

**ESSEX COUNTY COUNCIL RESPONSES TO EXAMINING
AUTHORITY'S WRITTEN QUESTIONS**

ExQ1	Question to:	Question:	
GEN General and cross-topic questions			
GEN 1.1	The applicant All interested parties	<p>Responses to submissions by Interested Parties</p> <p>It is essential for the successful delivery of the timetable of the examination that all parties are able to easily interpret the applicant's responses to comments made by interested parties (IPs) in their submissions both in writing and orally.</p> <p>The ExA issued a Rule 17 letter on 3 March [PD-012] and responded to the applicant's response to that letter on 6 March [PD-013]. The letters set out the ExA's concerns relating to the lack of detail in the applicant's response to relevant representations (RRs) [REP1-132], and there were similar issues with the applicants response to submissions to the open floor hearings (OFH) [REP1-140].</p> <p>The ExA accepts that a number of issues are common to a large number of IPs. Nonetheless, those responses which include specific locational detail (for example to a certain natural environment designation, landscape feature, heritage asset, affected business and so on) which is not common to other submissions should be specifically responded and not grouped with the issues which arise from the project as a whole. Submissions by all statutory consultees should also be responded to in appropriate detail. Statutory consultees include parish councils. Responses should not only refer to the relevant section of the Environmental Statement (ES) or other application document, but should also provide a brief summary so that the applicants response can be easily interpreted by all parties.</p> <p>The ExA expects this approach to be taken throughout the examination.</p> <p>In doing so, the applicant and other parties are advised to title issues as they are listed in the initial assessment of principal issues (IAP1) as set out in annex C of the Rule 6 letter [PD-009], and other issues as titled in the categories within these written questions.</p>	The question is noted by ECC.
GEN 1.2	The applicant All parties	<p>Artificial Intelligence</p> <p>The Planning Inspectorate issued updated guidance in relation to the use of artificial intelligence (AI) on 20 March 2026.</p> <p>All parties are asked to review the guidance carefully, and ensure that in any answers to ExQ1 or in other written submissions where AI has been used a short statement is provided. In particular, the ExA requests that you make checks on the submission and take responsibility for the factual accuracy of its content. All parties are directed to the ExA's procedural decision in annex F(1) of the Rule 6 letter dated 13 January 2026 [PD-009]. The ExA's position on this was also set out at the preliminary meeting on 10 February 2026 [EV3-001] to [EV3-005].</p>	ECC has reviewed the updated guidance in relation to the use of AI. No AI has been used in the answers to ExQ1 and ECC is satisfied that its submissions are consistent with the advice.
GEN 1.3	All local authorities in particular: Norfolk CC Essex CC Colchester CC Tendring DC Basildon BC Thurrock Council Parish councils: Swainsthorpe	<p>National and local planning policy compliance tracker</p> <p>Since the policy compliance document submitted with the application [APP-086] was produced (1 April 2025) a number of local and national planning policies have been updated or newly issued. This includes the energy suite of National Policy Statements (NPS) EN-1, EN-3 and EN-5 (Updated National Policy Statements). The transition provisions set out in section 1.6 of NPS EN-1 (December 2025) apply to the application as it was accepted prior to publication of the revised policy. The updated NPS are capable of being important and relevant considerations in the decision-making process.</p> <p>The applicant submitted a policy compliance tracker [REP1-133] at deadline 1. It includes an assessment of the updated NPS alongside those which are designated, and a number of new insertions including the consultation draft National Planning Policy Framework (NPPF), local plan policies and neighbourhood plan policies.</p>	ECC refers to the relevant district authorities to comment on the content of the compliance tracker where this relates to newly designated and/or emerging policies. The ECC LIR (REP1-161) contains details of relevant county policies and the policy compliance tracker accurately reflects their current status.

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	Newton Flotman Hintlesham and Chattisham Copdock and Washbrook	The listed relevant planning authorities and Parish Councils (PC) who have a newly adopted or emerging local plan and neighbourhood plan are invited to confirm that the policy compliance tracker is an accurate representation of their newly designated and/or emerging policies and provide any additional comments relating to the applicant's regard to those policies. All relevant planning authorities are invited to make comment on the content of the compliance tracker. If you have already dealt with changes to policy in your local impact report (LIR) there is no need to provide a response.	
GEN 1.4	All local authorities	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.	ECC has no updates to 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)
GEN 1.5	The applicant Norfolk CC Suffolk CC Ipswich BC Colchester CC Thurrock Council	Local government reorganisation Local elections are to take place in a number of the host local authorities on 7 May 2026, and many will be undergoing local government reorganisation and/ or devolution. The listed local authorities are asked to set out: <ul style="list-style-type: none"> a) any implications for their continuing involvement in the examination and how a consistent approach to their responses can be assured b) any implications for their role as a discharging authority post-consent, and whether any changes to the draft Development Consent Order (DCO) would be necessary The applicant: explain any changes to its ongoing dialogue with the affected local authorities and how it intends to deal with any changes in the draft DCO.	ECC does not expect LGR and any transitional discussions to affect its continuing involvement in the examination process. There is no immediate change to ECC's status in the examination simply because local elections are taking place. However, the outcome of local elections on 7 th May is unknown and a change in the political control of the Authority may result in different priorities and have a bearing on the approach of the Council to the examination process. Details regarding post LGR structure and responsibilities especially in relation to ECC as a highway authority have yet to be finalised. ECC however recognises that the wording of the DCO must be such that any requirement, approval, certification, consultation or protective-provisions function intended to be exercised by ECC after 1 April 2028 will be exercisable by the relevant new authority, to which the powers will transfer. While difficult to comment on any implications for the future discharging of requirements at this time, ECC believes that the current draft DCO [REP2-005] does not need substantive amendment to address LGR, because it already allocates discharge functions by role and area, not by naming ECC as the discharging body. . ECC considers it will be important for the DCO to incorporate appropriate text that is sufficiently flexible to cover post LGR structure. The continued use of discharging authority, relevant planning authority, relevant highway authority would appear to support such an approach and it is respectfully suggested at Article 2(8) that it would be sensible to tweak the drafting of definitions for relevant planning authority / relevant highway authority, to refer to "any successor or successors in function", in case the relevant function is split across more than one successor. It is also suggested that Article 2(8) could be further amended so that it caters expressly for more than one successor authority: " <i>References in this Order to any statutory body include that body's successor or successors in respect of functions which are relevant to this Order and, where there is more than one such successor, the successor authority for the area to which the relevant provision relates.</i> "
GEN 1.6	All local authorities MOD	Critical national priority	ECC has reviewed the Applicant's consideration of CNP in the planning statement (APP-085) and would make the following comments on the Applicants approach.

ExQ1	Question to:	Question:	
	<p>Natural England Environment Agency Any IPs who wish to make comment</p>	<p>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 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 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>The Applicant correctly states the position in paragraph 3.2.5. There, the Applicant does not treat CNP policy as a freestanding additional aspect of the need case, but as a policy lens that applies after the ordinary assessment of need and the application of the mitigation hierarchy to the effects of the project.</p> <p>The Applicant correctly emphasises that, where there are residual non-Habitats Regulations impacts after all possible mitigation has been applied, the urgent need for CNP infrastructure, together with other benefits, will generally support grant of permission because it outweighs those residual impacts (unless exceptions apply). The Applicant rightly does not suggest that the fact that the project is CNP Infrastructure means it is subject to any less stringent obligations to mitigate impacts through the full application of the mitigation hierarchy (see especially paragraphs 7.1.7-7.1.12 on the requirement to apply the mitigation hierarchy). CNP policy applies only to residual, non-Habitats Regulations, impacts.</p> <p>Focusing on the Applicant's approach to residual impacts from paragraph 7.2.52 onwards:</p> <ul style="list-style-type: none"> i) Green Belt: ECC has no specific comments to make in respect of green belt but would defer to district authorities within Essex where there is designated green belt land affected by the proposal. ii) SSSI: ECC agrees that the Applicant's strategic mitigation has resulted in a development route that avoids any predicted impacts on SSSIs. iii) Designated landscapes: ECC defer to the submissions of the National Landscape team in respect of the Dedham Vale National Landscape and the measures necessary for the SoS to discharge the statutory duty to further the purpose of the designation. iv) Heritage assets: Paragraphs 7.2.56-57 of APP-085 consider Substantial harm to or loss of significance to Heritage Assets. Paragraph 7.2.57 states that the project has been carefully designed to avoid, reduce or mitigate potentially significant effects on cultural heritage and archaeology assets. The harm is considered necessary to achieve the substantial public benefit of delivering CNP infrastructure that outweighs the heritage impact.. ECC cannot agree with the Applicant's approach because the CNP policy approach can only be applied after the mitigation hierarchy has been applied in light of an adequate level of information. ECC has consistently flagged that the Applicant has provided inadequate information on archaeological impacts; that remains the case (see ECC's Deadline 3 Response, paragraph 5.13ff). Accordingly, the CNP policy approach cannot yet be applied to residual impacts in relation to archaeology . v) Flood Risk: So long as the appropriate mitigations are included in the CEMP and secured in the DCO (REP1-161, paragraphs 4.7.20-4.7.26) , ECC agrees that there will not be residual impacts from flooding . <p>Turning to the areas where the CNP policy approach is disapplied:</p>

ExQ1	Question to:	Question:	
			<ul style="list-style-type: none"> vi) Human health and public safety: ECC maintain concerns regarding long term impacts on public health and safety, including mental health and wellbeing as outlined in ECC's LIR (REP1-161 - paragraphs 4.9.16-4.9.55)) vii) Defence: ECC defers to the Ministry of Defence and other relevant bodies on the matter of defence. viii) Irreplaceable habitats: There are several irreplaceable habitats within or adjacent to the Order Limits. The Arboricultural Impact Assessment (AIA) should be used to inform the detailed design stage and micro-siting of all works, to further reduce impacts on trees, in particular irreplaceable habitats, such as veteran trees. Mitigation must be secured via the Requirements of the DCO. ECC agrees that the feeling of veteran trees is the type of residual harm that falls outside of the application of CNP policy ix) Flood Risk: Please refer to the comments in ECC's LIR (REP1-161). x) The HRA: No comment <p>The 2025 NPSs do not change this analysis or add anything material.</p>
GEN 1.7	The applicant	<p>Centralised Strategic Network Plan (CSNP)</p> <p>Chapter 3 of NPS EN-1 (2025) makes reference to the forthcoming CSNP (paragraph 3.2.5).</p> <p>Noting that the consultation period for responding to the approach by the National Energy System Operator (NESO) to strategic energy planning closed in January 2026, and that the timescales for its completion are currently unknown, notwithstanding the update in the applicant's policy compliance tracker [REP1-133], the applicant (and any IPs who wish to comment) is asked to clarify its understanding of how the publication of the CSNP might affect the progression of the proposed development through examination, and implications for the Secretary of State's decision.</p>	<p>Given the very early stage of the CSNP, it is not presently material, nor should the examination timetable be affected by its preparation. The lack of the CSNP is, however, relevant. The absence of the CSNP, and thus of the benefit of the long-term strategic approach it will bring to transforming the whole energy system, supports ECC's in-principle concern about how this project is being brought forward and ECC's concerns about the Applicant's assertions that credible alternatives cannot be explored because of the acute timing of the need for the project (see REP1-161 paragraphs 4.2.1-4.2.11).</p> <p>As to the Secretary of State's decision, section 104 of the PA 2008 requires that the Secretary of State must decide in accordance with the relevant NPS unless one of the statutory exceptions applies, while also having regard to any other matters which are important and relevant. Whether something is an "important and relevant" matter under section 104(2)(d) is for the Secretary of State's judgment. So, were the CSNP (or a well-progressed draft) published before the Secretary of State's decision, the Secretary of State can treat it as an important and relevant consideration</p>
GEN 1.8	The applicant	<p>Community benefit</p> <p>The DESNZ guidance Community Funds for Transmission Infrastructure was updated in November 2025. It sets out the government's expectation for how communities that live near onshore electricity transmission infrastructure should benefit from the development of this infrastructure, with the use of community funds. The government through this document makes clear that it expects engagement with communities at an early stage.</p> <p>The applicant is asked to summarise any progress made in engagement with this process and its plans in progressing community funds in the future.</p>	<p>ECC can confirm that the Applicant has yet to set out its approach to a package of Community Benefits in line with the Governments published guidance.</p>
GEN 1.17	All local authorities	<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.</p> <p>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</p>	<p>ECC has reviewed ES chapter 17 (cumulative effects) appendix 17.2 (long list and short list of other developments) (APP-283) in respect of Essex County Council and provides commentary as highlighted in Appendix A.</p> <p>ECC would also draw attention to the following application:</p>

