

Norwich to Tilbury National Grid Electricity Transmission DCO

ExQ1 Brentwood Borough Council

Question ref code	Relevant Question from ExA	Brentwood Borough Council (BBC) response
GEN: General and Cross-topic questions		
GEN 1.4	<p>Development plan documents and supplementary planning documents All local authorities are asked to review the listed development plan documents (DPD) and supplementary planning documents (SPD) (including masterplans) as currently set out in the planning statement [APP-085] (paragraph 2.5.12) and provide any updates, setting out which have been adopted, updated, or are emerging since production of the planning statement.</p>	<p>BBC has reviewed the listed documents and can confirm that they are relevant and up to date.</p>
GEN 1.6	<p>Critical national priority The planning statement [APP-085] references the need for the proposed development in the context of the urgent need for renewable energy generation within the UK, and in doing so, it refers to the presumption specifically in relation to critical national priority (CNP) infrastructure. Paragraph 4.2.7 of NPS EN-1 (2023) makes it clear that the CNP policy does not create an additional or cumulative need case or weighting for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy. It</p>	<p>With regard to human health and public safety, BBC maintains concerns regarding long term impacts, including mental health and wellbeing, particularly where these have been alerted to the Council (see response to HW1.8 below).</p> <p>With regard to heritage assets, BBC considers that further information is required to demonstrate how embedded mitigation informed final design choices, whether alternative alignments or pylon locations were fully explored, and how the Applicant will guarantee that LoD will</p>

<p>will be given consideration by the ExA when making its recommendation to the Secretary of State, who will apply the CNP policy in its decision making specifically in reference to any residual impacts that have been identified.</p> <p>NPS EN-1 paragraph 4.1.7 notes that for projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. Paragraphs 7.2.7 to 7.2.28 of the planning statement [APP-085] sets out a summary of the potential residual impacts (non-Habitats Regulations Assessment (HRA) impacts) which may remain after the mitigation hierarchy has been applied. These relate to the relevant exceptions listed in the CNP policy at NPS EN-1 paragraph 4.2.15: human health and public safety, defence, irreplaceable habitats, the achievement of Net Zero, and flood risk.</p> <p>Paragraph 4.2.17 of NPS EN-1 sets out that the Secretary of State will also take as a starting point that CNP infrastructure will meet a number of policy tests including in relation to green belt, sites of special scientific interest (SSSI), nationally designated landscapes and heritage assets.</p> <p>IPs are invited to review the applicant's consideration of CNP in the planning statement [APP-085] (in particular paragraphs 7.2.52 to 7.2.257) and the policy compliance tracker [REP1-133] (tables 1.4 and 1.5), and state if they agree with its approach, including in respect of the updated NPS published in December 2025 (which the ExA considers to be an important and relevant consideration in decision making)</p> <p>In particular the ExA requests all local authorities and the</p>	<p>not result in operational impacts beyond those assessed.</p> <p>With regard to flood risk, irreplaceable habitats and heritage assets, BBC supports any comments provided by ECC.</p>
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	<p>listed statutory consultees to provide comment on the policy tests on matters of human health and public safety, defence, irreplaceable habitats, flood risk, green belt, sites of special scientific interest, nationally designated landscapes and heritage assets, as well as the HRA.</p>	
<p>GEN 1.17</p>	<p>Local impact reports – cumulative developments and the interrelationship report</p> <p>The LIRs from each local authority include details of other developments in their area to varying degrees of detail. Each local authority is asked to review ES chapter 17 (cumulative effects) appendix 17.2 (long list and short list of other developments) [APP-283] and figure 17.2 [APP-286] and confirm if the details provided by the applicant are accurate. Only those developments rated green in tables A17.2.2 to A17.2.14 (short listed developments) need to be checked.</p> <ul style="list-style-type: none"> • All local authorities are asked to provide an update where relevant, which should include the current status of the application (whether and when consent has been granted and implemented). If any other major developments in your local authority area are not included, please provide details including planning reference, description, location, relevant dates, and current status (or development plan allocation details). Additionally, a report on interrelationship with other infrastructure projects was submitted by the applicant at deadline 1 [REP1-134]. • All local authorities are also asked to review the non-NSIP projects listed in section 3.3 and table 6.1 of the report and confirm if the application reference details are correct and that the 	<p>From the developments rated green in table A17.2.12, ID BR11 (Application Reference: 24/01263/FUL) has now been <u>approved</u>.</p> <p>Para 3.3.34 & 3.3.35 and Table 6.1 (BR2 & BR11) have been reviewed, reference details appear correct and interaction summary appears reasonable.</p>

