

**APPLICATION BY NATIONAL GRID ELECTRICITY TRANSMISSION PLC FOR A
DEVELOPMENT CONSENT ORDER PURSUANT TO SECTION 37 PLANNING ACT 2008 FOR
THE NORWICH TO TILBURY ELECTRIC LINE ABOVE GROUND**

PLANNING INSPECTORATE REFERENCE: EN020027

**DEADLINE 3: RESPONSE TO EXQ1 - SUBMISSION OF “ARU WRITTLE” (BEING THE
COLLECTIVE TRADING NAME AND TRADEMARK FOR THE ENTITIES: ANGLIA RUSKIN
UNIVERSITY AND WRITTLE COLLEGE LIMITED)**

INTERESTED PARTY REFERENCE NUMBER: [REDACTED]

SUBMITTED 10 APRIL 2026

INTRODUCTION

1. This is the Response to EXQ1 of “ARU Writtle” (being the collective trading name and trademark for the entities: Anglia Ruskin University (“ARU”) and Writtle College Limited (“WCL”)) for Deadline 3 in the Examination of the application, reference EN020027, for a development consent order (“DCO”) for a nationally significant infrastructure project (“NSIP”) within section 14(1)(b) of the Planning Act 2008 (“PA 2008”) on the draft terms of the DCO submitted in August 2025 (“the dDCO”) by National Grid (“NGET”) for the “installation of an electric line above ground” across East Anglia between Norwich and Tilbury (“the Scheme”). For the purposes of this submission, references to ARU include WCL.
2. This response is in relation to EXQ1 SET 1.14 which is set out here for reference:

Concerns of ARU Writtle, Anglia Ruskin University and Writtle College Limited

At Deadline 1 ARU Writtle, Anglia Ruskin University and Writtle College Limited [REP1-200] highlighted concerns regarding the statutory safeguarding of children and physical collision risks between horses and construction vehicles and between pedestrians and construction vehicles. This issue was raised under the heading of socio economic effects, but could be attributed to other headings, such as Transport and Traffic for example.

The ExA seeks written submissions, supported by evidence, from all IPs in regard to these matters that sets out their concerns/ position in regard to these matters. The ExA would especially request submissions from the above named educational establishments, Essex CC and the applicant.

3. As the Examining Authority (“EXA”) sets out ARU submitted at Deadline 1 [REP1-200] written representations supported by witness statements and other evidence regarding ARU Writtle’s concerns that should the Scheme come forwards as proposed and operate as and when proposed and most notably if the Proposed Overhead Line Crossing Protection Access Route (**Document APP-133 Proposed Project**

Design Section F) becomes operational and used that this will detrimentally impact the statutory safeguarding of the children it teaches, the provision of education, the danger of collision risks between horses and construction vehicles, the danger of collision risks between pedestrians, children and construction vehicles and other educational and statutory obligations and duties that ARU is required to strictly adhere to as well as detrimentally impact the operation and running of the business of ARU as an educational institution, resulting in the potential cessation of education provision and the business.

4. ARU also submitted at Deadline 1 that alternative routes and land use for the Proposed Overhead Line Crossing Protection Access Route should be utilized by NGET which would avoid the Proposed Overhead Line Crossing Protection Access Route running through the center of a fully operational education campus providing education to children. ARU proposed one such alternative route (**ARU Writtle Savills Land App Plan**) to NGET but NGET has not sufficiently considered this or any alternative routes to avoid collision risks, danger and impact on ARU with the route of the current Proposed Overhead Line Crossing Protection Access Route.
5. We agree with the EXA that the above issues are issues of socio-economic effects and we also agree that these can be attributed to Transport and Traffic; Design, parameters and other details of the proposed development; Alternatives, Compulsory Acquisition, Health and Wellbeing and Safety and Security (to use the headings provided by the ExA). We also have strong concerns with Noise and Vibration.
6. We submit that the issues and evidence raised within ARU's submission at Deadline 1 stand, with no comment or response from the NGET to address any of these issues. We therefore request that these issues be addressed at the hearings week commencing 27 April 2026. At Deadline 1 ARU also requested a single Issue Specific Hearing in respect of the statutory safeguarding of children and physical collision risks between horses and construction vehicles and between pedestrians and construction vehicles. This was in light of the NGET's proposal to have the Proposed Overhead Line Crossing Protection Access Route run through the educational campus of ARU (the "ARU Writtle Campus"); we therefore request that these issues are addressed at an Issue Specific Hearing.
7. Should the ExA or NGET have further requests for more details, questions and evidence than has been provided in ARU's Deadline 1 Written Submissions, ARU would be more than happy to provide this information as soon as practicable to aid with any understanding and to progress a solution with the NGET during the course of the examination. We will be able to provide further valuable information during the Accompanied Site Inspection to which we insist the ExA proceeds with at the ARU Writtle Campus in order to see the true impacts of the proposed scheme at the ARU Writtle Campus.

ALTERNATIVE ROUTE - PROPOSED OVERHEAD LINE CROSSING PROTECTION ACCESS ROUTE

8. ARU submitted at Deadline 1 that alternative accessway routes should be diligently reviewed and considered by the NGET and the ExA as there is no valid basis for the proposed accessway through the ARU Writtle Campus when other accessway routes could be achieved which do not disrupt the educational facilities and endanger children, students, employees, visitors and horses.
9. Due to lack of engagement, responses or commentary from NGET, ARU has now instructed KMC Transport Planning Ltd to prepare a technical note reviewing the NGET's proposed use of the ARU Writtle Campus, a high-level review of potential alternative access arrangements and Recommendations on actions to mitigate impacts on ARU (the "Technical Note"). We annex the Technical Note to this submission.
10. The Technical Note confirms that the proposed use of the ARU Writtle Campus by the Proposed Scheme increases the likelihood of conflict and increased risk of collisions. ARU has serious concerns as to the danger that the proposed scheme will result into children, students, employees and any persons attending the ARU Writtle Campus.
11. The Technical Note also sets out the missing assessment of traffic movements, conflicts, collisions, movement and dangers by NGET of the proposed scheme at the ARU Writtle Campus.
12. The Technical Note sets out alternative routes that NGET must assess and provide their assessments for comment to ARU and the ExA. ARU retains its position that the only way to mitigate the dangers and risk of collision to children, students and horses at the ARU Writtle Campus is to move the Proposed Overhead Line Crossing Protection Access Route to a new alternative location and amend the scheme accordingly.

NORTH-WEST AND SOUTH-WEST CHELMSFORD PARISHES GROUP

13. ARU has had the benefit of considering the submissions of the North-West and South-West Chelmsford Parishes Group (F53AF0A8A) and is supportive of the position that they take. Please find enclosed at Appendix A ARU's position on this in full.

SUMMARY

14. ARU requests that the Applicant now fully considers ARU Writtle's Deadline 1 submission, this Deadline 3 submission and all alternative routes for the Proposed Overhead Line Crossing Protection Access Route. An alternative route is the only course of action to mitigate or remove the danger to children, students, employees and horses. There is no other mitigation or plan that the Applicant could provide that would remove the danger to children, students, employees and horses.

Birketts LLP

10 April 2026



Enc

1. ARU Writtle Savills Land App Plan
2. KMC Transport Planning Ltd Technical Note

APPENDIX A: EXPLANATORY PAPER OF NORTH-WEST AND SOUTH-WEST CHELMSFORD PARISHES GROUP

IP F53A F0A8A (“THE GROUP”)

INTRODUCTION

15. This Appendix A is the Deadline 3 Written Submission of ARU in support of the expertly evidenced position of the North-West and South-West Chelmsford Parishes Group F53AF0A8A (“the Group”) set out in its Written Representation under “Explanatory Paper” and its Annex C (entitled: “Appendix D, “National Grid, East Anglia Connection to Tilbury – Topic Baseline Overviews, April 2022” to the document “East Anglia Green Energy Enablement (GREEN), Corridor and Preliminary Routing and Siting Study Report Appendices” [APP-356]).
16. The essence of the Written Representation of the Group is that there is a gap in the required NGET evidence of alternative route and NGET’s reasons. In the event of a change request being made or required of NGET, the route of the pylon lines across the Western part of the ARU land would be removed to the East of Chelmsford. In consequence, the important, relevant and very real matters of concern in respect of the impact on ARU land and its pupils, staff and operation, and proposed perpetual route over its land, would be obviated.

