

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

**PLANNING INSPECTORATE REFERENCE: EN020027**

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**DEADLINE 4:**

- 1) ISH 2 SUBMISSIONS**
  - 2) UPDATE AS AT DEADLINE 4 (12<sup>TH</sup> MAY 2026) ON:**
    - a. ENVIRONMENTAL IMPACT ASSESSMENT GAP**
    - b. COMPULSORY PURCHASE**
    - c. REQUIREMENTS**
  - 3) RESPONSE TO NATIONAL GRID RESPONSE TO ARU WRITTLE WRITTEN REPRESENTATIONS**
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**INTERESTED PARTY REFERENCE NUMBER:** [REDACTED]

**SUBMITTED 12 MAY 2026**

**INTRODUCTION**

1. These are the Written and evidenced Submissions of ARU Writtle at Deadline 4 (12<sup>th</sup> May 2026) in respect of:
  - a) ISH2, Items 11.1 and 11.4-5;
  - b) Update (as at 12<sup>th</sup> May 2026) on: i) environmental impact assessment; ii) compulsory acquisition; iii) Requirements;
  - c) (in the context of the foregoing) Response of ARU Writtle to the Response of National Grid/NGET to the Written Representations of ARU Writtle.
2. "ARU Writtle" is the collective trading name and trademark for the entities: Anglia Ruskin University ("ARU") and Writtle College Limited ("WCL").

## **ISH2, Items 11.1 and 11.4-5**

3. The Examining Authority suggested to ARU Writtle that it attend ISH2 and address its concerns under the heading of Traffic and Transport. However, its concerns remain inter-related with other topics including Land Use and Soil due to the inherent and unique nature of the Equine Unit forming the educational institution of ARU Writtle.
4. The Submissions and supporting sworn evidence of ARU Writtle in respect of ISH 2 are set out in the following documents and sworn evidence:
  - a) KMC Transport Planning Ltd Technical Note dated 12<sup>th</sup> May 2026;
  - b) Witness Statements of:
    - i) Daniel Cook;
    - ii) Caroline Flanagan;
    - iii) Michelle Lawlor-Perkins;
    - iv) Jane Kenny.
  - c) Appendix A (Environmental Impact Assessment) and C (Requirements).

## **Update (at 12<sup>th</sup> May 2026) on: i) environmental impact assessment; ii) compulsory acquisition; iii) Requirements.**

5. The Update (as at 12<sup>th</sup> May 2026) Submissions on: i) environmental impact assessment; ii) compulsory acquisition; iii) Requirements; and further supporting sworn evidence are set out in:
  - a) Appendices A-D;
  - b) KMC Transport Planning Ltd Technical Note dated 12<sup>th</sup> May 2026;
  - c) Witness Statements of:
    - i) Daniel Cook;
    - ii) Caroline Flanagan;
    - iii) Michelle Lawlor-Perkins;
    - iv) Jane Kenny.

## **Response of ARU Writtle to the Response of National Grid/NGET to the Written Representations of ARU**

6. The Response of ARU Writtle to the Response of National Grid/NGET to the Written Representations of ARU Writtle (as at 12<sup>th</sup> May 2026) is set out in Appendix D and the Witness Statements of Jane Kenny and Michelle Lawlor-Perkins.

## APPENDIX A

### ISH 2, Item 11.1 – the Gap in the EIA

7. ARU summarised to the ExA at ISH 2, Item 11.1 that there remains a gap in the evidence of the Environmental Statement. The gap concerns the particular inter-related nature of the Equine Unit and can be resolved (in part) by the imposition of the Requirements in **Appendix C** hereto. This Appendix should be read with the further KMC Transport Planning Ltd Technical Note dated 12<sup>th</sup> May 2026; and the further witness statements of: Daniel Cook; Caroline Flanagan; Michelle Lawlor-Perkins; Jane Kenny.
8. Section 104 of the Planning Act 2008 states: (Emphasis added)
  - 1) *This section applies in relation to an application for an order granting development consent if a national policy statement has effect in relation to development of the description to which the application relates*
  - 2) *In deciding the application the [Secretary of State]<sup>3</sup> must have regard to –*
    - a) *any national policy statement which has effect in relation to development of the description to which the application relates (a “relevant national policy statement”), ...*
    - d) *any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.*
  - 3) *The Secretary of State must decide the application in accordance with any relevant national policy statement, except to the extent that one or more of subsections (4) to (8) applies.*
  - 4) *...*
  - 5) *This subsection applies if the Secretary of State is satisfied that deciding the application in accordance with any relevant national policy statement would lead to the Secretary of State being in breach of any duty imposed on the Secretary of State by or under any enactment...*
9. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017/572 (“IPEIA Regulations”) includes as follows.
10. By Regulation 4:
  - 1) *This regulation applies to:*
    - a) *applications for an order granting development consent for EIA development received by the Secretary of State ...*
  - 2) *Where this regulation applies, the Secretary of State or relevant authority (as the case may be) must not (in the case of the Secretary of State) make an order granting development consent or (in the case of the relevant authority) grant subsequent consent unless an EIA has been carried out in respect of that application.*
11. “EIA” is defined by Regulation 3 to mean:
  - 1) *... “EIA” has the meaning given by regulation 5; ...*
12. Regulation 5 includes as follows: (Emphasis added)
  - 1) *The environmental impact assessment (“the EIA”) is a process consisting of—*
    - a) *the preparation of an environmental statement or updated environmental statement, as appropriate, by the applicant;*
    - b) *the carrying out of any consultation, publication and notification as required under these Regulations or, as necessary, any other enactment in respect of EIA development; and*

- c) *the steps that are required to be undertaken by the Secretary of State under regulation 21 or by the relevant authority under regulation 25, as appropriate.*
- 2) *The EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors—*
  - a) *population and human health;...*
  - b) *biodiversity,...*
  - c) *land, soil, water, air ...*
  - d) *material assets, cultural heritage and the landscape;*
  - e) *the interaction between the factors referred to in sub-paragraphs (a) to (d).*
- 3) *The effects referred to in paragraph (2) on the factors set out in that paragraph must include the operational effects of the proposed development, where the proposed development will have operational effects.*
- 4) *The significant effects to be identified, described and assessed under paragraph (2) include, where relevant, the expected significant effects arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to that development.*
- 5) *The Secretary of State or relevant authority, as the case may be, must ensure that they have, or have access as necessary to, sufficient expertise to examine the environmental statement or updated environmental statement, as appropriate.*

13. Regulation 3 defines the following:

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

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

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

- b) *the environmental statement must be accompanied by a statement from the applicant outlining the relevant expertise or qualifications of such experts.*

15. NPS EN-1 includes in Paragraph 017 Reference ID 04-017-20240430:

*An application may have significant adverse environmental effects that require mitigation; such effects will be identified in the accompanying ES and/ or relevant environmental information. Any mitigation measures relied upon in the ES must be capable of being delivered, often through relevant management plans such as a Code of Construction Practice, or a Construction Environmental Management Plan and/or a Site Waste Management Plan. These mitigation measures must be appropriately secured, and this will generally be achieved through the requirements in the DCO.*

16. National Grid is the Applicant. It has produced an Environmental Statement (“ES”) that refers in Chapter 15, Socio-economics, Recreation and Tourism, Tables 15.21 and 15.27 to ARU Writtle. Those Tables expressly rely on “mitigation measures set out in Outline CoCP ... and Outline CTMP”. The express terms of the envisaged mitigation measures are relied on to conclude (without more) that a likely minor adverse effect would (still) occur and that is not significant.

17. National Grid accepts by dint of inclusion of mitigation measures that such measures are necessary in respect of ARU Writtle operations. But the measures remain silent in respect of ensuring the safeguarding of children across the whole of the ARU Writtle Campus estate (including paddock areas over which it is envisaged to construct power cables), pedestrian and horse traffic inside the Campus, and pedestrian and horse traffic crossing Cow Watering Lane.

18. The witness statements submitted previously, and the witness statements submitted with this Deadline 4, evidence that there would be a likely significant effect on the actual operational and functioning of ARU Writtle. There remains no more than rhetorical assertions by NGET to the contrary.

19. The evaluative conclusions of the Tables are not in fact based on evidence of the inherent nature and operational functioning of ARU Writtle. There remains in fact a gap in the evidence on which the ES was based in respect of Tables 15.21 and 15.27. The ES is, in part, unlawful and Regulation 4(2) remains presently engaged to preclude a grant of development consent.

20. ARU Writtle proposes the Requirements hereinbelow in **Appendix C** by which mitigation measures the likely significant effects, on children and on pedestrian and equine on-campus movements and traffic, as well as dangers to these, can be properly mitigated and avoided.

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12<sup>th</sup> May 2026

## APPENDIX B

### Compulsory Land Acquisition

21. National Grid is the Applicant and it alone seeks, under Part V of its proposed development consent order, powers of compulsory purchase over land including that of ARU Writtle.
22. This Appendix should be read with the further KMC Transport Planning Ltd Technical Note dated 12<sup>th</sup> May 2026; and the further witness statements of: Daniel Cook; Caroline Flanagan; Michelle Lawlor-Perkins; Jane Kenny; and with **Appendix D**.
23. In essence,
- i) ARU respectfully directs NGET (and the ExA and Secretary of State) to the response above: the simultaneous *inclusion* of Article 49(1) of the draft statutory instrument development consent order (“DCO”) and the Traffic Regulation Orders (“TRO”) in the same actual draft statutory instrument as well as the powers under Part V to acquire Plot 8/42 for scaffold access *removes* the actual need or requirement for protection of highway users of Newney Green Lane because the Lane will be closed to highway traffic and thereby will not contain passing highway users requiring to be protected by scaffolding. See *Prest*;
  - ii) Since Article 49(1) would specifically authorise NGET to shut Newney Green Lane - “for the purposes of the authorised development or for purposes ancillary to the construction or maintenance of the authorised development” - by means of the specific Traffic Regulation Order in Schedule 13, Part 2, between points TR-F-025 and 026 (Newney Green Lane adjacent to the Western educational paddocks of ARU’s Equine Unit), then NGET actually will have a power by which to provide access for the scope of purposes for which it simultaneously desires to acquire Plot 8/42. By relying on Article 49(1) and the TRO, NGET can gain access to the overhead cables from the highway as and when it requires and in perpetuity by recurrently triggering the TRO for use of that highway for access to the overhead lines for its purposes. See *Prest*.
24. More particularly, ARU submits as follows.
25. By section 120 of the Planning Act (“PA 2008”):
- 3) *An order granting development consent may make provision relating to, or to matters ancillary to, the development for which consent is granted.*
  - 4) *The provision that may be made under subsection (3) includes in particular provision for or relating to any of the matters listed in Part 1 of Schedule 5.*

- 5) *An order granting development consent may— ...*
  - c) *include any provision that appears to the Secretary of State to be necessary or expedient for giving full effect to any other provision of the order; ...*
- 7) *Subsections (3) to (6) are subject to subsection (8) and the following provisions of this Chapter.*

26. The following provisions of the Chapter include section 122 that provides:

- 1) *An order granting development consent may include provision authorising the compulsory acquisition of land only if the [Secretary of State]<sup>4</sup> is satisfied that the conditions in subsections (2) and (3) are met.*
- 2) *The condition is that the land —*
  - a) *is required for the development to which the development consent relates,*
  - b) *is required to facilitate or is incidental to that development, or*
  - c) *...*
- 3) *The condition is that there is a compelling case in the public interest for the land to be acquired compulsorily.*

27. The common law in relation to the compulsory acquisition of land remains settled at the highest level.

28. In *R (Sainsbury's Supermarkets Ltd) v Wolverhampton City Council* [2011] 1 AC 437, the Supreme Court held:

11. *Recently, in the High Court of Australia, French CJ said in R & R Fazzolari Pty Ltd v Parramatta City Council* [2009] HCA 12, paras 40, 42, 43:

*“40. Private property rights, although subject to compulsory acquisition by statute, have long been hedged about by the common law with protections. These protections are not absolute but take the form of interpretative approaches where statutes are said to affect such rights.”*

*“42. The attribution by Blackstone, of caution to the legislature in exercising its power over private property, is reflected in what has been called a presumption, in the interpretation of statutes, against an intention to interfere with vested property rights ...*

*“43. The terminology of ‘presumption’ is linked to that of ‘legislative intention’. As a practical matter it means that, where a statute is capable of more than one construction, that construction will be chosen which interferes least with private property rights.”*

29. The same Court affirmed the Court of Appeal in *Prest v Secretary of State for Wales* (1982) 81 LGR 193 (“Prest”):

10. *In Prest v Secretary of State for Wales* (1982) 81 LGR 193, 198 Lord Denning MR said:

*“I regard it as a principle of our constitutional law that no citizen is to be deprived of his land by any public authority against his will, unless it is expressly authorised by Parliament and the public interest decisively so demands ...”*

*and Watkins LJ said, at pp 211–212:*

*“The taking of a person's land against his will is a serious invasion of his proprietary rights. The use of statutory authority for the destruction of those rights requires to be most carefully scrutinised. The courts must be vigilant to see to it that that authority is not abused. It must not be used unless it is clear that the Secretary of State has allowed those rights to be violated by a decision based upon the right legal principles, adequate evidence and proper consideration of the factor which sways his mind into confirmation of the order sought.”*

30. Therefore, the ExA and the Secretary of State are each required by the common law to

- a) *“most carefully scrutinize”* the evidence in support of *“destruction of those rights”*;
- b) Not authorise the acquisition of land rights under the public interest *“decisively so demands”*;
- c) To choose the construction of a statute (including, in line with section 120(6) of the Planning Act 2008 that encompasses both an Act and an instrument made under an Act including here the draft at [APP-056] proposed to be so made) *“which interferes least with private property rights.”*

31. In *Prest*, the Master of the Rolls further held in the Court of Appeal the correct approach to evidence in respect of the question “what does “decisively” demand mean? That Court held: (Emphasis added)

***The use of compulsory purchase powers***

*The first is fundamental. To what extent is the Secretary of State entitled to use compulsory powers to acquire the land of a private individual? It is clear that no Minister or public authority can acquire any land compulsorily except the power to do so be given by Parliament: and Parliament only grants it, or should only grant it, when it is necessary in the public interest. In any case, there, fore, where the scales are evenly balanced — for or against compulsory acquisition w the decision — by whomsoever it is made — should come down against compulsory acquisition. I regard it as a principle of our constitutional law that no citizen is to be deprived of his land by any public authority against his will, unless it is expressly authorised by Parliament and the public interest decisively so demands: and then only on the condition that proper compensation is paid, see *Attorney-General v. De Keyser's Royal Hotel Ltd. (1920) A.C. 508* . If there is any reasonable doubt on the matter, the balance must be resolved in favour of the citizen. This principle was well applied by Mr. Justice Forbes in *Brown v. Secretary of State for the Environment (1978) P. & C.R. 285 [sic, (1980) 40 P&CR 285]* , where there were alternative sites available to the local authority, including one owned by them. He said (at page 291):*

*“It seems to me that there is a very long and respectable tradition for the view that an authority that seeks to dispossess a citizen of his land must do so by showing that it is necessary ... If, in fact, the acquiring authority is itself in possession of other suitable land other land that is wholly suitable for that purpose – then it seems to me that no reasonable Secretary of State faced with that fact could come to the conclusion that it was necessary for the authority to acquire other land compulsorily for precisely the same purpose.”*

32. The core legal test is whether there is an evidence-based “doubt” and, if there is, then the law requires that the evidenced doubt be resolved in favour of the citizen proposed to be deprived of his land.

33. In *Brown* (referred to in *Prest*), the High Court considered the circumstances of local authority, with a view to providing a site for gipsies in pursuance of their duty under section 6 of the Caravan Sites Act 1968, made a compulsory purchase order in respect of land owned by the applicants.

34. The High Court held:

*Mr. Schiemann for the Secretary of State accepts, having regard to that authority, which I also would accept wholeheartedly, that, where an acquiring authority has a site in its possession and seeks compulsory powers, the fact that it has a site in its possession is a matter that the Secretary of State must take into consideration, and he also accepts, as I understand it, that consideration of alternative sites is a material consideration that affects the Secretary of State in coming to his decision...*

*It must also, it seems to me, be a matter of supreme importance, in considering whether or not to confirm a compulsory purchase order, that not only is there another suitable site available but that that very site happens to be in the ownership of the authority that is seeking to exercise compulsory purchase powers. It seems to me that there is a very long and respectable tradition for the view that an authority that seeks to dispossess a citizen of his land must do so by showing that it is necessary, in order to exercise the powers for the purposes of the Act under which the compulsory purchase order is made, that the acquiring authority should have authorisation to acquire the land in question. If, in fact, the acquiring authority is itself in possession of other suitable land— other land that is wholly suitable for that purpose—then it seems to me that no reasonable Secretary of State faced with that fact could come to the conclusion that it was necessary for the authority to acquire other land compulsorily for precisely the same purpose.*

35. The draft DCO at [AP-056] provides, at Article 3(1), authorisation to NGET to install and keep the authorised development; at Article 4(1) authorisation to NGET to maintain the authorised development. Under Part 5, Acquisition and Possession of Land”, Article 24 states:

*National Grid may acquire compulsorily so much of the Order land described in the book of reference as is required for the construction, operation and maintenance of the authorised development ... or is incidental to it or required to facilitate it...*

36. Article 25(1) would authorise the undertaker to acquire compulsorily the rights and impose restrictions over the Order land as described in the Book of Reference.

37. The Book of Reference expressly refers, at page 12,705, to Plot 8/42 and to other Plots of ARU Writtle in parts of its paddocks in the Western and Northern parts of its educational facility. In respect of Plot 8/42, NGET propose a “Part 3: Easements or other private rights proposed to be interfered with, suspended or extinguished” recorded as being for “Class 7 interest by NGET” and no Class stated by UKPN. It follows that: a) NGET seeks an easement over Plot 8/42; and b) there is no evidence to acquire an easement in favour of UKPN.

38. Article 27(1) would authorise the entry by National Grid onto and take possession of land identified in Schedule 11.
39. Article 49 would authorise – without more – the entitlement of National Grid under (1) specifically for “the purposes of the authorised development or for the purposes ancillary to the construction or maintenance of the authorised development –
- a) *prohibit waiting of vehicles and regulate vehicular speed by imposing a speed restriction on vehicles in the manner specified in Part 1 of Schedule 13 (traffic regulation orders) on a road specified in column (1) and along the lengths and between the points specified in column (2) in the manner specified in column (3) of that Part of that Schedule;*
  - b) *prohibit use of roads by through traffic and/or regulate the direction of vehicular movements in the manner specified in Part 2 of Schedule 13 (traffic regulation orders) on the roads specified in column (1) and along the lengths and between the points specified in column (2) in the manner specified in column (3) of that Part of that Schedule;*
  - c) *prohibit overtaking in the manner specified in Part 3 of Schedule 13 (traffic regulation orders) on the roads specified in column (1) and along the lengths and between the points specified in column (2) in the manner specified in column (3) of that Part of that Schedule.*
40. Schedule 13 includes “*traffic regulation orders*” relating to Newney Green Lane and this is shown in blue on Traffic Regulation Order Plans, Section F, Sheet 8, between Points TR-F-025 to 026. The terms of the draft DCO and the plan documents are each subsisting evidence of fact that show, as at the August 2025 date of its application and to date 12<sup>th</sup> May 2026, that National Grid will be entitled on consent of the DCO to close that length of the highway by which to preclude all highway traffic from the same.
41. The common law in *Prest* does not require the land itself to be a “precise” match for that desired to be taken but the purpose of the acquisition to be the “precisely” the same.
42. If the highway is closed to traffic then it is axiomatic that the same highway does not, indeed cannot, be needed to be protected from above (because there will be no actual passing highway traffic traversing the proposed overhead cable line (nor when the same is maintained or dismantled) needing or requiring to be protected).
43. On the rational basis that Article 49(1) and Schedule 13 are not otiose but are necessary for the authorised development to be constructed, it follows that there can be no traffic using the Newney Green Lane highway during the construction of the overhead cable lines. Simultaneously, the Works Plans, Section F, Sheet 8, show coloured yellow the extent of Plot 8/42 over the ARU Writtle land, that the Land Plans, Section F, Sheet 8, colour yellow, and that the key to the Lands Plan identifies for “Class 7 Temporary Use”. The Document Reference 6.4 F1, entitled “Accepted as Concept Stage” (21<sup>st</sup> August 2025), Figure 4.1 – Project Description, Section F, page 50 of 63, is part of the “Project Description” on which the EIA is based.

