

**IN THE MATTER OF AN APPLICATION BY NATIONAL GRID
ELECTRICITY TRANSMISSION FOR AN ORDER GRANTING
DEVELOPMENT CONSENT FOR THE NORWICH TO TILBURY PROJECT**

PINS REF: EN020027

**Ardleigh Parish Council
and Little Bromley Parish Council’s
Response to the ExA’s First Written
Questions (ExQ1)**

Introduction

1. This response to ExQ1 has been prepared on behalf of Ardleigh Parish Council (“APC”) and Little Bromley Parish Council (“LBPC”) (together “the Parish Councils”). In preparing these answers, the Parish Councils have also had regard to the material provided at Deadline 2. Where appropriate, this material is referenced in response to the questions.
2. The Parish Councils have sought to address their responses to the central issue of concern to them, namely the failure to assess and justify the cumulative and concentrated impacts within the Ardleigh and Little Bromley Area (the “ALBA”).
3. The Parish Councils are dismayed that the ExA has seemingly decided against arranging an ALBA ISH, which has resulted in a very broad set of ISHs to be held on April 28th, 29th and May 1st, 2026. With respect, this approach will clearly not

allow the ExA to get into the level of detail needed (with the assistance of the Parish Councils) concerning the impacts on the ALBA and to remain engaged and professionally represented, the Parish Councils will need to incur further costs above and beyond what they feel they would have had an ALBA ISH been arranged.

GEN 1.1

4. The Parish Councils consider that the information and responses provided by the Applicant does not enable a proper understanding of the Proposed Development or its effects.
5. First, a meaningful cumulative assessment is not presently achievable, in particular because the location, design and size of the proposed Tarchon interconnector and substation remain unknown, with (as the Parish Councils understand) no application for that development anticipated until at least 2028;
6. Secondly, even within the material provided, the Applicant continues to present information in a fragmented and thematic manner. Responses remain grouped thematically, cross-refer to documents rather than explain impacts and treat projects as separate entities rather than a combined scheme. That remains the case in Document 8.4.1 (Rev B).

GEN 1.2

7. The Parish Councils have noted the new Guidance.

GEN 1.6

8. The Parish Councils do not dispute that the Proposed Development falls within the category of infrastructure identified as Critical National Priority (“CNP”) under EN-1
9. However, properly understood, CNP establishes the national need for the category of infrastructure in question. It does not:
 - a. determine the appropriate location of such infrastructure; and/or
 - b. justify the concentration of multiple major infrastructure projects within a single locality.
 - c. Create a presumption in favour of any particular technological, locational, or configuration-based solution advanced by an applicant. Its scope is confined to the infrastructure type, not the means by which an applicant proposes to deliver it.
10. EN-1 makes clear that, notwithstanding CNP, decision-makers must still:
 - a. Assess site-specific impacts, consistent with the general assessment principles in EN-1 §4.1 (see also §§4.1.5-4.1.7; §4.3.18-4.3.19);
 - b. Consider whether the proposal represents a rational and appropriate siting and in doing so consider alternatives (§4.2.23); and
 - c. Have regard to the principles of good design and system resilience (including EN-1 §§4.1.7, 4.1.17, 4.7.10-4.7.14).

These requirements continue to apply notwithstanding the CNP presumption, which only applies after the proper application of the mitigation hierarchy and meaningful consideration of alternatives.

11. The Applicant’s Deadline 2 submissions confirm that it relies on CNP to outweigh identified residual harms. In particular, Document 8.4.1 (Rev B) indicates that

residual environmental effects are said to fall within the category of development where the CNP presumption applies and outweighs those effects (see page 50).

12. That approach omits the critical distinction between:
- a. the existence of a need for this category of infrastructure, and
 - b. the appropriateness of the Applicant's chosen location, technology, configuration and concentration of assets.

EN-1 does not "collapse" these questions into a single question.

13. The proper application of policy requires a prior question to be addressed, namely whether the ALBA is an appropriate location for the concentration of the infrastructure proposed¹. That question has not been properly examined.

14. In particular, the Applicant has not demonstrated:
- a. That the concentration of multiple substations and associated infrastructure within the ALBA represents a rational or resilient configuration as anticipated by EN-1;
 - b. That reasonable alternative configurations or locations (including alternative technologies such as onshore or offshore HVDC, undergrounding or routing using existing corridors) would not materially reduce the identified harms, as required under EN- where alternatives come to bear on planning judgement; or
 - c. That the cumulative effects arising from such concentration have been properly taken into account in the siting of the development.