SUMMARY

17. The “Explanatory Paper” of the Group, authored by expert Alison Farmer Associates, evidences on behalf of the Group there to be a gap in the evidence relating to alternatives advanced by NGET in purported compliance with its statutory duties under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 to both include the same in its environmental statement, and to subsequently statutorily consult on the same. Thus, Regulation 4(2) appears presently in law to preclude the Secretary of State from granting the DCO for Section F as currently proposed because: a) the EIA remains incomplete for want of inclusion of Appendix D to the *Corridor and Preliminary Routeing and Siting Study Report* (April 2022) (CPRSS [APP-356] (“the NGET Study Report”). See Footnote 2 to the Explanatory Paper; b) the statutorily required consultation on an environmental statement that *includes* that Appendix D (with consideration for rejecting its evidenced support for Route Corridors L and Q to the East of Chelmsford, remains at this date 10th April 2026 not yet to have actually occurred.
18. In more particularity, the “Explanatory Paper” explains the following.

19. Paragraph 1 of the Paper shows a map of the “Corridor Options around Chelmsford” that derives from the NGET Study Report (“the Map”). The Map includes 3 particular corridors: a) a pink corridor to the West of Chelmsford; b) a brown corridor that extends from the pink corridor North of Chelmsford to pass to the East of that city (“Corridor L”); and c) a green corridor that links the brown corridor back to the pink corridor South of Chelmsford (“Corridor Q”).
20. Paragraph 5.2 of that Paper summarises the NGET evidence of April 2022 as evaluating the topic baseline for Corridors Q and L as “entirely positive” and, at paragraph 4.1.5, as each being the same, slightly cheaper, or at least equivalent, financial cost as the “Preferred Route” of NGET advanced in its DCO application.
21. Paragraph 4.1.1 of the Paper evidences that, most recently in July 2024, “NG colleagues explained that transposition [of the cables from one set out pylons to another instead (existing 440kV line and N2T) in order to avoid expensive underground crossing] is quite feasible in principle. It requires an outage to be planned, at least one year in advance. This is clearly achievable within the N2T timetable.” Paragraph 4.1.2 evidences that there is no requirement for the proposed electricity to use “new OHL infrastructure” provided “overall system capacity is created”. The DCO Application documents evidence and rely on the creation of increased overall system capacity and simultaneously appear silent in respect of the evidence of Appendix D to the NGET Study.
22. The Paper evidences that Corridors L and Q were inexplicably rejected in 2022 notwithstanding the existence of those corridors as subsisting alternative routes for the current proposal, representing as they do the current existing route line of pylon cable along their length. The Paper evidences that this inexplicable rejection and the absence of the evidence of Appendix D to the NGET Study, itself results to have breached from the outset of the statutory process of SI 2017/572, and to still breach, Regulations 5(1) and 14(2)(d) of that SI. In consequence, Regulation 4(2) remains presently engaged to bar a grant of the DCO by the Secretary of State. The Paper summarises the foregoing as: “This failure at informal consultation has passed through into the formal consultation and contaminated it”. There is an actual gap in the EIA evidence of alternatives and in the evidence of reasons that remains in legal error under SI 2017/572 to maintain engagement of Regulation 4(2).
23. The Paper summarises, at paragraph 4.2.9, the differences between the current DCO Corridor and those of L and Q against the duties and the aims of NGET. Paragraph 5.4 evidences that “technical simplicity” of a green field corridor appears the basis for the Route ET1 in the DCO proposal whereas the Technical Section of the Topic Baseline evidences there to be “no significant limiting features” to delivery of a Corridor L overhead line.

24. In line with its current habit in this uniquely accelerated NSIP application, the solution to the foregoing is for NGET to propose, and for the ExA otherwise to strongly encourage NGET, to make a change request to route part of the proposal via Corridors L and Q.



APPENDIX A: LEGAL FRAMEWORK

25. Section 104 of the Planning Act 2008 states: (Emphasis added)

- 1) *This section applies in relation to an application for an order granting development consent if a national policy statement has effect in relation to development of the description to which the application relates*
- 2) *In deciding the application the [Secretary of State]³ must have regard to –*
 - a) *any national policy statement which has effect in relation to development of the description to which the application relates (a “relevant national policy statement”), ...*
 - d) *any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.*
- 3) *The Secretary of State must decide the application in accordance with any relevant national policy statement, except to the extent that one or more of subsections (4) to (8) applies.*
- 4) *...*
- 5) *This subsection applies if the Secretary of State is satisfied that deciding the application in accordance with any relevant national policy statement would lead to the Secretary of State being in breach of any duty imposed on the Secretary of State by or under any enactment...*

26. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017/572 includes as follows.

27. By Regulation 4:

- 1) *This regulation applies to:*
 - a) *applications for an order granting development consent for EIA development received by the Secretary of State ...*
- 2) *Where this regulation applies, the Secretary of State or relevant authority (as the case may be) must not (in the case of the Secretary of State) make an order granting development consent or (in the case of the relevant authority) grant subsequent consent unless an EIA has been carried out in respect of that application.*

28. “EIA” is defined by Regulation 3 to mean:

- 1) *... “EIA” has the meaning given by regulation 5; ...*

29. Regulation 5 includes as follows: (Emphasis added)

- 1) *The environmental impact assessment (“the EIA”) is a process consisting of—*
 - a) *the preparation of an environmental statement or updated environmental statement, as appropriate, by the applicant;*
 - b) *the carrying out of any consultation, publication and notification as required under these Regulations or, as necessary, any other enactment in respect of EIA development; and*
 - c) *the steps that are required to be undertaken by the Secretary of State under regulation 21 or by the relevant authority under regulation 25, as appropriate.*
- 2) *The EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors—*
 - a) *population and human health;...*
 - b) *biodiversity;...*
 - c) *land, soil, water, air ...*
 - d) *material assets, cultural heritage and the landscape;*

- e) the interaction between the factors referred to in sub-paragraphs (a) to (d).
- 3) The effects referred to in paragraph (2) on the factors set out in that paragraph must include the operational effects of the proposed development, where the proposed development will have operational effects.
- 4) The significant effects to be identified, described and assessed under paragraph (2) include, where relevant, the expected significant effects arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to that development.
- 5) The Secretary of State or relevant authority, as the case may be, must ensure that they have, or have access as necessary to, sufficient expertise to examine the environmental statement or updated environmental statement, as appropriate.

30. Regulation 3 defines the following:

- 1) ... “environmental statement” has the meaning given by regulation 14;...

31. Regulation 14 includes as follows: (Emphasis added)

- 1) An application for an order granting development consent for EIA development must be accompanied by an environmental statement.
- 2) An environmental statement is a statement which includes at least—
 - a) a description of the proposed development comprising information on the site, design, size and other relevant features of the development;
 - b) a description of the likely significant effects of the proposed development on the environment;
 - c) a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;
 - d) a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment;
 - e) a non-technical summary of the information referred to in sub-paragraphs (a) to (d); and
 - f) any additional information specified in Schedule 4 relevant to the specific characteristics of the particular development or type of development and to the environmental features likely to be significantly affected.
- 3) The environmental statement referred to in paragraph (1) must—
 - ... b) include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment; ...
- 4) In order to ensure the completeness and quality of the environmental statement—
 - a) the applicant must ensure that the environmental statement is prepared by competent experts; and
 - b) the environmental statement must be accompanied by a statement from the applicant outlining the relevant expertise or qualifications of such experts.