	<p>applicant's summary of interactions between each project is reasonable, together with any other comments you wish to make on the report.</p>	
<p>GEN 1.21</p>	<p>Legal Agreements A number of the LIRs refer to the need for legal agreements in order to secure a range of mitigation and compensation measures and packages in each local authority area. The applicant is asked to:</p> <ul style="list-style-type: none"> a) Provide a summary document/ tracker of all requests for agreements with local authorities including the type of agreement, what it relates to and how each would meet the relevant tests. b) Justify its intended use of unilateral undertakings in the instances where a bilateral (section 106) agreement would be preferable. c) Consider whether one local authority's request for a certain agreement would also be appropriate for the same to be applied in any (or all) of the other local authority areas. <p>All local authorities are invited to provide a list of and their understanding of the current status of any agreements which it has requested, together with a timescale for completion of any agreements which require sign off by the local authority.</p>	<p><i>Norwich to Tilbury will have a significant and lasting impact on Essex as a result of the project's construction and visual presence.</i></p> <p><i>BBC would therefore wish to see the Applicant engage positively with Local Authorities to secure and deliver an appropriate level of mitigation and/or compensation commensurate to the magnitude of impact.</i></p> <p><i>Though its Local Impact Report, BBC has identified a number of locally significant effects arising as a result of the construction and operation of the Project. BBC in conjunction with other local Authorities, in particular Essex CC, has commenced discussions with the Applicant regarding the nature and level of mitigation to be delivered through a s106 legal agreement to cover the following:</i></p> <ul style="list-style-type: none"> <i>i) BNG</i> <ul style="list-style-type: none"> <i>- to deliver a 10% biodiversity net gain together with appropriate management and monitoring for at least 30 years.</i> <i>ii) Tree Planting – Replacement / Mitigation/ Compensatory</i> <ul style="list-style-type: none"> <i>- to secure the delivery of an 'Off-Site Planting Delivery Scheme' prepared in accordance with the Reinstatement Planting Plan pursuant to Requirement 9 of the Development Consent Order. The Reinstatement Planting Plan for offsite tree planting to also cover any</i>

		<p><i>additional mitigation planting or compensatory planting.</i></p> <p><i>iii) Skills Supply Chain Employment and Training</i></p> <ul style="list-style-type: none"> - <i>to secure an Employment, Education, Skills and Supply Chain strategy for the project together with appropriate funding through a Section 106 agreement.</i> <p><i>iv) Highways (ECC lead authority)</i></p> <ul style="list-style-type: none"> a) <i>to require the Applicant to enter into a Framework Highways Agreement;</i> b) <i>to require the Applicant to enter into a Developers Forum as a vehicle to coordinate construction activity associated with multiple development projects with the aim of minimising cumulative impacts;</i> c) <i>to secure a financial contribution towards offsetting the additional “wear and tear” associated with the construction works.</i> <p><i>v) Wellbeing & PROW (ECC lead authority)</i></p> <p><i>To secure a contribution towards improving the use of the PROW network.</i></p> <p><i>The above matters are under discussion with the Applicant and a draft s106 agreement being prepared with the intention of being finalised in time for Deadline 7. Updates will be reflected in the Statement of Common Ground to be submitted at Deadline 4.</i></p>
<p>GEN 1.24</p>	<p>Dunton Hills Garden Village 2 The RRs and LIRs from Essex CC [RR-1083] and [REP1-161], Basildon BC [RR-0335] and Brentwood BC [RR-0391] and [REP1-150] make detailed comments</p>	<p><i>b) The development of the Garden Village at Dunton Hills assumes the existing UKPN OHL are to be removed by a third party. This position is reflected in the developable area and the viability assessment underpinning the delivery of</i></p>

regarding potential effects on the viability and delivery of the DHGV allocation which may be affected by the OHL infrastructure.

Existing pylon infrastructure is in place on and around DHGV. Work no. 33 includes the replacement of part of an existing overhead distribution electric line. The works include removal of 1.9 kilometre (km) of existing pylons and OHLs (route PSC) and the installation of 1.6km of new underground distribution electric line, with a temporary diversion of the existing line. These works are shown on works plans section G (sheet 6 of 6) [APP-023] and section H (sheet 1 of 7) [APP-024]. However, the submissions include limited consideration of the existing OHL which crosses the allocation, and the proposals by the applicant to remove and underground part of the existing electric lines.

a) The applicant and BTSurveyors (for LIH Dunton Hills Limited) are asked to clarify whether the other existing OHLs which runs westwards across the DHGV allocated site would remain in place or be undergrounded or diverted.

b) The local authorities and BTSurveyors (for LIH Dunton Hills Limited) are asked to provide specific comment on Work no. 33 and clarify whether both existing OHLs were included in their assessment of viability of the DHGV proposals.

c) The local authorities are asked to respond to the applicant's comments (response to RRs [REP2-023] and response to LIRs [REP2-030]). In particular regarding the ability to co-exist, the routing of the proposed OHL within a high-pressure gas pipeline safety zone, the restrictions

the affordable housing and associated infrastructure where no money is allocated to undertake this work. It is also noted that paragraph 22 of the LIH Relevant Representation (RR-0421) states "The scheme has been devised on the assumption that the existing 132kV overhead electricity lines will be removed from the centre of the site and diverted underground elsewhere".

c) BBC notes that ECC has reviewed the Applicant's comments in its response to RRs (REP2-023) and response to LIRs (REP2-030) and acknowledges the complexity of route selection, especially given the presence of heritage assets in the vicinity of Dunton Hall, but ECC has raised significant concerns about DHGV from the very start of this process when responding to the first Non-Statutory Consultation in 2022.