15. This deficiency is compounded by the Applicant's persistent failure to articulate clear Project Objectives, against which any alternatives assessment can be meaningfully undertaken. Without transparent and defined objectives, the Applicant's assertions that alternatives "cannot meet the objectives" are untestable,

¹ See EN-1 (2025 edition) at Section 2 and Section 4

and the alternatives appraisal becomes an exercise in post hoc rationalisation rather than a genuine policy-compliant evaluation. This is a significant procedural defect.

16. The reliance on CNP to outweigh harm therefore risks treating national need as determinative not only of whether development should be permitted, but also where and how it should be delivered. This is not supported by EN-1 and elevates the presumption beyond that which was clearly intended.
17. The Examining Authority is therefore invited to approach the application on the basis that CNP does not displace the need for a rigorous assessment of location, alternatives, cumulative effects, and system resilience, all of which remain in issue in the present case.
18. The Parish Councils await with interest the comments to be made by the local authorities and the statutory consultees in respect of the policy tests identified by the ExA.

GEN 1.14

19. The Parish Councils support the concern raised by the ExA surrounding the absence of clear and accessible material in respect of the EACN and other developments (including the offshore wind farm connections). In particular the Parish Councils observe that:
 - a. The Applicant has failed to produce a single cumulative plan showing all development affecting the ALBA;
 - b. It has been necessary for local parties to undertake their own mapping exercises;
 - c. Even at this stage, affected persons may not fully understand the scale and interaction of the cumulative impacts of developments within the ALBA
20. The absence of such a plan materially inhibits public understanding of the proposed development and the Parish Councils await with some interest the Applicant's response to this question. Really, the Applicant should have produced a plan and

clearer information much earlier in the DCO process to allow it to be properly considered outside of the pressured timetable now having to be worked to.

GEN 1.22

21. Again, the Parish Councils await the Applicant's response to this question with some interest. In their view, Applicant's Deadline 2 submissions do not address the core deficiency in the assessment of alternatives. In response to the Parish Council's written representations, in the Applicant's Comments on Written Representations (Document 8.8.1 at pages 5-6) the Applicant sets out where and how it says it has assessed alternatives. However, this was not how matters were presented to the Parish Councils, which has been, since 2022 that no alternatives had been considered and that there was only one option for the proposed development. The Applicant appears to be suggesting in 8.8.1 that it has taken a "proportionate response" to assessing alternatives per EN-1.

22. However, the Parish Councils maintain that::

- a. No meaningful alternatives have been considered
- b. The EACN has effectively been treated as predetermined since 2022

23. In particular, there has been:

- a. No substantive consideration of brownfield alternatives, including Boxted Airfield
- b. No reassessment of routing or siting to reduce clustering of infrastructure

24. This is especially significant given the impacts on the ALBA and the permanent loss of BMV.

25. In respect of the loss of BMW, the Parish Councils also note that the Applicant scoped out soils in the 2022 Options Appraisal process. §2.29 of the “2022 - Corridor and Preliminary Routeing and Siting Study” [APP-356] states:

“Topics such as air quality, soils and geology, and water were scoped out of the Options Appraisal process on the basis that at this phase of the Project with the constraints above already applied, that these topic areas would not have a significant effect on the determination of the preferred route for the connection or substation siting”.

26. If the Agricultural Land Classification (ALC) maps provided by the Government for strategic planning purposes had been used, the proposed EACN site would have been identified as Grade 1 land. This is illustrated in Appendix B-1 and B-2 of ALBA’s “Report on Proposed Route Alignment and EACN Substation Siting in Ardleigh” [AS-065].

27. The use of these maps is also outlined on page 23 of the Energy National Policy Statements “Appraisal of Sustainability - Appendices Supporting Evidence Volume I” (2023).

28. Even a cursory examination of the current usage of the land in this area would have indicated the high agricultural value. Submissions to the Applicant from Ardleigh Parish Council in response to the various consultations also highlighted this and the fact that agricultural businesses in the location would be severely impacted by the proposals.

29. The question posed here by the ExA should really not have had to have been posed at that stage – the Applicant clearly could, and should, have anticipated that it would need to be clear on this issue at a far earlier stage. Having to “drag” clarity out of the Applicant in respect of the proposed development is unacceptable and undermines all faith in the exercise carried out by the Applicant in its design of the proposed development.