ExQ1	Question to:	Question:	
		<p>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). <p>Additionally a report on interrelationship with other infrastructure projects was submitted by the applicant at deadline 1 [REP1-134].</p> <ul style="list-style-type: none"> 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 applicant's summary of interactions between each project is reasonable, together with any other comments you wish to make on the report. 	<p>ESS/57/04/TEN – Crown Quarry</p> <p>Winning & Working of minerals, removal of surplus soils & erection of a low profile processing plant concrete batching plant & ancillary buildings (inc a workshop). Interim restoration to lakes & subsequent construct of a public water storage. Expiry – 17/07/28</p> <p>Furthermore, ECC notes that National Grid have sought to include screening and scoping opinions for some projects, when actual planning applications have been submitted and approved for these developments. Additionally, the Applicant appears to have included some conditions discharges for some sites – a question is raised whether the extant permission reference should also be included.</p> <p>ECC is also recently aware of the Eastern Green Link 3 (EGL 3) and Eastern Green Link 4 (EGL 4) and Grimsby to Walpole proposal being promoted by NGET and due to be submitted later this year. ECC is unclear as to the relationship of this project with Norwich to Tilbury and whether it is dependent on Norwich to Tilbury receiving consent. ECC therefore requests that clarification on the relationship is provided by the Applicant.</p>
<p>GEN 1.19</p>	<p>The applicant Norfolk County Council Suffolk County Council Essex County Council</p>	<p>Statements of Common Ground - 2</p> <p>The SoCG overview document [REP1-008] indicates that a SoCG with the Fire and Rescue Service for each county are not being produced, given that they have not responded to statutory consultation, however, may be captured as part of the County Councils' SoCG. No RRs have been submitted by the Fire and Rescue Services.</p> <ul style="list-style-type: none"> Each of the County Councils are asked to clarify whether they have any comments on the proposed development in respect of their Fire and Rescue Service. The applicant is asked to include such matters in the next version of the SoCG. 	<p>ECC has engaged with Essex Fire and Rescue Service and is seeking to facilitate discussion with the Applicant. In the interim, Essex Fire and Rescue advise that the focus of their concerns is to receive reassurance regarding the continued unrestricted operation of the County's highway network. In addition, Essex Fire & Resue will also be seeking confirmation that temporary compounds and other areas where staff and workers will be gathering, comply with relevant fire regulations and are accessible to emergency vehicles.</p>
<p>GEN 1.21</p>	<p>The applicant All local authorities</p>	<p>Legal Agreements</p> <p>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> <ol style="list-style-type: none"> 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. Justify its intended use of unilateral undertakings in the instances where a bilateral (section 106) agreement would be preferable. 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>ECC in conjunction with other Authorities has commenced discussions with the Applicant regarding the nature and level mitigation to be delivered through a s106 legal agreement, with the intention that the agreement is finalised in time for Deadline 7. The legal agreement will cover the following:</p> <ol style="list-style-type: none"> BNG <ol style="list-style-type: none"> to deliver a 10% biodiversity net gain together with appropriate management and monitoring for at least 30 years Tree Planting – Replacement / Mitigation/ Compensatory <ol style="list-style-type: none"> to secure the deliver 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 to for offsite tree planting to also cover any additional mitigation planting or compensatory planting. Skills Supply Chain Employment and Training

ExQ1	Question to:	Question:	
			<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. v) Highways <ul style="list-style-type: none"> i) to require the Applicant to enter into a Framework Highways Agreement, ii) to require the Applicant to enter into a Developers Forum as a vehicle to coordinate construction activity associate with multiple development projects. ii) to secure a financial contribution towards offsetting the additional “wear and tear” associated with the construction works vi) Wellbeing & PROW <ul style="list-style-type: none"> i) To secure a contribution towards improving the use of the PROW network
<p>GEN 1.24</p>	<p>The applicant BTSurveyors (for LIH Dunton Hills Limited) Essex CC Basildon BC Brentwood BC</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 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.</p> <ul style="list-style-type: none"> 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 placed by existing development, and that the suggested alternative (an underground cable) would lead to direct loss of part of the DHGV development area. 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]. 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 	<p>a) ECC understands that there is no agreement in place for the removal of the existing overhead electricity lines that cross the site.</p> <p>b) The development of the Garden Village at Dunton Hill 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 the affordable housing and associated infrastructure where no money is allocated to undertake this work. It is also noted that paragraph 22 of 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”.</p> <p>c) ECC has reviewed the Applicant’s comments in its response to RRs (REP2-023) and response to LIRs (REP2-030). ECC acknowledges the complexity of route selection especially given the presence of heritage assets in the vicinity of Dunton Hall. However, ECC has raised significant concerns about DHGV from the very start of this process when responding to the first Non Statutory Consultation in 2022.</p> <p>The amendments to the Norwich to Tilbury scheme which the local authorities 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, address the fundamental environmental concerns raised in respect of safeguarding the principles and objectives of the DHGV.</p> <p>In maintaining its preference for this route, the Applicant refers to the proposed route being the least worst options in terms of its environmental effects. ECC 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 undergrounding of the electricity cable and its alignment in the same corridor as the high pressure gas main. ECC believes there is no objection in principle to these underground services running in close proximity subject to the appropriate</p>

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		<p>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>safeguards being introduced and ECC would have expected this to have been explored in greater detail by the Applicant.</p> <p>Reference is made to Holford Rule 7 as the rational for selecting the route to the east of DHGV. While for the reasons set out in its LIR, ECC 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 routing, [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”.</p> <p>While acknowledging the comments on alternative pylon design and in particular T Pylons (APP-122 - Design Development Report), ECC 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 overhead lines with potential benefits in visual impact and reduced land-take. The counter argument of the Applicant is noted but ECC considers this would deliver appropriate environmental benefits while also having the benefit of avoiding any impact on the developable area for DHGV.</p> <p>d) 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], will be provided at Deadline 4.</p> <p>e) Brentwood District Council in conjunction with ECC, are currently working towards sealing the agreement and the decision notice for the outline planning permission being issued in early May. The applicants (LIH) have already commenced discussions regarding the submission of reserved matters which are expected Q2/Q3 once the outline planning permission is issued.</p>
<p>GEN 1.25</p>	<p>The applicant BTSurveyors (for LIH Dunton Hills Limited) Essex CC Basildon BC Brentwood BC</p>	<p>Dunton Hills Garden Village 3 Clarify the location of the play area to the south eastern 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>The location of the play area was specified in the approved land use parameter plan considered by Brentwood’s Planning Committee when resolving to grant outline planning permission. It 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.</p>
<p>DES Design, parameters and other details of the proposed development</p>			
<p>DES 1.3</p>	<p>The applicant</p>	<p>Independent design review The Design and Access Statement [APP-353] states in Appendix B that in the context of independent design review there is no intention to include design reviews post-consent (if consent is granted) as the project is “deemed to be achieving and meeting Good Design”.</p>	<p><i>Consistent approach across all NSIPs</i></p> <p>The Planning Inspectorate’s Advice on Good Design confirms that good design is an iterative process that should continue beyond the granting of consent, particularly for</p>

ExQ1	Question to:	Question:	
		<p>In addition to the above, the ExA note that a number of IPs have indicated the need for an independent design review to be secured as part of any DCO made. In the light of the applicant's Design and Access Statement [APP-353], especially Appendix B – Internal Design Review Note, the ExA is not persuaded, on the basis of the evidence provided to date, that a non-independent design champion(s) would be adequate or that a full independent Design Review Panel for the Proposed Development is not required.</p> <p>Provide further justification for your view that independent design review is not needed for the proposed development. Refer in your reasoning to the Planning Inspectorate Guidance Note Advice on Good Design. The ExA also note that the development consent order for the Five Estuaries offshore wind farm included a provision within requirement 5 to ensure that the onshore substation for that project will be subject to an independent design review and this should be referred to in your reasoning.</p>	<p>large-scale and nationally significant infrastructure projects. The guidance emphasises that independent design review can play a critical role in:</p> <ul style="list-style-type: none"> • Testing and refining design responses to context; • Providing objective scrutiny at key stages of design evolution; • Supporting confidence that design quality will be delivered on the ground rather than remaining aspirational. <p>Given the scale, complexity, and rural siting of the Proposed Development, reliance solely on internal and non-independent design champions does not provide the level of assurance expected for a project of this nature. Independent review offers a demonstrably robust mechanism to ensure that evolving detailed design responds appropriately to landscape character, visual effects, layout, scale, materials, and cumulative impacts.</p> <p>The Proposed Development is co-located within a rural landscape that is also accommodating other NSIPs. This shared landscape context heightens the importance of a coordinated and transparent design process. An independent design review panel would provide an effective forum to:</p> <ul style="list-style-type: none"> • Consider cumulative and in-combination effects arising from multiple developments; • Encourage consistency and coherence in design principles across co-located projects; • Facilitate collaboration between projects where design decisions may have shared visual or landscape implications. <p>In this context, independent design review is not merely a matter of design quality in isolation but a means of managing change sensitively within a valued rural environment.</p> <p>The Examining Authority rightly draws attention to the Five Estuaries Offshore Wind Farm DCO, which secured an independent design review for its onshore substation through Requirement 5. That requirement reflects a recognition that, notwithstanding positive design intentions at application stage, independent scrutiny post-consent is necessary to ensure that detailed design responds effectively to context and stakeholder concerns.</p> <p>There is no clear justification for adopting a different approach for the Proposed Development, particularly given the similarities in infrastructure type, landscape sensitivity, and potential for significant visual effects. Aligning the approach to independent design review with that secured for the Five Estuaries project would therefore be reasonable, proportionate, and consistent with recent consenting practice. It is also expected a similar approach for independent design review process would be applied to the forthcoming North Falls windfarm, should consent be given.</p>

ExQ1	Question to:	Question:	
			<p><i>Crucial Design Coherence</i></p> <p>ECC does not accept the proposition that the external appearance of the EACN should default to a uniform dull silver grey or similar utilitarian finish purely on the basis of reduced maintenance requirements. Such an approach risks prioritising operational convenience over design quality and landscape sensitivity, leading to outcomes that would be wholly inappropriate in a rural location of this character.</p> <p>A monotone, industrial colour palette would sit uncomfortably within the surrounding countryside and would be particularly harmful given the close proximity of the onshore substations for North Falls and Five Estuaries. Treated in isolation, such design decisions risk creating a visually discordant cluster of large scale installations that cumulatively erode landscape quality rather than responding positively to context.</p> <p>ECC strongly supports the principle, already accepted for North Falls and Five Estuaries, that Environmental Colour Assessment should inform final colour and material choices, recognising that matters such as tone, reflectivity, texture, and weathering characteristics are central to how infrastructure is perceived in the landscape. These considerations require contextual judgement rather than a standardised or lowest maintenance solution. A design approach driven primarily by maintenance efficiency risks delivering buildings that appear stark, reflective, and visually dominant, resulting in precisely the kind of harm that good design is intended to avoid.</p> <p>This reinforces the importance of independent design review as a constructive and enabling process, rather than a procedural burden</p> <p>In a landscape accommodating multiple large scale energy projects, design coherence is essential. Independent design review offers a transparent mechanism to manage cumulative effects collectively rather than retrospectively. It provides confidence that EACN will not adopt a materially different or lower quality approach to colour, materials, or architectural expression than the neighbouring projects, and that decisions will not be driven solely by expediency.</p> <p>In ECC's view, this is precisely where independent design review adds value: not by forcing uniformity, but by facilitating informed, collaborative decision making that leads to compatible, well considered outcomes across all three NSIPs.</p>
DES 1.9	The applicant All local authorities	<p>Lighting of new and upgraded substations</p> <p>The ExA notes the rural context of the proposed EACN substation and notes that there is limited detail in relation to operational lighting in relation to this and other upgraded substations in the Design Approach for Site Specific Infrastructure (DASSI) [APP-354].</p> <ul style="list-style-type: none"> • Provide additional detail in terms of the height and type of any lighting installations and light contour plans. • Provide a night-time assessment of the effects of operational lighting on landscape character or visual amenity, and potential effects on ecology. 	<p>ECC supports the concerns raised by the ExA regarding the absence of detail for the design of the new / upgraded substations including that relating to operational lighting.</p> <p>The EACN is situated in a rural location; one that is largely characterised by an open and flat landscape. There is therefore, potential for operational lighting to have a significant and invasive presence in this rural landscape if not appropriately controlled. Given the current uncertainty regarding the detailed design and appearance for the EACN, ECC would be open to a Requirement which could be integrated into a design requirement so that details can be submitted as one to the relevant authority for approval.</p>

ExQ1	Question to:	Question:	
		<p>If the applicant considers that an assessment is not required, provide a detailed explanation of your reasoning.</p> <p>Has consideration been given to allowing relevant planning authorities to approve details of operational lighting schemes? If not, why not?</p> <p>Affected Local Authorities may also like to comment.</p>	<p>In respect of lighting of new and upgraded substations, ECC recommends that The Institution of Lighting Professionals (2023) Guidance Note 08/23: Bats and Artificial Lighting At Night should be a steering document for the substation's lighting design (Appendix B).</p> <p>The lighting assessment must include detail of how the proposed lighting will be energy efficient and dark sky compliant. ECC would request the inclusion of the following details:</p> <ul style="list-style-type: none"> • luminaires • mounting heights • beam angles • light spill • times of operation (timer or motion-sensor activated)
DES 1.12	Tendring DC Essex CC	<p>Effectiveness of mitigation - EACN</p> <p>Are the relevant local authorities (Essex CC and Tendring DC) satisfied that the applicant's approach to mitigating the adverse effects of the EACN in the wider landscape would be effective. If not, what further design opportunities should the applicant explore in order to achieve the best possible design outcome?</p> <p>In responding to this question, you may also wish to consider other matters that could potentially influence design, such as noise effects for example.</p> <p>Other IPs are also invited to respond to this question, if they wish to contribute to this topic.</p>	<p>ECC considers the Applicant's proposed approach to mitigating the adverse landscape and visual effects of the EACN is not effective.</p> <p>The ExA's question relates specifically to the EACN, which it is ECC considered, would results in significant visual harm. ECC would additionally highlight the impact from the in combination effects arising from the presence of infrastructure relating to North Falls, Five Estuaries and the likely Tarchon Interconnector, that all accentuate the need for mitigation in the wider landscape.</p> <p><i>Effectiveness of Proposed Mitigation</i></p> <p>While the Applicant's proposals are comprehensive involving belts of new planting and earth sited both adjacent to and at distance from the EACN, such planting would only ever provide partial screening. This is due to the exceptional size, height, and horizontal spread of the EACN and associated fringe and linear (i.e. Pylons) infrastructure. ECC supports Tendring District Council's (TDC) view that no realistic level of planting or bunding could successfully mitigate the resulting landscape and visual harm, either within the local area or across the wider landscape.</p> <p>ECC believes that to fully understand the effectiveness of mitigation, the EACN should be reviewed through a standalone LVIA. Furthermore, once the visual impact has been review, an environmental colour assessment (ECA) should inform a comprehensive Design Code, addressing planting and materiality appropriately.</p> <p><i>Constraints on Mitigation Delivery</i></p> <p>The Applicant's chosen location for the EACN is heavily constrained by an established network of narrow rural single country lanes, field boundaries, and Public Rights of Way, which permanently divide the landscape into organic agricultural fields and other typical undeveloped countryside uses (such as horse grazing etc). While it is accepted some planting near these lanes and PROWs could reduce the visibility of lower elements of the infrastructure, significant and harmful views would always remain including from medium and long distance viewpoints. This impact is from all directions including from the north, northwest, and northeast, in and from the direction of the</p>