32. NPS EN-1 (November 2023) states: (Emphasis added)

4.3.9 4.3.9 As in any planning case, the relevance or otherwise to the decision making process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective.

33. NPS EN-1 (November 2023) further states:

4.3.15 *Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility...*

4.3.17 *Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.*

34. NPS EN-1 (November 2023) further states: (Emphasis added)

4.3.22 *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*
- *only alternatives that can meet the objectives of the proposed development need to be considered.*

4.3.23 *The Secretary of State 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...*

4.3.25 *Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the Secretary of State thinks they are both important and relevant to the decision....*

4.3.29 *It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the Secretary of State (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect the applicant to have assessed it.*

35. NPS EN-5 (November 2023) states as follows:

2.9.14 *Where the nature or proposed route of an overhead line will likely result in particularly significant landscape and visual impacts, as would be assessed through landscape, seascape and visual impact assessment, the applicant should demonstrate that they have given due consideration to the costs and benefits of feasible alternatives to the overhead line. This could include – where appropriate – re-routing, underground or subsea cables and the feasibility e.g. in cost, engineering or environmental terms of these.*

2.9.15 *The ES should set out details of this consideration, including the applicant's rationale for eschewing feasible alternatives to the overhead line, and the mitigation cost-calculation methodology that this rationale may rely upon.*

2.9.16 *The Holford Rules – guidelines for the routing of new overhead lines – were originally set out in 1959. These guidelines, intended as a common-sense approach to overhead line route design, were reviewed and updated by the industry in the 1990s, and they should be embodied in the applicants' proposals for new overhead lines^[footnote 19].*

2.9.17 *In brief, the Holford Rules state that applicants should:*

- *avoid altogether, if possible, the major areas of highest amenity value, by so planning the general route of the line in the first place, even if total mileage is somewhat increased in consequence;*
- *avoid smaller areas of high amenity value or scientific interest by deviation, provided this can be done without using too many angle towers, i.e. the bigger structures which are used when lines change direction;*
- *other things being equal, choose the most direct line, with no sharp changes of direction and thus with fewer angle towers;*
- *choose tree and hill backgrounds in preference to sky backgrounds wherever possible. When a line has to cross a ridge, secure this opaque background as long as possible, cross obliquely when a dip in the ridge provides an opportunity. Where it does not, cross directly, preferably between belts of trees;*
- *prefer moderately open valleys with medium or moderate levels of tree cover where the apparent height of towers will be reduced, and views of the line will be broken by trees;*
- *where country is flat and sparsely planted, and unless specifically preferred otherwise by relevant stakeholders, keep the high voltage lines as far as possible independent of smaller lines, converging routes, distribution poles and other masts, wires and cables, so as to avoid a concentration of lines or 'wirescape'; and*
- *approach urban areas through industrial zones, where they exist; and when pleasant residential and recreational land intervenes between the approach line and the substation, carefully assess the comparative costs of undergrounding.*

2.9.18 *The Horlock Rules – guidelines for the design and siting of substations – were established by National Grid in 2009 in pursuance of its duties under Schedule 9 to the Electricity Act 1989. These principles should be embodied in applicants' proposals for the infrastructure associated with new overhead lines^[footnote 20]*

2.9.19 *In brief, the Horlock Rules state that applicants should:*

- *consider environmental issues from the earliest stage to balance the technical benefits and capital cost requirements for new developments against the consequential environmental effects in order to keep adverse effects to a reasonably practicable minimum.*
- *seek to avoid altogether internationally and nationally designated areas of the highest amenity, cultural or scientific value by the overall planning of the system connections^[footnote 21].*
- *protect as far as reasonably practicable areas of local amenity value, important existing habitats and landscape features including ancient woodland, historic hedgerows, surface and ground water sources and nature conservation areas.*
- *take advantage of the screening provided by land form and existing features and the potential use of site layout and levels to keep intrusion into surrounding areas to a reasonably practicable minimum.*
- *keep the visual, noise and other environmental effects to a reasonably practicable minimum.*
- *consider the land use effects of the proposal when planning the siting of substations or extensions.*
- *consider the options available for terminal towers, equipment, buildings and ancillary development appropriate to individual locations, seeking to keep effects to a reasonably practicable minimum.*
- *use space effectively to limit the area required for development consistent with appropriate mitigation measures and to minimise the adverse effects on existing land use and rights of way, whilst also having regard to future extension of the substation.*
- *make the design of access roads, perimeter fencing, earth-shaping, planting and ancillary development an integral part of the site layout and design, so as to fit in with the surroundings.*

- *in open landscape especially, high voltage line entries should be kept, as far as possible, visually separate from low voltage lines and other overhead lines so as to avoid a confusing appearance.*
- *study the inter-relationship between towers and substation structures and background and foreground features so as to reduce the prominence of structures from main viewpoints. Where practicable the exposure of terminal towers on prominent ridges should be minimised by siting towers against a background of trees rather than open skylines.*

36. Paragraph 2.9.24 is within the section entitled: “Underground and subsea cables” and states:

2.9.23... cases will arise where – though no part of the proposed development crosses a designated landscape – a high potential for widespread and significant adverse landscape and/or visual impacts along certain sections of its route may result in recommendations to use undergrounding for relevant segments of the line or alternatively consideration of using a route including subsea cabling.

2.9.24 In these cases, and taking account of the fact that the government has not laid down any further rule on the circumstances requiring use of underground or subsea cables, the Secretary of State must weigh the feasibility, cost, and any harm of the undergrounding or subsea option against:

- *the adverse implications of the overhead line proposal;*
- *the cost and feasibility of re-routing overhead lines or mitigation proposals for the relevant line section; and*
- *the cost and feasibility of the reconfiguration, rationalisation, and/or use of underground or subsea cabling of proximate existing or proposed electricity networks infrastructure^[footnote 22].*

37. Paragraph 2.10.5 is entitled “Landscape and Visual” and states: (Emphasis added)

2.10.5 In addition to good design in accordance with the Holford and Horlock rules (please see paragraphs 2.9.16 - 2.9.19), and the consideration of undergrounding or rerouting the line where possible, the principal opportunities for mitigating adverse landscape and visual impacts of electricity networks infrastructure are:

- *consideration of network reinforcement options (where alternatives exist) which may allow improvements and/or extensions to an existing line rather than the building of an entirely new line; ...*

ARU Writtle



Project Anglia Ruskin University, Writtle

Subject National Grid Access through ARU

Reference 26086

Date 9 April 2026

1 INTRODUCTION

1.1 Purpose

1.1.1 This Technical Note (TN) has been prepared by expert transport consultancy “KMC Transport Planning Ltd” to review National Grid Electricity Transmission’s (the Applicant’s) desired use of a perpetual transport corridor inside of the Anglian Ruskin University’s (ARU) Writtle Campus to ensure permanent access for both the construction and ongoing maintenance of a part of the envisaged overhead cables and related pylons proposed to be situated at the Western end of the ARU land at Writtle campus, and forming part of a Works included within the Norwich to Tilbury Development Consent Order statutory instrument (DCO).

1.2 Content

1.2.1 This TN provides as follows:

- Review of information in the DCO relating to the ARU Writtle Campus access;
- A summary of the existing use of the ARU Writtle Campus site and access;
- A high-level review of potential alternative access arrangements; and
- Recommendations on actions to mitigate impacts on ARU Writtle.

2 DCO INFORMATION

2.1 Introduction

2.1.1 This section of the TN provides a summary of the information submitted by the Applicant directly relating to the use of the ARU Writtle Campus access.

2.2 Development Consent Order

2.2.1 Section F Sheet 8 of 10 of *Response to Section 51 advice - Accepted at the Discretion of the Examining Authority - 2.2 Land Plans - Section F - Revision B [AS-010]* identifies the permanent access route as Plot 8/42, desired by the Applicant to traverse perpetually through the ARU site, shown in yellow in **Figure 2.1** below. **Figure 2.1** shows this route and also the close-by highway that traverses the green land inside of the DCO application area for the pylon and overhead cables. It can be seen that the existing highway is actually inside the green area and closer to the pylons and overhead cables between them. A site inspection shows there to be no physical impediment to traversing from the highway to the green coloured area.