That Figure evidences in fact by the green colour of three lines (and 2 of these on the ARU Writtle land) the use of Plot 8/42 for “Proposed overhead line crossing protection access route”, and in yellow (also on the ARU Writtle land and in Plot 8/42 also), “Proposed overhead line crossing protection work area”.

44. But:

- a) *“no reasonable [ExA] faced with that fact **could** come to the conclusion that it was necessary for the authority to acquire [Plot 8/42] compulsorily for precisely the same purpose [as Article 49(1)(b) denies the need preventing traffic moving along the highway and so need to protecting from overhead cables by the erection of scaffolding]”;*
- b) *“no reasonable [Secretary of State] faced with that fact **could** come to the conclusion that it was necessary for the authority to acquire [Plot 8/42] compulsorily for precisely the same purpose [as Article 49(1)(b) denies the need preventing traffic moving along the highway and so need to protecting from overhead cables by the erection of scaffolding].*

45. It follows that section 122(2)(a) and (b) can never have been satisfied on the facts of National Grid’s own Application. National Grid cannot rationally be empowered to close a road to traffic and protect the same non-existence traffic from overhead cables being constructed.

46. What about the Article 4(1) authorisation to NGET to maintain the authorised development, including by means of access along Plot 4/42? That too is not necessary to acquire.

47. The common law in *Prest* does not require the land itself to be a “precise” match for that desired to be taken but the purpose of the acquisition to be the “precisely” the same.

48. On the rational basis that Article 4(1) is not otiose but are necessary for the authorised development to be maintained, in fact:

- a) the Document Reference 6.4, F1 entitled “Accepted as Concept Stage” (21<sup>st</sup> August 2025), Figure 4.1 – Project Description, Section F, page 50 of 63, is part of the “Project Description” on which the EIA is based is based on an Ordnance Survey base map. The Figure shows the L-shaped outline of Plot 8/42 extending Eastwards from near to the Newney Green Lane highway, before turning Southwards to connect to the Cow Watering Lane highway; and simultaneously
- b) the Ordnance Survey base map underpinning the same Document Reference 6.4, F1 shows, denoted by a dashed line, the existing fact of highway in the form of a footpath – also L-shaped – extending Eastwards from Newney Green Lane highway (slightly farther North than the line of Plot 8/42) along

the line of the stream and Northern edge the Northernmost paddocks of the ARU Writtle land, before turning Southwards to connect to the Cow Watering Lane highway slightly farther East of the entrance to ARU Writtle.

49. But:

- a) *“no reasonable [ExA] faced with that fact [of a pre-existing footpath highway along which access on foot could be obtained from the adjacent highway] **could** come to the conclusion that it was necessary for the authority to acquire other land [of Plot 8/42] compulsorily for precisely the same purpose [of observing the overhead cables for the maintenance that could be afforded by access from Newney Green Lane under the DCO terms];*
- b) *“no reasonable [Secretary of State] faced with that fact [of a pre-existing footpath highway along which access on foot could be obtained from the adjacent highway] **could** come to the conclusion that it was necessary for the authority to acquire other land [of Plot 8/42] compulsorily for precisely the same purpose [of observing the overhead cables for the maintenance that could be afforded by access from Newney Green Lane under the DCO terms].*

50. Thereby, section 122(2)(a) and (b) cannot be, and can never have been, satisfied on the facts of National Grid's own Application. National Grid cannot rationally be empowered to require imposition of an easement providing for access along a pedestrian and horse route land from the highway to the overhead cable location for maintenance observation simultaneously with the subsisting actual presence of a footpath highway open to the public (including National Grid and its agents) from the highway (in either direction – Newney Green Lane and Cow Watering Lane) to the overhead cable location.

51. On the self-liquidating evidence of fact of the Application documents, in law the Secretary of State is not entitled to conclude that it can be necessary for National Grid to require any rights (for construction or maintenance) over Plot 8/42. Plot 8/42 is required to be deleted from the Book of Reference forthwith.

52. How can that deletion be ensured if National Grid refuses to voluntarily align its case with the law by which it too is bound? In *Kent v Secretary of State for the Environment* (1977) 33 P&CR 70, the Court held that: “as a matter of common sense, the determining authority can grant as much of the development applied for as they think should be permitted”. NGET agrees with that contention at page 26 of its Response. In this Application, section 115(1)(a) of the Planning Act 2008 provides a discretion to grant consent for development which is “required”. On the facts and law set out above, Plot 8/42 cannot be said to be “required” in relation to section 115(1)(a) by dint of being unlawful to include it as required under section 122(2)(a)-(b). Therefore, in respect of the exercise of discretion under section 115(1)(a), the Secretary of

State is required to grant the Order excluding its extension by the area Plot 8/42 so as to align the Order with the common law requirement that he cannot include Plot 8/42 by means of section 122(2)(a)-(b).

53. For completeness, the witness statement evidence of ARU Writtle submitted for Deadline 4 affirms that National Grid itself has actual doubt about its need for Plot 8/42 for each of construction and maintenance. In law, it follows that the existence of that actual evidence doubt precludes the ExA from recommending, and the Secretary of State from being able to “decisively” in favour of National Grid, and requires the ExA and the Secretary of State to resolve that evidenced (and so, reasonable) doubt in favour of ARU Writtle.

54. Consequently, ARU Writtle is justified in being awarded its wasted costs of having to make an Objection (to the desired acquisition of rights over Plot 8/42 of its land by National Grid) in order to protect its land interest from threatened imposition of rights. An application for Wasted Costs will follow in due course.

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12<sup>th</sup> May 2026

## APPENDIX C

### The Real Need for Requirements to Ensure Safe Operation of ARU Writtle throughout the Works

55. National Grid is the Applicant and has met with ARU on a number of occasions but persists in not addressing the real concerns of the nationally important educational institution of ARU Writtle. Most recently, NGET has explained that it has no more time to address the concerns of ARU. Consequently, Requirements are now properly justified.
56. This Appendix should be read with the further KMC Transport Planning Ltd Technical Note dated 12<sup>th</sup> May 2026; and the further witness statements of: Daniel Cook; Caroline Flanagan; Michelle Lawlor-Perkins; Jane Kenny; and with **Appendix D**.
57. In more particular, ARU submits as follows.
58. By section 120 of the Planning Act ("PA 2008"):
- 1) *An order granting development consent may impose requirements in connection with the development for which consent is granted.*
59. The Government Guidance on Requirements, Paragraph 017 Reference ID 04-017-20240430, states:
- Section 120 of the Planning Act provides that a DCO may impose requirements in connection with the development for which consent is granted. Such requirements may correspond with conditions which could have been imposed on the grant of planning permission under the Town and Country Planning Act 1990. In this regard, the relevant paragraphs of the National Planning Policy Framework and associated Planning Practice Guidance concerning conditions will generally apply. Requirements should therefore be precise, enforceable, necessary, relevant to the development, relevant to planning and reasonable in all other respects....*
- Requirements can impose an obligation on the applicant to begin development within a certain date of the DCO coming into effect. They can also be drafted to ensure the authorised development is carried out in general accordance with design drawings and constructed in accordance with a written phasing scheme...*
- Requirements can impose an obligation on the applicant to seek approval of final details of the proposed development prior to construction. These should typically be drafted such that they are not tailpiece requirements which simply provide for their own variation, but at the same time should not prevent the discharging authority from approving details which would lead to environmentally better outcomes where appropriate.*
- A. Requirement to avoid microshock over the Western Paddocks of ARU Writtle from New Overhead Cables**
60. NPS EN-5 (November 2023) provides:

*2.9.44 Power frequency EMFs arise from generation, transmission, distribution and use of electricity and will occur around power lines and electric cables and around domestic, office or industrial equipment that uses electricity.*

*2.9.45 EMFs comprise electric and magnetic fields. Electric fields are the result of voltages applied to electrical conductors and equipment. Fences, shrubs and buildings easily block electric fields. Magnetic fields are produced by the flow of electric current; however, unlike electric fields, most materials do not readily block magnetic fields. The intensity of both electric fields and magnetic fields diminishes with increasing distance from the source.*

*2.9.46 All overhead power lines produce EMFs. These tend to be highest directly under a line and decrease to the sides at increasing distance. Although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable. EMFs can have both direct and indirect effects on human health, aquatic and terrestrial organisms.*

*2.9.47 The direct effects occur in terms of impacts on the central nervous system resulting in its normal functioning being affected. Indirect effects occur through electric charges building up on the surface of the body producing a microshock on contact with a grounded object, or vice versa, which, depending on the field strength and other exposure factors, can range from barely perceptible to being an annoyance or even painful...*

*2.9.58 There is little evidence that exposure of crops, farm animals or natural ecosystems to transmission line EMFs has any agriculturally significant consequences.*

61. ARU Writtle is an Equine Unit comprising an educational institution and is not an agricultural land use. EN-5, paragraph 2.9.58 is an irrelevant consideration in the assessment of microshocks in respect of ARU Writtle.
62. By contrast, the Department of Energy & Climate Change (of which the consenting Secretary of State is the Minister), has published: "Power Lines: Control of Microshocks and other indirect effects of public exposure to electric fields – A voluntary Code of Practice" (July 2013) ("the Code"). The Code includes the following national guidance and that is particular to microshocks and the consenting Department's opinion on what is to be done about microshocks in different situations.
63. The Code describes microshocks as follows:

***Relevant characteristics of microshocks***

*The electric field produced by high-voltage overhead power lines induces charges on the surfaces of any objects that are exposed to it, or, expressing the same physical concept in a different way, any object that is not grounded acquires an electric potential (a voltage) from the field. When two conducting objects that are at different potentials touch, the potentials equalise by means of a transfer of charge from one to the other.*

*As the two objects get closer, the difference in potential between them is applied across a smaller and smaller gap. When the gap becomes small enough, and if the potential difference is large enough, the potentials equalise across the gap by means of a small spark. When one of the two objects is a person touching a conducting object, that small spark is concentrated on one very small area of the skin,*

typically a few tenths of a millimetre across. The total energy in the spark is very low, but because it is so concentrated and localised, it is experienced at that point of the skin as a small shock. The sensation can range from a small tingle through to pain.

Microshocks are not known to have long-term health effects or cause any discernable skin damage, except in rare circumstances where continuous repeated shocks are experienced at the same place on the skin. Normally, any sensation is confined to the momentary spark discharge as contact is made or broken. The electric fields produced by power lines are, however, alternating fields, with a frequency of 50 Hz. This means that if the gap between a person and an object is being closed only relatively slowly, it is possible for several spark discharges to be experienced, on each successive peak of the electric field. If the field is large enough, it is also possible to have more than one discharge on the same half-cycle of the field, when the first discharge duly removes the potential difference between the objects, but the potential is then able to increase again as the field rises. The microshocks will cease as soon as the gap is closed by contact with the object. The only way for them to be a continuous phenomenon is if the gap is preserved at exactly the necessary width, which is extremely unlikely in practice.

The sensation of a microshock is similar to that caused by the static discharges commonly experienced in dry atmospheric conditions after frictional contact with a nylon carpet or car seat. Scientific investigations have shown that the voltages and charges are comparable for the two phenomena, and therefore any effects on the body can be presumed to be similar

The size of a microshock depends on the size of the electric field, as it is this that determines the extent of charging of the objects concerned. It also depends on the sizes of the objects concerned, how well grounded or insulated they are, meteorological conditions, and the sensitivity of the skin (which varies over the body as well as from person to person).

Microshocks can occur whenever a person and a conducting object almost touch under a power line and are not (by virtue of being connected to each other or both being connected to earth) at the same potential. The conducting object can be anything, and either the person or the object can be at a floating potential.

64. The Code describes the following: (Emphasis added)

In practice, experience has identified several common scenarios:

- person touches ungrounded motor vehicle
- person touches ungrounded fence
- ungrounded person touches grass with bare feet or legs
- person touches small objects (e.g. gardening utensils, washing and washing line), either or both ungrounded
- person touches metal parts of umbrella
- person touches golf clubs or golf umbrella
- person riding bicycle
- person riding, leading, or touching horse or other animal
- person touches another person

As well as the actual physical sensation of the microshock, microshocks could in some circumstances give rise to further effects, either if the microshock causes a person to startle with dangerous consequences, or if repeated microshocks cause aversive responses to the situation that produces them.

65. The Code further states: (Emphasis added)

### **Requirements for controlling microshocks**

... This Code of Practice also recognises that control of microshocks is not based on a simple quantitative limit. Rather, there is a suite of measures that may be called upon in particular situations.

The simpler measures, such as avoiding creating new situations particularly prone to microshocks, provision of information, and earthing, where any of these are applicable, are to be preferred and adopted first. ...

Specifically:

- Electricity companies will, where reasonably practicable, avoid designing new power lines that would create fields of 5 kVm<sup>-1</sup> or greater in homes, other land in residential use, their curtilage, and schools
  - Note that existing good line-routing practice will normally achieve this anyway by routing lines away from existing homes and schools. If a new line over a home, its curtilage, or a school is unavoidable, a field below 5 kV m<sup>-1</sup> can be achieved by designing the line with an appropriate clearance. In the converse situation of new homes close to existing power lines, electricity companies will encourage sensitive design that avoids such situations, but no restrictions or controls are created by this Code of Practice.
- Electricity companies will continue to make information available to the public about microshocks. They will seek appropriate ways to communicate to specific communities affected (e.g. cyclists and horse-riders) ...
- No individual assessments of the risks of microshocks, even quite rudimentary assessments, shall be required for every single span, either of existing lines or for proposed new line.

### **B. Requirement to ensure safe daily crossing of Cow Watering Lane by pedestrian student and horse traffic**

66. Article 49(1) of the proposed DCO would empower National Grid to unilaterally close roads using the traffic orders in Schedule 13 that include Newney Green Lane, and, in consequence, under Article 16 to also divert traffic including along Cow Watering Lane highway. The Access Plans, Section F, Sheet 8, show in blue coloration the diversion of traffic along Cow Watering Lane. That diversion is expressly identified in the draft DCO in Schedule 8, Part 1, Newney Green Land, “diversion route via lines SMD-F043...”

67. NPS EN-1 (November 2023) describes that: (Emphasis added)

*5.14.1 The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social and environmental effects...*

*5.14.4 The consideration and mitigation of transport impacts is an essential part of government’s wider policy objectives for sustainable development as set out in Section 2.6 of this NPS...*

5.14.19 Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below...

5.14.21 The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.

68. The Equine Unit at ARU Writtle actually straddles the Cow Watering Lane highway and this is shown on Document Reference 6.4, F1 entitled "Accepted as Concept Stage" (21<sup>st</sup> August 2025), Figure 4.1 – Project Description, Section F, page 50 of 63, is part of the "Project Description" on which the EIA is based is based on an Ordnance Survey base map. The Ordnance Survey identifies a series of fields on the South side of the Lane opposite the built part of the Campus on the North side of the same Lane highway.

69. As Mr Cook explains in his witness statement with this Deadline 4 Submission by ARU Writtle, the daily operation and functioning of ARU Writtle depends on the daily crossing of upwards of 30 horses (of the 90 strong herd) and their student handlers daily. He describes how the existing traffic conditions of the Lane and the Unit's experience of those conditions, enables the toing and froing of the pedestrian human and equine traffic across the highway and along a length of it, before entering the paddocks to the South:

3.2 *The Equine Unit relies on access to Butler's Field directly opposite the built part of the ARU Campus, which provides approximately 20 acres of grazing. We use Butler's Field for approximately 30 horses from our total herd of approximately 90. That is, daily, 30 horses of the herd of 90 cross and recross the Lane to be turned out for grazing...*

3.4 *To access Butler's Field, horses must be taken across Cow Watering Lane. Horses cross Cow Watering Lane between approximately 08:00 and 18:30, seven days a week, during term time and also during vacation periods. These movements occur repeatedly throughout the day for turnout, bringing horses back in, rotating grazing, welfare checks, and teaching-related handling activities. In a typical day, horses move back and forth across Cow Watering Lane at least 30 times. The crossing is therefore not an occasional activity that can be avoided; it is a routine operational necessity that takes place across long hours and in varying weather and light conditions.*

3.5 *The Equine Unit is also a teaching environment, and children (students under 18) and students are required to handle horses as part of their learning (under supervision). This includes a children and student leading horses to and from grazing...*

70. Mr Cook also explains the real risk to students and horses from the (unquantified) change in type and size of vehicles, and vehicle movements:

3.5 *... The prospect of children, students and staff having to cross Cow Watering Lane with horses while large vehicles and construction traffic use that road is a serious and real concern. Even in normal conditions, managing horses close to traffic requires calm, experienced handling and appropriate gaps in vehicle flow. If traffic increases, safe gaps become harder to find and groups may be forced to wait at the roadside. Waiting beside an active road can unsettle horses—*

*particularly young horses—because of prolonged exposure to noise and vehicle movement, increasing the likelihood of unpredictable reactions.*

3.6 *Horses are prey animals. As prey animals, horses instinctively react to external stimuli that each horse perceives as a threat. Consequently, horses can react suddenly to perceived threats, even when a particular horse generally well-schooled. Construction vehicles and heavy traffic introduce precisely the kinds of stimuli known and experienced to increase spook risk, including loud engine noise, air brakes, vibration, reversing alarms, horns, rattling loads and close passing distances, and result in prey flight. In my experience, these are the conditions most likely to cause a horse to panic at a crossing point. The risk is compounded because a public road crossing is, by its nature, an unenclosed environment. Unlike an arena or fenced route, there is no secure barrier preventing a horse from entering the carriageway and moving along the highway if it spooks or breaks free from being held by a child, student or staff member.*

3.7 *If a horse panics or pulls free from its handler during a crossing, the potential consequences are severe and immediate and likely adverse. A horse may knock down or trample a student or member of staff resulting in serious injury due to the weight of the animal, or it may enter the road and create a high likelihood of collision with vehicles and potentially cause damage to vehicles. Drivers may also swerve to avoid a loose horse, escalating into multi-vehicle collisions. In my experience of horse behaviour, a loose horse on Cow Watering Lane—particularly in the presence of heavy vehicles— creates a realistic potential for catastrophic or fatal injury to road users, staff, students and the horse itself. This is not a theoretical risk: traffic-related incidents involving horses can escalate rapidly and are extremely difficult to control once a horse is frightened...*

71. By contrast, National Grid has refused to date, or cannot since a contract remains not yet let, or cannot in any event, disclose these figures to ensure no risk to the existing pedestrian traffic.

72. Paragraph 16.7.44 of the ES Chapter 16 – Traffic and Transport, accepts under “Road Safety” that:

*Whilst the addition of any amount of road traffic can increase the risk of collisions, it is considered that for the majority of road links the temporary increase in construction traffic associated with the Project is unlikely to materially affect road safety. This is subject to the provision of the embedded and additional mitigation identified on road links for pedestrian, cyclist and horse-rider severance, amenity, and fear and intimidation referenced within the Outline CTMP ... and the Transport Assessment. The overall residual effects on road user safety from the construction phase would be temporary, short terms, and the level of slight adverse and therefore not significant.*

73. The assertion by National Grid of the residual effects in respect of road safety remains irrational – in the sense of not being based on actual evidence – because the ES contains no evidence of the use of Cow Watering Lane daily by pedestrian and horse traffic.

74. National Grid has met with ARU Writtle as set out in the witness statements of ARU Writtle, and described that it is running out of time to consider the situation at ARU Writtle. This is notwithstanding that National Grid applied for its draft DCO in late August 2025 and after consulting previously over a number of years.