ExQ1	Question to:	Question:	
			<p>nearby National Landscape and its setting, where this development and all the associated infrastructure will be spread across large swathes of unspoiled countryside in the middle of agricultural heartland, would remain highly prominent.</p> <p>Furthermore, it is considered care must be taken to avoid creating continuous “green tunnels” along country lanes. While such planting might maximise screening, it would harmfully alter the character of these rural routes and diminish public enjoyment of the countryside.</p> <p><i>Residual Harm and Opportunities</i></p> <p>ECC considers that the landscape and visual harm arising from the EACN alone or in relation to the setting of the National Landscape, cannot be adequately mitigated through the measures currently proposed or through any foreseeable refinement of those measures.</p> <p>If, however, the Applicant were to commit to a comprehensively planned strategic, peninsula wide programme of hedgerow and woodland creation and a clear legally binding delivery mechanism covering all costs associated with this delivery and management, this could potentially deliver some broader landscape benefits. It must be stressed that this will not mitigate the harm as set out here and repeatedly set out in the County Council’s LIR and RR. An expansion of vast woodland cover in appropriate areas, and the re-establishment of a more connected hedgerow network could, over time, positively contribute to the character of the wider Tendring peninsula. No such comprehensive proposals have yet been put forward, and therefore ECC is unable to attribute any meaningful mitigation value to such measures.</p>
ALT Alternatives			
ALT 1.1	All local authorities	<p>Reasonable alternatives: policy and legislation</p> <p>The local authorities are invited to comment on their understanding of ‘reasonable alternatives’ in the context 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)’.</p> <p>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.</p> <p>Other IPs are also invited to comment on their understanding of reasonable alternatives, if they wish to do so.</p>	<p>ECC acknowledges the invitation to review and comment on NPS EN-1 paragraphs 4.3.22 to 4.3.29 and the issue of the materiality in the consideration of any alternative.</p> <p>Paragraph 4.3.22 of the NPS is clear that the weight that can be given to those alternatives lies in the hands of the decision maker. The assessment of alternatives must be proportionate and only alternatives that meet the objectives of the proposed development need to be considered. The Applicant, at 4.4.25 in the 2024 update to the Strategic Options Backcheck and Review considered the ESO’s East Anglian Network Study of March 2024. In ECC’s opinion the Applicant scoped out alternatives set out in that report which by definition could have met the objectives of the proposed development. Instead, it only contains the Offshore 1 option but makes little reference to it.</p> <p>The reasonable alternatives that several local authorities and IP’s cited from the ESO report and the applicants Offshore 1 do meet the tests for reasonable alternatives as set out in NPS EN-1 and the EIA Regulation as they derive from the Energy Systems Operator and the Applicant, and therefore by definition are reasonable. The ESO were careful to ensure that the number of alternatives they assessed were workable and deliverable, and at Paragraph 5 of that report (page 20), the ESO sets out the preliminary assessment of the options in order to ensure they are workable. At Table 4 on Page 21 the Gate 1 assessment details this. Therefore, the alternatives listed in the</p>

ExQ1	Question to:	Question:	
			<p>ESO report would meet the definition of ‘reasonable alternatives’, as would the applicant’s Offshore 1.</p> <p>ECC notes 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. However as expressed in Paragraphs 4.2.1 & 4.2.6 of its LIR (REP1-161) ECC from the outset of its engagement on this project, has raised an in-principle objection throughout all stages of consultation as set out in ECC’s relevant representation (RR-1083). ECC maintains a strong position that its preferred strategic option for meeting the need for additional transmission capacity is that of securing an integrated offshore technology that minimises onshore transmission infrastructure and does not include overhead lines (“OHLs”) and pylons along its entire length. ECC remains strongly of the view that a more sensitively designed scheme which minimises the predominant use of traditional overhead line technology, could deliver the best outcome for Essex in the interests of safeguarding the amenities of local communities and the environment</p> <p>Alternatives may be discounted where they are not NPS-compliant, not commercially viable, not physically suitable, or are too vague or immature. ECC’s position is that, for the reasons given in ECC position is that for reasons given in part 4.2 of it’s Local Impact Report [REP1-161], the alternatives to which ECC draws attention are credible and so should be taken into account and are relevant to assessing whether development consent should be given.</p>
ALT 1.2	All local authorities	<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>ECC would refer to its commentary within the submitted Statement of Common Ground, it’s Relevant Representation (RR-1083) and Local Impact Report (REP1-161) in respect of the matter of approach to options appraisal carried out by the Applicant.</p> <p>Furthermore Paragraph 4.3.23 of NPS EN-1 (2023) states that the Secretary of State (the decision maker) should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development (which in this case is 2030-2031).</p> <p>Paragraph 4.3.28 of NPS EN-1 (2023) states alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State’s decision.</p> <p>Paragraph 4.3.28 of NPS EN-1 (2023) also states that alternative proposals which are vague or immature can be excluded on the grounds that they are not important and relevant to the Secretary of State’s decision.</p> <p>The application includes an ES chapter specifically on ‘alternatives’ (APP-127). This chapter does not consider an exhaustive list of every theoretical alternative but focuses on so called “reasonable” alternatives consistent with Paragraph 4.3.22 of NPS EN-1</p>

ExQ1	Question to:	Question:	
			<p>2023. The chapter clarifies that reasonable alternatives exclude “options with substantially different capacities, delivery timelines, or those that do not meet the Project’s strategic objectives are not considered reasonable alternatives for the purposes of this chapter.”</p> <p>Document APP-127 (Alternatives) sets out that all options are assessed against criteria including National Grid’s statutory duties under the Electricity Act 1989 (including Section 9(2) duties to develop and maintain an efficient, co-ordinated and economical system of electricity transmission, and Section 38 and Schedule 9, duties to preserve natural beauty and mitigate environmental effects), the industry-standard Holford Rules for overhead line routing and Horlock Rules for substation siting, and the then-current policy framework including the 2011 versions of National Policy Statements EN-1 and EN-5.</p> <p>As part of the initial assessment of the routing, the Applicant reportedly considered other available options including inter alia increasing operating voltage, Alternating Current (AC) underground cable for the whole route, Direct Current (DC) underground cable and Offshore connections. However, these other options were discounted at an early stage for various reasons, but predominantly due to higher costs (relative to traditional pylons with targeted undergrounding as currently proposed).</p> <p>ECC acknowledges that, in accordance with NPS EN1, 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</p> <p>ECC also recognises that there are cost options associated with the alternative schemes.</p> <p>ECC considers that alternative schemes to the proposed lattice pylons scheme, such as off-shore and High Voltage Direct Current (HVDC) undergrounding, should be explored in more detail to ascertain whether they would achieve better environmental outcomes overall than the current submitted scheme.</p> <p>ECC 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. ECC 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</p> <p>ECC further notes that the approach undertaken regarding Options Appraisal is mainly based on the Applicants guidelines, rather than a specific Government based appraisal method.</p> <p>Preliminary Environmental Impact Report (PEIR) or other early environmental appraisal tools were not used to help to inform the acceptability of other alternative options.</p>

ExQ1	Question to:	Question:	
			<p>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 close proximity to each other.</p> <p>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.</p> <p>Further commentary will be provided within the SoCG as required.</p>
<p>ALT 1.3</p>	<p>The applicant All local authorities</p>	<p>Strategic options: Offshore 1 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]. 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 Offshore 1 as a reasonable alternative.</p> <p>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>ECC confirms that it has reviewed the Strategic Options Backcheck and Review (SOBR) 2024, Appendix B (APP-355), and the August 2025 update, alongside the applicant's alternatives assessments within ES Chapter 3 and the Design Development Report.</p> <p>These documents identify a series of environmental, technical and socioeconomic 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.</p> <p>While ECC 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 Essex, including major landscape effects, heritage sensitivities, and community impacts.</p> <p>ECC 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.</p> <p>In light of this, and given the potential for offshore options to reduce or avoid extensive onshore environmental and community impacts, ECC considers that further justification and updated sensitivity testing should be provided before concluding that Offshore 1 is not a reasonable alternative. ECC 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.</p>
<p>ALT 1.9</p>	<p>All local authorities</p>	<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 the established parameters.</p> <p>The local authorities are invited to comment on this paragraph.</p>	<p>ECC appreciates the need for flexibility as set out in paragraph 3.2.28 of the ES chapter 3 (APP-127). However, drawing on the commentary raised within the ECC Local Impact Report (paragraphs 5.3.5-5.3.14), it is considered that the ES fails to justify the level of deviation being sought, especially why it is at a greater level than other precedents. The paragraph furthermore does not address contextual sensitivities, where some locations the LoD may have a greater impact than in other areas.</p> <p>Overall, ECC 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</p>

ExQ1	Question to:	Question:
		<p>scenario” has been robustly assessed. Many affected local authorities have identified the same problem:</p> <p>ECC is of the view that the LoD regime as currently set out in the draft DCO is excessively wide, and materially and collectively increases the risk of environmental, heritage, landscape, residential amenity, arboricultural, and cumulative impacts beyond those assessed in the ES.</p> <p>In summary, ECC submits that paragraph 3.2.28 of ES Chapter 3 cannot be relied upon to justify the degree of design flexibility sought, because:</p> <p>ECC believes the proposed LoD introduces significant uncertainty and allows materially worse impacts than assessed.</p> <p>ECC highlights that [in many instances] LoD powers allow pylons and overhead lines to move:</p> <ul style="list-style-type: none"> • Laterally by up to 50 m within the limits shown on the works plans • Longitudinally anywhere within the Order Limits shown on the works plans • Vertically by up to +6 m (and up to +18 m for some pylons) • Permanent structures (substations / CSECs) to move anywhere within their Works Plan envelopes, with up to 10% height uplift. <p>ECC 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, 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 unreliable.</p> <p>Heritage: LoD can convert low level harm into mid level harm. ECC’s position is that the ES impact ratings are based on fixed pylon positions, not the full LoD envelope. ECC has also identified that LoD can bring pylons up to 50m closer to listed buildings and conservation areas, potentially raising harm from “low” to “mid level” Less Than Substantial Harm (LTSH). There are also instances in the ES where heritage assets have been assessed as “mid level LTSH” – utilising the excessive flexibility allowed for in the LoD may then result in greater harm if pylons shift closer or become taller.</p> <p>ECC is of the view that the LoD undermines the robustness of the heritage assessment and creates unacceptable risk of greater harm to designated assets.</p> <p>Landscape & Visual: LoD could potentially materially worsen visual, residential, and community impacts. ECC argues that the applicant’s assertion that LoD does not worsen effects to be incorrect, for example:</p>

ExQ1	Question to:	Question:
		<p>The proposed LoD regime creates risk of pylon relocation immediately adjacent to multiple residential properties along the entire project corridor. Such relocations could introduce even more harmful encroaching towards private garden areas and will undoubtedly increase already harmful overbearing and domineering effects. In addition, the proposed LoD regime is likely to increase risk of landscape harm in [open plateaus and valley landscapes]. For example, a vertical deviation of +6m (or +18m) will undoubtedly intensify intrusion. For these and many other reasons as already set out in ECC's submissions to date to this Examination, ECC disputes the Applicant's claim that movement within LoD cannot worsen significant landscape effects.</p> <p>For these reasons ECC position is that the proposed LoD regime directly conflicts with NPS EN 1 / EN 5 requirements to minimise harm through siting and design, because it introduces excessive post consent freedom to worsen harm, and this worsening of harm has not been adequately assessed in the ES.</p> <p>Ecology, arboriculture and hedgerows: LoD could potentially increase unassessed loss. An overly flexible LoD regime such as the one proposed may cause additional tree and veteran tree loss. In Essex, the proposed LoD regime could threaten ancient woodland trees, SSSI/LOWs/etc</p> <p>Some of the baseline information relied upon by the Applicant in respect of protected trees and important hedgerows appear to be inaccurate. At the very least the Applicant should be required to produce mapping of all important hedgerows and protected trees within LoD because the maximum allowed movement could capture assets not previously assessed.</p> <p>The proposed LoD regime therefore enlarges the environmental footprint beyond what the ES has assessed.</p> <p>Noise, vibration, highways, and construction impacts: ECC's view is that current noise assessments do not model full LoD worst case positions. Construction impacts, haul routes, access tracks and temporary compounds could shift inside the LoD corridor, worsening effects on residents and other sensitive receptors. ECC therefore considers that there is inadequate justification for such broad LoD flexibility in respect of these matters.</p> <p>ECC position is that: The applicant has not justified why such extensive LoD is needed; LoD powers are far wider than in comparable NSIPs (e.g., Bramford–Twinstead); and NPS EN 1 requires proportionate flexibility, and EN 5 requires siting and design mitigation—neither of which is achieved here.</p> <p>ECC considers that more clearly defined LoD controls are required and in broad terms, ECC is asking for:</p> <ul style="list-style-type: none"> i) A reduction in the overall scale of permissible deviation, ensuring any vertical, lateral, or longitudinal flexibility remains genuinely proportionate and does not enable materially greater impacts than those assessed.