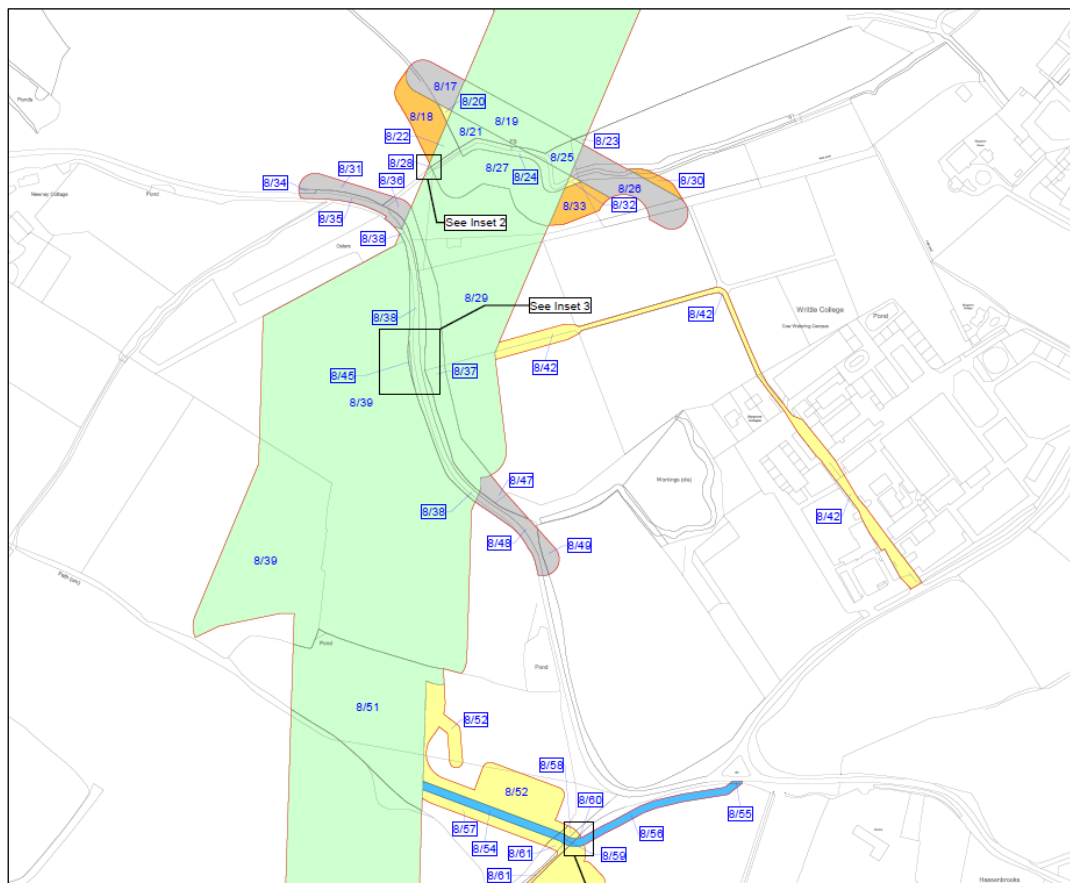


Figure 2.1 – Insert from Section F Sheet 8 of 10

2.2.2 F-8/42 is referred to in the Development Consent Order (DCO) at Schedule 11 'Land of which Temporary Possession may be Taken' and is not expressly conditioned to be time limited to the

period of construction of the pylons and cables nor the perpetual period of maintenance. The information from Schedule 11 of the draft DCO is included in **Table 2.1** below as follows.

Table 2.1 – Information on Schedule 11 Relevant to ARU Writtle

<i>Plot number of Land shown on Land Plan</i>	<i>Purpose for which temporary possession may be taken</i>	<i>Relevant part of the authorised development</i>
F-8/42	Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure	Work No. 17

2.2.3 Schedule 11 is referred to in Article 27 and Article 28 of the draft DCO. At a high level the draft DCO Articles set out that, perpetually, National Grid and/or UKPN may take temporary possession of the land (F-8/42) to undertake works associated with Work No. 17, including providing access to those works, and are empowered to maintain the same also.

2.2.4 Work No. 17 is defined within the DCO as below.

Work No. 17 — overhead transmission electric line (Route TB) from the Fairstead (Tilbury side) Cable Sealing End Compound to the Tilbury North Substation

Works shown as commencing on Section E Sheet 6 and terminating on Section H Sheet 5 of the works plans to construct and install a new overhead transmission electric line (Route TB) between the two gantries at the Fairstead (Tilbury side) Cable Sealing End Compound (Work No. 16) and the two gantries at the Tilbury North Substation (Work No. 18), including—

the foundations and steelwork to construct new pylons;

the installation of 47 kilometres of overhead transmission electric line between the Fairstead (Tilbury side) Cable Sealing End Compound and the Tilbury North Substation;

the installation of conductors, insulators and fittings, including downleads and droppers at each gantry to facilitate connection to the equipment within the Fairstead (Tilbury side) Cable Sealing End Compound and the Tilbury North Substation; and

the installation of fibre optic conductors, with optical fibre terminated in joint boxes.

2.2.5 Article 3 ‘Development consent etc. granted by the Order’ of the DCO sets out the following:

(1) Subject to the provisions of this Order (including the Requirements) National Grid is granted development consent for the authorised development set out in Schedule 1 (authorised development).

(2) National Grid may—

a) install and keep installed the authorised development;

b) remove or replace any electric line including pylons or poles that may require removal as part of the authorised development. ...

4) National Grid may operate and use the authorised development (excluding the UKPN Works) as part of the high-voltage electricity transmission system in England and Wales...

6) For the purposes of the authorised development, development consent granted by this Order is to include and permit the alteration, removal, clearance, refurbishment, reconstruction and demolition of any buildings or other structures within the Order limits to the extent that they relate to, are required by or are incidental to the carrying out of the authorised development.

2.2.6 Article 4 'Maintenance of authorised development' states:

1) National Grid may at any time maintain the authorised development (excluding the UKPN Works), except to the extent that this Order, or an agreement made under this Order, provides otherwise.

2.2.7 Article 2(1) defines 'maintain' as follows:

1) ... "maintain" includes inspect, repair, adjust, alter, dismantle, remove, clear, refurbish, paint, surface treat, decommission, improve, reconstruct or replace any part but not remove, reconstruct or replace the whole, of the authorised development including through the use of robots, helicopters, drones, gadgets or similar devices either remotely controlled or autonomous, provided such works do not 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; ...

2) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the airspace above its surface and references in this Order to the imposition of restrictions in respect of land are references to restrictions over land which interfere with the interests or rights of another and are for the benefit of land which is acquired under this Order, or over which rights are created or acquired, under this Order or is otherwise comprised in the Order limits.

2.2.8 Article 17 'Access to Works' of the DCO sets out the following:

(1) The undertaker may, for the purposes of the authorised development

a) form and lay out means of access, or improve existing means of access, in the location specified in column (2) of Schedule 9 (access to works); and

b) with the consent of the relevant street authority (such consent not to be unreasonably withheld or delayed), form and lay out such other means of access or improve existing means of access, at such locations within the Order limits as the undertaker reasonably requires for the purposes of the authorised development.