The amendments to the Norwich to Tilbury scheme which local authorities including BBC are seeking are considered to be relatively minor, and while the logic of following the safety zone for the high-pressure gas main can be understood, it does not in the opinion of ECC, supported by BBC, address the fundamental environmental concerns raised in respect of safeguarding the principles and objectives of the DHGV.

In maintaining its preference for this route, the Applicant refers to the proposed route being the least worst option in terms of its environmental effects. BBC believes these changes do not respect the design objectives for the garden village (or the wider development aspirations identified in current and emerging local plans). The Applicant in its defence of the route selection to the east of DHGV does not raise any technical objections to the

	<p>placed by existing development, and that the suggested alternative (an underground cable) would lead to direct loss of part of the DHGV development area.</p> <p>d) The local authorities are asked to provide a response to the applicant's commentary on the Savills Report and theoretical effects on gross development value as set out in paragraph 3.8.47 to 3.8.57 of the applicant's response to LIRs [REP2-030].</p> <p>e) The local authorities and BTSurveyors for LIH Dunton Hills Limited are also asked to clarify updated timescales for a planning decision to be issued relating to application 21/01525/OUT, for reserved matters applications to be submitted, and for expected commencement (and phasing) of the DHGV development, so that the ExA is able to make a more informed review of cumulative construction effects.</p>	<p><i>undergrounding of the electricity cable and its alignment in the same corridor as the high-pressure gas main. BBC believes there is no objection in principle to these underground services running in close proximity subject to the appropriate safeguards being introduced and BBC would have expected this to have been explored in greater detail by the Applicant.</i></p> <p><i>Reference is made to Holford Rule 7 as the rationale for selecting the route to the east of DHGV. While for the reasons set out in its LIR BBC does not fully concur with the justification, it considers a hierarchy of potential mitigation should have been explored. Holford Rule 7 states that "When a line needs to pass through a development area, route it so as to minimise as far as possible the effect on development" and goes on to state in supplementary guidance that "in addition to adopting appropriate routeing, [the proposer} evaluate where appropriate the use of alternative tower designs now available where these would be advantageous visually, and where the extra cost can be justified".</i></p> <p><i>While acknowledging the comments on alternative pylon design and in particular T Pylons (APP-122 - Design Development Report), BBC considers greater weight should have been given to the designation of this development as a garden village and the wider design and environmental considerations that would offset the additional costs referred to. As stated at Para 2.5.9 of the Design Development Report (APP-122), the latest independent report on the Comparison of Electricity Transmission Technologies: Costs and Characteristics (Institute of Engineering and Technology, 2025) confirms that T-pylons provide an alternative to conventional</i></p>
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GEN 1.25	<p>Dunton Hills Garden Village 3 Clarify the location of the play area to the southeastern corner of DHGV site (as shown on in appendix 8 [RR-0421] and provide comment as to whether it is feasible for this area to be designed around or relocated within the proposed development when detailed plans are submitted.</p>	<p><i>BBC can clarify that the location of the play area was specified in the approved Framework Masterplan document considered by BBC's Planning Committee when resolving to grant outline planning permission, therefore forms part of the decision. The play areas are distributed across the development such that they are within easy walking distances for the community. Whilst there may be scope to refine the location at RM stage, this should not undermine the overall play strategy, design or placemaking for the development, which form part of the garden village design objectives.</i></p>
ALT: Alternatives		
ALT 1.1	<p>Reasonable alternatives: policy and legislation The local authorities are invited to comment on their understanding of 'reasonable alternatives' in the context</p>	<p><i>BBC understands that the ExA draws the Council's attention to NPS EN-1 paragraphs 4.3.22 to 4.3.29 – and the issue of the materiality in the consideration of any</i></p>