ExQ1	Question to:	Question:	
			<ul style="list-style-type: none"> ii) Robust micro siting and deviation controls in sensitive areas, including a requirement for meaningful Local Planning Authority oversight and approval for any deviations in environmentally or socially sensitive areas (with such areas to be appropriately identified through the Examination process). iii) Clear definition and transparent mapping of the outer limits within which any deviation could occur, so stakeholders and affected communities fully understand the potential envelope of impacts. iv) Stronger binding safeguards to ensure that LoD cannot lead to increased harm to heritage assets, landscape character, ecological receptors, residential amenity, or other sensitive environmental or community interests. v) Appropriate constraints to prevent deviations that would move infrastructure closer to high sensitivity receptors or otherwise intensify effects beyond what has been assessed in the Environmental Statement.
AQ Air quality and emissions			
AQ 1.4	All local authorities	<p>Air Quality - Development Plan documents and adopted standards/ expectations related to air quality that exceed Government targets?</p> <p>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/ expectations have been subject to.</p>	ECC confirms that the Essex Air Quality strategy does not set any limits or maximum thresholds for air pollutants - It aims to reduce pollutants by as much as is practicable.
BIO Biodiversity, ecology and natural environment			
BIO 1.39	The applicant	<p>Ecology Working Group</p> <p>In paragraph 9.10 of their joint LIR [REP1-178] Suffolk CC, Mid Suffolk SDC and Babergh DC have raised the need for an Ecology Working Group to be instigated to allow for consultation and monitoring to be undertaken for any post-consent mitigation, compensation and BNG. Is it your intention to set up such a working group and if not, justify why not? If such a group is to be formed, then suitable wording should be inserted into the next version of the outline versions of the outline LEMP and outline CoCP.</p>	ECC would encourage that all relevant local authorities are part of any ecology working group.
CA Compulsory acquisition, temporary possession and land rights			
CA 1.10	Affected Persons	<p>Accuracy of the Book of Reference (BoR) and Land Plans</p> <p>Are any APs aware of any inaccuracies in the BoR [AS-018], Statement of Reasons (SoR) [APP-059] or Land Plans [AS-005] to [AS-012]. If so, please set out what these are and provide the correct details.</p>	ECC has no comments on this question.

ExQ1		Question to:	Question:
DCO Draft Development Consent Order			
Articles			
DCO 1.A2	The applicant Local Authorities Relevant statutory undertaker Other relevant determining body	<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 required with statutory or other bodies; any report writing periods; any committee or delegated cycles relevant; and any decision issuing periods that may apply.</p>	<p>ECC supports the ExA's concern regarding the unacceptable length of many of the time periods contained in the draft DCO especially where the expiration of a time period is linked to deemed consent. Timeframes set out in the DCO must be sufficient for ECC and district authorities to register (5 working days), consult with stakeholders (15 working days), consider responses and seek amendment, if necessary (10 working days), write reports and arrange for decisions to be issued (5 working days).</p> <p>Based on direct experience with the discharge of requirements for Longfield Solar Farm NSIP and Bramford to Twisted NSIP, while extensions of time are often agreed through good working relationships, the discharge of the requirements is best facilitated on a strong, collaborative working partnership with the Applicant. ECC consider that 56 days (8 weeks) would be a reasonable period to facilitate the efficient processing of Requirements. ECC would also highlight that in many instances decisions on the discharge of requirements will be made before the 56 days period being requested.</p>
DCO 1.A7	The applicant All local authorities APs and IPs	<p>Article 2 (Interpretation) (order land)</p> <p>The definition of 'Order land' is not sufficiently clear to ensure that land not required/ intended to be subject to CA or TP is appropriately excluded from articles pursuant to CA (articles 24 and 25) and TP (articles 27, 28 and 29). The consequence of the definition being unclear could result in allowing for the acquisition or temporary use of such land unintentionally.</p> <p>Should 'Class 8' (Uncoloured (White) Land), as set out in the SoR [APP-059] at Table 5.1 (Powers related to land acquisition and use being sought by the Project) be specifically defined and excluded in these articles or through the definition of 'Order land'?</p>	<p>ECC acknowledges the need for clarity around 'order land' and would suggest that that the definition of Order Land is amended to ensure that land not required/ intended to be subject to CA or TP is appropriately excluded from articles pursuant to CA (articles 24 and 25) and TP (articles 27, 28 and 29). It is suggested the definition could be Order Land means with the exception of uncoloured land (Class 8 - Land not subject to powers of acquisition nor temporary use) the land shown on the land plans and described in the book of reference".</p>
DCO 1.A10	The applicant All local authorities	<p>Article 2 (Interpretation) (Relevant Planning Authority)</p> <p>Norfolk CC in its RR [RR-2753] and its LIR [REP1-173], as well as a number of other local authorities have raised concern over the definition of 'Relevant Planning Authority'. As the proposed development is a long linear scheme there will be multiple authorities involved. A number of requirements proposed use the phrase 'No stage of the authorised development may be commenced until... has been submitted to and approved by the relevant planning authority'. The ExA seeks greater clarity from both the applicant and all local authorities on the following:</p> <p>a) What constitutes a 'stage' of the authorised development. The ExA in asking this question notes the 'Works' are defined in schedule 1 and the proposed development has been divided into Sections A to H, covering a geographical split. It also notes image 4.1 of [APP-130] provides an indicative construction programme for the various sub-elements and there are different stages of the proposed development (the definition of have construction, operation and</p>	<p>a) ECC considers clarity is needed on what would constitute a 'stage' of development to ensure transparency for all stakeholders. This is due to the vast scale and diverse elements of the proposed scheme.</p> <p>The definition of "stage" in Schedule 3, para 1 is circular in that it is referable to a scheme of works submitted by the Applicant to [x] relevant planning authority. Thus, the stages are set by details submitted by the Applicant. It is unclear how "stages" correlates with "Works". It may be that each element of "Works" – i.e. "Work No. 1" is its own stage with the relevant planning authority/authorities referable in turn. The Applicant needs to clarify.</p> <p>ECC would also welcome the Applicant engaging with the local authorities in respect of their programme of requirements and construction works. This will increase the transparency around the works which are expected to be undertaken, and where construction impacts may be felt and when.</p>

ExQ1	Question to:	Question:	
		<p>(potentially) decommissioning). Would these adequately cover the definition of a 'stage'?</p> <p>b) Which local authorities would be the relevant planning authorities for a particular stage, bearing in mind the length and size of the proposed development at that stage? For example what happens if more than one authority (such as a County Council and a Local Authority) is involved in discharging a requirement/ plan/ scheme for a particular stage and they disagree that the submission is adequate to allow for the development to commence?</p> <p>c) Consider a requirement for a 'stages plan' to be submitted in writing prior to commencement, for the written approval of the relevant determining body (similar to the provisions set out on the Brechfa Forest Connection Project DCO, the Brechfa Forest West Wind Farm DCO and the Richborough connection Project DCO), to approve the staging plan prior to commencement of works.</p> <p>The ExA invites suggestions as to any alternative wording and/ or solutions that would address the ExA's concerns in regard to the above-mentioned matters.</p>	<p>b) The answer to this is predicated on what a "stage" is – as noted in part a) above. Where there is "deadlock" between parties this can be resolved by the use of "an appointed person" (see e.g. Art 55 dDCO and Schedule 4, paragraphs 4 and 5) or arbitration (see e.g. art 62 and Schedule 16, Part 4, paragraph 12). It is recommended that there is consideration of a local administration discharge, with relevant county council also engaged.</p> <p>c) ECC would be supportive of a requirement for a stages plan – to be submitted and approved by the relevant authority prior to the commencement of works. It is considered that this would be preferable to the above, providing clarity/certainty if the Application is allowed. ECC notes that it will be a challenging scheme to manage given sections include multiple district / county authorities (and local highway authorities). Adequate time must be allowed for any discharge to ensure necessary liaison between relevant district / county authorities and relevant consultees, with open dialogue as may be required to resolve any issues which may occur.</p>
DCO 1.A16	The applicant Relevant local authorities	<p>Article 5 (Limits of deviation) - 2</p> <p>Provide an update with regards to the potential for pylons TB140 to TB142 (inclusive) and TB238 to TB243 (inclusive) and whether an 18 metre vertical limit of deviation will be required, should a change from low height pylons to standard height pylons be required. The explanatory memorandum (EM) [APP-057] suggests the change will be known following consultation feedback and engagement with statutory stakeholders. Please provide an indication of when that consultation and engagement concludes and when a decision on these pylons being low height or standard height pylons will be finalised.</p> <p>In addition, the following wording has been used multiple times in this article "... to such extent the undertaker considers necessary or convenient", with two of those instances also including the word 'downwards'. In terms of precision and enforceability, the ExA raises concerns with the applicant in regard to the wording used and ask it be reviewed and amended, as may be necessary.</p> <p>In regard to the above concerns, the local authorities are invited to submit their views on this matter and request they submit alternative wording for consideration, should they wish.</p>	<p>ECC would support the concern expressed by CCC in its LIR regarding the uncertainty surrounding the final height and design proposed for the pylons proposed in this vicinity in the vicinity of 'the Walthams' and would defer to CCC in terms of providing an update on the current position.</p> <p>ECC is concerned with the use of "to such extent the undertaker considers necessary or convenient" which it feels is too ambiguous. ECC therefore considers such wording would not be sufficiently precise to support enforcement should that situation arise.</p> <p>ECC is of the opinion that the following wording could be used instead "to such extent the undertaker considers necessary and the proposed alteration would not raise any new or materially different environmental or amenity considerations".</p>
DCO 1.A19	All local authorities statutory undertakers	<p>Article 11 (Street Works); Article 12 (Application of the Permit Schemes); Article 13 (Application of the 1991 Act)</p> <p>The ExA notes the explanation provided by the applicant in its EM [APP-057] with regard to these articles but seeks whether the relevant Street/ Highway Authorities and/ or any statutory undertakers have any further comments, as relevant to these articles beyond the submissions in their RRs, WRs, LIRs and Deadline 1 submissions. In responding to this question, a relevant street/ highways authority or statutory undertaker should list any relevant examination library reference and paragraph numbering of their former submissions that responded to these articles.</p>	<p>ECC, the other local authorities and the Applicant are discussing a Framework Highways Agreement, the latest draft of which was provided in the week of 23 February 2026. ECC would be grateful for more time to consider the ExA's question and so will answer at Deadline 4.</p>
DCO 1.A35	The applicant All local authorities	<p>Article 48 (Defence to proceedings in respect of statutory nuisance)</p> <p>The DASSI [APP-354] is noted, however, the ExA is concerned with regard to this article in the absence of any finalised design of the proposed substations, especially in</p>	<p>ECC shares the ExA's concerns regarding the potential for noise to impact the amenities of local residents especially in the absence of details for the detailed design of the EACN.</p>

ExQ1	Question to:	Question:	
		<p>the light of ES chapter 14 (noise and vibration). The ExA seeks certainty that the resultant noise impacts arising from the substations will be adequately mitigated within the design of those substations. DCO 1.</p> <p>Explain how that certainty can be provided in the absence of any finalised design of the substations.</p> <p>All local authorities are also invited to provide their views in relation to article 48.</p>	<p>The potential for harm arising from operational noise is heightened by the presence of the EACN substation in combination with the substations serving the North Falls and Five Estuaries wind farms within the immediate vicinity, together with the existing Lawford Substation. This cumulative context would be further intensified by the proposed Tarchon interconnector, which, should it receive development consent, is intended to be located in close proximity to these three developments.</p> <p>It is noted that the applicant has provided the latest Draft Onshore Substations Operational Noise and Outline Noise Complaints Protocol (Rev. D). This is attached as Appendix C.</p> <p>Throughout the examinations of both the Five Estuaries and North Falls projects, ECC and TDC have consistently and clearly expressed that the proposed tripartite noise complaints protocol, in its current form, is not acceptable. In particular, concerns have been raised that the protocol lacks a genuinely joint panel approach to complaints assessment and includes investigation and response timescales that are unacceptably lengthy. ECC and TDC consider that these shortcomings would fail to provide adequate and timely protection of local residents' amenity.</p> <p>As such, the protocol will require substantive revision before it could be considered acceptable for certification and implementation. Any final protocol must ensure a robust, jointly managed and responsive process that prioritises the effective resolution of complaints and safeguards residential amenity.</p> <p>It is intended that a revised and final protocol, addressing these concerns, would be prepared and submitted to the relevant local planning authority prior to operation and secured as a certified document within each Development Consent Order.</p>
DCO 1.A42	All local authorities, highway authorities and statutory undertakers	<p>Article 58 (Application, disapplication and modification of legislative provisions)</p> <p>The ExA would ask for comments in regard to the disapplication and modification of certain public general legislation (See provisions set out in article 58(1) and the public general legislation listed at schedule 17 of the draft DCO), especially in regard to the Highways Act 1980 and the Land Drainage Act 1991.</p>	<p>ECC has reviewed Schedule 17 of the dDCO. Where duplicated, ECC notes the public general legislation referenced in Schedule 17 reflects those in contained in the B2T DCO with the exception of Land Drainage Act and the Highways Act. ECC would suggest however, in the interests of clarity that for the Neighbourhood Planning Act 2017, the words "will not apply" is added to the end of the sentence.</p> <p>In respect of the Highways Act, ECC as the Highway Authority, is not content with disapplying and modifying restrictions on planting of trees, control of scaffolding on highways and controlling deposit of building materials and making of excavations in streets (as set out in Sections 141, 169 and 171 of the Highways Act 1980). The justification in the Explanatory Memorandum (Document 3.2) suggests that the provision appears in the Bramford to Twinstead DCO. ECC believes this is not accurate however because Bramford to Twinstead does not include any provisions from the Highways Act 1980. ECC would want to ensure that the types of works described in the Highways Act 1980 are controlled by the Local Highway Authority as they have the potential to impact on highway safety.</p> <p>In respect of the Land Drainage Act, ECC as LLFA, objects to the inclusion of these provisions at this stage. Section 23 of the Land Drainage Act (1991) requires</p>