2.3 Environmental Statement and Transport Assessment

- 2.3.1 Environmental Statement Chapter 16 - Traffic and Transport (Final Issue A) [APP-271] provides details on the assessment of traffic associated with the report.
- 2.3.2 Figure 16.1 - Traffic and Transport – Primary Access Routes Page 26 of 30 covers the closest access route to the site Primary Access Route (PAR) 53, which runs along the A414 between TB-106 and TB-107 and the A12 and is approximately 1km south of the site.
- 2.3.3 Document: 6.16.A4 Environmental Statement Appendix 16.4 – Traffic and Transport Construction Effects sets out the calculated traffic impact of construction at Table A16.4.1. For Link PAR53, the daily traffic impacts at peak construction (including committed development) on the A414 are in the order of an additional 392 total vehicles of which 332 would be HGVs.
- 2.3.4 It is important to note that no traffic assessment by the Applicant in its DCO Application Documents has been identified of any highway link between the A414 and the ARU Writtle Campus, including either Cow Watering Lane and Victoria Road for either construction or operation. On this basis no assessment has been undertaken of any traffic using these routes, nor has any indication been identified of the level of use of the ARU Writtle Campus access nor the type of vehicle that will use the access. The Applicant has a gap in its DCO Application Documents in respect of the transportation impacts of its proposals on ARU Writtle. Therefore, it is not possible for the Applicant or other parties, including the Examining Authority or the determining Secretary of State to consider or determine the impact or acceptability of utilising any of Cow Watering Lane, Victoria Road or the route through the campus itself, all of which are likely to be sensitive receptors to change, but particularly the campus.
- 2.3.5 The Transport Assessment describes the access strategy proposed by the Applicant for the project. Section 2.14 of Transport Assessment [APP-333] provides details on Site Access Points (SAPs) and has been duplicated below for ease of review.

2.14 Site Access Points

"2.14.1 Temporary SAPs would be provided. A SAP is where construction vehicles would leave the LRN and access the working area within the Order Limits. National Grid has identified temporary access points which make use of existing access points on the LRN where practicable. Some of these may need to be widened to create a bellmouth to safely accommodate construction vehicles. Others involve creating new temporary entrances where a current access point does not exist. The potential for SAPs to be made permanent as a legacy benefit has been considered within the siting of these facilities. Where deemed to be of potential benefit as a permanent facility, these would be promoted on a case-by-case basis and subject to agreement with the relevant Local Highway Authority and PILs. This would typically include, alongside other criteria, a requirement for the facility to meet the relevant permanent design standards once temporary traffic management associated with the Project has been removed."

"2.14.2 SAPs have been assessed based on site specific constraints and highway safety considerations. The locations of the SAPs on the public highway are generally close to the

underground cabling and overhead line construction corridors. The most suitable location for the proposed SAP, and access to the haul roads, has been determined with consideration of road geometry, maximising junction visibility and other site-specific constraints. Locations have, where appropriate, been chosen to minimise the impact on trees and hedgerows. Existing land/field accesses have been used where they are considered to be suitable locations as determined by the above assessment criteria. When forming SAPs, connectivity for active travel users (footways and cycleways) would be preserved, where safe and practicable."

"2.14.3 The SAP layouts are designed to allow for two-way HGV movements to occur; that is, a HGV can enter the junction while a second HGV is waiting to exit the bellmouth."

"2.14.4 SAPs have also been assessed through a swept path analysis for the largest vehicle associated with the haul road (i.e. a crane or alternative ALL). These vehicles require the full bellmouth area to make the manoeuvre. This (infrequent) operation will take place with the appropriate traffic management, which will be agreed with the appropriate the relevant Local Highway Authorities and/or National Highways, in place."

"2.14.5 Security fencing and gates are proposed for all SAPs to secure the works area, the construction corridor and haul roads. Security gates are to be set back a minimum of 20 m from the edge of the carriageway to allow for vehicles transitioning between the works area and public highway to stop outside of the gate while not impeding the public highway. A illustrative site access point layout including tracking of construction vehicles, visibility splays and fencing arrangements can be found in the Illustrative details drawings (document reference 2.6.3). In accordance with GG29 in the Outline CoCP (document reference 7.2), working areas will be appropriately fenced."

"2.14.6 All SAPs can be constructed from the highway with temporary traffic management. When forming SAPs, the internal haul road does not need to be constructed before works commence."

"2.14.7 All temporary and permanent SAPs have been designed in accordance with relevant highways standards and a Stage 1 Road Safety Audit undertaken on preliminary designs. A summary of all Road"

2.3.6 The Transport Assessment also refers to Secondary Access Routes (SAR).

"2.16.1 SARs will be considered for specific movements of light vehicles (cars and vans) only moving between adjacent haul road sections, where the haul road is not continuous due to a river, main road, railway or other obstruction."

2.3.7 The desired strategy set out at paragraph 2.14.2 is noted and represents a sensible approach envisaged for development of a strategy, especially given the national scale of the project. Considering the above, it can only be assumed that the existing Cow Watering Lane would form one of the temporary Site Access Points referred to that make use of the existing highway network. Alternatively, it may only be being considered as a Secondary Access Route and clarity is needed on its intended use. As noted above, this gap in Application evidence needs to be addressed.

- 2.3.8 Either way, there is no evidence at all and no indication provided by the Applicant on the level and frequency of its use, the type of vehicle that will use the desired access, nor has any assessment of the impacts of its use on the receptors either internal or external to the site been undertaken by the Applicant. Once again, this gap by NGET in its Application evidence needs to be addressed.
- 2.3.9 Therefore, it is not possible for the ExA to consider, nor for the Secretary of State to determine and weigh the type of access arrangements that are desired by NGET for the access to Work No.17 at this location nor the full extent of the level of impact it would have on the ARU Writtle site's operation, nor whether or not the access route identified by NGET in **Figure 2.1** is required at all.
- 2.3.10 Section 6.8 of the Transport Assessment [APP-333] sets out further proposals by NGET that:
- The construction traffic would use the SRN and MRN to access the construction areas as shown on Figure 1: Traffic and Transport Study Area in Appendix I. From the SRN / MRN construction vehicles would travel along the PARs up to the SAPs. From the SAPs, construction traffic would access the construction areas off the highway along the haul roads.*
- 2.3.11 Sheet 26 of Transport Assessment – Appendix I – Figures [APP-342] is provided below and shows the PAR running to TB-B106 and TB-107, and on the basis of Section 6.8 it is understood that the Applicant hopes that all construction traffic would enter the construction site via this route. I note, however, that no construction or development contract has been let and there appears to me no express term in the draft SI or other document that ensures the hopes of the Applicant will be carried out.