75. The inertia of National Grid to address the traffic safety consequences of its proposed diversion along the Lane by traffic, its refusal to address its mind to road collision risks between vehicles required by it to divert along the Lane with pedestrian students and horses (as evidenced by its Deadline 3 Response to the safety case of ARU Writtle), itself evidences the real need for a Requirement to be imposed to secure the safe crossing of student and horse traffic daily over the Lane during the currency of the diversion(s) authorised by Article 16(1) along Cow Watering Lane.
76. ARU Writtle proposes the solution to the increased highway safety risk resulting from National Grids own required diversion along Cow Watering Lane: a Requirement ensuring the diversion along Cow Watering Lane not occur in the absence of a TO15 pedestrian-activated red light at the entrances to the Equine Unit stopping traffic for up to 15 minutes at a time by which to ensure that a horse and its handler can safely cross the Lane, walk along the pathway along the Lane edge, into Butlers' Field (and later on each day, safely make the reverse journey).



39 Essex Chambers,  
81 Chancery Lane,  
London WC2A 1DD  
12<sup>th</sup> May 2026

## APPENDIX D

### Response to National Grid Deadline 3 Response to ARU Writtle Written Representations

77. National Grid is the Applicant and has met with ARU on a number of occasions but persists in not addressing the real concerns of the nationally important educational institution of ARU Writtle. Most recently, NGET has explained that it has no more time to address the concerns of ARU. Consequently, Requirements are now properly justified.
78. This Appendix should be read with the further KMC Transport Planning Ltd Technical Note dated 12<sup>th</sup> May 2026; and the further witness statements of: Daniel Cook; Caroline Flanagan; Michelle Lawlor-Perkins; Jane Kenny, and **Appendices A-C** above.
79. In more particular, ARU submits as follows.
80. Table 2.1 of the National Grid Deadline 3 Response to ARU Writtle Written Representations purports to respond to the Written Representations of ARU in respect of its educational campus at ARU Writtle. The whole extent of that Campus is an educational institution that remains subject to statutory safeguarding obligations in respect of children (students under 18) as part of the student population learning at the Campus daily. ARU remains subject to health and safety obligations in respect of the same extent. The educational institution straddles the Cow Watering Lane highway and results in the daily crossing of some 30 (of 90) horse population at the campus.
81. It appears from:
- a) page 2 of the Table that National Grid now accepts the statutory provisions and obligations to which the extent of the ARU Writtle campus remains subject. These obligations extend also across the paddocks to the West and North inside the campus that are envisaged to be acquired by National Grid over which to construct power lines;
  - b) page 5 that National Grid “recognizes the importance of ensuring that all interactions between the Equine Facility and the ... [Project] works are conducted safely. Consequently, it is common ground between National Grid and ARU that the safe operation of the Equine Unit during construction satisfies the description in section 104(2)(d) is satisfied (“any other matters which the Secretary of State thinks are both important and relevant to [the Secretary of State's decision]”);
  - c) page 5, that National Grid is “committed” to implementing measure to ensure safe operation of the Unit, to implement “appropriate mitigation measures to address any potential risks that may arise

during these works....[and] these measures will be designed to safeguard the well-being of the facility, [and] its users". As at Deadline 4, that asserted commitment remains mere rhetoric in the clear and unambiguous terms by which to ensure that safe operation. That ongoing rhetoric evidences the need now at 12<sup>th</sup> May 2026 for Requirements in the draft DCO by which to ensure that safe operation of the ARU Writtle campus operation;

- d) page 3 that National Grid accepts that the Order Limits include part of the ARU Writtle educational establishment that comprise paddock areas in which students and horses interact;
- e) page 3 that National Grid asserts a commitment to agreeing mitigation measures and Requirements by which to ensure safe operation of ARU Writtle throughout the construction period, but that at 12<sup>th</sup> May 2026 that assertion remains no more than mere rhetoric. Clear and unambiguous terms by which to ensure that safe operation remain absent from the draft development consent order and absent from the supporting documentation;
- f) page 4 that ARU Writtle is a well-established further and higher education campus, and subject to "strict" safeguarding and health and safety obligations;
- g) page 4, that National Grid accepts in fact that it will have Article 49(1) power under the DCO (if granted) to close Newney Green Lane "thereby eliminating the need for scaffolding altogether";
- h) page 5, National Grid asserts a commitment to not permit over-flying by filming and photographing drones of the ARU Writtle paddock areas forming part of that educational institution. Clear and unambiguous terms by which to ensure that the absence of over-flying by drones of this educational location.

82. Contrary to:

- a) The assertion that National Grid understood ARU Writtle to be a "farm", the evidence of Jane Kenny, Savills, is that that is what National Grid told her was its understanding in 2024. NGET also relies, at page 10, on the NPS EN-5 provision for "farm animals" and "agriculturally significant consequences" – but ARU Writtle is not a farm. ARU Writtle remains an educational institution;
- b) The assertion by National Grid:
  - i) On page 4, that the Project would "not result" in the risks described and evidenced by ARU Witnesses (including at Deadline 4), National Grid has not yet let a contract for the construction works that are envisaged in the location of ARU Writtle and so is not in a

present position to actually evidence its rhetorical and desired conclusion and expressed position. Indeed, and for example only, paragraph 16.7.44 of the ES, Chapter 16, Traffic and Transport, accepts in respect of Road Safety that “the addition of any amount of traffic increases the risk of collisions, and it remains the case (at 12<sup>th</sup> May 2026) that nowhere in the ES or other NGET Application is there any evidence by it about the actual operation of ARU Writtle. By contrast, the detailed and sworn evidence of ARU Writtle witnesses remains wholly un rebutted as to the real position in respect of the foreseeable dangerous state of affairs at and close to the Campus;

- ii) On page 4, that the Project construction would or would not comprise certain activities or vehicles or constructors and their timing, National Grid has not yet let a contract for the construction works that are envisaged in the location of ARU Writtle and so is not in a present position to actually evidence its rhetorical and desired conclusion and expressed position. See, for example only, paragraph 16.6.11 of the ES, Chapter 16, Traffic and Transport, where National Grid states that the “Main Works Contractor(s) will set out methods for mitigating, recording and monitoring ... [specified] safety related issues”, of which none cover safeguarding obligations, pedestrian and horse and vehicle conflicts on and off the highway of Cow Watering Lane, nor any cap on type or movement by vehicles inside the Campus or along that Lane;
- iii) On page 4, that the asserted “controls” “are secured under” the draft development consent order. The asserted controls in fact (and law) are not secured under the draft order and presently do not exist;
- iv) On page 5 that the terms of the draft DCO provide for ensured reinstatement of paddock ground surfaces, they do not. Rather, National Grid accepts that reinstatement is only “wherever practicable”. Thereby, paddock reinstatement cannot be ensured and the loss of the paddock extent coloured green on the Land Plans remains not assessed by National Grid in its environmental statement assessment in relation to the ongoing operation of ARU Writtle;
- v) On page 5, that National Grid has a commitment to “responsible project delivery and the protection of impacted [affected and interested] stakeholders”, the sworn evidence of ARU witnesses and the absence of clear and unambiguous terms by which to ensure safe operation of ARU Writtle throughout the construction period, evidences (as at 12<sup>th</sup> May

2026) the absence of responsible project delivery for National Grid's "concept stage" (21<sup>st</sup> August 2026) Project Description identified on Document Ref. 6.4.F1, page 50 of 63;

- c) On page 6, that the scale of the Scout Jamboree is substantially different, National Grid misses the point being made. ARU Writtle reiterates that if National Grid can adjust its construction timings to accommodate young people enjoying themselves at a periodic event, then it can adjust its construction timings to a fixed educational facility in which young people are enjoying being educated;
- d) On page 6, by which National Grid waves its rhetorical arms to assert and boldly so that: "such outcomes are not deemed likely or conceivable", ARU directs the ExA and Secretary of State to the sworn evidence of ARU witnesses (including to this Deadline 4) that evidences the foreseeable dangers to pedestrians and horses (on and off-Campus) and to children's safeguarding (on Campus) from the presence of contractors in paddocks and moving through the Unit, and the absence of actual evidence (beyond rhetoric) to rebut that evidence from ARU. National Grid has not yet let a contract to a third party for the works in the location of ARU Writtle and so cannot be in a position at 12<sup>th</sup> May 2026 other than to whimsically disagree with the sworn evidence of ARU witnesses. It follows that the asserted "belief" of National Grid is mere puff.

83. In respect of:

- a) Page 6, the assertion by National Grid as to the numbers or types of vehicles and their movements over the Equine Facility, and the paddocks, and by unidentified constructors also on the Campus, ARU notes that National Grid continues to "explore opportunities" in relation to scaffolding. With respect, there remains no need to explore these because National Grid already proposes powers under Article 49(1) and the Traffic Orders for closure of Newney Green Lane the actual existence of which removes (in the same draft statutory instrument) the actual need or requirement for Plot 8/42 for access for scaffolding to protect highway users not existing during the currency of the same closure of the same Lane. ARU directs the ExA and Secretary of State to the submissions herein these Deadline 4 Submissions in respect of the desired compulsory acquisition of Plot 8/42 for access simultaneously with the same draft DCO document authorizing closure of the same road (Newney Green Lane) to be protected by scaffolding notwithstanding the absence of highway traffic below. The desire of National Grid to acquire an easement of access over Plot 8/42 by means of which to ensure protection of non-existent highway traffic is self-liquidating justification evidencing that acquisition powers Plot 8/42 cannot be lawful in the presence of Article 49(1) and the Traffic Regulation Order for that Lane in the same actual document;

- b) Page 6, where National Grid notes that “mitigation measures will be put in place”, ARU notes that it is now common ground (at 12<sup>th</sup> May 2026) that no clear and unambiguous mitigation measures are presently in place in the draft DCO terms nor in its supporting documents;
- c) Page 6, where National Grid notes that measures “are intended to ensure safety and minimise the impact of the necessary access events”, it is common ground between the parties that safe operation (in its widest sense, having regard to the legislation to which the Unit is subject) must be ensured;
- d) Page 7, where National Grid advises of its working practices in respect of vetting contractors, a contract for the works near to ARU Writtle remains not yet let, and the NGET advice remains in contrast to the absence in the guaranteeing of safeguarding in clear and unambiguous mitigation measures are *presently* in place in the draft DCO terms nor in its supporting documents. NGET’s desire remains mere puff;
- e) Page 7, where National Grid asserts its belief of its unevidenced contrary position as to outcomes of mixed access and highway users, ARU refers the ExA and Secretary of State to the response above. As has been set out, National Grid waves its rhetorical arms to assert and boldly so that: “such outcomes are not deemed likely or conceivable”, ARU directs the ExA and Secretary of State to the sworn evidence of ARU witnesses (including to this Deadline 4) that evidences the foreseeable dangers to pedestrians and horses (on and off-Campus) and to children’s safeguarding (on Campus) from the presence of contractors in paddocks and moving through the Unit, and the absence of actual evidence (beyond rhetoric) to rebut that evidence from ARU. National Grid has not yet let a contract to a third party for the works in the location of ARU Writtle and so cannot be in a position at 12<sup>th</sup> May 2026 other than to whimsically disagree with the sworn evidence of ARU witnesses. It follows that the asserted “belief” of National Grid is mere puff;
- f) Page 7, where National Grid asserts that it is considering removal of the desired need for access for scaffolding, ARU respectfully directs NGET (and the ExA and Secretary of State) to the response above: the simultaneous inclusion of Article 49(1) and the Traffic Regulation Orders in the same actual draft statutory instrument as the powers to acquire Plot 8/42 for scaffold access removes the actual need or requirement for protection of highway users of Newney Green Lane because the Lane will be closed to highway traffic and not contain passing highway users requiring to be protected;
- g) Page 7, where National Grid asserts its belief of its unevidenced contrary position as to outcomes of mixed access and highway users, ARU refers the ExA and Secretary of State to the response above, and to the misguided belief of NGET in the face of sworn evidence to the contrary and the absence of a let contract by which to evidence the position in respect of the outline DCO sought by NGET;

- h) Page 7, where National Grid asserts the “careful consideration” of features of the Project and its impact, ARU reminds NGET that its application is for a Rochdale Envelope notional box whose interior is devoid of detail and is subject to parameter terms only. Absent detailed design and a let contract evidencing the scale and duration of the proposed works by the actual contractor, NGET’s rhetoric is noted and mere belief at this time. A reading of the Outline CoCP demonstrates (as the ExA noted at ISH2) the absence of clear and unambiguous terms and instead considerable “wriggle room” for a (yet to be appointed) contractor to avoid measures that are necessary;
- i) Page 8, where National Grid expresses its “confidence” ARU notes the mere rhetoric relied on by NGET.

84. In respect of:

- a) Page 8, where National Grid asserts its refusal to accept the impediment to ongoing education at the Equine Unit, NGET advances no evidence to rebut the sworn evidence of ARU to the contrary, in circumstances where NGET has applied for not a detailed design with micro-siting but a Rochdale Envelope notional box and parameter terms of a “concept design” and has not (to date of 12<sup>th</sup> May 2026) let a contract nor disclosed to the ExA or Secretary of State any detailed design proposals;
- b) Page 8, where National Grid asserts its desire that the Project not require “routine construction or maintenance access” nor “unrestricted maintenance access through the campus”, ARU points NGET, the ExA and Secretary of State to the actual terms of the draft statutory instrument itself and whose terms remain self-explanatory in respect of their application to ARU Writtle educational land;
- c) Page 8, where National Grid asserts that it has considered the potential impact of its concept design on sensitive land uses, it is clear that there is no evidence in the ES of the operation and nature of ARU Writtle and instead reliance has been placed on the terms of mitigation measures to obviate likely significant effects but whose terms do no such thing;
- d) Pages 8-10, where National Grid asserts reliance on an EMF Compliance Report and that NPS EN-5 guidance relating to “agriculture” is relevant. It is not. ARU Writtle is an educational facility and not a farm;
- e) Page 11, where National Grid addresses “horses”, ARU points NGET, the ExA and Secretary of State to the Department of Energy and Climate Change publication entitled “Power Lines: Control of Microshocks and other indirect effects of public exposure to electric fields: A voluntary Code of Practice” (July 2013) (“the Code”) that describes the dangers resulting from microshocks to people

and horses, and requires the avoidance of “new” overhead power lines over schools (in respect of which the Equine Unit and its paddocks are, because students under 18 are taught at the Unit). The ongoing resistance of NGET to safeguard the ongoing operation of ARU Writtle evidences that a Requirement to ensure overhead cables do not cross its land (including paddocks) remains required in line with the guidance Code of the Department of the consenting Secretary of State.

85. In respect of:

- a) Page 11, where National Grid address its Environmental Statement (“ES”) and asserts that it has assessed ARU Writtle in a way “typical” of a DCO of this nature. The IPEIA Regulations applicable to Infrastructure do not contain a saving for the type of project and instead state the requirements for assessment Regulation 5(2) and in particular (e), “interaction”, between the elements of paragraph (2). NGET asserts that the “mitigation measures” are typical and that contention itself evidences that NGET has not applied its mind to the particular environmental impacts of its “concept” proposals on the educational institution of ARU Writtle;
- b) Page 12, where National Grid relies on the different Chapters of the ES but this affirms the actual absence of the evaluation of the “interaction” required by (e) of the elements in Regulation 5(2) of the applicable IPEIA Regulations in relation to the likely significant effects of the “concept” project on ARU Writtle. ARU Writtle is an educational institution whose nature and function and operation cannot be split out for convenience by NGET into discrete chapters but falls to be considered together (“interaction”) in relation to it. Nowhere in the ES are the ground surface conditions of the paddocks for educational horses referred to, nor considered, nor assessed. Similarly, nowhere in the ES is safeguarding of children during construction or maintenance referred to, nor considered nor assessed. Nowhere in the ES is the potential for conflict between students and horses and vehicles, on and off-Campus, referred to, nor considered, nor assessed. Contrary to NGET’s assertion on page 12, the Outline Plans referred to contain no clear and unambiguous terms by which to ensure the safe and ongoing operation of ARU Writtle during nor for an extended period after, construction works, no of safe operation of Cow Watering Lane;
- c) Page 13, contrary to Natonal Grid’s assertion that it does not rely on mitigation in an unlawful manner, NGET does so rely. The mitigation measures proposed are expressly reliant on the views of a yet to be appointed Main Contractor and the terms of a contract yet to be let. NGET’s response is not in point. It is not suggested that a DCO cannot be established by means of a framework of parameters. The point remains that the deferring of consideration and evaluation of a likely significant effect cannot be deferred to a downstream decision-maker (here, the Main Contractor) to supply the final terms of

the framework parameter. That deferring of evaluation of a likely significant effect by reliance on a future event remains unlawful. See *Smith v First Secretary of State* [2003] Env LR 32;

- d) Page 14, it remains the case that the ExA and Secretary of State must form their own view at this decision-making stage of the likely significant effects of the concept proposal on ARU Writtle safe operation and functioning, but NGET has no evidence to address that future situation at this stage as it relies on the Main Contractor as stated in the terms of its Outline Plans;
- e) Page 14, Regulation 5(2)(e) continues to require evaluation of the “interaction” of the specified elements and the identification of ARU Writtle in Chapter 16 of the ES remains incomplete as a result;
- f) Page 15, where National Grid asserts its disagreement with the evidenced evaluation by its witnesses of ARU Writtle’s situation;
- g) Page 16, where National Grid asserts there to be no “significant plans” to route a large number of construction vehicles “through” ARU Writtle. The actual terms of the draft DCO do not prevent or cap the vehicle type or movement numbers through the Equine Unit;
- h) Page 16, where National Grid refers to scaffolding being erected. The assertion by NGET on page 16 in respect to use of the highway for scaffolding delivery affirms the submissions of ARU above that Plot 8/42 cannot be required for access for scaffolding erection to protect a highway closed to traffic desired to be protected. ARU respectfully directs NGET (and the ExA and Secretary of State) to the response above: the simultaneous inclusion of Article 49(1) and the Traffic Regulation Orders in the same actual draft statutory instrument as the powers to acquire Plot 8/42 for scaffold access removes the actual need or requirement for protection of highway users of Newney Green Lane because the Lane will be closed to highway traffic and not contain passing highway users requiring to be protected;
- i) Page 16, where National Grid asserts that it considered an alternative access to the Equine Unit. There remains no evidence of the same in the Examination Hearing. Further, the assertion remains besides the point. See the response immediately above.

86. In respect of:

- a) Pages 17 and 19, where National Grid asserts there to be a compelling case for acquisition of Plot 8/42 by which to ensure access for scaffolding to protect a highway at Newney Green Lane that would be closed to highway traffic under the terms of the same statutory instrument. Acquisition of Plot 8/42 cannot be lawful. See *Prest*. The Secretary of State remains not entitled to confirm under section 122(2)((a)-(b) of the PA 2008 the acquisition of Plot 8/42 because it cannot be shown to be necessary

or required. There remains no lawful need to justify acquisition and there can be no compelling case for acquisition. The guidance presumption in favour of the project does not and cannot apply under section 122;. PLOT 8/42 remains to be deleted from the face of the draft statutory instrument DCO;

- b) Page 17, where National Grid affirms its intention. See above for the response to this from ARU;
- c) Page 18 where National Grid asserts what may or may not happen, absent the letting of a Main Contractor, on the terms of the draft DCO, it cannot be known what that Contractor may or may not do with those terms as its plans to carry out construction works inside the Order Lands (including as they overlap the ARU Writtle educational institution);
- j) Pages 18-20 where National Grid asserts there is not “no actual need” for Plot 8/42. To reiterate: ARU respectfully directs NGET (and the ExA and Secretary of State) to the response above: the simultaneous inclusion of Article 49(1) and the Traffic Regulation Orders in the same actual draft statutory instrument as the powers to acquire Plot 8/42 for scaffold access removes the actual need or requirement for protection of highway users of Newney Green Lane because the Lane will be closed to highway traffic and not contain passing highway users requiring to be protected;
- k) Page 21-22, where National Grid asserts its preference to route the new overhead line over the school location of ARU Writtle and that this is contrary to the Code referred to above. The evidence of National Grid’s refusal shows that a micro-siting Requirement to ensure no oversail of new lines above the educational paddock area is necessary and aligns with the consenting Secretary of State’s Department guidance for new lines to avoid passing over school land;
- l) Pages 21-22, where National Grid refers to drones has been responded to above.