	<p>of NPS EN-1 paragraphs 4.3.22 to 4.3.19, and Regulation 14(2)(d) and paragraph 2 of schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). The local authorities are also requested to comment on paragraph 3.2.32 of ES chapter 3: 'Where options assessed do not meet the definition of 'reasonable alternatives' (such as certain offshore cable options that conflict with NPS policy preferences), these are included to address specific scoping requirements under Regulation 14(3) rather than as reasonable alternatives under Regulation 14(2)(d)'. The local authorities are asked, where they have suggested alternatives, if they would meet the definition of reasonable alternatives in the context of the policy and the EIA Regulations. Other IPs are also invited to comment on their understanding of reasonable alternatives, if they wish to do so.</p>	<p><i>alternative (i.e. NPS EN-1 paras 4.3.25-4.3.29 inclusive).</i></p> <p><i>BBC note Regulation 14(2)(d) and also Schedule 4 of the EIA Regs – but comment that alternatives must be assessed in a sufficient (but proportionate) way to allow meaningful comparison.</i></p> <p><i>BBC repeats earlier comments/dissatisfaction that credible alternatives have been appropriately considered and assessed.</i></p>
ALT 1.2	<p>Approach to options appraisal</p> <p>The local authorities are invited to review section 3.3 of ES chapter 3 [APP-127] and appendices 3.1 [APP-128] and 3.2 [APP-129] in respect of the applicant's approach to options appraisal, including the hierarchical assessment. They should provide comments where they disagree with any part of the approach (not the individual options considered; the approach only). This could form part of the SoCG.</p>	<p><i>BBC 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.</i></p> <p><i>BBC also recognises that there are cost options associated with the alternative schemes.</i></p> <p><i>BBC considers that alternative schemes to the proposed lattice pylons scheme, such as offshore and High Voltage Direct Current (HVDC) undergrounding, should be explored</i></p>

in more detail to ascertain whether they would achieve better environmental outcomes overall than the current submitted scheme.

BBC reiterate that its preferred strategic option for Norwich to Tilbury remains an integrated offshore technology that minimises onshore transmission infrastructure and does not include overhead lines and pylons. BBC recognises that this option would need to be delivered in a timely manner, and without risk to national net zero, renewable energy generation and decarbonisation targets and energy security.

BBC further notes that the approach undertaken regarding Options Appraisal is mainly based on the Applicant's guidelines, rather than a specific Government based appraisal method.

Preliminary Environmental Impact Report (PEIR) or other early environmental appraisal tools were not used to help to inform the acceptability of other alternative options.

The use of the Holford Rules raises concern. They are unadopted and out of date. They do not reflect up to date planning policy and do not allow for local distinctiveness.

The reliance on national, as opposed to local designations, means that the proposals do not allow for local distinctiveness, nor consider the cumulative effects of the siting of a number of locally designated features within

		<p><i>close proximity to each other.</i></p> <p><i>This approach goes against the grain of general planning policy where proposals are considered on a case-by-case basis according to the best fit for their location.</i></p> <p><i>Further commentary will be provided within the SoCG as required.</i></p>
<p>ALT 1.3</p>	<p>Strategic options: Offshore 1</p> <p>Many of the local authorities and a large number of IPs have expressed that they would prefer the offshore option as an alternative to OHL infrastructure between Norwich and Tilbury.</p> <p>Could the local authorities please clarify if they have reviewed the strategic options appraisal and the 2025 updates to the Strategic Options Backcheck and Review (SOBR) (including Appendix B: 2024 version, section 14) [APP-355] in relation to ‘Offshore 1’. The ExA is aware of the local authorities’ assessment of cost and timing as set out in the Hiorns Report as appended to the RR from Norfolk CC [RR-2753]. However, the ExA seeks the views of local authorities in relation to the constraints (environmental, social and technical) which may affect the delivery of this option as set out in the SOBR (as set out in section 14 and summarised in table 15.2 of the SOBR). An update to this is provided in section 6 of the August 2025 SOBR [APP-355].</p> <p>Other IPs are also invited to provide comment should they wish to do so.</p> <p>In doing so, could the local authorities and any other IPs provide any additional comments they may have in relation to the applicant’s reasoning for discounting</p>	<p><i>BBC confirms that it has reviewed the Strategic Options Backcheck and Review (SOBR) 2024, Appendix B, and the August 2025 update, alongside the applicant’s alternatives assessments within ES Chapter 3 and the Design Development Report.</i></p> <p><i>These documents identify a series of environmental, technical and socio-economic constraints associated with Offshore Option 1, including the requirement for a long offshore HVDC cable route, associated marine ecological considerations, and challenges relating to landfall and converter station siting at Tilbury amidst wider Freeport and port-related development pressures.</i></p> <p><i>While BBC recognises these strategic-level constraints, it also notes that the appraisal of Offshore 1 remains relatively high-level, particularly when compared to the scale and permanence of the impacts that the proposed onshore overhead line would generate within Brentwood, including the severance effects at Ingatestone and the visual and other impacts on the proposed Dunton Hills Garden Village.</i></p>