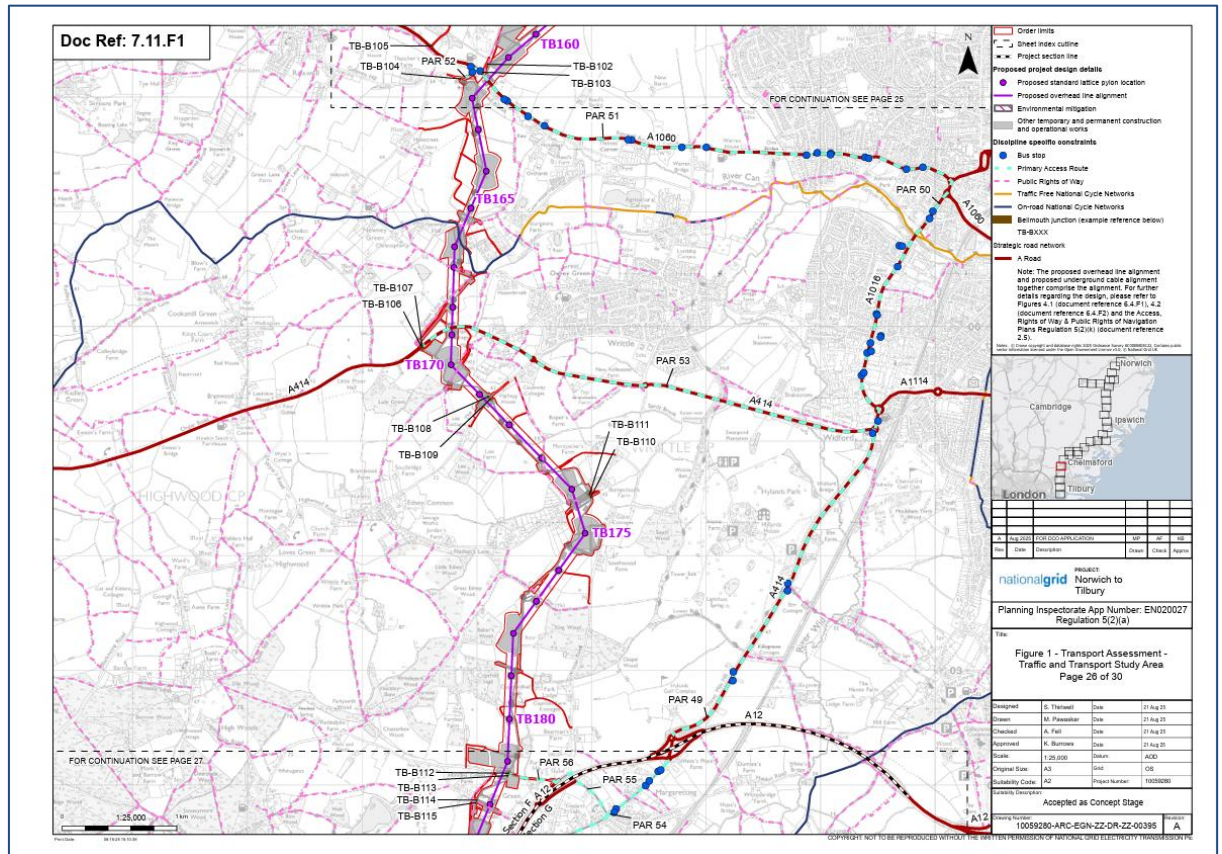


Figure 2.2 – Transport Assessment Traffic and Transport Study Area (Page 26 of 30)

2.3.12 Both the Environmental Statement and Transport Assessment envisage that construction traffic will access the works via the PAR. On this basis with regards to the construction of the project, it is not understood what the purpose of the access is nor the scale of its use. This should be clarified. As noted above, no construction or development contract has been let and there appears to me no express term in the draft SI or other document that ensures the Applicant’s desired strategy will be carried out in the desired way set out in the ES and the TA.

2.4 Construction Traffic Management Plan

2.4.1 The Outline Construction Traffic Management Plan (CTMP) (Final Issue A) [APP-309] provides stated details on the management of vehicle movements associated with the project.

2.4.2 Paragraph 1.6.1 identifies that the purpose of the CTMP is to manage construction traffic impacts on the local road network. This is confirmed at paragraph 1.7.2, which states the CTMP ‘only applies to the construction phase of the Project, not including operation, maintenance or decommissioning. Therefore, no evidence has been provided at this time on the operation, maintenance or decommissioning phases of the project works, and the related impacts on the ARU land, in particular in relation to the actual use of the yellow coloured route identified on **Figure 2.1** above.

- 2.4.3 Section 5 sets out the construction traffic will utilise the PAR, specifically HGVs, however paragraph 5.4.7 sets out that for Secondary Access Routes *“will be considered for specific movements of light vehicles (cars and vans) only moving between adjacent haul road sections, where the haul road is not continuous due to a river, main road, railway or other obstruction.”*
- 2.4.4 Paragraph 6.2.8 sets out that all delivery contractors and construction staff will be instructed to use the agreed construction access routes, complying with the agreed final CTMP for each work area. Section 6.4 sets out that HGVs that do not adhere to the agreed route will be treated as non-compliance. There are no controls on worker movements or worker routing.
- 2.4.5 On this basis, it can only be inferred that HGV access to the ARU Campus is not required and routing would form a breach of the measures set out in the CTMP. However, inference is not enough and this requires express clarity of terms from the Applicant to alleviate concerns and ensure that the type of traffic will actually be controlled as opposed to may be controlled. Without certainty of terms embedded within the (outline) CTMP, it is reasonable to consider that HGVs could and would utilise the site access via ARU Writtle during construction. There is also no constraint on HGV movements during operation or other phases of the project and so a level of risk remains of use of the access during these phases by large vehicles. This level of movement or risk is not quantified and remains not evidenced by NGET.
- 2.4.6 By way of an example, only, of a gap in the NGET documents and that shows NGET’s hopes for certain management to be no more than that, no stated measures have been identified within the CTMP that require prior notification for access through the ARU Writtle Campus site to be given by the Applicant and agreed by a third party.

2.5 Summary

2.5.1 A high-level review of the DCO and associated submitted documents has identified that:

- The DCO would authorise in perpetuity the Applicant to access their site work 'Works No 17' for both construction, maintenance (in wide terms) and dismantling at such date in the distant future as may occur.
- The environmental assessments asserts all construction vehicles routeing to the site via PAR53 and accessing via TB-106 and TB-107. On this asserted basis, no assessment has been undertaken by NGET at all of traffic impacts on the roads near to the ARU site or within the site for any phase of the project.
- There is no evidence of the actual nature of nor details of the wide purpose of the use of the access route desired to traverse the ARU Writtle land either for construction or during the whole operational life of the pylons and their related overhead cables.
- There are no controls in the draft DCO nor its incorporated documentation by which to limit the timing and use of the ARU Writtle Campus access during construction or to ensure the same. Whilst HGVs are required to route by the PAR only, there remains no requirement for their use of this access for construction.
- There are no stated requirements to provide prior notification to ARU when access is required nor that ensure that ARU gives prior approval on the timing of such access over its land.

3 EXISTING ARU ACCESS

3.1 Introduction

3.1.1 This section of the TN provides a high-level summary of the nature and level of actual use of the ARU Writtle Campus site and the site access.

3.2 Site Use

3.2.1 ARU is a multi-campus university and it utilises the site at Writtle Campus to provide higher and further education, including in equine studies. There are approximately 500 equine students who are enrolled on programmes that utilise that site. There are also people who live on the site, so the route identified in Figure 2.1 Plot 8/47 can be utilised any time of the day along its length, and particularly at its Easternmost stretch where it passes between buildings on the site.

3.2.2 There is teaching in the buildings on the site between 09:00 and 16:00 Monday to Fridays, as well as further education occurring on weekends and evenings. As a result, it is a 7-day teaching facility during the academic year.

3.2.3 In addition, teaching, commercial and practical work continue outside of the academic year, and its terms, as well as on-site equestrian competitions. Therefore, the campus is in actual educational use during most daylight hours both in and out of term time all year round.

3.2.4 There are approximately ninety horses on-site and they require daily care and handling, and importantly for such animals, a calm, predictable environment to ensure safety for all users including their riders and handlers and people passing by them. Horses and students move within the site to and from paddocks, pens, and arenas, and, as a result, there is a significant and complex level of movement and interaction of vulnerable road users within the site. The high number of horses means their individual behaviours are less predictable, with horses being particularly sensitive to noise. There are also potential night-time noise impacts on the on-site residential accommodation on the site.

3.2.5 Somewhat surprisingly, but noting this as resulting from the absence of NGET evidence in respect of transport assessment and related environmental impacts, the proposed perpetual access route desired chosen by the Applicant envisages actually running straight into and through the complex working environment of circa ninety horses and hundreds of students, as well as being next to classrooms. Horses live in stable blocks on the Top Yard immediately adjacent to the internal roads of the Equine Facility. Horses are routinely led by students along these roads between stables, arenas, turnout fields and clinical facilities. The proposed construction route would pass directly in front of and alongside stable blocks, cross or pass directly by field and arena gateways and intersect the main transit lines along which horses and students move.