87. In respect of:

- a) Pages 23-24, where National Grid asserts its disagreement with compliance by ARU with its statutory obligations, and that NGET’s belief is founded on no evidence because the Main Contractor remains not yet appointed and the draft terms of the DCO do not sustain the NGT assertion absent express clear and unambiguous terms;
- b) Pages 25-26, where National Grid address the *Kane* case. The Response is besides the point because the ARU concern remains that (on the NGET Application case) the asserted required use of Plot 8/42 for access through the Equine Unit would create a source of danger. The basis for reliance on *Kane* is that the Court of Appeal dismissed a strike out claim because it was obvious that the action was likely to succeed because the planning authority required the creation of a dangerous state of affairs. The

other cases referred to by NGET affirm that liability for such a creation remains the exception that proves the rule;

- c) Pages 27-30, where National Grid asserts a requirement for Plot 8/42, as above: ARU respectfully directs NGET (and the ExA and Secretary of State) to the response above: the simultaneous inclusion of Article 49(1) and the Traffic Regulation Orders in the same actual draft statutory instrument as the powers to acquire Plot 8/42 for scaffold access removes the actual need or requirement for protection of highway users of Newney Green Lane because the Lane will be closed to highway traffic and not contain passing highway users requiring to be protected.

88. In respect of:

- a) Pages 30-31, where National Grid asserts by inference that it has considered and satisfied Regulation 5(2)(e) of the IPEIA Regulations (as referred to above), ARU refers the ExA and Secretary of State to the previous responses of ARU above;
- b) Pages 32-33, where National Grid asserts that the terms of the draft DCO that apply to Plot 8/42 are not superimposed so as to create rights that would be available in perpetuity onto and over the land of ARU at ARU Writtle, that is not correct. No express term of the draft DCO limits the use of Plot 8/42 to the exclusive use for access for scaffolding. By contrast, it remains clear from the draft DCO, page 228, Schedule Section F, Column 2, that the asserted “purpose for which temporary possession of [Plot 8/42] may be taken” is “temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure”. It remains the case that there has been no assessment in the ES of the effects of the execution of those purposes on the nature and functioning of the educational institution of ARU Writtle. Instead, as the persistent refrain of NGET in its Response asserts: temporary access over Plot 8/42 is required for scaffolding access (alone). To reiterate:
  - i) ARU respectfully directs NGET (and the ExA and Secretary of State) to the response above: the simultaneous inclusion of Article 49(1) and the Traffic Regulation Orders in the same actual draft statutory instrument as the powers to acquire Plot 8/42 for scaffold access removes the actual need or requirement for protection of highway users of Newney Green Lane because the Lane will be closed to highway traffic and not contain passing highway users requiring to be protected;
  - ii) Since Article 49(1) would authorise NGET to shut Newney Green Lane - “for the purposes of the authorised development or for purposes ancillary to the construction or maintenance of the authorised development” - by means of the specific Traffic Regulation Order in Schedule

13, Part 2, between points TR-F-025 and 026, then NGET actually would have a power by which to provide access for the scope of purposes for which it simultaneously desires to acquire Plot 8/42. By relying on Article 49(1) and the TRO, NGET can gain access to the overhead cables from the highway as and when it requires and in perpetuity by recurrently triggering the TRO for use of that highway for access to the overhead lines for its purposes. See *Prest*.

89. Contrary to page 33, where National Grid asserts that acquisition of Plot 8/42 is “required”, it remains self-evident on the facts on the face of the terms of the draft statutory instrument that NGET does not “require” Plot 8/42, and its acquisition remains unlawful otherwise.

[REDACTED]

39 Essex Chambers,  
81 Chancery Lane,  
London WC2A 1DD  
12<sup>th</sup> May 2026

**ANNEXURE 1**

KMC TRANSPORT PLANNING LTD TECHNICAL NOTE DATED 12TH MAY 2026

<b>Project</b>	Anglia Ruskin University, Writtle
<b>Subject</b>	Issue Specific Hearing 2 – Item 11 Transport Matters
<b>Reference</b>	26086
<b>Date</b>	12 May 2026

## 1 INTRODUCTION

### 1.1 Purpose

1.1.1 This Technical Note (TN) has been prepared by expert transport consultancy “KMC Transport Planning Ltd” to provide a written statement of transport matters (Item 11) relevant to Anglia Ruskin University (ARU) and relating to the Issue Specific Hearing 2 (ISH) held on 1 May 2026 for the Norwich to Tilbury Development Consent Order (DCO) following the invitation of the Examining Authority (ExA) to ARU by which the ExA indicated that the ARU concerns be addressed under Transport and not under Land Use matters.

### 1.2 Relevant Documents

1.2.1 The list below includes all the relevant examination documents to our evidence:

- Section F Sheet 8 of 10 of *Response to Section 51 advice - Accepted at the Discretion of the Examining Authority - 2.2 Land Plans - Section F - Revision B* [AS-010]
- Environmental Statement Chapter 16 - Traffic and Transport (Final Issue A) [APP-271]
- Transport Assessment [APP-333]
- Section F (sheet 8 of 10) 2.4 Traffic Regulation Order Plans - Section F (Final Issue A) [APP-030]
- Outline Construction Traffic Management Plan (CTMP) (Final Issue B) [REP3-028]
- Anglia Ruskin University Deadline 3 Submission Comments on the applicant’s draft itinerary for the ASI [REP3-113]
- 8.8.1 Applicant’s Comments on Written Representations (Final Issue A) [REP2-029]
- 8.8.8.1 Addendum Applicant’s Comments on Written Representations (Final Issue A) [REP3-079]

### 1.3 Written Statement

#### Item 11.1

1.3.1 The ARU Writtle Campus has 90 horses in paddocks and the facility is both north and south of Cow Watering Lane (illustrated on the Savills plan of ARU Writtle Campus included as an Annex).

These horses are walked across Cow Watering Lane daily for exercise etc, this results in a large number of horse crossings making the location particularly sensitive to changes in traffic levels and to new road users who may be unfamiliar with the specific characteristics. There is significant concern that as a result of this route being used as a diversion route, set out within the proposed Temporary Traffic Regulation Orders (TTRO) [APP-030], that there will be an increase in traffic and therefore conflict and that this will require some form of temporary management. However, we are of the opinion that this can be managed through temporary traffic management, such as a TO/15 or temporary traffic signals (e.g. a push button crossing with lights) to ensure safe crossing of the horses and students. This would need to be agreed via a road space booking permit through Essex County Council. On this basis a commitment should be embedded within the CTMP to implement safe traffic management, to be agreed with the highway authority, during the closure at this crossing point.

- 1.3.2 In addition to the above, to further mitigate any risk, it is important that the specific characteristics of the ARU Writtle Campus are included in the driver's information handbook, referred to in section 6.2.9 of the CTMP, including the presence of horses crossing Cow Watering Lane, so that all workers are aware of the sensitivities of this area, including guidance on how to safely drive in the presence of horses.

#### Item 11.4

- 1.3.3 At Deadline 2, and in response to ARU, the *Applicant's Comments on Written Representations (Final Issue A)* [REP2-029] the Applicant identified that *"Further work is being undertaken to examine the detailed points raised, including matters relating to construction methodology, access arrangements, and the development of appropriate mitigation and management measures."*
- 1.3.4 A more detailed response was included at Deadline 3 *Addendum Applicant's Comments on Written Representations (Final Issue A)* [REP3-079]. This included the following points considered relevant to transport matters.
1. *"The nature of the works at this site do not necessitate extensive construction vehicle movements through the Equine Facility. The Applicant is actively seeking to minimise such movements further by exploring the potential removal of the need to install scaffold protection, thereby limiting any disruption to the site."*
  2. *"The current assessment indicates access approximately twice within the construction period, to install and remove the scaffolding required. The total vehicles anticipated to access through the Equine Facility is less than four. This activity will employ only small vehicles. However, the Applicant has confirmed that they are pursuing the option of temporarily closing the lane where the overhead line will cross, thereby eliminating the need for scaffolding altogether."*
  3. *"In the interim, where removal of scaffolding is not yet feasible, provisions for controlled access are being considered. It is proposed that such access would be granted to a very limited number of vehicles (approximately four in total) and only on a small number of occasions (approximately two occasions)."*

4. *"The Applicant has indicated that there are no significant plans to route a large number of construction vehicles through the ARU Writtle Campus. The intention is to minimise disruption to the campus by appropriately restricting vehicle access. The Applicant is proposing to route approximately two construction vehicles through the Campus, across the construction programme, for the purpose of erecting scaffold."*

*Scaffold is proposed to be delivered to the relevant scaffold-tower locations via Cow Watering Lane. It is proposed that a temporary road closure of Cow Watering Lane would be in place to enable the unloading and delivery of the scaffold. The intention would be for the scaffold to manually lifted over the fence into the equine facility where the construction vehicles would then erect the tower. Once the stringing activities were complete construction vehicles would access the campus again to dismantle the scaffold tower. The Applicant did consider an alternative access into the Equine Facility from the Cow Watering Lane via a new highways bell mouth; however, this was discounted at design stage due to the disproportionate vegetation and tree loss associated with a temporary access for one off movements to erect scaffold. The Applicant is actively seeking to avoid the need for a scaffold by exploring the option of implementing a longer road closure. Although there is strong confidence that this alternative solution will be achievable, it has not yet been fully agreed upon with the relevant parties. As a result, arrangements for scaffold tower erection access remains under consideration until a final decision is reached.*

*In the event that the scaffold is ultimately deemed unnecessary, the Applicant will limit access through the Equine Facility to only what is essential for stringing works. In this case, only a small quad bike or a similar compact vehicle would be required to facilitate the pulling of bounds between towers, thereby further reducing the impact on the facility and its surroundings. Due to the limited nature of the required access and on the grounds suitable mitigation can be agreed, the Applicant does not deem it necessary to install an alternative access when a suitable access already exists. The alternative options put forward would either involve crossing third party land, additional vegetation removal, ground works or the installation of visibility splay."*

- 1.3.5 Document 3.1 Draft DCO [APP -056] includes Article 25 providing for compulsory acquisition of rights over the Order land extent and Article 27 that proposes "temporary possession" of land specified in Schedule 11 and for the stated purpose, on written notice to ARU but without requiring ARU's agreement, and to the temporary possession of the extent of Plot 8/42 inside the ARU Writtle Campus and has powers of construction under Article 27(b)-(d) in relation to that temporary possession, and NGET may take recurrent temporary possession under Article 27(12). Schedule 11, Section F, Column 1 identifies Plot F-8/42 and Column 2 describes the purpose for which temporary possession may be taken as: "Temporary use for construction, mitigation, maintenance, access and/or dismantling of redundant infrastructure".
- 1.3.6 It is clear from the evidence of the Response [REP3-079] by NGET referred to above, and to the evidence of NGET in its actual meetings with ARU about the NGET proposals that ARU witness statements evidence that on NGET's own evidence: NGET does not actually evidence use of Article 27 and Schedule 11 use of Plot F-8/42 than at most for "construction" and in particular for

scaffold vehicles. On that basis alone, the scope of the Column 2 purpose referred to above (for “mitigation, maintenance, access and/or dismantling of redundant infrastructure”) is, on the NGET evidence, not justified. Therefore, those purposes must be deleted in relation to Plot 8/42. That can be ensured by means of a Requirement.

- 1.3.7 In relation to the envisaged construction purpose, the NGET evidence in [REP3 -79] identifies that there is no actual need to temporarily (or otherwise) possess Plot F-8/42 because it is “pursuing the option of temporarily closing the land where the overhead lines cross”. In this respect, the Draft DCO includes in Article 49 provision for Traffic Regulation. By Article 49, NGET would be authorised to prohibit waiting on highways, use of highways, and overtaking on highways in relation to Schedule 13 Traffic Regulation Orders. Article 49 also deems under paragraph (5) any such prohibition, restriction or provision made by NGET to have effect “as if” made by NGET as the traffic authority and local authority and NGET’s instrument making the provision is deemed to be a traffic regulation order and has a time limit of 5 years from the first operational use of the relevant section. Further, NGET is required by Article 49(2) to have the consent of the highway authority, but that consent is required to not be unreasonably withheld; is required (and no more) by paragraph (8) to consult with the actual traffic authority, and if the authority fails to give notice of its decision within 28 days, then the traffic authority is deemed to give its consent. Part 2 of Schedule 13 which is illustrated on Section F, Sheet 8 “Prohibition on vehicular access” includes on page 255 the envisaged Traffic Regulation Order “Newney Green” between points TR-F-025 and 026 which is to the immediate West of ARU Writtle Campus, and, importantly, covering the highway immediately adjacent to the ARU campus to its East.
- 1.3.8 Therefore, in light of the Article 49 powers to temporarily shut the Newney Green highway adjacent to the West side of the ARU Writtle Campus, and thereby enable access for an extended period from that closed highway on which and over which to erect scaffolding on adjacent land it is reasonable to conclude that there is no need for temporary possession of Plot 8/42 under Article 27 and Schedule 11. This is because Article 49 would empower such access for construction as NGET may seek. If it were otherwise, then the Traffic Order “Newney Green” between points TR-F-025 and 026 as shown on Section F, Sheet 8 “Prohibition on vehicular access” would be unnecessary.
- 1.3.9 Plot 8/42 also appears in the Book of Reference and other ARU witnesses address that desire of NGET.
- 1.3.10 On the basis of [REP3-079], the evidence of NGET is that the exclusive desire for use of Plot 8/42 is for access for construction of scaffold but that more recently it now needs instead access from the highway by means of the Traffic Order “Newney Green” between points TR-F-025 and 026 that would close that highway for such period for scaffolding erection as may be needed by NGET, and simultaneously obviate the need for the choice or option of using Plot 4/42 to convey scaffolding through a live educational facility for children and students, and pedestrians and horses. Thereby it is reasonable to conclude that no actual vehicular access is required into the ARU site nor through it to undertake the construction activities.

- 1.3.11 At Deadline 3 the Applicant submitted, [REP3-028] 7.3 Outline Construction Traffic Management Plan (Clean) (Final Issue B). The HGV routeing strategy is set out in Section 5.4. The wording sets out that *“subject to the limited exceptions addressed in Paragraph 5.4.2 below, construction traffic will be routed along a PAR to the site access points”*. There are a number of exceptions set out in Table 5.2, which gives licence that this would result in HGVs on the road network local to the site. These HGVs have not been assessed within the environmental assessment and if uncontrolled may result in a significant impact of a sensitive receptor.
- 1.3.12 ARU are looking for explicit text that sets out that no HGVs will access the ARU Writtle Campus. On this basis the CTMP should explicitly state that all HGVs will utilise the Primary Access Routes to access the haul route and that no HGVs will utilise any secondary access points. Along with explicit text that limits vehicle movements to the site to those referenced by the Applicant in [REP3-079] above (i.e. up to 4no. vehicles during construction).
- 1.3.13 Following Deadline 3, ARU representatives met the representatives of the Applicant on the ARU Writtle Campus on 15 April 2026. It was a productive on-site meeting, and there were no in principle reasons identified by NGET for why NGET could not rely on an alternative access from Newney Green, using land either within the highway, or immediately adjacent land under the control of ARU, on which to erect scaffolding, if scaffolding were needed by NGET at all. If the highway is closed to traffic, then such closure removes the need for scaffold adjacent to the highway at all because there would be no highway traffic requiring protection from the overhead lines during their erection and placement. Given the existence of the draft DCO powers under Article 49 and the Traffic Order “Newney Green” between points TR-F-025 and 026 there is no actual need for Plot F-8/42 to be temporarily possessed nor for any scaffolding to be erected on the ARU Writtle Campus land at all. There is therefore not a bar to delivery of the project being constructed near to ARU Writtle Campus.
- 1.3.14 From the site meeting, and as set out in [REP3-079], it was understood by NGET representatives and represented to ARU representatives that NGET access from the highway is desired for what NGET described as a very small number of vehicles for construction of scaffolding and that in reality they [NGET] could access the land from the highway, and without delivery of any formal access arrangements, under a road closure. This NGET described would be facilitated by the Applicant’s draft DCO TTRO powers at this location set out in Section F (sheet 8 of 10) 2.4 Traffic Regulation Order Plans - Section F (Final Issue A) [APP-030]. As a result, all construction access envisaged by NGET on its own facts is anticipated to be taken from the Newney Green highway under its own Article 49 and Schedule 13 Traffic Regulation Order (NGET direct closure) rather than utilising any of the ARU Writtle Campus land.
- 1.3.15 ARU representatives subsequently met with Essex County Council (ECC) highways officers on 29 April to understand the current status of Newney Green and what next steps would be required to alleviate any concerns that ECC as Highway Authority might have. It was identified that, in order to progress, it would be beneficial for the Applicant (NGET) to provide to the highway authority or outline to the highway authority where ECC can find within the DCO Application documents the following information (considered most likely by KMC to have been included by

NGET in its REP-3 submissions) so that the authority can make an informed decision on the acceptability to it of construction over the highway and for access.

- 1) The proposed NGET construction requirements for Newney Green (in terms of whether a road closure is required and the extent of the closure, including indicative timescales).
- 2) The proposed NGET vehicular requirements for access in terms of the level of use and type of vehicle (for both construction and operation).
- 3) The current level of vehicular use of Newney Green to understand the level of disruption its envisaged closure might cause.

## 1.4 Recommendations

On the basis of the above it is recommended that the Applicant undertakes the following actions.

1. That a commitment is made by the Applicant within the CTMP to manage the movement of horses across Cow Watering Lane during the closure of Newney Green in agreement with ECC using appropriate traffic management.
2. That a commitment is made by the Applicant within the CTMP to include specific reference to the local characteristics of ARU Writtle Campus in the driver's handbook.
3. The CTMP should explicitly state at Section 5.4 that all HGVs will utilise the Primary Access Routes to access the haul route and that no HGVs will utilise any secondary access points.
4. The Applicant should commit in clear and unambiguous terms to all construction access to the site being via a closure of Newney Green, rather than through the ARU Writtle Campus 'unless otherwise agreed' and this should be embedded as a control within the CTMP together with the removal of Plot 8/42 from the DCO Schedules and Book of Reference so that it cannot be utilised during operation, ensuring that the access would have to be via Newney Green; and any maintenance access being via Newney Green and the existing footpath to the north of the ARU Writtle Campus paddock area. Absent those clear and unambiguous terms, a Requirement should be imposed to ensure the same.
5. The Applicant should commit in clear and unambiguous terms to the provision of either TO/15 or push button lights at the entrance to the ARU Writtle Campus, and to liaising with ECC confirming the information that has been submitted relating to Temporary Traffic Regulation Orders, the specific construction requirements for Newney Green (in terms of length of closure), and the proposed level of use of the access. Absent those clear and unambiguous terms, a Requirement should be imposed to ensure safe crossing of students and horse traffic at that entrance location.

**ANNEXURE 2**

**WITNESS STATEMENTS**

DANIEL COOK

CAROLINE FLANAGAN

MICHELLE LAWLOR-PERKINS

JANE KENNY

**APPLICATION BY NATIONAL GRID ELECTRICITY TRANSMISSION PLC  
FOR  
A DEVELOPMENT CONSENT ORDER  
PURSUANT TO SECTION 37 PLANNING ACT 2008  
FOR  
THE NORWICH TO TILBURY ELECTRIC LINE ABOVE GROUND  
  
PLANNING INSPECTORATE REFERENCE: EN020027**

**WITNESS STATEMENT**

**DANIEL COOK**

**On behalf:**

**Interested Party Reference Number: [REDACTED] and [REDACTED]**

**DEADLINE 4**

**1. BACKGROUND AND QUALIFICATION**

1.1 My name is Daniel Cook.

1.2 I am the Head of Equine Resources at Anglia Ruskin University (“**ARU**”). I have 25 years’ professional experience managing large equine operations across the UK and internationally. Throughout that time, I have been responsible for the day-to-day and strategic management of substantial equine operations, complex multi-user equine facilities, and equine teaching and training operations.