GEN 1.26

30. The assessment of cumulative effects on the ALBA has always been a key issue of the Parish Councils. As succinctly captured in 8.4.1 (page 568 “Landscape and Visual”) there are significant adverse visual effects within the ALBA, however, this does not appear to have been assessed as part of an explicit assessment of the cumulative effects on the ALBA.
31. Further, the Parish Councils have been unable to find evidence of any cumulative assessment of other impacts – for example, there has been no assessment that includes:
- a. The impact of 1200 vehicles per day coming from the east and west of the ALBA to reach the construction site of the EACN, and then the continued (post construction) servicing of the EACN, together with the construction traffic that will be associated with the Five Estuaries and North Falls development.
 - b. The impact of a construction phase with operating hours of 7am-7pm, with a slightly reduced period of weekend working hours. There will be no respite for residents at all during the construction phase and that will have clear impacts on health and well-being. This is particularly true when considered alongside other construction traffic that will arise from other development.
 - c. The impact that a loss of jobs locally will have upon those living in the ALBA (as raised in APC’s response in June 2024 to the Applicant’s Statutory Consultation)
 - d. Little Bromley is a small village with approximately 100 houses of which 13 are listed. This includes the War Memorial which is adjacent to the proposed permanent access road. LBPC are concerned that the War Memorial, listed as a building of Special Architectural or Historic Interest and listed as Grade II is at risk. Document: 2.2 Land Plans - Section C [APP-011] indicates that it sits within an area of compulsory purchase, it will be

impacted by the vibrations from the sheer volume of traffic and could result in accidental damage through construction traffic. The general setting of the war memorial within Little Bromley, including its outlook on a “heritage hedge”, is particularly notable; however, it seems that this “heritage hedge” will be removed. St Mary the Virgin Church in Little Bromley will also be under threat as the siting of the Five Estuaries/North Falls haul road and the Applicant’s permanent access road will surround this Grade II listed church.

32. The Parish Councils agree with the ExA that what has been prepared so far suggests a “cursory” approach to cumulative effects.

DES 1.5

33. The Parish Councils have been consulted on the design of the Five Estuaries and North Falls design. However, they have not been consulted on the Tarchon design (yet) and are not aware of whether the Applicant, Five Estuaries, National Falls and Tarchon have been working together on a co-ordinated approach to design. The Parish Councils share the ExA’s concern as to how the substations infrastructure will tie together, along with stated potential for further development(s).

DES 1.6

34. Whilst the ALBA is not in the list of locations identified by the ExA for this question, the Parish Councils consider that, given the proximity of ALBA to the Dedham Vale National Landscape (“DVNL”), it too should be considered.
35. The Parish Councils have raised in submissions to the Applicant that Holford Rule 1 has been breached in several respects:
 - a. The ALBA is close to the DVNL and the proposed Pylons and Substations in Ardleigh are within 1.5km of the DVNL and clearly damage the setting of the National Landscape

- b. Ardleigh like Dedham has many listed buildings, (72) and a designated Conservation Area which are regarded as of high amenity value. They will be severely compromised by the route of the proposed development
- c. Ardleigh has a Scheduled Monument which is adjacent to the proposed development's route. Its setting will be badly affected, and there is a high risk that archaeology, which is known to be on the route of the pylons, will be lost.

36. In relation to Holford Rule 4 "*Choose tree and hill backgrounds in preference to sky backgrounds, wherever possible; and when the line has to cross a ridge, secure this opaque background as long as possible and cross obliquely when a dip in the ridge provides an opportunity. Where it does not, cross directly, preferably between belts of trees.*" has clearly been breached. The ALBA lies on a flat plain of largely agricultural land with very little tree cover. It is not possible for the proposed development as currently designed to comply with Rule 4.

DES 1.7

37. In the Parish Councils' view the Horlock Rules have been breached in relation to the EACN as has been explained in previous submissions. The same applies to Five Estuaries, the National Falls substations and the expected Tarchon interconnector. Due to the nature of the landscape, as explained above, there is no acceptable way to hide structures of this size in such a flat landscape.

DES 1.8

38. Again, this is an issue concerning the Applicant assessment of, and explanation of how it has assessed, cumulative impacts. The Applicant has, in the past, refused to produce maps which show the cumulative effect of locating so many major projects in the ALBA. As in DES 1.7 it is not possible to use screening and planting to disguise structures of this size. The fact there could be 4 major structures plus pylons shows how little regard has been applied to EN 1 paras 4.75 & 4.76.

39. In respect of understanding cumulative impacts, the Parish Councils have been forced to do their own mapping, which shows, even before Tarchon inclusion, an area of ~180Ha , 80% of which is Grade 1 farmland, is expected to be lost from the ALBA for substations and transmission infrastructure
40. Again, the Parish Councils await the Applicant's response to this question with interest.
41. The Parish Councils have had no direct communication from the Applicant regarding their representations concerning site selection and alternative route options. Some alterations appear to have been made without consultation with the Interested Parties. The Parish Councils also highlight once again that the Applicant refused offers to come to the area to present their ideas and meet with locals despite the availability of Ardleigh village hall with a maximum capacity of 150, where the level of engagement by residents has seen the hall full to capacity on several occasions when presentations have been arranged by APC about the proposed development.
42. Alternatives have not been considered for the permanent access route from the centre of Little Bromley to the EACN, nor for mitigating the clear breaches of Horlock & Holford rules regarding route deviation to the EACN and the significant harms caused. Nor has any further consideration been given to use of Boxted Airfield as an alternative, more western siting of EACN.