ExQ1	Question to:	Question:	
			<p>applications to be made for proposals affecting existing ordinary watercourses. Though it is possible for it to be covered in the Protected Provisions, ECC needs to be satisfied the interests of the LLFA are safeguarded. In addition, Section 24 of the Act prohibits the erection of obstructions or the making of alterations to existing structures which impedes the flow of ordinary watercourses while Section 25 of the Act requires that appropriate maintenance is carried out by riparian owners on ordinary watercourses. Failure of riparian owners to comply with Sections 24 or 25 can result in enforcement action if it is considered that a lack of maintenance or alteration to a watercourse poses a flood risk. AS a result, the LLFA consider there is a risk of harm to land drainage and surface water flooding.</p> <p>In respect of ecology and biodiversity matters, Schedule 17 as pertains to the Hedgerow Regulations 1997: <i>Article 57 1. For the purposes of regulation 6(1) of the Hedgerow Regulations 1997(a), the removal of any hedgerow to which those regulations apply is permitted if it is required for the purposes set out in article 50 (felling or lopping) of this Order.</i> ECC is considering this matter further and will respond in more detail at Deadline 4.</p>
Schedules			
DCO 1.S5	The applicant All local authorities	<p>Schedule 3 – Requirement 1 (Interpretation) – Terms “discharging authority” and “start-up and close down activities”</p> <p>a) “discharging authority”: There are multiple examples throughout the draft DCO where terms such as ‘discharging authority’; ‘relevant planning authority’ and ‘relevant highways authority’ appear to be used interchangeably. This could lead to confusion and would ask the applicant and relevant local authorities for their views on this matter, including any suggestions, alternative wording or definitions within the interpretations section, that would prevent any such confusion.</p> <p>b) “start-up and close down activities”: Reference is made to the safety checking of plant and machinery, under (g), whilst reference to ‘safety checks’ is listed in (c). Are they not the same thing? Clarify and amend as necessary.</p>	<p>a) ECC is comfortable with the definitions for discharging authority, relevant planning authority & relevant highway authority and note they reflect the approach taken on Bramford to Twinstead. For certainty, given forthcoming local government reorganisation, the definitions of reluctant planning authority and relevant highway authority could be amended to add “any successor or successors in function”, in case the relevant function is split across more than one successor.</p> <p>b) ECC would welcome clarity on this point and would refer to commentary raised across it’s Relevant Representation submission (RR-1083) and LIR (REP1-161) on the drafting of the “start up and close down activities” and concerns regarding the potential impacts on communities and the environment arising from the extensive construction hours proposed through the DCO.</p>
DCO 1.S7	The applicant All local authorities	<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? In addition to the above, should requirement 3(5) refer to sub-paragraph (2) and/ or (3)?</p>	<p>The Richborough Connection Project offered 10 business days in respect of this requirement, however, ECC would recommend in line with the other requests through the DCO that potentially a more extensive period should be considered given the scale and complexity of the project in respect of requirement 3(1), where the operations may cover more than one administrative area.</p> <p>It is recommended that written notice should be approved in writing throughout part 3(1), but clarity should be considered as to the grounds which approval may not be given, and any dispute resolution matters should be addressed.</p> <p>Furthermore, it is recommended that part 3(2) should also be submitted for approval to the relevant authority.</p> <p>Written notice of commencement should be given prior to commencement.</p>

ExQ1	Question to:	Question:	
DCO 1.S8	The applicant All local authorities	<p>Schedule 3 – Requirement 5 (archaeology)</p> <p>Braintree DC in its LIR [REP1-148] (section 10.9) has recommended changes to requirement 5, whilst Chelmsford City Council, Colchester City Council, and Essex CC in their LIR (LIRs [REP1-153]; LIR [REP1-156] and [REP1-161] respectively) all recommended amendments to the wording of requirement 5 and the inclusion of a new sub-paragraph.</p> <p>Additionally, Norfolk CC in its LIR [REP1-173] recommends amending the wording of requirement 5(1) and (4) and article 23 (Removal of human remains) so notification is required to be made to the relevant County/ Local Authority. In their joint LIR [REP1-178] Suffolk CC, Mid Suffolk DC and Babergh DC have recommended amendments to article 23 and to requirement 5 of the draft DCO.</p> <p>Historic England in its WR [REP1-191] has proposed an amendment to requirement 5 of the draft DCO and H04 of the outline CoCP to refer to consultation with Historic England.</p> <p>All local authorities, as well as the applicant, are invited to comment on all of these proposed changes (amendment to article 23 and schedule 3, requirement 5 of the draft DCO and to H04 of the outline CoCP).</p> <p>In addition, the applicant is requested to provide, for discussion purposes, a new draft of requirement 5 that, as far as possible, takes into account all of these requested changes and also is requested to provide a commentary on whether any of these proposed amendments sought by the various organisations would be incompatible with each other.</p>	<p>In respect to the latter part of the question, it is recommend that it should be '(2) and (3)'.</p> <p>ECC Place Services provides a response on behalf of ECC, as well as Chelmsford and Colchester City Councils (Braintree response provided separately) with regard to requested changes to Requirement 5(4) and an additional sub stage 5(5).</p> <p>Changes to 5(4) were requested to provide clarity between two stages of fieldwork. One stage requires the completion of the archaeological evaluation and geophysical survey which has been undertaken prior to and throughout the DCO application. This stage of works needs to be distinct from the programme of mitigation which would be devised following the completion of all archaeological and geoarchaeological evaluation which is covered by substage 5(1).</p> <p>A detailed WSI is requested for fieldwork carried out under 5(4) rather than carrying out the works under the Outline Archaeological Management Strategy (OAMS) and Outline written scheme of Investigation (OWSI).</p> <p>The current OAMS/OWSI (APP-328) is not yet agreed, in addition it does not provide details on the location of fieldwork required to complete the evaluation stage which would be required following consent to ensure agreement on the coverage and locations of evaluation areas. Section 5.3.42 in the OAMS and OWSI makes reference to the provision of a detailed WSI, “the scope and location of additional trial trenching will be described in a DWSI.”</p> <p>The archaeological consultants for the Applicant have suggested that a revised version of the OAMS/OWSI may be available for deadline 4, this would then need to be reviewed by all authorities and Historic England. Final agreement on this control document cannot be assumed. The Applicant makes reference to the Bramford to Twinstead scheme as a basis of using the OAMS and OWSI for post consent pre-commencement work which is not correct. The OWSI for Bramford to Twinstead was not agreed by the relevant authorities prior to gaining consent. The document was not considered sufficient to discharge any requirements. The consequences of not gaining agreement on the control document are now being realised through extensive negotiations for fieldwork elements and lengthy delays in discharge of requirements. It is likely this has caused a significant time and cost implications for the project.</p> <p>5(5) An additional sub paragraph would enable full discharge of the requirement for each stage or sub-stage and provide more control over the timing and delivery of post excavation reports. As stated above the OAMS and OWSI are yet to be agreed and cannot be assumed to be agreed at consent. The addition of a separate requirement to produce and submit a post excavation assessment for agreement between all parties will allow the document to be live and reflect any changes that may have happened since consent which could continue over a timescale of years. This would facilitate the consideration of any changes that may occur with current research aims, objectives, outreach and publication which could not be fully realised in the control document.</p>
DCO 1.S19	The applicant All local authorities	<p>Schedule 4 – (Discharge of requirements) - 1</p> <p>The government published its response to the Nuclear Regulatory Review 2025 on 13 March 2025, in its document ‘Building our nuclear nation: government response to the Nuclear Regulatory Review 2025’. The ExA draws attention to: i) it is seeking to</p>	<p>a) The 2025 Review is noted. It is also noted that post-consent discharge functions will be “in consultation with Local Authority Planning Departments” with schemes of this sort identified as being within the initial focus. The County authority would work with any new unit of DESNZ’s Infrastructure Planning Delivery (‘IDP’) team.</p>

ExQ1	Question to:	Question:	
	All discharging authorities	<p>accelerate "...efforts to ensure the planning system more effectively enables both low-carbon energy projects and infrastructure as a whole..."; and ii) its response to Recommendation 30, where it indicates this includes "...establishing a new unit within DESNZ to coordinate post-consent discharge functions for nuclear power and electricity network projects."</p> <p>In the light of the above document and a clear statements from the government regarding its intention in related to post-consent discharge, the applicant and discharging authorities are asked to:</p> <ul style="list-style-type: none"> a) Provide comments on the above publication in respect of post-consent discharge functions. b) Consider if the current drafting of schedule 4 in the draft DCO [APP-056] is an appropriate approach to the post-consent discharge of requirements, or whether schedule 4 of the draft DCO [APP-056] should take a similar approach to that set out in schedule 2, Part 2 of The A122 (Lower Thames Crossing) Development Consent Order 2025? 	<p>b) Whilst a matter for the ExA, if post-consent discharge functions are to be dealt with by a new unit within the IPD, then the drafting within Schedule 2 of the Lower Thames Crossing DCO is preferred.</p>
HE 1.9	All local authorities	<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 maintenance phase, as described in ES Appendix 11.7 – Assessment of Harm to Designated Heritage Assets [APP-215]. c) The levels of harm assessed in relation to Non-Designated Heritage Assets (NDHA), as described in ES Chapter 11 [AS-068]. 	<ul style="list-style-type: none"> a) ECC is in agreement with the scoping of heritage assets based on the methodology provided. b) ECC is in agreement with the level of harm, on the assumption that this is based upon 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) and APP-134 (Proposed Project Design – Permanent Features) as the basis of their assessment of the impact on the 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. ECC would request a more detailed explanation of the applicant's assessment methodology. Additionally, Historic England are the statutory consultees for scheduled monuments and it is assumed they will comment in this respect c) The levels of harm to identified non designated heritages primarily affect below ground archaeological assets. It is understood that non-designated buildings were scoped out of full assessment as they are classified as low value as part of the methodology. <p>Regarding archaeological remains – this is included within the ECC LIR (REP1-161). The level of harm cannot be fully realised until intrusive archaeological investigations are complete and results provided for review.</p>
HE 1.12	All local authorities Historic England	<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> <ul style="list-style-type: none"> a) Agreement with the viewpoints chosen to reflect any potential impacts on heritage assets. b) In your opinion are additional visualisations required, and if so from which assets and where should the visualisations be taken from? 	<ul style="list-style-type: none"> a) ECC notes that viewpoints were agreed as part of the pre-planning process. b) ECC has not requested any additional visualisations at this stage. On the same basis as ECC's response to Question HE1.9, ECC would request further clarification about the Heritage Viewpoint visualisations and the LVIA visualisations (some of which have been used to inform heritage impact assessments). Are the visualisations based on the pylon locations and overhead line alignment shown in

ExQ1	Question to:	Question:	
			<p>the relevant figures in documents APP-342 to APP-351 or worst-case pylon locations and overhead line alignments based on the LoD parameters?</p>
<p>HE 1.39</p>	<p>All Essex local authorities</p>	<p>Protected Lanes 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>The Protected Lanes within Essex were assessed by the 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.</p> <p>Stage 1 of the criteria for a Protected Lane was to meet a threshold score for historic integrity, if a lane fails 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)”</p> <p>Where there will be direct physical impact to the lane, for instance through groundworks associated with undergrounding, then the integrity of the lane may be impacted through removal of historic components of the lane such as roadside greens or banks etc. and possible ‘improvements’ such as kerbing, inspection pits, markers etc. Should the physical works required equate to moderate improvements or loss of historic fabric then the lane could fail to meet the threshold for historic integrity and not meet the criteria for a Protected Lane.</p> <p>There is one lane in Colchester District where this could occur within an undergrounding section:</p> <p>Crabtree Lane, Little Horkesley (COLLANE24).</p> <p>Further lanes may be impacted to a lesser degree 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.</p> <p>These include Protected Lanes in Colchester, Chelmsford, Brentwood and Braintree (Braintree Lanes will be responded to separately):</p> <p>Colchester:</p> <p>Fossetts Lane, Church End (COLLANE 8) and Fossetts Lane, Church End (COLLANE 9)</p> <p>Chelmsford:</p> <p>Boreham Lane Rd, Great Leighs (CHLLANE 4) Park Hall Lane (CHLLANE 36)</p>

ExQ1	Question to:	Question:	
			<p>Goodmans Lane (CHLLANE 38) Larks Lane, Great Waltham (CHLLANE 17) Newney Green, Writtle (CHLLANE 21) Brentwood Little Hyde Lane, Fryerning (BRWLANE10)</p> <p>To mitigate any loss and disruption to the Protected Lanes the Applicants include 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). Where possible they aim to minimise disruption from physical works and maintain elements of the Protected Lane. Where removal of historic fabric and features is required this will have a direct impact on the historic integrity of the lane.</p>
LUS Land use and soils, green infrastructure			
LUS 1.2	The applicant Natural England Pylons East Anglia Limited All local authorities	<p>Best and most versatile agricultural land (BMV) and soils - 1</p> <p>It would appear from Paragraph 6.4.7 of the ES that detailed Agricultural Land Classification (ALC) survey was undertaken on approximately 1,011 ha (representing 54% of the proposed survey areas within the Order Limits). Predictive ALC grading was then carried out where it was not possible to undertake a detailed ALC survey. Given the coverage of actual survey work how much confidence can be placed on the applicants response on acid soils in document 8.4.6 page 22 that 'the detailed surveys did not identify the presence of jarosite in the soil and in locations where desk-based information suggested a potential for acid sulphate soils some of the soils were found to be moderately calcareous. There is no evidence to indicate the presence of actual or potential sulphate soils within the surveyed areas'. As being a representative conclusion that can be applied across the whole Order Limits as they are not all 'surveyed areas'.</p>	ECC refers to the relevant district authorities for a response on this matter although notes the references made in their respective LIRs regarding the overreliance on predictive modelling across the Order Limits, which would likely reduce the level of confidence can be placed on the applicants response on acid soils
LUS 1.4	Natural England All local authorities Pylons East Anglia Limited	<p>BMV and soils - 3</p> <p>To what extent are the mitigation measures proposed by the applicant in the outline CoCP (measures GH02 and GH08) sufficiently robust to address issues should acid sulphate soils be encountered during construction.</p>	ECC refers to the relevant authorities for a response on this matter.
LUS 1.14	All local authorities	<p>Green infrastructure and open space - 1</p> <p>Appendices B1, B2 and B3 to the applicant's Planning 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>ECC recognises that the Applicant has undertaken a comprehensive desk-based and field-informed assessment, and that many impacts are temporary and capable of reinstatement. While much of the route avoids major open spaces, ECC does not fully agree with several of the conclusions presented.</p> <p>1. Green Infrastructure (GI) and Nature Recovery</p> <p>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.</p> <p>ECC's position is supported by the Essex GI Strategy and Essex Local Nature</p>