1.3 In my role, I am directly responsible for the safe operation of the Equine Unit at the ARU Writtle Campus, for the welfare of the horses kept there, and for ensuring the safe delivery of equine teaching and assessment to our students, together with the provision of an excellent, practice-based student experience.

1.4 My role as Head of Equine Resources carries full oversight and operational responsibility for the entire campus at Cow Watering Lane where the ARU Writtle Campus (as part of the ARU portfolio) is situated, ensuring that on that site the horses, students, staff and visitors there are managed safely and appropriately, and that all activities comply with applicable welfare, health and safety and regulatory requirements and in-line with ARU and Writtle College Limited’s (“**Writtle College**”) policies.

1.5 The facts and matters set out in this statement are within my own knowledge unless otherwise stated, and I believe them to be true. Where I refer to information supplied by

others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief. The photographs in this Witness Statement were taken by me.

- 1.6 There is now produced and shown to me a bundle of true copy documents marked "Exhibit DC1". All references to documents in this statement are to Exhibit DC1 unless otherwise stated. References to tab numbers in this statement are to the respective tabs in Exhibit DC1 in the format DC1/[x]

## 2. INTRODUCTION & SUMMARY

- 2.1 This witness statement describes the adverse impacts of the proposed development by National Grid under The Norwich To Tilbury Electric Line Above Ground Development Consent Order (the DCO) on ARU Writtle. I understand that the DCO is envisaged to authorise the construction and operation of an Electric Line Above Ground and this includes, during the construction phase and the operation phase, the operation of a new proposed access road through the Equine Facility of ARU Writtle Campus as shown indicatively shaded yellow on the ARU Writtle Plan at **DC1/1** in relation to ARU's Writtle Campus and the Electric Line between pylons which is proposed to run over ARU's Writtle Campus paddocks (the paddocks are edged green on the Plan at **DC1/1** (the "**Paddocks**")), as shown on Section F of the pylon route, Sheet 8 of the various Land Plans, Works Plans and Traffic Regulation Plans ("**Plans**"). I understand, as shown at Section F Page 50 of the Environmental Statement Figure 4.1 Proposed Project Design [**APP-133**] albeit in little detail, that UKPN works are proposed for cable alignment over the Paddocks. The area of these works are shown indicatively on ARU Writtle Plan at **DC1/1** shaded purple.
- 2.2 I am advised and understand that, by means of the proposed powers under Article 49 and Schedule 13 of Document 3.1 [**APP-056**], Traffic Regulation Order "Newney Lane", between points SM-F-028 and 029 on Section F, Sheet 8, and the resulting diversion under Article 16 and Schedule 8, Part 1, and SMD-F-043, as shown on the Access and Rights of Way of Way Plans, Section F, Sheet 8, that Cow Watering Lane is identified by a blue dashed line and reference "SMD-F-043" as a "Temporary Diversion" for traffic during closure of Newney Lane construction of the Project resulting in Cow Watering Lane being used as a traffic management temporary diversion route as proposed and shown at section F of the Access, Rights of Way & Public Rights of Navigation Plan Sheet 8 [**APP-038**].
- 2.3 Cow Watering Lane is an adopted highway which runs between ARU Writtle's Cow Watering Lane Campus and ARU Writtle's turnout fields for horses to the immediate South of the buildings on that road and that Campus, being Butlers Field, which together makes up ARU Writtle's Equine Unit (the "Equine Unit") as shown indicatively on ARU Writtle Plan at **DC1/1**. That is, the Equine Unit notionally straddles the highway of Cow

Watering Lane and the Equine Unit comprises land on either side of that highway with the paddocks shown with a dark green line on the plan at **DC1/1**.

### 3. **CROSSING OF COW WATERING LANE**

- 3.1 The proposed traffic management temporary diversion route, reference "SMD-F-043", which would be open to all vehicular traffic proposed over Cow Watering Lane [**APP-038**], is likely to increase vehicular traffic movements along Cow Watering Lane in terms of the number of vehicles, the type of vehicle including the potential for HGVs on diversion and construction vehicles to use Cow Watering Lane and new drivers unaccustomed to the Lane and regular crossing by horse and pedestrian traffic moving North to South and back again during the day each day. In my experience of using Cow Watering Lane on a regular basis, the local traffic flow is slow, light and although used it is most rarely used by HGVs or HDVs. The potential increase in traffic of this nature causes me great concern for the reasons set out below. It is an important and relevant matter affecting directly the safety of horses, and children and other students studying at the Unit.
- 3.2 The Equine Unit relies on access to Butler's Field directly opposite the built part of the ARU Campus, which provides approximately 20 acres of grazing. We use Butler's Field for approximately 30 horses from our total herd of approximately 90. That is, daily, 30 horses of the herd of 90 cross and recross the Lane to be turned out for grazing. This grazing is not a convenience and is fundamental to horse welfare and safe management. Regular turnout and grazing support horses' physical health and behavioural stability. Where turnout is reduced, horses commonly become more stressed, fresh and reactive, which in turn increases the risk of incidents during handling, daily care and teaching that can have adverse consequences for children, students and staff at the Unit.
- 3.3 Butler's Field also accommodates our young horses (aged three years and above). This is particularly relevant to risk of injury to the horses themselves and to the children and other students we teach: younger horses are generally less experienced, can be more reactive to novel stimuli, and are more likely to become unsettled by unpredictable traffic, noise and vibration. Maintaining safe, routine access to Butler's Field is therefore especially important for both welfare and safe handling.
- 3.4 To access Butler's Field, horses must be taken across Cow Watering Lane. Horses cross Cow Watering Lane between approximately 08:00 and 18:30, seven days a week, during both term time and during vacation periods. These movements occur repeatedly throughout the day for turnout, bringing horses back in, rotating grazing, welfare checks, and teaching-related handling activities. In a typical day, horses move back and forth across Cow Watering Lane at least 30 times. The crossing is therefore not an occasional activity that can be avoided; it is a routine operational necessity that takes place across long hours and in varying weather and light conditions.

- 3.5 The Equine Unit is also a teaching environment, and children (students under 18) and adult students are required to handle horses as part of their learning (under supervision). This includes a children and student leading horses to and from grazing. The prospect of children, students and staff having to cross Cow Watering Lane with horses while large vehicles and construction traffic use that road is a serious and real concern. Even in normal conditions, managing horses close to traffic requires calm, experienced handling and appropriate gaps in vehicle flow. If traffic increases, safe gaps become harder to find and groups may be forced to wait at the roadside. Waiting beside an active road can unsettle horses -particularly young horses -because of prolonged exposure to noise and vehicle movement increases the likelihood of unpredictable reactions.
- 3.6 Horses are prey animals. As prey animals, horses instinctively react to external stimuli that each horse perceives as a threat. Consequently, horses can react suddenly to perceived threats, even when a particular horse is generally well-schooled. Construction vehicles and heavy traffic introduce precisely the kinds of stimuli known and experienced to increase spook risk, including loud engine noise, air brakes, vibration, reversing alarms, horns, rattling loads and close passing distances, and result in prey flight. In my experience, these are the conditions most likely to cause a horse to panic at a crossing point. The risk is compounded because a public road crossing is, by its nature, an *unenclosed* environment. Unlike an arena or fenced route, there is no secure barrier preventing a horse from entering the carriageway and moving along the highway if it spooks or breaks free from being held by a child, student or staff member.
- 3.7 If a horse panics or pulls free from its handler during a crossing, the potential consequences are severe and immediate and likely adverse. A horse may knock down or trample a student or member of staff resulting in serious injury due to the weight of the animal, or it may enter the road and create a high likelihood of collision with vehicles and potentially cause damage to vehicles. Drivers may also swerve to avoid a loose horse, escalating into multi-vehicle collisions. In my experience of horse behaviour, a loose horse on Cow Watering Lane - particularly in the presence of heavy vehicles - creates a realistic potential for catastrophic or fatal injury to road users, staff, students and the horse itself. This is not a theoretical risk: traffic-related incidents involving horses can escalate rapidly and are extremely difficult to control once a horse is frightened.
- 3.8 We take safety precautions when crossing Cow Watering Lane, including staff supervision, controlled procedures, and ensuring handlers are competent by the training we give them. However, these measures rely on our experience of predictable traffic flows and sufficient safe gaps to cross based on the current use of the Lane by existing users, their vehicle type and movement frequency. When, as proposed by NGET and envisaged as a consequence of its proposals, Cow Watering Lane becomes a route for sustained traffic diversion, for construction traffic or for frequent HGV movements, the nature of the hazard changes materially: safe crossing opportunities reduce, waiting times increase, and the exposure of horses and handlers to noise, vibration and close

passes increases. In those circumstances, supervision alone is unlikely to control the risk to an acceptable level.

- 3.9 If we cannot cross Cow Watering Lane safely and routinely, the operational consequences for the Equine Unit will be significant and this is an important and relevant consideration in respect of this DCO proposals. Access to Butler's Field would be restricted, undermining welfare for the horses that rely on that grazing -particularly the young horses based there. Reduced turnout is likely to result in more unsettled, reactive horses, increasing risk across the whole unit (not only at the road crossing). Equine teaching activities will also be disrupted or cancelled because we cannot safely and regularly move horses with students as part of routine operations. The likelihood of accidents, near misses, safeguarding concerns and reportable incidents will inevitably increase.
- 3.10 A further concern is that the crossing is not used for turnout and routine yard movements alone. Students (both under and over 18 years old) also use this crossing to access the central track when hacking horses as part of ridden teaching and assessment. This means the crossing is regularly used by mounted riders, including less experienced riders under instruction, as part of ARU's core practical riding programme. A horse's reaction to traffic, sudden noise, vibration, large vehicles, or unexpected stimuli is more difficult to manage when a student is mounted -particularly if the horse hesitates, spins, backs up, or attempts to bolt. Increased heavy traffic would therefore affect not only in-hand movements across the road but also directly increase risk to mounted students and supervising staff.
- 3.11 In summary, any proposal to route construction traffic and large vehicles along Cow Watering Lane, or otherwise materially increase heavy traffic on Cow Watering Lane, is fundamentally incompatible with the Equine Unit's unavoidable need to move horses and students across that road throughout the day. We have no practical alternative to these crossings, which occur as part of normal welfare management and teaching activity at least 30 times per day between 08:00 and 18:30, seven days a week.
- 3.12 In my professional view, based on 25 years of working with and managing horses, introducing sustained heavy vehicle movements on this route would substantially increase the likelihood of a horse spooking, pulling free or entering the carriageway. Without effective controls, I consider the risk of a serious incident -potentially involving catastrophic or fatal injury to students, staff, road users and horses - to be unacceptably high.

ARU proposes a Requirement is made in relation to a TO/15 or push button lights at the entrance to the ARU Writtle Campus, to ensure, during the period that the proposed SMD-F-043 diversion is in place, traffic be regulated by means of a temporary traffic light system operated by the pedestrian to enable sufficient time, each day, for the number of

horses to cross the Lane and to walk along the side of the Lane along the access path, before traffic can flow once again.

**4. GROUND DISRUPTION TO PADDOCKS: SAFETY, WELFARE AND OPERATIONAL IMPACT (INCLUDING LOSS OF FOUR FIELDS)**

4.1 The proposed groundworks over and near the ARU Writtle Campus paddocks located as shown on ARU Plan at **DC1/1** and as detailed at Section F Page 50 of the Environmental Statement Figure 4.1 Proposed Project Design [**APP-133**], coloured blue, in relation to the UKPN works proposed for cable alignment and mitigation, will clearly result in a significant disruption to the paddocks which, as detailed below, has a significant detrimental impact on the operation of the ARU Writtle Campus, the health and welfare of horses and the safety of people, children and horses. UKPN has not provided any evidence to ARU Writtle of what it proposes, nor has it begun to have any discussions with ARU Writtle.

**Why paddock ground condition matters**

4.2 Horses stand on their four hooves on the bare ground. The nature of the ground surface is therefore important to horse welfare. The composition of the ground surface is a highly technical matter. In my professional experience of equine management, disruption to paddock ground surface conditions is a serious safety and welfare concern, not a minor inconvenience. This is because horses are large, heavy and powerful animals that are particularly vulnerable to slips, trips and limb injuries when the ground on which they stand on or move over becomes uneven, rutted, waterlogged, compacted or churned. Paddocks are the equivalent of a home for each horse and also a location where students (under and over 18 years old) and staff are also taught. The paddocks' ground surface must provide consistent, predictable footing and safe access in order for horses to move normally and for staff and students to handle them safely. Where students (of all age groups) are present - often leading horses on foot as part of their learning and teaching experience - the risk increases further because any loss by the horse (as a prey animal) of its footing, or sudden movement or spook response can quickly result in its handler being pulled over, knocked down and/or trampled.

**Loss of four fields and why this is significant**

4.3 The NGET proposals in its draft DCO show works occurring over parts of four fields including identified in green lines the scaffolding erection adjacent to each side of the Newney Lane highway on Plan Reference Document 6.1. F1, Figure 4.1, Section F, page 50 of 63, drawing reference 10059280-ARC-EGN-ZZ-DR-ZZ-00206, Revision A, and also a curved shaped area coloured blue. These areas overlap the land of ARU Writtle that comprises four paddocks.

- 4.4 A key practical issue is that the proposed works would take four of our fields out of use for a period of time, and potentially longer if reinstatement of our fields is not fully successful. We rely on those fields for routine turnout and grazing management for our 90 head herd. Losing four fields would materially reduce our turnout capacity and our ability to rotate grazing appropriately. This is not something we can absorb without consequences. Reduced turnout and reduced flexibility increase pressure on the remaining land, accelerating poaching and deterioration elsewhere. It can also force increased stabling and restricted turnout, which predictably leads to higher stress levels and more reactive behaviour in horses. Increased reactivity directly increases the risk of injury to staff, students of all ages, and visitors, and undermines the safe delivery of practical teaching by ARU at Writtle.

#### **Vehicle movements: compaction, rutting and altered drainage**

- 4.5 If construction-related activities require vehicles to access, cross or operate on paddock ground, the immediate concern is ground compression, rutting and loss of an even surface. Heavy vehicles, repeated passes or turning movements will compact the soil and leave deep ruts that remain long after the works finish. Compaction alters soil structure and density, reducing infiltration and increasing standing water. That combination - uneven ground plus poorer drainage - materially increases the risk of slips, strains and soft-tissue injuries, including tendon and ligament injuries and falls. Conversely, compacted ground can become excessively hard in dry conditions, increasing concussion-related injury risk. The issue is therefore not simply “soft ground” or “hard ground”, but the actual loss of consistent, predictable *going* that is essential to safe turnout and safe handling of each horse of the 90 horse herd.

#### **Temporary works and storage (including scaffolding): localised damage and spook risk**

- 4.6 There is also a real concern about scaffolding, temporary works, laydown areas or storage being placed upon and crushing paddocks’ ground surface. Even with protective measures, concentrated loading would cause localised ground surface compaction, subsidence and also result in dead patches of grass. From an animal behavioural perspective, horses can be attracted to unfamiliar materials or spook at unusual structures and movement. A reduction in the extent of usable paddock area also increases stocking pressure and reduces our ability to separate groups safely, which increases the likelihood of conflict and injury within the herd of 90 horses.

#### **Excavation, trenching and undergrounding: hidden hazards after “make good”**

- 4.7 Where works involve digging, trenching, undergrounding, or soil disturbance in or near the paddocks, the risk increases further. Trenches and reinstated strips frequently behave differently from surrounding ground even after a surface “make good”. Reinstated areas can settle unevenly, leaving depressions, ridges or softer seams that may not be obvious until a horse steps onto them. In an equine setting, concealed unevenness is

particularly dangerous because a horse can put full weight through a limb at speed and sustain a serious injury before anyone can intervene. Soil disruption can also alter drainage pathways, creating persistent wet patches and an ongoing deterioration of the paddock surface.

### **The “one-year lag”: why impacts can emerge months after works finish**

- 4.8 A critical point is timescale for ground surface recovery of paddocks. The full impact of ground disturbance is often not immediately apparent. In my experience, there can be a lag of many months - and potentially a year or more - before the consequences are fully visible. Seasonal cycles (wet winter conditions, freeze-thaw, and summer drying) can turn a superficially reinstated surface into an uneven, compacted or waterlogged hazard. This time-lag matters because it means risk does not end when construction ends; it can emerge later during routine turnout and teaching, when the paddocks are expected to be safe and serviceable.

### **Wider impacts: horse welfare, teaching delivery, stabling and health and safety**

- 4.9 Based on the Figure 4.1 referred to above, in the event that works affecting four fields are taken out of use and/or remaining paddocks become unsafe due to compaction, drainage changes or uneven reinstatement, for the period of the works, then the operational consequences are substantial. We will have reduced turnout capacity and reduced flexibility to manage horses safely. Increased stabling and restricted turnout typically causes behavioural deterioration, increases handling risk, and raises the likelihood of incidents within the yard and during teaching. This also impacts education delivery: students require safe, predictable environments for handling and practical learning, and horse behaviour is a key component of that safety. There are also direct financial and logistical consequences, including increased costs for bedding, forage and staffing time, and potentially a reduction in the number of horses that can be safely managed or utilised for teaching.
- 4.10 I am firmly of the view that, if the planned works go ahead and result in four fields being taken out of use, and/or leave the remaining paddocks affected by compaction, drainage damage, uneven surfaces or inadequate reinstatement, the impact on the Equine Unit will be serious, immediate and far-reaching. The loss of this land, whether temporary or prolonged, will substantially reduce turnout capacity and significantly restrict our ability to manage horses safely and properly across the site. In practical terms, it will place unsustainable pressure on the remaining paddocks and materially undermine our ability to rotate grazing in a way that is consistent with good equine management and welfare.
- 4.11 The inevitable consequence will be increased stabling and reduced turnout for a significant number of horses. In my professional experience, that has a clear and harmful effect on horse welfare. Horses that are denied adequate turnout become more stressed, unsettled, fresh and reactive. That change in behaviour directly increases the risk of

accidents during handling, daily husbandry, movement around the site and teaching activity. This is not a minor inconvenience or a manageable operational adjustment; it is a matter that would adversely affect the safe day-to-day functioning of the entire Equine Unit.

- 4.12 I also consider that the planned works will have a direct and detrimental impact on teaching delivery and student safety. Students are required to learn in a safe, controlled and reasonably predictable environment. If horses become more reactive because turnout is restricted and paddock use is compromised, the risks to students and staff during practical sessions will increase materially. In those circumstances, some activities may no longer be safe to deliver in the usual way and may have to be restricted, altered or cancelled. That would have a direct effect on the quality, scope and safe delivery of practical equine education.
- 4.13 The Equine Unit operates to high, externally recognised standards of equine welfare and is accredited by, and affiliated with, leading national equine bodies. This witness statement is accompanied by letters of support from the British Horse Society at **DC1/2** and the National Equine Welfare Council at **DC1/3**, both of which confirm the seriousness of the concerns raised in relation to horse welfare and the likely adverse impact of the proposed works on the proper management of the Equine Unit.
- 4.14 In my view, the support expressed by these organisations is significant evidence that the risks identified in this statement are well-founded and consistent with established principles of good equine management and welfare. Any proposal that materially reduces turnout capacity, compromises paddock condition, or increases reliance on prolonged stabling would undermine those standards and have a detrimental effect on the welfare of the horses in our care.
- 4.15 There will also be significant financial, staffing and operational consequences if the planned works proceed, including increased expenditure on bedding and forage, greater demands on staff time, and potential restrictions on the number of horses that can safely be managed or used for teaching. Taken together, I consider that the likely effects of the planned works would be substantial and unacceptable, causing real harm to horse welfare, student safety, teaching provision, operational management and overall health and safety within the Equine Unit.