	<p>Offshore 1 as a reasonable alternative. The applicant is asked to provide an update on the constraints noted in section 6 of the SOBR since August 2025 relating to Offshore 1 and connection at Tilbury.</p>	<p><i>BBC further notes findings from the Hiorns Report indicating significant uncertainty in the generation background and suggesting that the need for reinforcement may be deferrable by up to five years without constraining offshore wind development, which raises questions over whether strategic offshore alternatives (including Offshore 1) have been explored with sufficient depth prior to dismissal.</i></p> <p><i>In light of this and given the potential for offshore options to reduce or avoid extensive onshore environmental and community impacts, BBC considers that further justification and updated sensitivity testing should be provided before concluding that Offshore 1 is not a reasonable alternative. BBC therefore invites the Examining Authority to seek additional evidence from the applicant and the National Energy System Operator (NESO) regarding the need case, offshore feasibility and converter station siting, consistent with the proportionate alternatives requirements of EN-1 and EN-5.</i></p>
ALT 1.9	<p>Limits of Deviation (LoD) A number of the local authorities' LIRs refer to the limits of deviation and the potential for the OHLs and pylons to move closer to sensitive receptors and listed buildings. Paragraph 3.2.28 of ES chapter 3 [APP-127] refers to the limits of deviation, noting that they retain flexibility to allow for necessary adjustment during detailed design and construction phases. It is stated that minor variations in specific pylon positioning or precise alignment within these limits are not treated as separate alternatives, as the assessment considers a worst-case scenario within</p>	<p><i>BBC rejects the applicant's assertion (as set out in ES Chapter 3, Paragraph 3.2.28) that the LoD proposal provides sufficient certainty and that a "worst-case scenario" has been robustly assessed.</i></p> <p><i>BBC is of the view that the LoD regime as currently set out in the draft DCO is excessively wide – laterally by up to 50m, longitudinally anywhere within the Order Limits, vertically by up to +6m (and up to +18m for some pylons), and permanent structures (substations / CSECs) to move anywhere within their Works Plan envelopes, with up to</i></p>

	<p>the established parameters. The local authorities are invited to comment on this paragraph.</p>	<p><i>10% height uplift – and materially and collectively increases the risk of environmental, heritage, landscape, residential amenity, arboricultural, and cumulative impacts beyond those assessed in the ES.</i></p> <p><i>BBC is of the view that these tolerances fundamentally undermine the assertion that the ES has assessed the “reasonable worst case”. In practice, the final constructed form and location of structures could be materially different—potentially closer to sensitive receptors and/or groups of sensitive receptors, of greater height or massing, or differently aligned within the LoD. Such variations, and the resulting individual and cumulative effects, have not been assessed within the ES. Moreover, these changes could arise repeatedly across multiple locations within the project, thereby compounding unassessed impacts and rendering the purported worst-case assessment as at best unreliable.</i></p>
<p>AQ: Air Quality</p>		
<p>AQ 1.4</p>	<p>Air Quality - Development Plan documents and adopted standards/ expectations related to air quality that exceed Government targets? ES Chapter 7 at paragraph 7.2.19 lists the names of the key regional and local plan documents relevant to each individual county and local authority area. Each local authority is asked whether their development plan documents contain any standards or expectations related to air quality that exceed government targets? If so the ExA would ask for the relevant authority to confirm what those standards are and what formal consultation/ adoption processes those air quality standards/</p>	<p>BBC can confirm that its Local Plan policies relevant to Air Quality (Strategic Policy NE08: Air Quality) do not contain standards or expectations that exceed government targets.</p>

	expectations have been subject to.	
DCO: Draft Development Consent Order		
Articles		
DCO 1.A2	<p>Articles (general) - 2</p> <p>Throughout the articles contained in the draft DCO [APP-056] the applicant has specified time periods within which a response is required from a determining body. That time period tends to be 28 days. A number of the local authorities have raised concerns in regard to the time period specified, but there does not appear to be a consensus as to an appropriate alternative time period. The ExA is also concerned as to such a short period being imposed, especially where a deemed consent is triggered where a determining body has failed to respond in the period specified.</p> <p>Applicant: Explain how you have reached the time period chosen (generally 28 days), including an explanation of your understanding of any processes the relevant determining bodies have to/ or are required go through. For example, your understanding of: any application validation period; any minimum consultation periods required with statutory or other bodies; any report writing periods; any committee or delegated cycles; and any decision issuing periods that may apply.</p> <p>All local authorities, relevant statutory undertaker and or other relevant determining body: provide a summary of any processes you are required to go through, including any time period in the number of days required to undertake that process. For example, any application validation process; any minimum consultation periods</p>	<p>BBC agrees with the ExA that the 28-day period will be too short for both the quantity and quality of work expected from a proper and considered response. BBC is also of the view that the scope of potential processes that the ExA has underlined in its question bears out that the 28-day period will be insufficient, as officers will be expected to execute tasks such as these as part of a much wider caseload of work and with increasingly limited resource capacity. BBC supports the concerns of the ExA and affected authorities along the route in seeking a suitably extended time period for response.</p>