3.2.6 On the basis of the above, the site would be considered a high sensitive receptor to change in traffic movement.

3.3 Site Access

- 3.3.1 The site is accessed via a priority T-junction with Cow Watering Lane. The site contains *two* junctions with Cow Watering Lane. Once inside the site, a one-way system operates clockwise between the two junctions by which traffic movements within the site are ensured to operate in a particular way close to the highway junction. The more easterly junction, which is the access proposed to be used by the Applicant for both entry and exit through the site, is used for general day to day movement for the site and the western access is typically not used aside from for large vehicle movements, such as horse lorries.
- 3.3.2 Cow Watering Lane runs to the south connecting to Newney Green and Victoria Road. Newney Green runs to the northwest connecting to the community of Newney Green, whilst Victoria Road runs to the southeast to connect to the community of Writtle. North of Writtle, all three roads are similar in characteristics in that they are narrow (with very limited passing spaces), rural in nature and have national speed limits. The main difference between the roads is the presence of the ARU Writtle Campus on Cow Watering Lane, and its level of use by the site for equestrian movement. The roads are not designed to cater for large vehicles.
- 3.3.3 Once vehicles have entered the site, they utilise an internal one-way system (shown at Figure 3-1 below) to minimise internal conflict. The Applicant's red line area and the related yellow coloured area of Plot 8/47 would result in its desire for its vehicles to utilise the site's vehicle exit junction as an entry route and then move through the site in opposition to the currently utilised one-way system. This desired approach would result in conflicts with high sensitive receptors and an increased risk of collision.
- 3.3.4 This internal road of the site is the main access for student and staff accessing the facility, and runs directly alongside teaching classrooms. It is utilised constantly throughout the day by students and horses moving around the site.

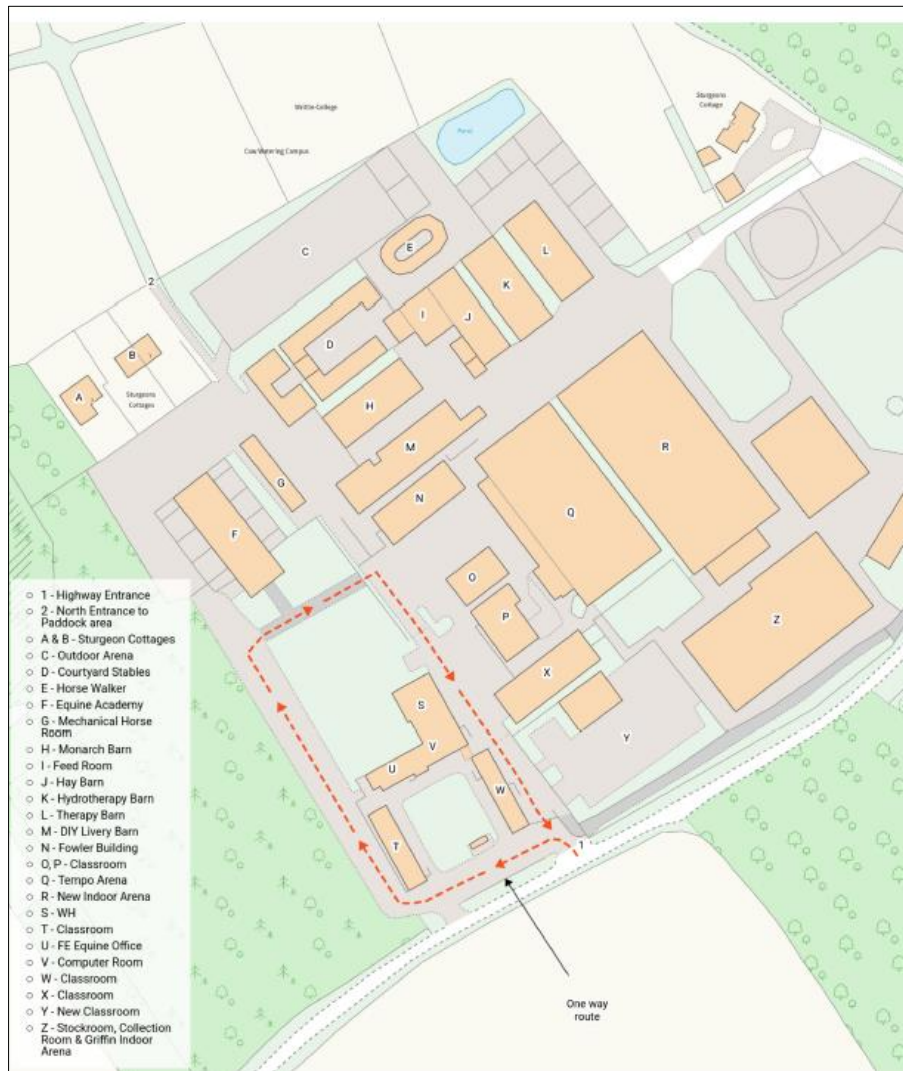


Figure 3.1 – Internal one-way route

3.3.5 The ARU Writtle Campus is organised, and intentionally functions as a horse-friendly and pedestrian-dominated environment, with education activities. Existing vehicle speeds are very low, use of heavy vehicles is very rare, and the few drivers using internal roads in the facility are accustomed to seeing horses and pedestrians regularly and to accommodating horses and pedestrians at very close quarters. All users of the site must utilise the internal one-way system.

3.3.6 Due to the level of vulnerable road user movement, both the internal site and Cow Watering Lane are high sensitivity environments to change.

3.4 Potential Conflict

3.4.1 As a result of the site’s substantial level of movement involving vulnerable pedestrian and four legged road users, particularly horses and large numbers of students (both children aged 16 and upwards, and young adults aged 18 and upwards) and the proposed use as a construction access

by the Applicant, in my expert opinion, there is a real and increased likelihood of conflict and a real and increased risk of collisions between road users.

- 3.4.2 As there is currently no constraint on the level of movement that could utilise this access, it is difficult to quantify the level of risk and level of disruption to on-site operation, but the impacts of significant levels of traffic using the access and impacting what would be a high sensitivity receptor should be understood and either avoided or mitigated.
- 3.4.3 As there is a large level of use of Cow Watering Lane by the ARU, this risk continues onto the highway, and so any increase in vehicle movement on the road should be minimised, as there is very little space for vehicles to pass equestrians on the road.
- 3.4.4 As I foreshadowed above when noting the gaps in technical Transport and Environmental Assessment evidence, this conflict and the level of conflict has not been assessed within either the Transport Assessment or the Environmental Statement, nor is it mitigated within the OCTMP, and as such represents an unassessed and unmitigated impact on network users. The appropriateness of the use of the route for construction and operational maintenance of the envisaged works by NGET cannot be determined without evidence of and an understanding of its actual proposed use (as opposed to its desired or hoped for use), nor can its impact be understood or assessed on the highly sensitive receptors currently using and living at the site.
- 3.4.5 It is understood that, at a high level, reducing the number of new highway accesses is a sensible approach for the project as a whole, but given the specific constraints of the site and Cow Watering Lane, it is necessary to consider whether the safety impacts on the operation of the site and Cow Watering Lane would outweigh other environmental impacts of delivering a new temporary access on the highway.
- 3.4.6 The envisaged introduction by the Applicant of vehicular construction traffic and of operational maintenance traffic is a real concern and is an important matter in my opinion. The Applicant has identified Plot 8/47 as a yellow route but has provided no evidence to justify it. I consider that the ExA should require by means of Further Information the Applicant to demonstrate that a feasible direct alternative route from the highway is not achievable either from Cow Watering Lane or from Newney Green before pursuing the desired use of the yellow route for access, and to then demonstrate that the yellow route can be used safely. If use of the Cow Watering Lane site access is demonstrated to be ultimately required (when it remains currently unevidenced and not justified to be subject to be used at all), relevant and stated control measures must be put in place as part of the DCO SI terms.