**Vehicle access through the Equine campus: additional safety risks for horses, students and visitors**

- 4.16 In addition to the direct impact on paddocks, I am concerned about any proposal that increases construction vehicle movements through the Equine campus, which is an active equestrian teaching environment and not a standard campus roadway exclusively used by pedestrian students. Approximately 90 horses are managed on the ARU Writtle site and are routinely moved around the campus between 08:00 and 20:30 for turnout,

yard routines, teaching sessions and ridden activities. During these hours, horses are regularly being led in-hand and ridden along internal routes and through shared access points by students of all ages and by staff.

- 4.17 Increasing the frequency or size of vehicles moving through these areas creates predictable conflict points between vehicles, horses and pedestrians. Construction vehicles are typically louder, larger and less manoeuvrable than normal campus traffic. Scaffolding lorries generate rattle as they move. Noise and vibration (including reversing alarms, air brakes, idling engines, rattling loads and sudden stopping/starting) can cause horses to startle. If a horse spooks, spins, backs up or pulls away, the consequences can be immediate and serious -particularly in narrow lanes, near gateways, or at pinch points where there is limited space to create safe separation.
- 4.18 These risks are heightened because many movements involve students who are still learning and may not yet have the experience, positioning or strength to safely manage an unexpected reaction. Students handling horses as part of assessed practical teaching, are required to carry out tasks under instruction and would be exposed to risk in shared spaces with construction vehicles. A sudden incident can therefore result in a student being pulled over, knocked down, crushed against fencing or walls, or drawn into the path of vehicles.
- 4.19 The proposed increased movements also create a wider statutory safeguarding concern where other students, staff and visitors are present in the same area. The Draft DCO is silent in respect of this. Indeed, Article 27 of the Draft DCO contains no requirement at all to ensure that any and all third parties (including NGET representatives) have passed statutory vetting procedures and simply would authorise NGET to enter and take temporary possession for an extended period of the core pedestrian traffic route forming the access spine of ARU Writtle. Without meaning any disrespect to NGET, such a proposal is totally absurd.
- 4.20 In my view, routing construction traffic, and for an undefined period, without the required safeguards in place, and authorising NGET to hold the whip hand on traffic movements, through the Equine campus during operational hours would be non-sensical. It would significantly increase real risk to horse welfare and to the safety of students of all ages, staff, visitors and drivers, and it should be treated as a material health and safety issue alongside other identified risks (including the Cow Watering Lane crossing and paddock ground disruption). The NGET proposals for Plot 8/42 would ensure an accident waiting to happen.

### **Operational impact and reinstatement timescales**

- 4.21 For these reasons, any proposal involving vehicle access across paddocks, the siting of temporary works or storage on paddocks, or excavation/trenching within or adjacent to paddocks would create significant operational challenges for the Equine Unit. The

paddocks form a core part of daily horse management and teaching delivery. If ground conditions are disrupted or sections of land are taken out of use, this directly reduces available turnout and grazing, limits our ability to rotate fields appropriately, and increases pressure on the remaining paddocks. The practical consequence is often increased stabling and restricted turnout, which has foreseeable welfare impacts and increases handling and safety risk for staff and students.

- 4.22 It is also important to recognise that paddock ground cannot simply be “made good” and returned immediately to equine use. In my experience, following disturbance and reinstatement, it can take 12 months or more for the ground to consolidate, for grass cover to re-establish, and for any delayed settlement, soft spots, rutting or drainage issues to become apparent through seasonal weather cycles. Until that process has occurred, the fields may not be suitable or safe for routine turnout or for teaching activities involving horses.

## **5. MICROSHOCKS FROM OVERHEAD LINES: RISKS TO HORSES, STUDENTS AND STAFF**

- 5.1 The draft DCO proposes electric overhead lines between pylons to oversail above the western paddocks of ARU Writtle Campus that are used by students of all ages – under and over 18 years old - and by staff for learning and teaching in the educational facility that is ARU Writtle. The proposed overhead lines and related infrastructure over and surrounding the ARU Writtle Campus including those over the turn out field paddocks. Such overhead lines cause me great concern as to the significant impact, as detailed below, and increased danger the location of these overhead lines will bring.

### **Why microshocks are a serious equine safety issue**

- 5.2 I have referred above to horses being prey animals. ARU Writtle is not a ‘farm’ and the impacts on horses and students are not agricultural impacts but educational and physical impacts on horses and students in a teaching environment.
- 5.3 I have real and significant concerns about the potential for microshocks associated with overhead electrical lines and related infrastructure (including any earthing arrangements, stays/guys, fences, gates, water troughs, metal field equipment, and the general ground conditions around poles and lines) actually shocking both horses, their student riders and handlers, and students and staff near to horses in the location of overhead cables. Low-level electrical leakage or induced voltage that might be tolerable in other and non-educational and non-horse-related environments can present a disproportionate risk in an equine setting. Horses are highly sensitive animals and can react suddenly to unfamiliar sensations. A small electric shock, or even a tingling sensation, may cause an immediate startle response such as jumping sideways, rearing, bolting, or pulling away from a handler. In a teaching environment, where students may be leading horses in-hand, this can escalate quickly into a loss of control and injury.

## How microshocks may arise in practice

- 5.4 Overhead cables generate micro-shocks. The Department of Energy and Climate Change publication entitled “Power Lines: Control of Microshocks and other indirect effects of public exposure to electric fields: A voluntary Code of Practice” (July 2013) (“**the Code**”). The Code describes the following:

*Indirect effects occur when an electric field induces charges on the surface of a conducting object. Those charges can then either interact with the electric field (e.g. when charges induced on human hairs have a force exerted on them by the field, which causes the hair to vibrate), or the charges can be transferred to another object. When that transfer of charges takes place between a person and another object in the form of a small spark across the gap between the two objects, it is known as a microshock. Once the two objects are touching, the continuous transfer of charge is known as the contact current...*

*The electric field produced by high-voltage overhead power lines induces charges on the surfaces of any objects that are exposed to it, or, expressing the same physical concept in a different way, any object that is not grounded acquires an electric potential (a voltage) from the field. When two conducting objects that are at different potentials touch, the potentials equalise by means of a transfer of charge from one to the other.*

*As the two objects get closer, the difference in potential between them is applied across a smaller and smaller gap. When the gap becomes small enough, and if the potential difference is large enough, the potentials equalise across the gap by means of a small spark. When one of the two objects is a person touching a conducting object, that small spark is concentrated on one very small area of the skin, typically a few tenths of a millimetre across. The total energy in the spark is very low, but because it is so concentrated and localised, it is experienced at that point of the skin as a small shock. The sensation can range from a small tingle through to pain...*

*The sensation of a microshock is similar to that caused by the static discharges commonly experienced in dry atmospheric conditions after frictional contact with a nylon carpet or car seat. Scientific investigations have shown that the voltages and charges are comparable for the two phenomena, and therefore any effects on the body can be presumed to be similar.*

*Microshocks can occur whenever a person and a conducting object almost touch under a power line and are not (by virtue of being connected to each other or both being connected to earth) at the same potential. The conducting object can be anything, and either the person or the object can be at a floating potential. In practice, experience has identified several common scenarios: ...*

- *person touches ungrounded fence*
- *ungrounded person touches grass with bare feet or legs ...*
- *person riding, leading, or touching horse or other animal*
- *person touches another person*

*As well as the actual physical sensation of the microshock, microshocks could in some circumstances give rise to further effects, either if the microshock causes a person to startle with dangerous consequences, or if repeated microshocks cause aversive responses to the situation that produces them*

- 5.5 Microshocks can occur where electricity is conducted or induced into metalwork or the ground, for example through faulty insulation, damaged equipment, poor earthing, wet ground conditions, or contact between conductive materials. The risk can be greater where horses are in contact with, or stepping between, two points with different electrical potentials (for example, a hoof on wet ground and a nose or body touching metalwork). In practical terms, this can involve common equine features and routine activities: touching a gate, leaning on a fence, drinking at a metal trough, standing near metal stanchions, or moving through an area where the soil conditions have changed. If works disturb the ground or introduce new metal structures, this can change the electrical behaviour of the area and increase the risk of unexpected shocks.

### **Why horses are particularly vulnerable**

- 5.6 Horses are especially at risk because they can complete an electrical path more easily than a person. Their size, stride length and the way they stand and move mean they may bridge different voltages across their feet, particularly on wet or disturbed ground. They are also naturally reactive; if they experience an unexpected shock, they may respond instantly without warning. This is not simply a welfare concern -it is a direct handling and safeguarding concern in a public-facing teaching environment.

### **Risks to students, staff and visitors**

- 5.7 The primary risk to people arises from a horse's reaction. If a horse receives a microshock while being handled, it may pull away, knock a handler over, rear, spin, or bolt. Students, in particular, are at increased risk because they are still learning and may not have the strength, experience, or positioning to safely manage a sudden explosive reaction. Even experienced staff can be injured in these circumstances. A startled horse may also collide with other horses, fences, gates or members of the public, creating a wider safety incident.
- 5.8 There is also the risk that staff or students themselves may receive shocks when touching metal gates, fencing, taps, troughs or other conductive items. Even if a shock is minor, it can cause involuntary movement and loss of control of the horse being handled at the time, which is dangerous in itself.

### **Operational and welfare consequences if horses begin to associate areas with shocks**

- 5.9 A further concern is the longer-term behavioural impact. If horses experience microshocks in a particular location -near a gateway, water point, fence line, or along a route used daily - they may begin to resist entering that area. This can quickly become a persistent management problem, increasing handling time, increasing stress, and increasing risk during routine movements. In a teaching context, it also undermines the predictability and safety of lessons and practical handling assessments.

## Why the risk is difficult to manage without proper controls

5.10 Microshock issues can be intermittent and difficult to diagnose. They may depend on weather, ground moisture, load conditions, and whether particular equipment is energised. This makes them particularly hazardous because the risk may not be visible during a brief inspection and may only appear at certain times. In my view, in an equine and student environment, this type of intermittent, unpredictable hazard is unacceptable unless robust controls and monitoring are in place.

5.11 The Code provides for controls as follows:

*Microshocks can be controlled by:*

- **Reducing the electric field at its source.** *Reducing the field from a power line almost always means in practice raising the height of the line so as to increase the ground clearance. For existing lines, this is extremely complicated and expensive. For new power lines, the cost is lower, but there is still a significant impact in terms of increased visual impact. Re-routing or undergrounding of a line is also an option for reducing the field but again this is complicated and expensive for existing lines.*
- **Reducing the electric field by screening.** *Screening by extra conductors hung from the existing pylons is rarely possible because of the limited clearances. Freestanding structures (either artificial structures, or trees or vegetation) for screening electric fields, however, are often bulky and extensive, visually intrusive, may interfere with land use, and have their own safety, maintenance and ownership issues...*
- **Restricting access to land.** *This may be an option but will often have practical difficulties ...*

5.12 The Code further provides:

*This Code of Practice recognises that there is no reasonable way to avoid microshocks in all circumstances, even in circumstances when they are at a frequency and severity that is clearly undesirable, and therefore that not all situations producing microshocks are expected to be remedied...*

*The simpler measures, such as avoiding creating new situations particularly prone to microshocks, provision of information, and earthing, where any of these are applicable, are to be preferred and adopted first. More intrusive and expensive options, such as screening, are to be adopted only where justified by circumstances...*

*Specifically: ...*

- *Electricity companies will, where reasonably practicable, avoid designing new power lines that would create fields of 5 kVm<sup>-1</sup> or greater in homes, other land in residential use, their curtilage, and schools*

- *Note that existing good line-routing practice will normally achieve this anyway by routing lines away from existing homes and schools. If a new line over a home, its curtilage, or a school is unavoidable, a field below 5 kV m<sup>-1</sup> can be achieved by designing the line with an appropriate clearance ...*
- *There is no requirement that clearances of existing overhead lines, or of new overhead lines except where they unavoidably pass over homes, other dwelling places, their curtilage, and schools, should be increased because of microshock issues, though this could be done voluntarily by electricity companies.*

## 6. PHOTOGRAPHIC EVIDENCE OF STUDENT/HORSE CROSSING OVER COW WATERING LANE

- 6.1 At DC1/4 I exhibit photographic evidence showing student, teacher and horse movement to and from Butler's Field and the Equine Unit crossing over Cow Watering Lane. Cow Watering Lane is envisaged by NGET to be a diversion route for all vehicles resulting in the potential for sustained construction traffic and frequent HGV movements. When the nature of the hazard changes materially; safe crossing opportunities reduce, waiting times increase, and the exposure of horses and handlers to noise, vibration and close passes increases.
- 6.2 I consider the risk of a serious incident, potentially involving catastrophic or fatal injury to students, staff, road users and horses, to be high and indeed to be unacceptably high. The NGET proposals in its Draft DCO ensure an accident waiting to happen in Cow Watering Lane and the dangerous consequences from microshocks properly recognised by the Code by its Secretary of State and Departmental author as recently as 2013.

## 7. SUMMARY

- 7.1 Any proposal to route construction traffic and large vehicles along Cow Watering Lane, or otherwise to materially increase heavy traffic on Cow Watering Lane, is fundamentally incompatible with the Equine Unit's unavoidable and practical and educational need to move horses and students across that road throughout the day. We have no practical alternative to these crossings. Introducing sustained heavy vehicle movements on this route would substantially increase the likelihood of a horse spooking, pulling free or entering the carriageway. Without effective controls, I consider the risk of a serious incident - potentially involving catastrophic or fatal injury to students, staff, road users and horses - to be unacceptably high.
- 7.2 The real potential for microshocks associated with overhead lines and related equipment at the Western side of ARU Writtle's paddocks is a relevant and important consideration and presents a material safety risk in an equine teaching environment –a school and not

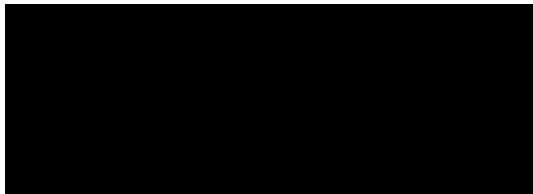
a farm. Even a small or intermittent shock can trigger a sudden, dangerous reaction in a horse, placing students, staff, visitors and road users at risk and undermining horse welfare and safe operations. In my view, these risks require clear assessment, testing and enforceable mitigation before any works proceed or any infrastructure is brought into use near areas where horses are handled or turned out, or in default of that being feasible must be required to be avoided in line with the Code by ensuring by means of a Requirement that Pylons TB 165 and TB166 be microsited to ensure that the overhead lines between them cannot pass over the educational paddocks land at the Western side of ARU Writtle. I request the Secretary of State to impose such a Requirement to ensure compliance with the Code of Practice guidance for avoiding microshocks by avoiding overhead lines crossing over educational facilities and for the safeguarding of the ongoing education of students at the Equine Unit from microshocks.

- 7.3 I would request that appropriate traffic management and safety precautions are specifically set out to deal with the traffic at Cow Watering Lane that is appropriate for pedestrian and equine traffic to cross. I request the Secretary of State to impose such a Requirement to ensure by means of a TO/15 measure comprised of a temporary red light operated by a push button for the period of traffic diversion along that Lane for the safeguarding of the ongoing education of students at the Equine Unit from traffic-related injury.
- 7.4 I request that my concerns and that of my colleagues and experts of ARU Writtle in relation to the overhead lines are addressed fully within the examination by the Examination Authority, and that NGET review the micro-sting placement of these overhead lines over an educational institution and the danger to health and safety that the placement of these overhead lines in the location proposed brings to ensure the matters of concern identified above are avoided in line with the Code and with the real world of shared space and highway safety by all users.
- 7.5 Without a change request to the scheme being made by NGET, there is a real need to impose the Requirements to which I have referred above, the alignment or significant mitigation measures, restrictions and controls set out on the face of the DCO I do not believe the increased danger to children, students and animals can be alleviated in any meaningful way.

**Statement of Truth**

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I believe that the facts stated in this Witness Statement are true.



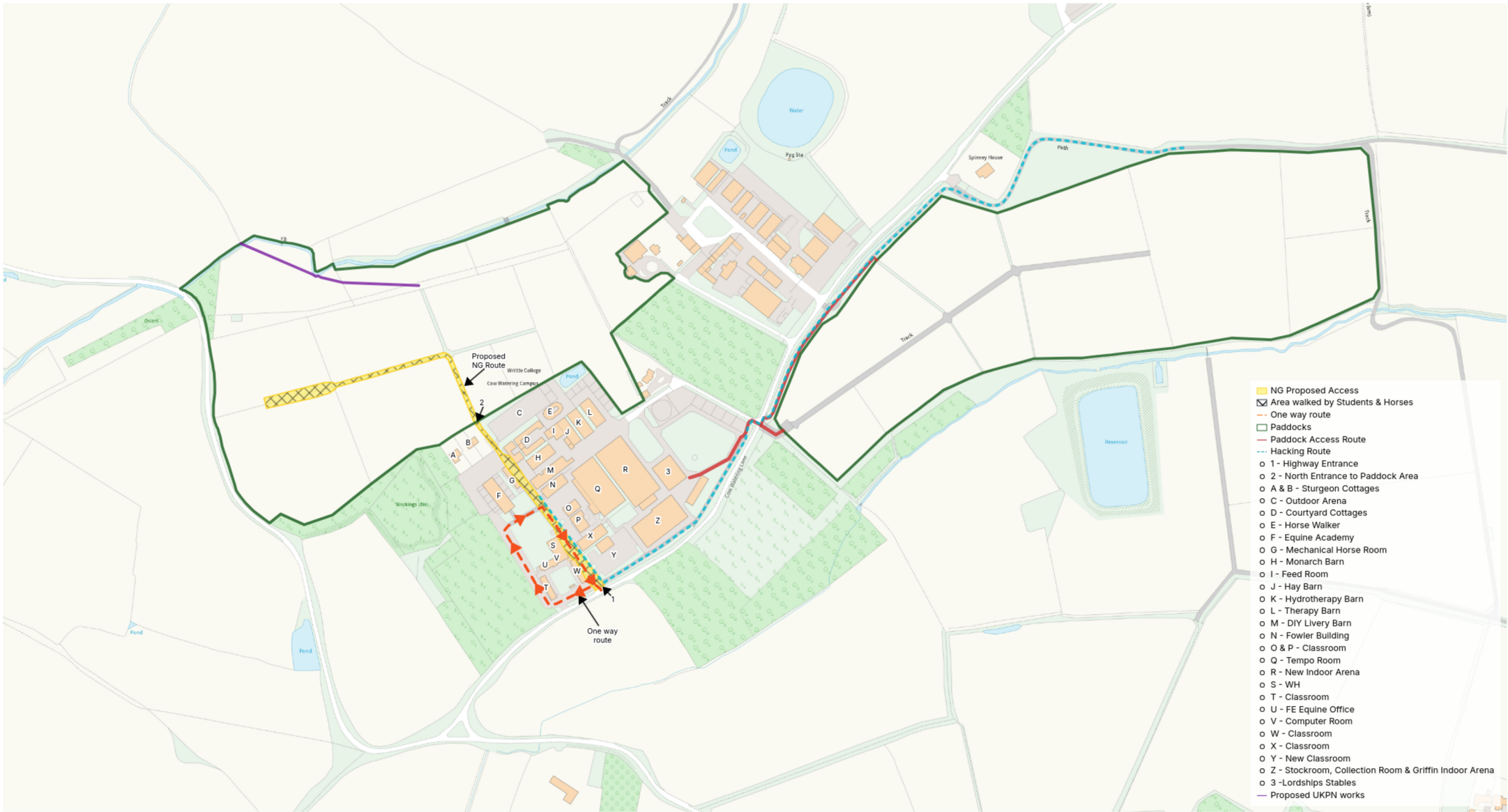
Head of Equine Resources, Anglia Ruskin University

Dated: 5/12/2026

**EXHIBIT DC1/1**



ARU Writtle



**EXHIBIT DC1/2**



Patron His Majesty The King

**British Horse Society**  
Abbey Park  
Stareton  
Kenilworth  
Warwickshire CV8 2XZ

enquiry@bhs.org.uk  
bhs.org.uk  
02476 840500

11<sup>th</sup> May 2026

To whom it may concern,

ARU Writtle has been a British Horse Society (BHS) Approved Centre since 1993. It is an integral part of training and education for many young people with its FE and HE programs.