	required with statutory or other bodies; any report writing periods; any committee or delegated cycles relevant; and any decision issuing periods that may apply.	
Schedules		
DCO 1.S7	<p>Schedule 3 – Requirement 3 (stages of the authorised development)</p> <p>Requirement 3(1) specifies “...written notice setting out the anticipated programme for the carrying out of pre-commencement operations must be given to the relevant planning authority no less than seven days prior to the date on which those pre-commencement operations are first carried out...” The ExA would ask all local authorities, as well as any relevant discharging authorities whether seven days is an adequate period for such written notice and whether such written notice should be approved in writing by the relevant planning authority/ discharging authority?</p> <p>In addition to the above, should requirement 3(5) refer to sub-paragraph (2) and/ or (3)?</p>	BBC does not consider that a seven-day written notice period is adequate and would be supportive of written notices being approved in writing subject to an adequate time period for fulfilling this and suitable mechanisms being established in advance (subject to agreement) to facilitate this requirement upon the local authority.
HE: Historic Environment		
HE 1.9	<p>Applicant’s assessments:</p> <p>Unless you have provided agreement or otherwise in your LIR, for your area of jurisdiction please state whether you are in agreement with the applicant’s assessment of:</p> <ul style="list-style-type: none"> a) Designated and Non-Designated Heritage Assets to be scoped out of further assessment as set out in ES Appendix 11.1 - Historic Environment Baseline Report [APP-209]. b) The levels of harm assessed, for the construction phase and the operation and 	<p>a) BBC supports ECC Place Services’ view that it is in agreement with the scoping of heritage assets based on the methodology provided.</p> <p>b) BBC supports ECC Place Services’ view that it is in agreement with the level of harm, on the assumption that this is based on the route line given – the applicant appears to be saying that rather than using the proposed pylon locations and overhead line alignment shown in document APP-133 (Proposed Project Design – Permanent Features) as the basis of their assessment of the impact on the</p>

	<p>maintenance phase, as described in ES Appendix 11.7 – Assessment of Harm to Designated Heritage Assets [APP-215].</p> <p>c) The levels of harm assessed in relation to Non-Designated Heritage Assets (NDHA), as described in ES Chapter 11 [AS-068].</p>	<p><i>setting and significance of heritage assets, they have made an assessment that takes into account the worst case pylon and overhead line positions based on the LoD parameters. We would request a more detailed explanation of the applicant's assessment methodology.</i></p> <p><i>c) BBC supports ECC Place Services' view that the levels of harm to identified non-designated heritage assets primarily affect below ground archaeological assets and therefore refers to comments provided elsewhere by the archaeological advisor.</i></p>
HE 1.12	<p>Heritage visualisations - 1</p> <p>A range of heritage visualisations are provided [APP-350] and [APP-351]. All local authorities and Historic England are asked to confirm:</p> <p>a) Agreement with the viewpoints chosen to reflect any potential impacts on heritage assets.</p> <p>b) In your opinion are additional visualisations required, and if so from which assets and where should the visualisations be taken from?</p>	<p><i>a) BBC shares ECC Place Services' view that the viewpoints for Heritage visualisations were agreed as part of the pre-planning process</i></p> <p><i>b) BBC supports ECC Place Services' position that they would request further clarification about the Heritage Viewpoint visualisations and the LVIA visualisations (some of which have been used to inform heritage impact assessments) and whether they are based on pylon locations and OHL alignment shown in the relevant documents APP-342 to APP-351 or are worst-case pylon locations and OHL alignment based on the LoD parameters.</i></p>
HE 1.39	<p>Protected Lanes</p> <p>Please provide further evidence relating to the protected lanes in your respective administrative areas which would in your opinion be negatively impacted by the proposed development, including evidence over why they should be considered as NDHA.</p>	<p><i>Little Hyde Lane, Fryerning (BRWLANE10) is located in Brentwood and to mitigate any loss and disruption the Applicants have included a section on Protected Lanes (Section 7.9) in the LEMP (Revision C- REP2-019) and have made changes, as requested in ECC's Local Impact Report, to H06 in the Code of Construction Practice (Revision B – REP2-015).</i></p> <p><i>The Protected Lanes within Essex were assessed by the</i></p>