4 ALTERNATIVE ACCESS

4.1 Introduction

4.1.1 This Section of the TN provides a review of potential alternative access arrangements.

4.1.2 Two alternative access arrangements have been considered at a high level by ARU (shown in Figure 4.1) and are recommended to be actually assessed and considered by the Applicant:

- Cow Watering Lane (to the west) (represented indicatively by purple dashed line)
- Newney Green (represented indicatively by orange dashed line)

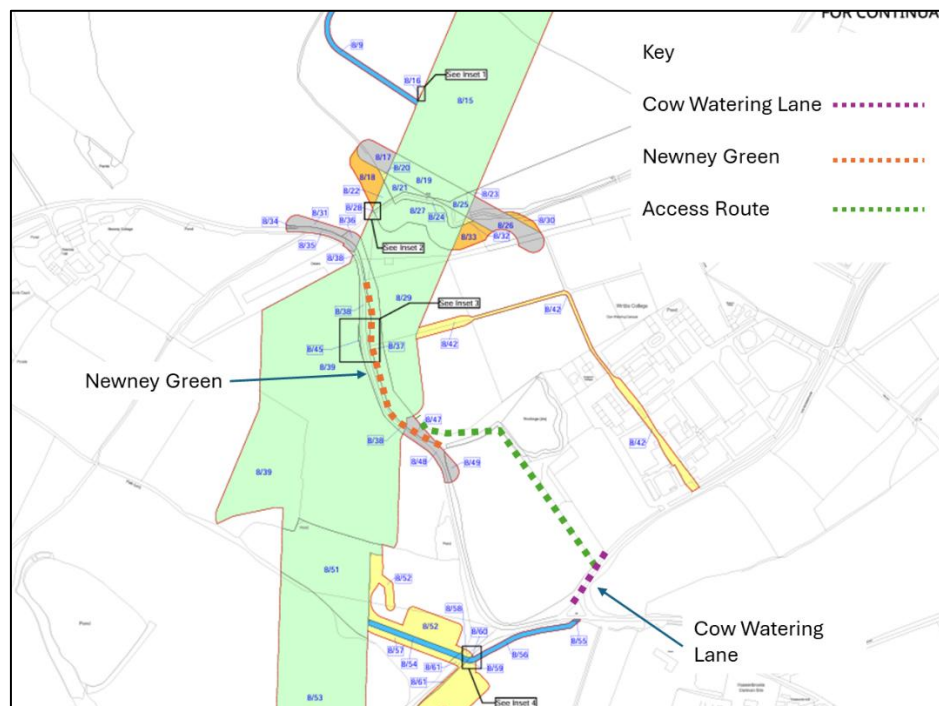


Figure 4.1 – Alternative Access Routes

4.1.3 Both accesses would require a priority junction arrangement but one is situated inside the area of the DCO outlined in red and coloured green and a requirement could ensure the other. The scale of the junction would be determined by the frequency and type of vehicle movement (e.g. will HGVs require access), which is unknown, along with discussions with the highway authority on their requirements.

4.2 Cow Watering Lane (to the west)

4.2.1 The alternative access for Cow Watering Lane would be located approximately 100 to 180m southwest of the ARU Writtle Campus access. Cow Watering Lane is public highway, and the land is not all within the control of ARU, and so would require relevant discussions with the appropriate landowner.

- 4.2.2 This would have the benefit of removing all conflicts within the ARU Writtle site and reducing the potential level of conflict on Cow Watering Lane by reducing the distance that vehicles are required to travel along the road by 150m.
- 4.2.3 It is recognised that other environmental impacts would need to be considered by the Applicant if an alternative access arrangement was developed and relevant assessment of required junction visibility would need to be undertaken. However, NGET has currently not assessed the situation of either the Plot 8/47 yellow route nor such an alternative access nor the impacts of either. The scale of access requirements and use would be determined partly by the level of proposed use that NGET would then be held to going forwards by the terms of the DCO SI.
- 4.2.4 Cow Watering Lane does not sit within the red line boundary and so Article 17 could not currently be used to deliver an access at this location and so this would require an amendment to the red line boundary by the Applicant or an off-site requirement to ensure access provision. Alternatively a separate legal process for delivering the alternative access could be utilised most likely through a Section 278 agreement involving the relevant parties.
- 4.2.5 We have not identified any reason why access is not practically achievable. Assessment would be required by the Applicant and this remains necessary in any event, and this is necessary during the Examination Period so that an informed decision on the impact and deliverability of an alternative access can be considered by the ExA and Secretary of State, as well as the relative benefits compared to the proposed use of the ARU Campus if NGET persists in its desired use of the Campus site.

4.3 Newney Green

- 4.3.1 The alternative access for Newney Green would be located between 250m and 400m north of the junction with Cow Watering Lane. The land is within the control of ARU who would help facilitate the use of this access. Importantly, the access location is on the existing public highway.
- 4.3.2 This would have the benefit of removing all, or the majority of, conflicts within the ARU Writtle site and removing the potential conflict on Cow Watering Lane between vulnerable users and NGET vehicles.
- 4.3.3 It is recognised that other environmental impacts would need to be considered further by the Applicant if an alternative access arrangement was developed and relevant assessment of required junction visibility would need to be undertaken, but NGET has not carried out an assessment of this location nor of the ARU Writtle site in any event. In the case of Newney Green, there are existing gaps in the hedgerow that could be utilised, which would reduce impacts on hedgerows.
- 4.3.4 Newney Green sits within the red line boundary and so Article 17 could be used to deliver an access at this location, subject to agreement with the local highway authority which, in my opinion, can be anticipated to be forthcoming, and particularly so when compared to the desired alternative use by NGET of the Plot 8/47 yellow route *through* an area of complex use by vulnerable roadway users.

- 4.3.5 We have not identified any reason why access is not achievable from this location. However, further assessment would be required by the Applicant and this is necessary during the examination so that an informed decision on the impact and deliverability of an alternative access can be considered, as well as the relative benefits compared to the proposed use of the ARU Campus.

5 RECOMMENDATIONS

5.1 Introduction

5.1.1 This section provides details on the recommended actions that should be undertaken by the Applicant in order to minimise their impacts on the operation of the ARU Writtle.

5.1.2 The responsibility of assessing the deliverability of alternative accesses should sit with the Applicant and should not fall on ARU Writtle.

5.2 Actions

5.2.1 It is recommended that the following actions should be undertaken to demonstrate the access requirements:

- 1) The Applicant should assess the deliverability of suitable alternative access from either alternative access locations prior to Deadline 5 of the DCO examination, or as soon as possible, and provide these to the highway authority and ARU Writtle for comment. The locations for the alternative access would be required to be included in express terms in the draft DCO SI Schedule 9 so that they can be implemented under Article 17 part 1(a).
- 2) The highway authority and ARU Writtle to comment on the suitability of the alternative access by Deadline 6, so the Examining Authority can make an informed decision on the practicality of the alternative accesses as well as their relative benefits and disbenefits.
- 3) The Applicant should include in the draft DCO SI terms that no HGVs will utilise any route otherwise than the Primary Access Routes.
- 4) The Applicant should confirm in the draft DCO SI terms the type and number of vehicle movements that might utilise the access, and, depending on the level of movement identified, the impact should be assessed. The level of movement should be embedded in express terms in the CTMP as a cap for the access. This should include a stated requirement that no HGVs will utilise the access.

5.2.2 On that basis it is recommended that the following text is included within the outline CTMP **[APP-309]**. In the event that NGET evidences that it requires (as opposed to currently merely desires) use of the Plot 8/47 yellow route over the ARU Writtle land, then we would recommend further revisions to the draft DCO and outline CTMP (if that proves feasible having regard to on-site safety and related regulatory considerations).

CTMP Reference	Proposed Text
Section 5.4	<i>No HGVs will be permitted to utilise any route other than the Primary Access Route. No HGVs may use any access that is not located on the Primary Access Route.</i>
Section 5.5	<i>The total number of daily vehicles for any Site Access Point that is not located on the Primary Access Route, including 8/42, will be limited to [Applicant to insert movements and vehicle type] unless otherwise agreed in writing with the local highway authority.</i>