted with sufficient certainty iii. mitigation or compensation will ensure that the licensed activity does not detrimentally affect the conservation status of the local population of any EPS <p>With respect to Condition 2, only PRF-M trees (as identified by ground-level assessment alone) are to be subject to aerial inspections/ emergence surveys prior to works. Of the PRF-M trees to be felled, only those trees confirmed to support roosting bats by aerial inspections/ emergence surveys will be compensated for under mitigation licence. By following that approach, BMSDC believes that the overall impact on bat roost resources along the project route will be significantly under-estimated and under-mitigated. Research has demonstrated that bat roost feature detection via ground-level inspection, aerial inspection, and via three roost emergence surveys (those conducted during a limit season) will have a high rate of false-negative determination (e.g. Andrews & Gardener, June 2015, CIEEM’s In Practice issue 88; BATS Research & Training presentation, August 2023, https://www.batlicence.co.uk/can-we-do-better/). The Bat Conservation Trust’s Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition) advise that because of the limitations inherent to the process of identifying bat roosts in trees, “... <i>it is arguable that all trees with bat-roosting potential should be considered part of a roosting resource that will be used at one time or another by tree-roosting bats.</i>” That is an assumption that should be applied by the Norwich to Tilbury project and should influence the design of an appropriate mitigation plan.</p> <p>BMSDC maintains its position that it is a flawed and insufficiently supported assumption that Natural England derogation licensing can</p>	
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			<p>be reasonably anticipated to always maintain the favourable conservation status of an affected species. BMSDC considers that the widespread lack of effective post mitigation bat mitigation licence monitoring does not allow for reliable anticipation of success in situations where derogation licensing is covering non-minor bat roost impacts.</p> <p>With respect to Condition 3, BMSDC believes that the potential impacts on the conservation status of “<i>the local population of any EPS [i.e. other bat species]</i>” has not been given satisfactory consideration aside from barbastelle. That a higher survey effort has been targeted at barbastelle, the rarest bat species at risk along the project route, is logical. The route adjustment measures applied to avoid impacts on barbastelle are commended. However, it should be recognised that the impact assessments for other bat species are based on minimal survey information. There should be a more substantial roost tree compensation plan that compensates for this limitation.</p>	
3c	Ecology consultant	Table C1.1, row 9	There needs to be proper recognition of the constraint that incomplete surveys put on the bat roost impact assessment, and that limitation needs to be compensated by an expanded mitigation scheme.	
3d	Built Heritage Consultant	Table C1.1, row 14	<p>The clarification regarding standard mitigation measures and ‘appropriate’ replacements is helpful and noted.</p> <p>Whilst it is acknowledged that 6.14 Environmental Statement Chapter 14 - Noise and Vibration [APP-256] did not identify any heritage assets in Babergh and Mid Suffolk that would be impacted by the Project, a hotline was suggested in order to provide some</p>	



			reassurance and a mechanism for people living in/owners of listed buildings (and other buildings) close to the route to report any concerns about physical impacts on their properties.	
3e	Built Heritage Consultant	Table C1.1, row 17	The additional information/clarification provided for the assessment of the impact on the setting and significance of Grade II listed Hall Farm House (1181726) and Barn About 30 m West of Hall Farm House (1032806) is helpful. However, the visualisation provided in Figure 7.12.F26_VP2.05 Viewpoint 2.05: Mellis Road, Mellis Green; document reference 7.12 suggests a greater visual impact on the agrarian landscape setting of these designated heritage assets than that set out in the latest assessment.	
3f	Built Heritage Consultant	Table C1.1, row 19	Based on a further review of the identification and assessment of the value of NDHA buildings in Document: 6.11.A1 Environmental Statement Appendix 11.1 Historic Environment Baseline Report [APP-209] we are able to agree that the Applicant has appropriately complied with relevant policy.	
3g	Landscape consultant	Table C1.1, row 27	While the Applicant has set out how the mitigation hierarchy has been applied to the Project in 6.5 Environmental Statement Chapter 5 – EIA Approach and Method [APP-145] and other Application documents including the Planning Statement [APP-085] , we consider that the proposed development as it stands, does not meet (EN-1) Para 4.3.4 of which states “... the applicant must ... show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy...”.	



			<p>It is our view that this policy has not been followed as there is no compensation offered for the significant adverse landscape and visual effects of the overhead line and pylons.</p> <p>It is accepted that whilst compensation is part of the mitigation hierarchy, NPS EN-1 (2024) or NPS EN-5 (2024) do not state that all residual effects must be compensated for or that any compensation measures proposed must be accepted if there are residual effects.</p> <p>All reasonable steps should be taken to address the significant harm arising as a result of the proposals to minimise that effect not capable of being addressed before the impact of the residual harm to weighed in the overall planning balance and the CNP weighting applied. We would also point out as per its LIR that there has been insufficient assessment and granularity of valued landscapes because of which the potential for effects is greater and therefore support the need for compensation.</p> <p>Our position is that the project should not go ahead, without a substantial funded landscape and visual compensation scheme, alongside but distinct from any proposed community benefits and mitigation. This is in recognition of the long-term significant residual negative and un-mitigatable operational effects on both landscape and visual receptors that this project will generate.</p>	
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