ExQ1	Question to:	Question:	
			<p>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:</p> <ul style="list-style-type: none"> • whether land is publicly accessible, or • whether a numerical "surplus" of open space exists. <p>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>2. Alignment with the Essex LNRS</p> <p>Several areas affected by the project 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>3. Areas within Essex</p> <ul style="list-style-type: none"> • Maple Park & Buckingham Hill (Thurrock) - Two pylons and access works will reduce the function of a key green corridor already under pressure from other major infrastructure. Despite claims of "surplus" open space, the NPPF and Essex GI Strategy stress the importance of quality and function, not just quantity. This will be subject to confirmation by Thurrock Council • Ardleigh Reservoir & Fishing Lakes - Parts of these sites will no longer be usable for angling due to safety exclusion zones. While other fishing locations exist, these lakes are also important wetland habitats and stepping-stones within the LNRS ecological network. This will be subject to confirmation by Thurrock Council • Woodland Edges & Wildlife Sites - Even where land is not publicly accessible, it can provide essential buffer zones, habitat connectivity, and biodiversity value, all recognised in the LNRS and NPPF. <p>4. Biodiversity Net Gain (BNG)</p> <p>The project commits to achieving at least 10% Biodiversity Net Gain, which ECC supports. However, the open space assessment does not clearly explain how BNG will:</p> <ul style="list-style-type: none"> • address the impacts identified, • support LNRS priorities, or • strengthen GI connectivity across Essex. <p>ECC will seek improvements to ensure BNG delivery aligns with both the Essex LNRS and Essex GI Strategy.</p>
LV Landscape and visual			
LV 1.14	All local authorities	<p>ES Appendix 13.5 National Landscape assessment study - 2</p> <p>The study [APP-235] concludes that: <i>"In conclusion, the Project would result in significant adverse effects on the special qualities of the Dedham Vale National Landscape during construction. However, during operation (and maintenance) the</i></p>	<p>ECC does not agree. The effect identified at construction on the special qualities of the National Landscape will remain extant at operational phase with permanent physical structures.</p> <p>ECC would refer to the following legislation in respect of this matter.</p>

ExQ1	Question to:	Question:	
		<p><i>adverse effects on the special qualities of the National Landscape are judged to be minor and not significant (adverse)"</i> (paragraph 13.3.8)</p> <p>The local authorities are asked whether they agree with this conclusion and provide reasoning if you do not.</p>	<p>NPPF:</p> <p>15. Conserving and enhancing the natural environment Paragraphs 187 to 201</p> <p>189. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads 66. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas</p> <p>190. When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development 67 other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:</p> <p>(a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;</p> <p>(b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and</p> <p>(c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</p> <p>Section 85 of the CROW Act</p> <p>The s.85 duty to seek to further the purpose of conserving and enhancing the natural beauty of AONBs applies to the full range of development management decision-making, including considering applications for outline, full and reserved matters, listed building consent, applications for works to protected trees, and prior notifications, along with enforcement work on planning breaches.</p>
LV 1.17	Suffolk CC Essex CC	<p>National Landscapes - duty to seek to further the purposes report - 3</p> <p>The Report [APP-120] concludes that the mitigation hierarchy has been applied in accordance with national policy. Please confirm whether you agree with this conclusion and provide reasoning if not.</p>	<p>High level mitigation hierarchy has been applied to an extent in accordance with national policy. However, the level of mitigation remains to be agreed as set out within the ECC LIR (REP1-161) and the SoCG (REP2-012). ECC request the inclusion of proportionate compensation for a NSIP and would welcome ongoing discussions on this matter.</p>
LV1.22	All local authorities	<p>Landscape visualisations – 1</p> <p>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. 	<p>ECC would request further visualisations locations beyond the 3km study area where appropriate; particularly for example (around valley landscapes such as Feering) and areas identified within the ZTV. These requests have been set out in the submissions made to this Examination to date, including the LIR (REP1-161).</p>

ExQ1	Question to:	Question:	
LV 1.34	The applicant All local authorities	<p>• In your opinion are additional visualisations required, and if so from which assets and where should the visualisations be taken from?</p> <p>ES Appendix 13.6 – arboricultural impact assessment – 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.</p> <p>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.</p> <ul style="list-style-type: none"> • 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? 	<p>In respect of landscape matters, ECC has concerns regarding replacement planting such as:</p> <ul style="list-style-type: none"> • 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 Vetran 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. <p>Monitoring and management programmes such as those undertaken for Minerals and Waste sites <i>could</i> secure this but need to be carefully managed to ensure they are successful.</p> <p>In respect of green infrastructure, ECC supports 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 ECC advises that its usefulness depends on early provision and strategic alignment with wider environmental priorities.</p> <p>1. Timing</p> <p>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> <p>2. Content Requirements</p> <p>ECC expects the OPDS to 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>3. Securing the Details</p> <p>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>

ExQ1	Question to:	Question:	
MW Minerals and Waste			
MW 1.1	Norfolk CC Suffolk CC Essex CC Thurrock Council	<p>Minerals safeguarding - 1</p> <p>Taking account of the impact of the project on existing and proposed mineral sites, do you consider:</p> <ul style="list-style-type: none"> the proposed development has sufficiently taken account of the need to safeguard mineral resources the proposed development complies with your current and/ or emerging plans. If not, what further mitigation measures do you consider are required. 	<p>ECC in its capacity as the Minerals and Waste Planning Authority (MWPA) is satisfied that the applicant has proactively engaged with the MWPA and through Document 6.9.A2 Environmental Statement Appendix 9.2 - Qualitative Minerals Resource and Infrastructure Assessment, provides an appropriate summary and response to mineral safeguarding matters.</p> <p>The MWPA considers the Mineral Resource Assessment (MRA) competent in addressing the requirements of MLP Policy S8 at a strategic level. It accepts the MRA's conclusion that, although the project will sterilise some mineral resources, it is not practical to engage in a programme of prior extraction across the entirety of the route. The MWPA further notes that where there is recognition that the proposed development may conflict with current or future extraction activity, appropriate mitigation measures are being pursued.</p> <p>Paragraph 9.5.17 of the MRA confirms that the Order Limits and Study Area overlap with several Candidate Sites that have been submitted for future allocation under the MWPA's Call for Sites for the emerging Essex Minerals Local Plan. The MRA notes that these sites have not currently been allocated but that they could become so in the new MLP once adopted. Regarding these sites, the MWPA acknowledges that the Candidate Sites currently carry little weight as part of any planning judgement respective to land-use matters relating to the NSIP scheme. The MWPA therefore welcomes that National Grid have created flexibility where possible through Route Options which will enable the minimisation of the impact on any Candidate Sites which may be selected as Preferred Sites and subsequently allocated in the future.</p> <p>At this project level, engagement between the DCO applicant and existing and Candidate Site promoters is demonstrated as being ongoing within the evidence base, with discussions focussing on potential route variations to minimise or eliminate the sterilisation of permitted reserves, including alternative routes where Candidate Sites may be allocated as part of the ongoing Minerals Local Plan Review. As these discussions are ongoing, and the MWPA have not been provided with any finalised alternative route options, the MWPA cannot yet take a final view on potential impacts on the deliverability of existing allocations or Candidate Sites. However, nothing currently indicates that the MWPA's plan making responsibilities as a whole will be adversely affected by the applicant's approach.</p> <p>The MWPA would, in principle, seek to uphold its existing mineral planning permissions and preserve its suite of Candidate Sites. It is, however, recognised that National Grid, the landowner and the operator or promoter may reach a private agreement throughout the DCO process. Where this transpires, the MWPA would respond as dictated by its land-use planning responsibilities.</p>
MW 1.6	The applicant Essex CC	<p>Minerals resource at Lowleys Farm</p> <p>Brett Aggregates Ltd in its Deadline 1 submission [REP1-210] has raised concerns about the potential impacts on its minerals prospect site at Lowleys Farm. As it currently stands, Brett Aggregates Ltd contends that the route for the proposed</p>	<p>Document Reference REP1-210 accurately conveys the current position which is that Essex County Council as MWPA does not currently "object to the DCO as it has been 'informed by NG that no significant operational impacts are envisaged' at Lowleys." The</p>

ExQ1	Question to:	Question:	
		<p>development would run through the middle of the mineral scheme and over its deepest point. The applicant and Essex CC are requested to respond to the concerns raised by Brett Aggregates Ltd. Furthermore, the applicant is also requested to clarify what, if any, scope exists for the route to be altered to mitigate the impacts on this minerals resource that have been raised by Brett Aggregates Ltd. The applicant should also explain the reasons for the order limits detail to the east and south of TB128 to TB133 which appears to extend towards the eastern limits of Lowleys Farm with no indication of the works which will be undertaken within the area between the proposed line of pylons and Lyonshall Wood.</p>	<p>representation continues by indicating that, for this to be true, a realignment of the route would need to take place.</p> <p>The MWPA would, in principle, seek to preserve its suite of Candidate Sites through the plan-making process. It is, however, recognised that all Candidate Sites currently carry little weight as part of any planning judgement respective to land-use matters relating to the NSIP scheme. The MWPA, therefore, welcomes that National Grid have created flexibility where possible through Route Options which will enable the minimisation of the impact on any Candidate Sites which may be selected as Preferred Sites and subsequently allocated in the future. It is, however, the case that final route alignments within prescribed Order Limits are still subject to negotiation and, therefore, the final proposed routing has not been made available to the MPWA to enable it to provide a final position other than that previously stated. It will be incumbent on the MWPA to formally qualify any impact on Candidate Sites with site promoters when a final decision is made on which sites to allocate as Preferred Sites. That said, irrespective of whether the site is selected as part of this Call for Sites or not, mineral policy is drafted such that any impact on finite resources should be minimised if not capable of being avoided altogether so appropriate practice would be to at least avoid the richest part of the deposit. Further, and again without prejudice to any future intention to allocate this Candidate Site, that there is demonstrable interest in working the location increases the likelihood that this site could at some point provide the resource that future generations could use.</p> <p>It is further recognised that National Grid and the operator or promoter may reach a private agreement throughout the DCO process as a consequence of a reduction in available yield. Where this transpires, the MWPA would respond as dictated by its land-use planning responsibilities.</p>
NV Noise and vibration			
NV 1.5	The applicant Relevant local authorities	<p>Use of use of triple Araucaria conductors or alternative technology</p> <p>Throughout ES Chapter 14 [APP-256] reference is made to the use of triple Araucaria conductors (or alternative technology that performs to the same or better standard in relation to noise on standard lattice pylons).</p> <p>In the event of alternative technology being used, as opposed to the use of the use of triple Araucaria conductors on part or all of the route, should a mechanism be included to ensure that alternative technology is of the same or better standard in relation to noise on standard lattice pylons. In the event a mechanism should be used, what form should the mechanism take (ie should it be a requirement within the DCO), should there be a need to agree to the alternative technology and should there be a discharging and appeal authority?</p> <p>In addition to the above, the ExA notes ES Chapter 7 paragraph 7.9.4 Refers to pylons TB140 to TB142 (inclusive) to the south of River Chelmer being low height pylons. However, this paragraph also refers to feedback that was received during consultation in 2025 and certain technical details being refined. This paragraph states " as a result, flexibility has been retained to allow for the installation of standard lattice pylons in this area instead." However, the ExA notes ES Chapter 14 (Noise and vibration) states a low noise conductor system will be used. Can the applicant confirm, should the design change in relation to pylons TB140 to TB142 (inclusive) to standard lattice pylons, or</p>	<p>ECC considers that should there be a need for alternatives to the use of triple Araucaria conductors, there should be certainty that the alternative is of the same or better in relation to noise levels. It considers this could be secured through a requirement that could be discharged by the relevant discharging authority for the section of line affected. . Where that would involve multiple, authorities, given the test would the same or better noise emissions, this should be relatively straight forward to determine consistent across all authorities.</p> <p>A Requirement could be worded as follows:</p> <ol style="list-style-type: none"> 1) No phase of the construction works to pylons TB140 – TB142 (inclusive) may commence until details of— <ol style="list-style-type: none"> (a) the design, specific and acoustic attenuation of the conductor system relating to those pylons have been submitted and approved by the relevant planning authority for that phase. 2) The details submitted must accord with the outline design principles 3) The works must be carried out in accordance with the approved details including those set out in the approved construction environmental management plan.