		<p><i>Historic Environment Team of Place Services (Essex County Council) on behalf of the districts using a methodology which included desk-based research and field survey. The lanes were assigned a score based on diversity, historic integrity, archaeological potential and aesthetic value. Where a threshold score was achieved the lane was adopted as a Protected Lane. Protected Lanes are identified as non-designated heritage assets through the districts' relevant Strategic Policies.</i></p> <p><i>Stage 1 of the criteria for a Protected Lane was to meet a threshold score for historic integrity. If a lane failed to score 2 for integrity it did not proceed to the next stage. A score of 2 related to "Moderate improvements or loss to historic fabric of the lane (excluding significant hedgerow loss)".</i></p> <p><i>Lanes may be impacted in the area of overhead lines due to groundworks associated with infrastructure for the new overhead line and pylons which could lower the score for other criteria such as aesthetic value, biodiversity (where hedgerows may need to be removed) as well as historic integrity where physical works may be required. Where the score may be reduced due to the installation and presence of the overhead lines and pylons in the vicinity of the lane the lane may no longer meet the criteria of a Protected Lane.</i></p>
HW: Health and Wellbeing		
HW 1.8	Brentwood Borough Council's local impact report – protected characteristics and complex sensory needs	BBC can confirm that it has received representations from households with individuals with protected characteristics

	<p>Paragraph 6.45 of Brentwood Borough Council’s Local Impact Report [REP1-150] notes it “...has received representations indicating that some households within the Haverings Grove and Rayleigh Road corridor include individuals with protected characteristics and complex sensory needs, where noise, vibration, unexpected traffic conditions and sudden acoustic stimuli can cause acute distress. These households report that prolonged construction activity, including extended working hours and associated traffic behaviours, would disproportionately affect their wellbeing and daily functioning. Given the Public Sector Equality Duty, [the Council] ...considers that vulnerable residents in this locality warrant particular regard within the DCO’s mitigation framework, including the need for targeted measures to minimise disturbance.”</p> <ul style="list-style-type: none"> • For the applicant, to what extent have you had regard to individuals with protected characteristics in considering health and wellbeing, stress and anxiety? Explain how this has been considered and detail where this is explained. What additional measures have you sought to employ to minimise disturbance on individuals with protected characteristics and complex sensory needs and what further measures can be employed? • For Brentwood Borough Council, what are the targeted measures to minimise disturbance, you reference that you are seeking from the applicant? 	<p>as per the Equalities Act 2010 and also with complex sensory needs. BBC understands that written representations have also been made directly to the ExA from the same household, which has offered to provide further details on a confidential basis and has requested meaningful discussion with NG about the range of mitigation it would be able to offer to reduce harmful impacts.</p> <p>In light of the above and given the confidential nature of the required details, BBC is unable to expand upon the targeted measures to minimise disturbance, but would urge NG and the ExA to engage with the relevant household (as per their independent representation) to understand what these might be and how they can be agreed and secured. BBC remains available to facilitate and/or participate in these discussions as required.</p>
<p>LUS: Land Use and Soils, Green Infrastructure</p>		
<p>LUS 1.14</p>	<p>Green infrastructure and open space - 1 Appendices B1, B2 and B3 to the applicant’s Planning</p>	<p>BBC agrees with the green infrastructure and open spaces that have been identified in the assessment but would also</p>

	<p>Statement [APP-085] contain tables and assessment of the projects impact on open spaces.</p> <ul style="list-style-type: none"> • Do the host local authorities agree with the assessment and conclusions reached in table B.1, if not explain your reasoning and justification for your conclusions. • Do Colchester City Council agree with the conclusions and assessment of fishing provision within Ardleigh and if not explain your reasoning and justification. • Do Thurrock Council agree with the applicant's assessment of the impacts of pylons in Maple Park and if not explain your reasoning and justification. 	<p>support Essex CC's assertion that many of the open spaces along the route, whether public or private, form part of Essex's wider Green Infrastructure (GI) network, which supports wildlife, habitats, flood management, climate resilience and community wellbeing. ECC's position is supported by the Essex GI Strategy and Essex Local Nature Recovery Strategy (LNRS), which emphasises the importance of protecting and enhancing GI networks, not just designated parks or recreation sites.</p> <p>The applicant's assessment mainly focuses on whether land is publicly accessible or whether a numerical "surplus" of open space exists, but even small or privately owned areas may play an important ecological role. This is also a requirement of the National Planning Policy Framework (NPPF), which makes clear that planning decisions should protect and enhance green infrastructure, biodiversity and ecological networks not just formal open spaces.</p> <p>Several areas affected by the project – in Brentwood being primarily Woodland Sites, which even where land is not publicly accessible can provide essential buffer zones, habitat connectivity, and biodiversity value – are located within the Essex LNRS Strategic Opportunity and potential opportunity zones. The applicant's assessment does not fully acknowledge these LNRS considerations, meaning the value of certain open spaces has been understated.</p> <p>Further to the above, whilst the conclusions in Table B.1 may broadly be deemed reasonable, they raise questions</p>
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		<p>on the impacts of the proposal against the proper consideration of alternatives. Such is the case for Ref OS/88 and Ref OS/90, where it has been concluded that the oversail of the PRow and indirect impact of the open space is outweighed by “the benefits of the Project (including need), and having regard to the mitigation the Project has offered in respect of the indirect effect on the open space”, but an offshore option, if demonstrably viable, would eliminate such impacts and obviate the need for mitigation both in Brentwood and along the entirety of the route.</p> <p>Lastly, BBC is concerned at the impact on Little Bladen’s Wood & Blind Lane (OS/93) and on what NGET considers to be the “natural regeneration of woodland post construction”, particularly as this site is recognised as an ancient woodland. BBC would also draw attention to the commitment made to ancient woodland in OS/95 and enquire as to why a similar commitment has not been made to OS/93, despite the recognition of it as “largely, if not completely, ancient woodland”.</p>
LV: Landscape and Visual		
LV 1.22	<p>Landscape visualisations – 1 The local authorities are asked whether:</p> <ul style="list-style-type: none"> • You agree with the viewpoints in the visualisations [APP-343] to [APP-349] chosen to reflect any potential impacts on landscape. • In your opinion are additional visualisations required, and if so from which assets and where should the visualisations be taken from? 	<p><i>BBC agrees with the viewpoints in the visualisations that have been chosen to indicate potential impacts on the landscape but considers that given the extended linear nature of the proposal that further visualisations should be provided to offer a much broader scope of the visual impact, including from locations beyond the 3km study area where appropriate.</i></p>
LV 1.34	ES Appendix 13.6 – arboricultural impact assessment	<i>BBC supports the ECC concerns regarding replacement</i>