The BHS Approved Centre Scheme is a quality assurance scheme which is awarded to Centres showing excellent practice in horse care, equine welfare and professional customer care and support.

The proposed plans to use the site as access, for the construction of the electrical pylons, pose a significant disruption threat to the Centre's ability to deliver all courses for the duration of the building schedule. Something that would be detrimental to the students currently registered with the university.

With the close proximity of key working areas to the proposed access road, the Centre would have to cease daily activities which extends to providing turnout to the horses on site (something which they require for welfare) and teaching in the outdoor arena as passing HGV or motorized traffic would pose a high risk of fall of a rider.

Horses are flight animals and having large vehicles passing through the site, in close proximity to stabling and exercise arenas, could cause unnecessary stress on the animals and potential injury where they cannot move away from the noise if panicked. As the horses are on site 24/7 this risk be heightened at all times vehicles are travelling through the site. In addition to this, when staff or students are attending to the horses and a vehicle were to pass through and spook the horse there is a risk of the staff member or student getting injured. Horses are large animals and can cause significant crush injuries, broken bones or even fatalities where health and safety is not adhered to.

It would be our recommendation that an alternative route is sought to avoid the heightened risk of injury and stress to both the equine herd at Writtle and the staff and students who attend.

Yours Sincerely,

  
BHS Business Support Manager

**For horses. For people. For life.**

The British Horse Society is an Appointed Representative of Howden Insurance Brokers Limited (Firm reference 309639) who are authorised and regulated by the Financial Conduct Authority.

Registered Charity Nos. 210504 (England and Wales), SC038516 (Scotland) and 1382 (Isle of Man).

**EXHIBIT DC1/3**



Dear Sir/Madam,

Re: Application by National Grid Electricity Transmission plc for a Development Consent Order (EN020027) – Norwich to Tilbury Overhead Line

On behalf of the National Equine Welfare Council (NEWC), we write to express our support for the concerns raised by Anglia Ruskin University (ARU) Writtle in relation to the above application, and to formally object to the proposed Development Consent Order in its current form.

Since its formation in 1977, NEWC has grown into a nationally respected umbrella body representing organisations committed to safeguarding and improving equine welfare across the United Kingdom. Our members demonstrate a clear commitment to ensuring that the health and welfare of horses, ponies, donkeys and their hybrids remains a priority in decision-making.

Having reviewed the witness evidence provided by Mr Daniel Cook, Head of Equine Resources at ARU Writtle, we are concerned about the potential impacts that the proposed development may have on both equine welfare and human safety at the ARU Writtle Equine Facility.

The facility is a major centre for equine education, supporting approximately 500 Further and Higher Education students and a herd of around 90 horses. It operates intensively throughout the week and relies on a calm, predictable and safe environment to deliver practical, skills-based training. The introduction of construction and ongoing maintenance access through the core of this facility raises welfare and safety concerns.

From an equine welfare perspective, horses are highly sensitive animals that may react unpredictably to unfamiliar stimuli such as heavy machinery, increased traffic, noise, and visual disturbance. The proposed construction works, including the use of heavy goods vehicles and plant within close proximity to horses, may lead to increased stress, a heightened risk of injury, and compromised welfare. The permanent presence of overhead lines and pylons, alongside ongoing intermittent maintenance activity, could further affect the suitability of the environment for safe equine management and education.

We are particularly concerned about the movement of horses and pedestrians within the facility during both construction and ongoing operational phases. The introduction of construction and maintenance traffic through areas routinely used for handling and exercising horses raises significant safety considerations and may present challenges in maintaining the standards of equine management and safety expected under NEWC accreditation.

In addition, the loss or disruption of grazing land and turnout areas would negatively affect the physical and behavioural well-being of the resident horse population. Access to appropriate turnout is a fundamental component of good equine welfare, and any reduction or degradation of this resource is a concern.

The cumulative impact of these factors may not only compromise equine welfare but also affect the ability of ARU Writtle to deliver high-quality education and training to current and future students. This raises broader concerns for the equine sector, which relies on well-trained professionals educated in safe and appropriate environments.

In summary, NEWC considers that the proposed development, as currently presented, raises significant concerns in relation to the safe operation of a major equine facility and the welfare of horses and humans on

site. We therefore support ARU Writtle's objection and encourage the Planning Inspectorate to give these matters careful consideration.

We would welcome further engagement on this matter and are happy to provide additional input on equine welfare considerations if required.

Yours faithfully,



Executive Secretary  
National Equine Welfare Council (NEWC)

**EXHIBIT DC1/4**



***At approximately 08:20am, a group of seven horses being brought in from Butler's Field and crossed Cow Watering Lane. This movement required multiple horses to be managed by individual handlers (i.e., not a one-horse-to-one-handler arrangement). This is representative of normal operational practice and demonstrates that crossings can involve group movements with inherently reduced margins for error, particularly if traffic is heavy, fast-moving, or includes large vehicles.***



***At approximately 14:45pm, a group of horses being led by staff and students moving from the Equine Unit to Butler's Field crossed Cow Watering Lane.***

**APPLICATION BY NATIONAL GRID ELECTRICITY TRANSMISSION PLC  
FOR  
A DEVELOPMENT CONSENT ORDER  
PURSUANT TO SECTION 37 PLANNING ACT 2008  
FOR  
THE NORWICH TO TILBURY ELECTRIC LINE ABOVE GROUND  
  
PLANNING INSPECTORATE REFERENCE: EN020027**

**WITNESS STATEMENT**

[REDACTED]

**On behalf:**

**Interested Party Reference Number:** [REDACTED] **and** [REDACTED]

**DEADLINE 4**

**1. BACKGROUND AND QUALIFICATION**

1.1 My name is [REDACTED].

1.2 I am the Head of School (Agriculture, Animal and Environmental Sciences) at Anglia Ruskin University (“**ARU**”). I have in excess of thirty years’ experience working in higher education, delivering degree and postgraduate level courses across a range of land-based courses, including those requiring horses as a practical resource (equine and veterinary physiotherapy awards).

1.3 In my role I have personally delivered modules linked to the awards mentioned, plus worked alongside a large team of equestrian experts over many years. Our combined knowledge encompasses all aspects of equine welfare, alongside a substantial wealth of experience in supporting students to successfully achieve their awards. Importantly, the development of practical competency is a major component of everything that we teach, so the safe and continued access to a population of horses is vital.

1.4 The facts and matters set out in this statement are within my own knowledge unless otherwise stated, and I believe them to be true. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.

1.5 There is now produced and shown to me a bundle of true copy documents marked “Exhibit CF1”. All references to documents in this statement are to Exhibit CF1 unless

otherwise stated. References to tab numbers in this statement are to the respective tabs in Exhibit CF1 in the format CF1/[x]

## 2. **INTRODUCTION & SUMMARY**

2.1 This witness statement describes two significant and adverse impacts of the proposed development by National Grid under The Norwich To Tilbury Electric Line Above Ground Development Consent Order (the DCO) on ARU in relation to ARU's Writtle Campus. I understand that the DCO is envisaged to authorise the construction and operation of an Electric Line Above Ground and this includes during the construction phase and the operational phase the operation of a new proposed access road through the Equine Facility of ARU Writtle Campus, as shown shaded yellow indicatively on the ARU Writtle Plan at **CF1/1**, and the Electric Line between pylons which run over ARU's Writtle Campus paddocks (the paddocks are edged green on the Plan **CF1/1** (the "Paddocks")), as shown on Section F of the pylon route, Sheet 8 of the various Land Plans, Works Plans and Traffic Regulation Plans ("**Plans**"). I understand, as shown at Section F Page 50 of the Environmental Statement Figure 4.1 Proposed Project Design [**APP-133**] albeit in little detail, that UKPN works are proposed for cable alignment over the Paddocks. The area of these works are shown indicatively on ARU Writtle Plan at **CF1/1** shaded purple.

## 3. **IMPACT OF GROUNDWORKS ON EQUINE LAND USE, WELFARE, AND EDUCATIONAL DELIVERY**

3.1 The proposed groundworks over and near the Paddocks located as shown on the ARU Writtle Plan at **CF1/1** and as detailed at Section F Page 50 of the Environmental Statement Figure 4.1 Proposed Project Design [**APP-133**] in relation to the UKPN works proposed for cable alignment and mitigation will clearly result in a significant disruption to the paddocks which, as detailed below, has a significant detrimental impact on the operation of the ARU Writtle Campus, the health and welfare of horses and the safety of people, children and horses.

3.2 The proposed groundworks over and near the ARU Writtle Campus Paddocks will result in the disturbance and re-establishment of existing grazing land, giving rise to prolonged soil instability that is therefore incompatible with safe equine use. Horses are particularly vulnerable to uneven or insufficiently consolidated ground due to their size, weight, speed and propensity for sudden movement. Unstable or poorly settled soil of the ground surface of the paddock significantly increases the risk to the herd of 90 horses of injury, including tendon and ligament strains, joint trauma, bruising and falls. Such risks are present not only during exercise but also during routine grazing and social interaction, making the affected areas unsuitable for turnout while soil stability remains compromised.

3.3 Following re-seeding or reinstatement, grazing land may take up to twelve months to recover sufficiently to provide a structurally sound surface with adequate root establishment and sward resilience to enable a horse to stand and move over the

paddock. During this recovery period, the paddock land cannot be safely used without risking further degradation (e.g. poaching, compaction, or erosion), which would prolong the period of restricted use. This represents a long-term loss of functional paddock area rather than a short-term inconvenience.

- 3.4 The resulting reduction in available paddock extent and turnout space has serious implications for horse welfare. Horses require regular, unrestricted turnout to paddock space to maintain their musculoskeletal health, digestive function, and psychological wellbeing. Reduced turnout or overcrowding in remaining paddocks increases stress levels and is strongly associated with the development of undesirable and aggressive behaviours, including biting, kicking, charging, and defensive reactions when handled. These behaviours are recognised indicators of compromised welfare.
- 3.5 From an operational perspective, a sustained reduction – such as a year - in paddock capacity may necessitate a reduction in the number of horses kept on site, as land availability is a critical limiting factor in responsible equine management. This consequence has direct and material implications for the ability of an education establishment to deliver its academic provision to its students, many of whom are on 3 year courses.
- 3.6 The delivery of equine studies and veterinary physiotherapy courses is inherently dependent on access to a sufficient, varied, and consistently available equine resource. Reduced horse numbers limit opportunities for practical teaching, observation of normal and abnormal movement, hands-on handling, and welfare-led practice. Any diminution of the equine resource therefore undermines course quality, learning outcomes, accreditation standards, student experience and the institution's ability to meet its educational objectives.
- 3.7 Furthermore, the increased incidence of stress-related and aggressive behaviours resulting from reduced turnout space presents a significantly elevated risk to students and staff. Handling horses that are frustrated, under-stimulated, or socially constrained materially increases the likelihood of kicks, bites, crushing injuries, and handling-related accidents. This raises serious health and safety concerns within a teaching environment, particularly where learners are developing practical skills under supervision.
- 3.8 It is also noted that the proposed undergrounding of the UK Power Networks (UKPN) line is not extensive in length and could be undertaken using Horizontal Directional Drilling (HDD) techniques to provide a link below the stream instead of circuitously along the ground surface of the paddocks on the North side of ARU Writtle. HDD would significantly reduce surface disturbance by avoiding the need for open trenching across grazing land, thereby minimising soil disruption, compaction, and long-term instability. This approach would require only clearly defined ingress and egress point(s), which could be robustly and appropriately fenced for the duration of works, limiting risk to horses, staff, and students while preserving the integrity of the surrounding paddock areas. Adoption of

such a methodology would materially reduce the scale, duration, and severity of the adverse impacts identified above. HDD could be ensured by a Requirement for those works and would avoid the loss of paddock extent identified on Figure 4.1 of Document 6.4.F1, Section F, page 50 of 63.

- 3.9 In summary, the proposed groundworks would result in prolonged soil instability, long-term loss of usable grazing land, and a reduction in safe turnout capacity. These impacts compromise equine welfare, increase the risk of injury to animals and people, constrain equine numbers, and directly undermine the delivery of equine-dependent educational programmes. Taken together, these effects represent a substantial and detrimental impact that should be afforded significant weight in the planning decision. Adoption of a different methodology such as HDD could significantly reduce the detrimental impact on equine welfare and danger to people and animals.

#### 4. **MICROSHOCKS**

- 4.1 I refer to Mr Cook's witness statement for Deadline 4 and to The Department of Energy and Climate Change publication entitled "Power Lines: Control of Microshocks and other indirect effects of public exposure to electric fields: A voluntary Code of Practice" (July 2013) to which he refers ("the **Code**"). Real concern is raised regarding the proximity of horses and equine handling activities to the proposed pylon oversail and associated overhead conductors, and the potential for the occurrence of so-called microshocks, an acknowledged indirect effect associated with electric fields beneath high-voltage overhead lines. While microshocks are not characterised as electric shocks and are not claimed to cause direct physiological harm, they constitute unexpected physical sensations, and their relevance in a setting involving horses and student handlers must be assessed in terms of risk, land-use compatibility, and public safety, rather than health impacts alone.
- 4.2 Horses are commonly shod with metal shoes and therefore may be capable of sensing induced electrical effects through ground contact or interaction with their environment. Horses are recognised prey animals with a strong, instinctive flight response, and their behaviour is governed by immediate reaction to unfamiliar or unexpected stimuli. In equine management and teaching environments, horses are known to react sharply to relatively minor triggers -including sudden noises, insect bites, buzzing flies, or unanticipated tactile sensations -often resulting in abrupt movements such as spinning, bolting, rearing, or kicking.
- 4.3 The significance of this issue lies not in the magnitude of the stimulus, but in its unpredictable nature and potential to provoke an instinctive response. An electrical sensation perceived through the feet or body, even if brief or low-level, is precisely the type of stimulus that is likely to elicit a sudden reaction. In a managed equine setting, such reactions present a clear and foreseeable risk to anyone in close proximity.

- 4.4 This risk is materially heightened at this site because horses are routinely handled as part of an educational environment, routinely by students (above and below 18 years of age) who are learning practical handling and clinical skills under supervision. Some of the required animal handling occurs in the paddocks, including those in the Western part of ARU Writtle. In my experience, Planning Inspectors have consistently given significant weight to the safety of users where proposals introduce risks affecting students, trainees, or other vulnerable groups. Even calm and experienced horses can react instinctively, and a loss of control in a confined or supervised handling situation presents an increased risk of serious injury to both students and staff through kicking, trampling, crushing, or falls.
- 4.5 Particular concern arises from the identification of the mid-span of the pylon between the two pylons at TB 165 and TB166 oversail, where conductors are at their lowest point above paddock ground level, as the area where electric fields would be greatest and where microshocks would be most likely to arise to horses and students and staff in that vicinity. This is not a peripheral or incidental location but coincides spatially with areas used for normal equine turnout and handling. The fact that the zone of greatest potential risk overlaps directly with routine equine use materially increases the significance of the effect, notwithstanding that the area of maximum field strength may be limited in extent.
- 4.6 While it is acknowledged that the proposal complies with established electric field guidelines and national policy thresholds, this ignores the requirements of the Code in this DCO application. It is important to recognise that policy compliance does not, in itself, mean that no adverse effects or safety concerns arise. Inspectors routinely distinguish between technical compliance and the presence of residual risks, particularly where consequences, rather than probabilities alone, are relevant. The referenced guideline values are primarily intended to address human exposure and perception, and do not take account of equine behavioural sensitivity or the foreseeable consequences of a sudden flight response in a large animal being handled at close quarters.
- 4.7 The Code notes that:

*In practice, experience has identified several common scenarios:*

- ...
- *person riding, leading, or touching horse or other animal*
- ...

*As well as the actual physical sensation of the microshock, microshocks could in some circumstances give rise to further effects, either if the microshock causes a person to startle with dangerous consequences, or if repeated microshocks cause aversive responses to the situation that produces them.*

4.8 Even infrequent events should be afforded weight where the potential consequences are severe, especially in environments where students are present and a clear duty of care exists. The introduction of this risk would undermine safe operation of the site and increase danger to students.

4.9 It is also reasonable to give weight to the fact that microshocks have been acknowledged elsewhere as perceptible to people in outdoor environments. If such sensations are capable of being perceived by humans, then it is not unreasonable to conclude that horses - being heavier, shod, and particularly sensitive to ground-borne stimuli - may likewise perceive them. Given the well-documented tendency of horses to respond disproportionately to stimuli that humans may regard as minor, the implications in an equine education context, including the education of children, cannot be dismissed as trivial.

4.10 The EN-5, paragraph 2.9.58 reference to EMF:

*2.9.58 There is little evidence that exposure of crops, farm animals or natural ecosystems to transmission line EMFs has any agriculturally significant consequences.*

is irrelevant because ARU Writtle's Equine Facility is not a farm in respect of which there can be agricultural consequences. ARU Writtle is an educational facility that teaches under and over 18 year olds. In respect of the under 18 students, it should be regarded as a 'school'.

The consenting Secretary of State's Departmental Code of Practice advises in respect of microshocks:

*Specifically,*

- *Electricity companies will, where reasonably practicable, avoid designing new power lines that would create fields of 5 kVm<sup>-1</sup> or greater in ... other land in ... schools.*
  - *Note that existing good line-routing practice will normally achieve this anyway by routing lines away from existing ... schools. If a new line over a home, its curtilage, or a school is unavoidable, a field below 5 kV m<sup>-1</sup> can be achieved by designing the line with an appropriate clearance.*

4.11 In conclusion, the potential for microshocks at paddock ground level beneath the proposed pylon oversail is a significant risk of danger to and raises safety concerns for students, children and animals at the ARU Writtle Equine Facility in which students are educated inside and also outside in paddocks along with the herd of circa 90 horses. The combination of instinctive equine behaviour as prey animals, the unpredictability of their particular individual response to unexpected sensations, the spatial coincidence of the

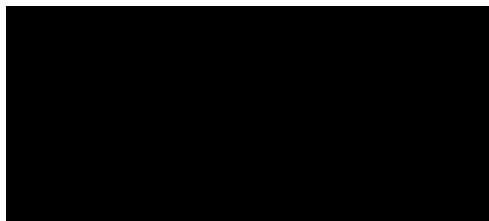
highest risk area with routine horse use, and the regular presence of student handlers gives rise to a residual safety risk that is not eliminated by guideline compliance alone.

- 4.12 This risk bears directly on the suitability of the proposal alongside existing equine and educational uses of the land and should therefore be afforded significant weight at national level because the concern is supported by the consenting Secretary of State's Code. This important and relevant Code consideration can be avoided by the imposition of a micrositing Requirement in line with the Code's normal practice, that Pylons TB165 and TB166 be microsited to ensure that the overhead lines between them cannot pass over the educational paddocks land at the western side of ARU Writtle. ARU Writtle should be protected from this risk due to its educational nature and for the safeguarding of the ongoing education of students at the Equine Facility from microshocks. The refusal by NGET of micrositing provides further rationale and need for imposing the micrositing Requirement on its draft DCO and we request a micrositing Requirement be imposed.