ExQ1	Question to:	Question:	
		<p>any other form of pylon, be necessary the low noise conductor system will be used as part of those pylons?</p>	<p>4) For the purposes of sub-paragraph (1), “commence” includes remedial works in respect of any contamination or other adverse ground conditions and site clearance involving vegetation removal.</p> <p>However, in terms of general comments especially in respect of any low height pylons, as current envisaged between the Waltham’s, it is unclear how the triple Araucaria conductors compare to the low noise conductor systems? Are noise levels within a low height conductor system lower than those used within a triple Araucaria system?</p> <p>ECC would support CCC view that in the event that pylons TB140 – TB142 are increased in height to standard lattice height pylons, or any other type of pylon, CCC consider the lowest noise generating conductor system should be used.</p>
NV 1.7	The applicant Relevant local authorities	<p>Compaction activities and potential for damage due to construction vibration ES Chapter 14 [APP-256] paragraph 14.7.27 to 14.7.30 (inclusive) indicates there are five structures or buildings where there is potential for damage due to construction vibration from potential compaction activities. It also indicates: i) the identified locations will be reviewed by the main contractor in their specific detailed assessments, prior to the start of work with mitigation measures put in place, where required, to avoid potential significant effects; and ii) will review all works locations to determine whether any other buildings or structures may be affected by vibration from construction activities. However, no further details are provided.</p> <p>The ExA is concerned in regard to the absence of the further details in regard to both i) and ii) above and seeks the views of both the applicant and Relevant County/ Local Authorities in this regard. Should there be a formal mechanism requiring the further details and mitigation to be submitted and approved. What form should such a mechanism take (ie should it be a requirement within the DCO)? Should there be a need to agree the additional mitigation measures to avoid potential significant effects.</p>	<p>ECC has requested a hotline/mechanism for homeowners to contact Grid if issues occur. This could be covered by a pre-commencement condition.</p>
NV 1.13	The applicant All local authorities	<p>EACN and Tilbury North Substations operational noise assessment ES Appendix 14.3 (EACN Substation Operational Noise Assessment) [APP-259] and ES Appendix 14.4 (Tilbury North Substation Operational Noise Assessment) [APP-260]. The ExA is concerned with the reference to ‘reasonably practicable’ (also referred to as Best Available Technique Not Entailing Excessive Cost (BATNEEC)) in both documents. This is due to ‘reasonably practicable’ and BATNEEC including an element of cost within the assessment. The ExA considers any mitigation used must achieve the outcome intended, as set out in tables 14.3.8 and 14.4.8 respectively, and Best Available Technique (BAT), not BATNEEC, should be employed and secured within the DCO.</p> <p>The ExA seeks the views of both the applicant and local authorities in this regard. Should there be a formal mechanism requiring BAT? What form should such a mechanism take (ie should it be a requirement within the DCO) and, if so, who should the details be submitted to and who is responsible for discharging those conditions?</p>	<p>ECC concurs with the Examining Authority’s view that Best Available Technique (BAT), rather than BATNEEC, should be employed. The inclusion of cost considerations within BATNEEC risks undermining the delivery of mitigation necessary to meet the defined noise criteria set out in Tables 14.3.8 and 14.4.8. Where operational noise limits are required to protect residential amenity, mitigation must be outcome led and not qualified by cost based judgments.</p> <p>ECC considers that a formal mechanism is required within the DCO to secure the application of BAT for operational noise control at both the EACN and Tilbury North substations. This is necessary to ensure certainty that:</p> <ul style="list-style-type: none"> • The predicted noise limits will be met in practice; • Noise mitigation is designed, implemented, and verified to achieve the stated outcomes; and • There is a clear and enforceable framework for approval and compliance.

ExQ1	Question to:	Question:	
			<p>A requirement within the DCO is the most appropriate and proportionate mechanism, consistent with established practice for other nationally significant infrastructure projects and recent offshore wind farm consents.</p> <p>ECC will act as the discharging authority for the nearby North Falls and Five Estuaries offshore wind farm projects, which include inter related operational noise requirements. In that context, ECC is already required to consider cumulative and in combination operational noise effects within the area. Assigning ECC responsibility for discharging the EACN operational noise requirement would therefore:</p> <ul style="list-style-type: none"> • Ensure regulatory consistency across co located NSIPs; • Enable effective consideration of cumulative operational noise impacts; and • Provide clarity for all parties involved. <p>ECC recognises that issues affecting Tilbury North sub station fall under the jurisdiction of Thurrock Council.</p>
PRoW Public Rights of Way			
PRoW 1.1	Norfolk CC Suffolk CC Essex CC Thurrock Council	<p>PRoW general - 1</p> <p>Please provide a schedule of proposed amendments to the outline PRoW Management Plan, highlighting matters that you consider are not acceptable and require amending and what you consider those amendments should be.</p>	<p>ECC has reviewed the outline PROW Management Plan and would request paragraph 5.2.14 to be altered so there is no ambiguity as follows:</p> <p><u>Current Wording</u></p> <p>Paragraph 5.2.14 “All signage would be removed once construction is complete in the area, and where possible, all PRoW returned to their previous use, alignment and condition.”</p> <p><u>Proposed Wording</u></p> <p>“All signage would be removed once construction is complete in the area, and all PRoW returned to their previous use, alignment and condition unless agreement has been reached with the LHA and landowners or where the project proposes to permanently divert a PRoW.”</p> <p>Furthermore, ECC would like written assurance that the design of the PRoW diversion over the permanent private haul road between Bentley Road and Ardleigh Road will be discussed and agreed with the PRoW Team at ECC. The following wording is proposed to be included at Section 8.7 in the PRoW MP (after paragraph 8.7.2):</p> <p><u>Proposed Wording</u></p> <p>“The design associated with the permanent stopping up and diversion of Little Bromley footpaths 13 and 14 will be discussed and agreed with Essex County Council as local highway authority.”</p>

ExQ1	Question to:	Question:	
			There is also a repetition in paragraph 4.1.3 that could be updated as part of overall amendments.
PRoW 1.2	Norfolk CC Suffolk CC Essex CC Thurrock Council	PRoW general - 2 ES Chapter 16 [APP-039] paragraph 16.4.15 details the PRoW user surveys carried out. Confirm that these baseline surveys are accepted and if not, why not.	ECC can confirm that the baseline PROW user surveys are acceptable
PRoW 1.10	Essex CC	Mitigation for all PRoW routes that cross or enter the highway network along the primary access routes. Essex CC in its RR [RR-1083] refer to mitigation for all PRoW routes that cross or enter the highway network along the Primary Access Routes. Can you clarify what mitigation measures you are seeking in this regard and how such mitigation should be secured. In responding to this question please bear in mind relevant tests (eg where such mitigation to be secured by requirement would it meet the relevant tests (necessity, relevant to planning; relevant to the development permitted; enforceability; precision; and reasonable in all other respects))?	ECC requires warning signage and vegetation clearance for all PRoW routes that cross or enter onto the carriageway of the Primary Access Routes. The Applicant has included this type of mitigation for various PRoWs in Table A16.4.5 of the ES Chapter but ECC determined that there were some routes missing on the PARs identified in the LIR at Paragraph 4.5.87 – replicated below for ease of reference: <ul style="list-style-type: none"> • PAR 39 Great Tey Road • PAR 41 Witham Road (B1018) • PAR 51 Roxwell Road <p>ECC would expect that the mitigation is captured in the CTMP and CoCP in line with the PRoWs already identified by the Applicant.</p>
PRoW 1.11	The applicant Essex CC	Permanently stopping up and diversions of PRoW. Essex CC raises concern regarding proposals to include permanently stopping up and diversions of PRoW, albeit no specific details have been provided at this stage. It raises concerns around the impact on the PRoW network and seeks more surety on the design and protection of rights ([RR-1083], Paragraph 6.5.11). The applicant and Essex CC are asked for an update on these matters and any discussions taking place between them.	The concerns were around existing PRoWs Little Bromley 13 and 14 which are impacted by the private haul road running between Bentley Road and Ardleigh Road. The Applicant confirmed that the stopping up and diversions of these routes are included in the TRO schedules in the DCO. They provided verbal assurance that there would be sufficient space to provide the changes to the PRoW on either side of the private haul road and that it would be the subject of detailed design post DCO. We would request that the above assurance is captured in writing within the PRoW Management Plan as summarised in our response above to PRoW 1.1.
SET Socio-economics, tourism and recreation			
SET 1.5	The applicant Relevant local authorities	Mitigation measures - 2 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. Applicant - justify the use of this term in each instance or amend the proposed mitigations accordingly. Relevant County and Local Authorities – The ExA seeks your views in regard to the use of this term and your suggestions in regard to any alternative forms of wording.	ECC has reviewed the use of 'where practicable' in ES Chapter 15 (Socio-economics, Recreation and Tourism) [APP-265] At Paragraph 15.6.6, there is reference to Standard Mitigation measures SO2 and SO3 contained in Table 6.1 of the outline Code of Construction Practice. In both these instances, ECC questions the use of 'where practicable' on the basis that alternative access arrangements be that in relation to road closures and mitigation or access to community facilities, business, tourism and recreational assets, need to be maintained at all times not just where practicable, unless this is agreed with the relevant highway authority or the affected community facilities, business, tourism and recreational asset. ECC is considering whether there is more appropriate alternative wording and will respond further at Deadline 4.

ExQ1	Question to:	Question:	
SET 1.14	The applicant Essex CC ARU Writtle Anglia Ruskin University Writtle College Ltd All other Interested Parties	<p>Concerns of ARU Writtle, Anglia Ruskin University and Writtle College Limited</p> <p>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.</p> <p>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.</p>	<p>ECC would defer to Anglia Ruskin University, as operators of the campus, to provide detailed justification on the safeguarding implications of the routing of an access through the campus for construction access. As set out in ECC's LIR (REPI-161) at Paragraphs 4.8,19 &4.8.19, ECC recognises the potential adverse impact on the safe operation of the campus and the need for any such access to be appropriately mitigated through the adherence to agreed and robust management protocols.</p> <p>CWL is not part of the Primary Access Routes network and consequently, the impact on using this route for construction access has not been considered nor has information been provided by the Applicant to explain the scope and level of use which enable the ECC to determine acceptability. It is understood the use of CWL is limited prior to construction of haul roads but without detail, acceptability cannot be assessed.</p> <p>It is noted that the red line of the DCO boundary includes a private road within Writtle College which does not form part of the adopted highway. There is no suggestion that Cow Watering Lane (which is classified as an adopted road) is to be used as a Primary Access Route for construction vehicles by the Applicant. However, if this access is to be used by construction vehicles then ECC would be interested to understand further details as ECC were not aware that it has been defined for construction access. If this access is to be used then ECC would request further confirmation on all other construction routes that are to be used but not defined as PARs so that ECC can review.</p> <p>ECC as highway authority would not be involved in discussions between the private landowner and National Grid in relation to the use of a private road. However, ECC would have an interest in the use of the private road/Cow Watering Lane junction.</p> <p>ECC would be involved in discussions around PRoW that runs over private land.</p> <p>The footpath (Writtle 13) is assumed to be within the grounds of the college (although ECC do not have exact boundary information for the college). The red line boundary includes sections of the footpath although does not appear to show that the haul road interacts with it. The PRoW Management Plan shows how interactions between users of the PRoW and construction vehicles will be dealt with and ECC have accepted this high level approach to the network. However, if users of the route are aware of specific issues that need to be addressed that are not covered by this high level approach then ECC would be interested to understand so that ECC can discuss appropriate mitigation with the Applicant.</p>
TT Traffic and transport			
TT 1.20	National Highways Suffolk CC Essex CC Norfolk CC Thurrock Council Suffolk Constabulary	<p>Cumulative impacts</p> <p>Are there any specific impacts from other projects which you consider could cause additional impacts and risk to the proposed development and do you consider these have these been addressed adequately by the applicant?</p>	<p>Works Programme</p> <ul style="list-style-type: none"> • Timescales of works associated with other DCOs and strategic sites associated with consents under the Town & Country Planning Act. The Applicant has confirmed they will be adhering to the Permit Scheme. However, the risk is that multiple projects come forward at the same time requiring competing roadspace. In addition, multiple projects coming forward in the same areas of Essex will impact on particular sections of the local highway network. Therefore, ECC will want to ensure that the applicant commits to joining and engaging with the

ExQ1	Question to:	Question:	
	Essex Police		<p>Developer’s Forum on the basis of the high level approach set out in our response to TT 136 below and commits to flexibility to adapt to changing conditions.</p> <ul style="list-style-type: none"> • ECC note the Applicant has provided conflicting responses on their commitment to joining and engaging in the Developer’s Forum in their comments on the ECC Local Impact Report as follows: <ul style="list-style-type: none"> ○ Ref 3.18.54 (p124) states “The Applicant is already engaged with other developers, however ECC will consider the request for a Developer’s Forum and engage with the local authorities accordingly.” ○ Table 3.23, paragraph 4 (p158) states “However, the Applicant has committed to joining and engaging in the Developer’s Forum proposed by Essex County Council to help facilitate co-ordination.” <p>Maintenance</p> <ul style="list-style-type: none"> • Maintenance of temporary pedestrian/cycle infrastructure for mitigation purposes on Bentley Road by multiple DCOs. In ECC’s LIR (REP1-161) it stated that “The completion of works and maintenance timescale is more complex due to the need for multiple DCOs to use the proposed infrastructure. Further clarity is required on how these matters will be managed and evidence in the form of a collaborative agreement between the various DCOs benefiting from the proposed mitigation”. • The Applicant has responded to say they do not consider it appropriate to have a commitment in the DCO that binds the Project with Five Estuaries, North Falls and Tarchon Interconnector on construction timetables, maintenance and mitigation strategies. This is understood but does not lessen our concern about who is ultimately responsible for maintenance during the works – for example where there is an overlap in programmes for the various DCOs or where there are gaps between works and the mitigation is to remain in place rather than removed and then reinstalled. Therefore, ECC feel the approach to managing the mitigation strategy for these temporary works is not sufficient to allay our concerns. <p>AIL Strategy</p> <ul style="list-style-type: none"> • ECC has raised concerns around a co-ordinated approach to workable AIL routes and that ECC would expect the review to have been completed prior to the end of the Examination so that workable AIL routes are defined. The applicant has confirmed their Contractor is aiming to complete this by the end of Examination assuming all relevant information is provided from the asset owners in a timely manner. Whilst ECC understand the caveat around ensuring sufficient information is available ECC believe that a position statement could be provided showing the routes on a map along with constraints as currently known (if not all information is available). This will enable an understanding of where there are