BIO 1.13

43. The Parish Councils note that mitigation measures ("orange spacers and bird diverters") are proposed at Ardleigh Reservoir, between pylons TB15 and TB16 [APP-327].

44. However, the ALBA has three other significant bodies of water that would also be in close proximity to the proposed overhead lines: (i) new reservoir/proposed country park at Crown Quarry, (ii) Reservoir/Fishing Lake behind Colchester Road (which is a Local Green Space that would be spanned by the cables) and (iii) Fishing lake/reservoir at Peake Fruit.
45. These areas and the surrounding fields attract a lot of birdlife, which would also pose a risk, including swans and geese.
46. No mitigation measures appear to have been proposed for these areas. Further, the Parish Councils are unfamiliar with “orange spaces and bird diverters” and is unclear as to how effective such measures are, particularly in circumstances of poor lighting or fog. It is also unclear as to what additional impacts may arise from these measures, such as increase noise, visual impact and, presumably, increased maintenance requirements.
47. Additionally, the Parish Councils remain concerned about the impacts on the local bat population, and are unclear as to what measures are proposed to support them, as well as the limited Ardleigh Reservoir mitigations.
48. These are all points that the Applicant should respond to as part of this examination.

BIO 1.37

49. The Parish Councils are concerned that there is no evidence of anything that comes close to:
- a. A joint biodiversity strategy
 - b. Any integrated environmental mitigations
 - c. Any co-ordinated ecological planning
- when it comes to the multiple NSIPS and other development in the ALBA.

HE 1.1 – HE 1.48

50. Whilst the Parish Councils cannot profess to be in any way expert in respect of heritage, this methodology used by the Applicant to assess Heritage Assets (6.11.A2) has been questioned by a number of interested parties. In respect of how Heritage Assets are assessed, the Parish Councils consider that the approach taken by the Applicant is as follows:

- a. A value of “High”, “Medium”, or “Low” is attributed to an Asset.
- b. A description of the “Construction Impact” is given which usually acknowledges that the wider rural setting would be altered by pylons, the construction work, and in some cases acknowledge that the asset could be lost or damaged. The Applicant then gives a magnitude of impact score and allocate a high, medium or low adverse impact score, usually lower than the asset value
- c. This is accompanied by a “standard mitigation” statement which nearly always states that Standard Construction Mitigation would be adopted. The Applicant then claims that changes to the setting would be temporary.

51. The problems with this approach are:

- a. The Value score is subjective. In the case of listed buildings they have already been awarded status by the grading system their value should not be overridden by a subjective assessment.
- b. The standard approach to the Construction Impact is to acknowledge that there will be changes to the wider rural setting by the construction of pylons or compounds and there may be noise and disruption to the asset.
- c. The approach to mitigation is odd, as the statement nearly always claims that:

“Standard construction mitigation would be adopted as detailed in the Outline CoCP (document reference 7.2). Changes to the setting would be temporary and would be removed once the construction phase is completed.

No additional mitigation measures are proposed during the construction phase as any measures designed to lessen the visual impact of the Project would be of a scale that would visually adversely alter the setting of the asset”

- d. This suggests that once the construction phase is completed the pylons will be removed and everything will go back to what it was, which clearly is not the case. It therefore seems that the Applicant considers that suddenly the pylons that were affecting the wider rural setting during construction, will no longer do so post construction. The statement quoted above also clearly accepts that the proposed development itself would adversely alter the setting of each heritage asset discussed.
- e. The significance of effect concludes in most cases that the mitigation compensates for any adverse effect.

“The value of the church is high, and the magnitude of impact prior to mitigation is considered to be low adverse. The implementation of standard construction mitigation would benefit the historic environment but would not reduce the change in setting enough to reduce the impact. Therefore, there is likely to be a temporary minor adverse significance of effect on the asset (not significant).”

52. There are 72 listed buildings in Ardleigh, one of which is GII* listed (St Mary’s Church). Together with these 72 buildings, there is also a Conservation Area and a Scheduled Monument as well as many non-designated heritage assets. The Applicant treats each of these with equal contempt by the approach to assessment that has been taken. A high-level and broad-brush approach has been applied to all, seemingly reaching similar conclusions (in the Applicant’s favour) in each case, regardless of the actual significance of the heritage asset being assessed There are many similar examples in Little Bromley.

CONCLUDING REMARKS

53. The Parish Councils have sought to address the questions where it has clear points that need to be addressed by the Applicant and considered by the ExA. It is hoped that the comments above will be of assistance to the ExA at this stage.


Cornerstone Barristers

10th April 2026