– replacement planting

Paragraph 13.5.13 of ES Appendix 13.6 [APP-236] states that National Grid has committed to a 3:1 tree replacement ratio for individual trees and small groups of trees. It further notes that you would prioritise such replanting within the Order limits, although offsite provision may be required.

The outline LEMP [AS-046] states (paragraph 9.3.6) that discussion is ongoing with landowners and third parties regarding the provision of offsite tree planting and that an offsite planting delivery scheme will be provided to the relevant Local Planning Authorities for their information, which provides details of the offsite provision.

- Applicant - What constraints are there to replanting within the Order limits and under what circumstances may the need for offsite provision be triggered?
- All local authorities – Is the provision of an offsite planting delivery scheme document acceptable to you? Do you have any comments on what it should contain and/or when it should be provided to be most useful to you? How could such details be secured?

planting such as:

- *A fixed ratio of 3:1 is not considered appropriate for all replacement planting and should respond to the specific details of planting lost. i.e. a Veteran Oak would require far greater replacement than a smaller sapling. The replacement is also subject to stock availability in the UK.*
- *Consideration should also include Landscape Character and ecological habitat creation.*
- *With regards to Off-Site, there are constraints with land ownership, appropriate location and long-term retention and management.*

Monitoring and management programmes such as those undertaken for Minerals and Waste sites could secure this but need to be carefully managed to ensure they are successful.

In respect of green infrastructure, BBC agrees with ECC support of the principle of an Offsite Planting Delivery Scheme (OPDS) to accompany the applicant's 3:1 replacement ratio for individual trees and small groups, as set out in ES Appendix 13.6 and the Outline LEMP. The OPDS is acceptable in principle, but BBC acknowledges ECC advice that its usefulness depends on early provision and strategic alignment with wider environmental priorities.

BBC also considers that the OPDS should be submitted prior to commencement of main works so that LPAs can meaningfully influence site selection and ensure alignment with local and county-wide GI priorities.

		<p>Furthermore, BBC supports ECC's expectation that the OPDS will include:</p> <ul style="list-style-type: none"> • A clear summary of onsite planting capacity and the resulting offsite requirement. • Site selection criteria aligned with the Essex Local Nature Recovery Strategy (LNRS) and the Essex Green Infrastructure Strategy, demonstrating contributions to ecological connectivity, canopy cover and climate resilience. • Mapping of proposed offsite locations and their relationship to priority habitats, GI networks and landscape character. • Species selection principles based on local provenance and resilience. • Aftercare, monitoring and reporting arrangements. <p>Lastly, BBC considers that the OPDS should be secured via Requirement 4 (LEMP) or a dedicated DCO Requirement, with offsite planting on third-party land supported by a legal agreement to ensure delivery and long-term management.</p>
SET: Socio-economics, Tourism and Recreation		
SET 1.5	<p>Mitigation measures - 2</p> <p>The ExA notes the use of the term 'where practicable' in relation to proposed mitigation and is concerned as to the vagueness of this term.</p> <p>Applicant - justify the use of this term in each instance or amend the proposed mitigations accordingly.</p> <p>Relevant County and Local Authorities – The ExA seeks your views in regard to the use of this term and your</p>	<p>BBC does not consider that the use of the term "where practicable" is suitable for securing mitigation measures due to its vagueness and potential for withdrawal from commitment to provision of mitigation via a practicable loophole. BBC therefore supports Essex CC and other authorities along the route in securing an alternative form of wording that commits NGET to providing suitable mitigation and allows for no withdrawal from such commitment.</p>

	suggestions in regard to any alternative forms of wording.	
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