ExQ1	Question to:	Question:	
			<p>particular issues on the network that need further work and how this impacts the various authority areas.</p> <ul style="list-style-type: none"> ECC note that the A12 restrictions do not impact the AILs and as such there is no requirement to propose routing through Colchester (which is very welcomed). ECC has, however, noted that there is a National Highways project committed between 2026-2031 on the A120 which impacts the use of the Harwich Port AIL route. ECC would be interested to understand whether discussions have been held with National Highways around any restrictions they will be imposing on this particular route and how this may impact on AILs through Essex.
<p>TT 1.28</p>	<p>National Highways Suffolk CC Essex CC Norfolk CC Thurrock Council</p>	<p>Walking, cycling and horse-riding – 1 Please confirm if you consider there are any outstanding parts of your highway network that require a Walking, Cycling and Horse-riding assessment review. If so, please list these and give the status of discussions with the applicant regarding this.</p>	<p>ECC does not believe there is a need for an assessment unless the applicant is proposing to use Cow Watering Lane for construction access via Writtle College (as referred to in SET 1.14).</p> <p>If there are other proposed site accesses using the local highway network beyond the defined PARs then ECC may require a review of these routes. It would be dependent on the construction traffic flows, type of vehicles and whether the route is on a defined PRow or national cycle route, and/or whether there is potential for the presence of walkers, cyclists or horse riders on street associated with the PRow network in the area. A referenced in ECC’s response to SET 1.14 ECC would require further details of the usage of site access routes beyond the PARs defined to be able to assess.</p>
<p>TT 1.36</p>	<p>National Highways Suffolk CC Essex CC Norfolk CC Thurrock Council</p>	<p>Outline construction traffic management plan - 2 For the avoidance of doubt, please detail any matters in the outline CTMP [APP-309] which you consider requires amending and your proposed amendment. This could be in the form of a schedule or tracked changed version of the outline CTMP.</p>	<ul style="list-style-type: none"> Paragraph 2.3.5 to be updated and moved to below 2.3.7 (under Heavey Goods Vehicle Timings): <p>Existing Wording</p> <ul style="list-style-type: none"> Where a PAR is located directly past Freeman Primary School (Stow Upland) and Margaretting Church of England Primary School (Margaretting), construction vehicles will travel outside the weekday drop off/pick up times. <p>Proposed Wording</p> <ul style="list-style-type: none"> The Contractor(s) commits to restricting HGV movements during school drop off/pick up times on PARs where there is school related activity for the following locations: <ul style="list-style-type: none"> Quilters Infant & Junior School, Billericay, A129 and A176 Billericay School (secondary), A129 and A176 Cressing Primary School, B1018, Tye Green Maltings Academy (secondary) and Powers Hall Academy (primary), Spinks Lane/Spa Road, Wickham Margaretting Church of England Primary School, B1002, Margaretting A further review will be undertaken and agreed with the LHA prior to construction to consider restrictions on routes where any new schools have been built.

ExQ1	Question to:	Question:	
			<ul style="list-style-type: none"> • Include the following in a new section 3.4 (after Community Engagement and Public Information) <ul style="list-style-type: none"> ○ National Grid and the Main Contractor(s) commit to joining and positively engaging with a Developer’s Forum on the basis of the following high-level principles: <ul style="list-style-type: none"> ▪ The Developer’s Forum would be a regular monthly online meeting beginning as soon as the DCO is granted. It would be chaired by ECC with key members of the other NSIP Teams invited as well as other Strategic Site Teams, alongside relevant members of the Local Highway Authority and Planning Authority ▪ The Forum would be attended by National Grid as scheme promoter alongside their Main Contractor(s) constructing the scheme ▪ At critical times where programmes overlap National Grid and the Main Contractor(s) will attend more regular weekly or bi-weekly meetings for urgent discussions on collaboration ▪ Funding will be provided for the time spent by ECC in organising and chairing the meetings over the life of the construction period of Norwich to Tilbury capped at £45,360 (based on monthly meetings) with any additional meetings charged at £105 per person ▪ Commitment to provide flexibility to adapt to changing conditions as identified during the Developers Forum • Update paragraph 5.2.2: <p>Existing Wording</p> <ul style="list-style-type: none"> ○ Pre- and post-construction condition surveys of the existing highway network are proposed to be undertaken on AIL and HGV routes. The scope of these surveys (in terms of the routes covered, and the methodology of these surveys) is to be agreed with each LHA. The results of these pre-condition surveys will be shared with the LHA prior to works commencing, including pre-commencement works relating to the highway. <p>Proposed Wording</p> <ul style="list-style-type: none"> ○ Pre- and post-construction condition surveys of the existing highway network are proposed to be undertaken on AIL and HGV routes. The scope of these surveys (in terms of the routes covered, and the methodology of these surveys) is to be agreed with each LHA. The results of these pre-condition surveys will be shared with the LHA prior to works commencing, including pre-commencement works relating to the highway. In addition to condition surveys, a road safety review including structures should be undertaken prior to works commencing. This would include a drive through of all the PARs with the LHA to identify any issues that may need to be rectified prior to use and a review of the structures used to ensure they are still appropriate for the intensification of use. It is anticipated that the rural routes will be the focus of the safety review. • At the end of Paragraph 5.3.12 include:

ExQ1	Question to:	Question:	
			<ul style="list-style-type: none"> ○ Variable Messaging Sign boards are to be implemented at locations agreed with the Local Highway Authority to communicate upcoming ALLs or other disruption on the PARs. <ul style="list-style-type: none"> • To include the following after paragraph 5.3.13: <ul style="list-style-type: none"> ○ Information will be made available to the wider community on what ALLs are, why they are needed and how they impact the local/strategic road network along with links to find further information. • To include the following update to paragraph 5.4.17: <p>Existing Wording</p> <ul style="list-style-type: none"> ○ “The construction and construction workforce traffic movements will be managed through the monitoring and management mechanisms outlined in Section 7. Given the robust arrangements that would be available to monitor and review these traffic movements, the comprehensive trip generation and distribution approach and the proposed mitigation measures, a cap on vehicle numbers is not considered necessary.” <p>Proposed Wording</p> <ul style="list-style-type: none"> ○ The construction and construction workforce traffic movements will be managed through the monitoring and management mechanisms outlined in Section 6. The movements will be reviewed against the assumptions included in the Transport Assessment and ES to ensure no additional impact occurs beyond what has been assessed.” • Paragraph 5.4.10 <p>Existing Wording</p> <ul style="list-style-type: none"> ○ The timescales for the implementation of these schemes is subject to change. The CTMP will need to be reviewed and amended in engagement with the relevant LHA should planned highway works impacts have a material effect on the agreed construction routeing strategy. <p>Proposed Wording</p> <ul style="list-style-type: none"> ○ The timescales for the implementation of these schemes is subject to change. The CTMP will need to be reviewed and amended in agreement with the relevant LHA should planned highway works or other external factors have a material effect on the agreed construction routeing strategy. In this way, the Contractor is providing a flexible approach to respond to changes in conditions. • Table 5.7 to be amended to include commitments to restrict the use of construction routes during school drop off/pick up as set out above. • Insert the following at Section 5.4:

ExQ1	Question to:	Question:	
			<p>Reducing Freight</p> <ul style="list-style-type: none"> ○ The Contractor will review and discuss ways of reducing freight by road with the Local Highway Authority. This will include (but not restricted to): <ul style="list-style-type: none"> ▪ consolidation centres; ▪ shared delivery logistics with other scheme promoters/developers; ▪ wider considerations of the Multi Modal Strategy using rail and port facilities to replace long distance road freight; and ▪ review of 'just in time' scenario (Scenario 2) set out in Appendix G of the Transport Assessment. ○ Update Section 2.3 Working Hours to include the following: <ul style="list-style-type: none"> ▪ Staff working hours will be 07:00 to 19:00 Monday to Friday and Saturday 08:00 to 13:00. ▪ Staff will be unable to access the on-site parking areas between the hours of 0800 and 0900hrs, or leave between the hours of 1645 and 1800hrs ● After paragraph 5.4.10 <ul style="list-style-type: none"> ○ To reduce the potential for impacts on the local highway network due to inappropriate HGV parking associated with lack of nearby resting facilities for drivers, baseline conditions will be collected prior to works commencing. The conditions will be monitored and reviewed using parking usage surveys for areas defined with the LHA through a scoping process. This will include laybys and industrial estates where clusters of HGV parking are identified, along with observations of other local roads where HGV drivers park and rest. This would be in areas on the local highway network along or within close proximity to the construction routes to determine any potential HGV parking issues. Mitigation would be considered in advance of construction works where necessary and agreed with the LHA. Depending on the results, the mitigation could either be implemented or a monitor and manage approach adopted with regular reviews at the key locations undertaken during the construction period. ● Include after paragraph 5.5.5 to ensure parking provision is in line with the assumptions in the assessment: <ul style="list-style-type: none"> ○ As part of the access design approvals details of car parking supply and demand for compounds will be provided along with cycle parking. ● Include after paragraph 5.8.4: <ul style="list-style-type: none"> ○ Access is required 24/7 to the Ardleigh Depot in Essex without hindrance for all vehicle types including a snow plough as worst case. It is noted that there are to be no delays to access/egress or on the surrounding local roads leading to the wider network as it will impact on road safety where ECC respond to emergency incidents on the local highway network. ● Include the following at paragraph 5.9.5

ExQ1	Question to:	Question:	
			<p>Existing Wording</p> <ul style="list-style-type: none"> ○ These mitigation measures will be in place for the duration of the Project and removed at the end of the Project, with land reinstated to its previous condition (as far as is reasonably practical). <p>Proposed Wording</p> <ul style="list-style-type: none"> ○ These mitigation measures will be in place for the duration of the Project and removed at the end of the Project (unless agreed otherwise with the LPA), with land reinstated to its previous condition (as far as is reasonably practical). <ul style="list-style-type: none"> • Add in between paragraphs 5.9.5 and 5.9.6 <ul style="list-style-type: none"> ○ Locations such as but not limited to Bentley Road, Ardleigh (Essex) that are proposed to be permanently provided will require a comprehensive investigation of the construction of the carriageway to inform the subsequent detailed design of the works. • Include after paragraph 5.12.1 to ensure the LHA is consulted and agrees with the design of the changes to the PRow around the permanent private haul road in Ardleigh: <ul style="list-style-type: none"> ○ The design of the interaction between the diversions of the PRow around the private haul road in Ardleigh are to be agreed with the Local Highway Authority. • Table 6.1 at “Monitoring of vehicles and road network” to include: <ul style="list-style-type: none"> ○ Monitoring vehicle movements of HGVs and construction workers. • The applicant should set out some examples of corrective actions that could be taken. ECC have included some in the proposed wording below to be provided after paragraph 6.3.1. <p>Proposed</p> <ul style="list-style-type: none"> ○ Where needed corrective actions will be agreed with the relevant LHA and/or community members prior to implementation. These actions could include: <ul style="list-style-type: none"> ▪ extending the programme of works to reduce the impact of traffic; ▪ warnings given to drivers who do not adhere to the routing strategy or those waiting or parking at inappropriate locations in the vicinity of the site; and further disciplinary actions as necessary for repeated incidents

ExQ1	Question to:	Question:	
			<ul style="list-style-type: none"> ▪ closure of compounds/on site parking to prevent staff arriving/departing during peak hours on the local highway network; or ▪ implementing additional shuttle buses to reduce worker traffic. <ul style="list-style-type: none"> • Update the list of non-compliance at Section 6.4.1 as follows: <ul style="list-style-type: none"> Existing Wording <ul style="list-style-type: none"> ○ Construction traffic operating outside the agreed hours Proposed Wording <ul style="list-style-type: none"> ○ Construction traffic (including workers) operating outside the agreed hours. • The list of non-compliance at Section 6.4.1 to include: <ul style="list-style-type: none"> ○ Construction traffic (both worker traffic and HGV movements) levels are beyond those assumed in the Transport Assessment and ES
TT 1.38	National Highways Suffolk CC Essex CC Norfolk CC Thurrock Council	<p>Statements of common ground</p> <p>In the SoCG with National Highways [REP1-048] a number of statements suggest that you are awaiting further information following requests to allow you to further consider the applicant submission. Please can you state if this additional information is now available to you and if not, what timescales you require to ensure an adequate response to any outstanding matters or concerns. Please can all local highway authorities address this same question.</p>	<p>ECC is waiting for the following information:</p> <ul style="list-style-type: none"> • Detailed Technical Note including latest traffic data comparisons with model survey data and queue data for validation junction models • TROs to be reviewed when the following information is available: <ul style="list-style-type: none"> ○ Existing baseline traffic on diversion routes ○ Existing baseline traffic on the route that is to be temporarily closed ○ Proposed construction traffic (volume and traffic makeup) for diversion routes ○ Speed surveys for mitigation works ○ Parking demand surveys for parking restrictions ○ Timescales for each TRO listed in the DCO Schedule ○ Statement of reasons for each TRO proposal ○ Parking data to support the parking restrictions ○ Speed data associated with the mitigation designs • Details of proposed shift patterns for workers • Junction mitigation proposals • Further consideration of Wick Lane proposals as the principle of using Wick Lane temporarily between the two proposed haul road access points is not accepted based on current option provided • Alternative design of Ardleigh Road based on passing bays (permanent) • AIL tracking as pdf version to review