### **Statement of Truth**

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

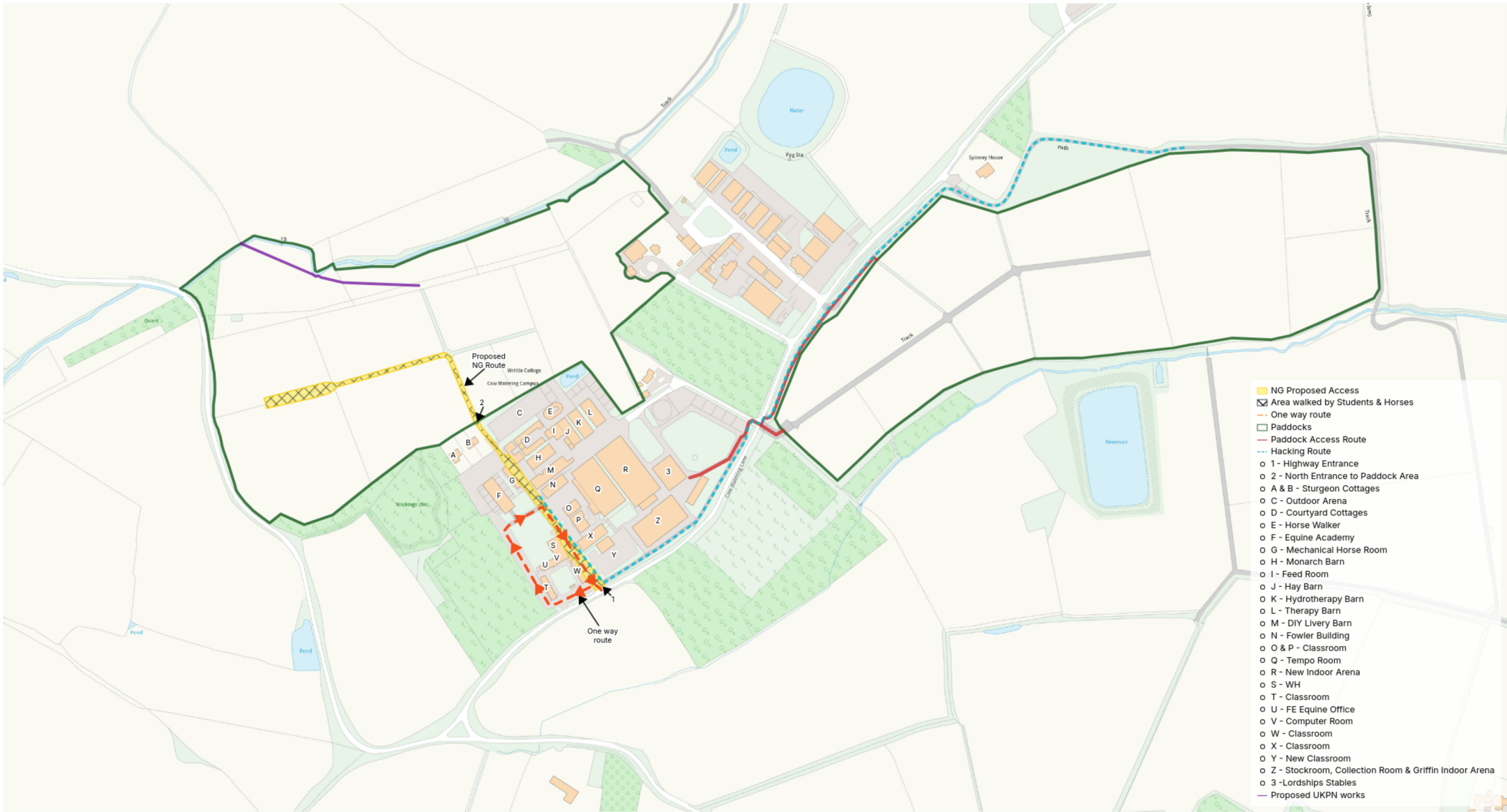
I believe that the facts stated in this Witness Statement are true.



Head of School (Agriculture, Animal and Environmental Sciences), Anglia Ruskin University

Dated: 12 May 2026

**EXHIBIT CF1/1**



- NG Proposed Access
- Area walked by Students & Horses
- One way route
- Paddocks
- Paddock Access Route
- Hacking Route
- 1 - Highway Entrance
- 2 - North Entrance to Paddock Area
- A & B - Sturgeon Cottages
- C - Outdoor Arena
- D - Courtyard Cottages
- E - Horse Walker
- F - Equine Academy
- G - Mechanical Horse Room
- H - Monarch Barn
- I - Feed Room
- J - Hay Barn
- K - Hydrotherapy Barn
- L - Therapy Barn
- M - DIY Livery Barn
- N - Fowler Building
- O & P - Classroom
- Q - Tempo Room
- R - New Indoor Arena
- S - WH
- T - Classroom
- U - FE Equine Office
- V - Computer Room
- W - Classroom
- X - Classroom
- Y - New Classroom
- Z - Stockroom, Collection Room & Griffin Indoor Arena
- 3 - Lordships Stables
- Proposed UKPN works

**APPLICATION BY NATIONAL GRID ELECTRICITY TRANSMISSION PLC  
FOR  
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PURSUANT TO SECTION 37 PLANNING ACT 2008  
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PLANNING INSPECTORATE REFERENCE: EN020027**

**WITNESS STATEMENT**

**MICHELLE LAWLOR-PERKINS**

**On behalf:**

**Interested Party Reference Number: [REDACTED] and [REDACTED]  
DEADLINE 4**

**1. BACKGROUND AND QUALIFICATION**

- 1.1 My name is Michelle Lawlor-Perkins.
- 1.2 I am Head of Legal for Anglia Ruskin University (“**ARU**”). In my role, I advise my colleagues regarding legal matters relating to ARU.
- 1.3 The facts and matters set out in this statement are within my own knowledge unless otherwise stated, and I believe them to be true. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.
- 1.4 There is now produced and shown to me a bundle of true copy documents marked “Exhibit MLP1”. All references to documents in this statement are to Exhibit MLP1 unless otherwise stated. References to tab numbers in this statement are to the respective tabs in Exhibit MLP1 in the format MLP1/[x]

**2. INTRODUCTION**

- 2.1 This witness statement describes ARU’s engagement with National Grid (“**NGET**”) and specifically the site visits I attended with NGET on 4<sup>th</sup> March 2026 and 15<sup>th</sup> April 2026.
- 2.2 The purpose of ARU’s various site visits with NGET has been to demonstrate the impact of the proposed development by NGET under the proposed NGET (Norwich To Tilbury) Order, envisaged to authorise the construction and operation of an Electric Line Above Ground, which currently remains devoid of detail, and described by means of mere

parameters and stated powers. I understand that this would be achieved by means of a statutory instrument (“SI”) called a ‘Development Consent Order’ (the “DCO”), during both the construction phase and the operation phases, including the operation phase of a new proposed access route through the ARU Writtle Campus along Plot 8/42 coloured yellow on the Lands Plans, Section F, Sheet 8 and identified in the key to that plan as “Class 7 – Temporary Use”, and Plots marked in green identified as “Class 2 – compulsory purchase rights – overhead line”, Plots coloured orange and identified as “Class 3 - compulsory purchase rights –underground cable system”, and Plots coloured grey and identified as “Class 4 - compulsory purchase rights – overhead line and underground cable system”. The area of the Plots form part of the ARU Writtle Campus extent and remain subject to statutory safeguarding obligations in relation to children in the educational legal sphere and incapable of being compulsorily acquired by the Applicant.

2.3 The authorisation of the draft DCO would result in the permanent (as in, perpetual) entitlement in favour of NGET and others authorised under that DCO to pass through the Equine Centre at ARU Writtle Campus (the “**Equine Centre**”) along the route of Plot 8/42 and as a result it could place ARU Writtle in breach of our statutory safeguarding obligations to the children we teach because we are aware that NGET is yet to appoint any contractors for this project and therefore NGET cannot guarantee that all those accessing ARU Writtle Campus on its behalf would have enhanced DBS checks in place, as would be necessary for the reasons detailed in the witness statement of Joanne Wareham for Deadline 1 [**REP1-200**].

2.4 Moreover, in accordance with the Code of Practice (July 2013) of the Department of the consenting Secretary of State advising new overhead lines avoid oversailing schools, it remains ARU’s position that a Requirement remains justified to ensure the micro-siting of the pylons reference TB 165 and 166 is such that the overhead lines between them cannot cross ARU’s educational land; this would avoid risk of microshocks to our students and our circa 90 strong herd of horses, as well as avoiding the aforementioned safeguarding issues and the operational disruption to our nationally important Equine Unit, as detailed in the nine witness statements we submitted for Deadline 1 [**REP1-200**].

2.5 My evidence should be read with the other witness statements and evidence submitted by ARU and vice versa.

### 3. **ENGAGEMENT WITH NGET**

3.1 ARU have had four accompanied site visits from NGET to ARU Writtle Campus to date, namely on:

3.1.1 19<sup>th</sup> June 2024 (as described at paragraphs 5.2 to 5.7 of the witness statement of ARU’s representative Jane Kenny of Savills for Deadline 1);

- 3.1.2 24<sup>th</sup> July 2025 (as described at paragraphs 5.8 to 5.9 of the witness statement of ARU's representative Jane Kenny of Savills for Deadline 1);
- 3.1.3 4<sup>th</sup> March 2026, as described at paragraphs 3.3 to 3.11 below; and
- 3.1.4 15<sup>th</sup> April 2026, as described at paragraphs 3.12 and 3.20 below.
- 3.2 At each of these site visits the entire proposed access route has been walked to demonstrate the proximity of NGET's new proposed perpetual vehicle access right on the route through the Equine Facility paddocks to classrooms, stables, residential accommodation and the menage and therefore the dangers of potential collision that would arise with our students, staff and horses. We also proposed alternative access routes and OHL alignments intended to reduce operational harm (as described at paragraph 6.1 of the witness statement of ARU's representative Jane Kenny of Savills for Deadline 1 [REP1-200] and as illustrated in the alternative route plan exhibited at her statement JK1/2 [REP1-200]) and exhibited her at **MLP1/1**.

#### **Site visit on 4<sup>th</sup> March 2026**

- 3.3 The site visit on 4th March 2026 was attended for ARU/Writtle College by James Rolfe (Chief Operating Officer), Philip Grant (Principal of Writtle College), John Iveson (Director of Estates), Dawn Bowman (Deputy Secretary, Compliance & Risk), Elizabeth Caig (Strategic Estates Manager), Daniel Cook (Head of Equine Resources), Jane Kenny (Savills) and myself. Attendees for NGET were Stephen Boughton (National Grid) and Matthew Johnson (Fisher German). Essex County Council representatives also attended this meeting as they also share our concerns regarding NGET's proposals, namely Mark Woodger (Principal Planning Officer for Essex County Council) and Ruth Mabbutt (Senior Planning Officer, Chelmsford City Council).
- 3.4 At this meeting, we summarised the concerns that ARU had detailed in the nine witness statements we submitted for Deadline 1 [REP1-200], which describe the real dangers created by NGET's proposal to route it's (to date unidentified) construction and maintenance traffic through a mixed horse and child and student pedestrian space, in terms of risk of collision with our students, staff and horses and the impact such a real risk would have in terms of our safeguarding obligations to the children we teach and the associated educational and financial impact. Mr Boughton said we would receive NGET's written response to our submissions the following week but confirmed that the limits of deviation in fact could be moved inside or outside our land and advised that NGET are looking at more detailed plans currently and that the red line boundary would be updated after NGET have responded to written representations. The "Limits of Deviation" are terms of Article 5 of the draft DCO in [APP-056] and are shown on the Works Plans. Article 5 does not provide for lateral deviation of the overhead cables and only provides under Article 1(a) a power for NGET to deviate the lines "anywhere" within the Order Limits. ARU has to date been shown no terms of the draft DCO that would

ensure no overhead lines cross ARU's campus which would be essential to avoid the risk of microshocking to the children we teach and to our horses, as described further in the witness statements of Caroline Flanagan and Dainel Cook for Deadline 4.

- 3.5 Mr Broughton stated that NGET was seeking approval from Essex County Council for a road closure close to ARU Writtle Campus, which (if approved) would happen in phases over several weeks and which he advised had been agreed by the Highways' team in principle; if granted then no scaffolding would be required on ARU Writtle Campus. If the requirement for scaffolding on the ARU Writtle Campus on the face of the DCO was removed then ARU Writtle would welcome this. However, Article 49 and Schedule 13 of the draft DCO already provide for authorisation if the DCO is consented and by which NGET can procure a traffic closure order for Newney Green Lane in line with its proposed Traffic Regulation Order Plan, Section F and Sheet 8, and its Access Plan, Section F, Sheet 8. Indeed, Article 49 requires the consent of the highway authority but ensures that consent is not unreasonably withheld as well as deeming a consent to be granted after 28 days.
- 3.6 Mr Broughton advised that a large quad bike would be "required" and on ARU Writtle Campus for one or two days during the construction phase to carry a bond (i.e. a small cable, to run across the Newney Green Lane highway to support with the erection of the pylons and cables). It was not explained why this could not be done on foot. Mr Broughton advised that NGET would not need to come back onto ARU Writtle Campus during the construction phase other than to pull the conductors, which would be dangerous and therefore the horses' paddocks at ARU Writtle Campus' site would need to be cleared to do this. But I am aware that the plans do not show use of ARU land for cable pulling and nor has that been environmentally assessed for its impacts. Mr Broughton's assertion, for the very first time, that NGET would need to "clear the paddocks" was very concerning to me and my colleagues as clearly this would be neither practical nor achievable without great detriment to ARU Writtle given that we have circa 90 horses. I note that the EIA plan does not evidence that clearance and does not cap the type or number of vehicles that may use Plot 8/42 were the draft DCO to be authorised.
- 3.7 Mr Broughton also said NGET are considering in fact the actual alternative option we had previously proposed of accessing our site via the road (not via our Equine Centre) (as described at paragraph 6.1.2 of the witness statement of ARU's representative Jane Kenny of Savills for Deadline 1 [REP1-200]). I was pleased to hear that NGET are finally considering the alternative option but we have still been given no certainty that this will be fully considered within the timeframes necessary. If NGET accepts the alternative option as a way forward and removes the existing proposal to access the site from the DCO then ARU Writtle would welcome this and would be pleased to progress this new way forward with NGET.

- 3.8 Following the construction phase, Mr Broughton advised that any maintenance works required would generally be to the towers and not the overhead cables and that overhead lines would be infrequently inspected from the ground. I refer to Document Reference 6.4.F1, an EIA plan entitled "Accepted as Concept Stage", and being Section F, page 50 of 63 of Figure 4.1 – Project Description. That Plan identifies the public footpath that connects Newney Green Lane to the North West of the ARU Campus, traverses Eastwards through the North side of the Campus, and then turns Southwards to connect to the highway of Cow Watering Lane to the East of the entrance to the Campus. Accordingly, there exists a current footpath highway – in L-shaped form – that mirrors the shape and route of Plot 8/42. That footpath bisects the proposed red outlined area and the route of the overhead cable shown on the above Figure. So too does the highway of Newney Green Lane bisect the same cable route. Therefore, as has been known to NGET from the date of 21<sup>st</sup> August 2025 when it drew up its Figure of the Project Description, that a real existing alternative means of accessing under its proposed overhead cables in fact exists. I am therefore astonished that NGET should choose to cause significant disruption to an existing educational facility with both regional and international importance by desiring to use its internal core transit corridor instead of a subsisting footpath. Indeed, it is neither rational nor necessary for NGET to assert it needs to use Plot 8/42 when NGET presently has actual free passage to the same location by means of an existing alternative highway.
- 3.9 Mr Broughton also advised that he did not think the existing gas line would be affected by the construction of the pylons but that he would confirm the same.
- 3.10 I raised with Mr Broughton our safeguarding concerns and the need for any third parties accessing our site to have enhanced DBS checks (as detailed further in the witness statement of Joanne Wareham for Deadline 1). Mr Broughton said that its contractors would have enhanced DBS checks in place. However, as stated at paragraph 2.3 above, given that NGET is yet to appoint any contractors for this project NGET clearly cannot guarantee that all those accessing ARU Writtle Campus on its behalf would have the required enhanced DBS checks in place, which would therefore place us at risk of breaching our safeguarding obligations.
- 3.11 I left this meeting feeling that we have not gained much in terms of clarity from NGET. We had been told by them that matters would continue to be looked into but that clearly gave us no certainty in terms of how we could continue to operate safely if NGET's plans go ahead as currently planned; instead we would need to see progress by NGET as to the alternative options and removal of scaffolding during the course of the examination and have these reflected on the face of the DCO.

#### **Site visit on 15<sup>th</sup> April 2026**

- 3.12 The site visit on 15th April 2026 was attended for ARU/Writtle College by James Rolfe (Chief Operating Officer), Philip Grant (Principal of Writtle College), John Iveson (Director

of Estates), Caroline Flanagan (Head of School of Agriculture, Animal and Environmental Sciences), Daniel Cook (Head of Equine Resources), Jane Kenny (Savills), Joseph Hough (KMC Transport Planning Ltd) and myself. Attendees for NGET were Stephen Boughton (National Grid), James Gowing and Matthew Johnson (Fisher German), Will Salter (Mott Macdonald, Traffic and Transport) and Zivile Cizeikaite (ARUP, Civil Engineering).

- 3.13 Mr Boughton advised that NGET were still awaiting approval for the road closure from Essex County Council, as discussed in our previous meeting. However, as per paragraph 3.5 above, a road closure is not necessary and cannot be obtained under the draft DCO before it is consented, which therefore gives me cause for concern as to whether NGET is merely deliberately 'running down the clock' on its application.
- 3.14 Mr Boughton advised that, if the DCO is approved, then **NGET's preferred option** was for the red line to remain as currently drafted to cross through Plot 8/42 in respect of ARU Writtle Campus but **simultaneously for NGET in fact to access ARU Writtle Campus land from the West alone only via the road (as per the alternative route we had suggested)**, (as described at paragraph 6.1.2 of the witness statement of ARU's representative Jane Kenny of Savills for Deadline 1 [REP1-200] and as illustrated in the alternative route plan at **MLP1/1**), **and not via the Equine Centre**. Mr Boughton and his team further advised that in fact any future maintenance work could be done either via a gate or by lifting a fence panel in the Eastern boundary of Newney Green Lane in order to access below the overhead cables if necessary. Mr Boughton stated this was because NGET maintenance is typically achieved from roadside or via drones and/or helicopters. He also stated that we could agree any required no-fly zones to safeguard the children we teach, subject to Highways' authority approval. Mr Boughton also said that his technical team would confirm whether it was practicable for cables not to overhang our horses' paddocks, as had been submitted by our barrister as per paragraphs 95 and 96 of the written submissions of Christiaan Zwart of 39 Essex Chambers dated 26<sup>th</sup> February 2026. ARU Writtle continues to await (but would welcome) from NGET an agreement setting out these measures and agreeing the alternative access route. In the absence of this agreement, a Requirement remains necessary to be imposed on the draft DCO to ensure the same.
- 3.15 Mr Boughton stated that NGET would not have time during the examination period to consider the further alternative we had proposed of moving the red line to neighbours' land as described at paragraph 6.1.1 of the witness statement of ARU's representative Jane Kenny of Savills for Deadline 1) [REP1-200]. As I have referred to above, the tardy approach of NGET to the prosecution of its draft DCO remains a matter exclusively for NGET and evidences the need to impose Requirements to ensure the safe ongoing operation of ARU Writtle across the whole of its land holding extent including its paddock areas.

- 3.16 Mr Broughton further asserted in respect of the submissions made by Writtle Parish Council and its consortium for the Norwich To Tilbury scheme to be via Chelmsford rather than Writtle as supported by ARU in its Deadline 3 submission, would not be feasible for the reasons given by his technical team to Writtle Parish Council and its consortium.
- 3.17 Mr Broughton said that we would need to reach a separate agreement with UKPN for the underground cables it would require and that Dalcour Maclaren had been appointed to act on they behalf; James Gowing offered to ensure Dalcour Maclaren made contact with us. Mr Broughton further stated he would check who was dealing with British Telecom (“BT”). The absence of engagement by UKPN or BT with ARU Writtle again evidences the need to impose Requirements to ensure the safe ongoing operation of ARU Writtle across the whole of its land holding extent including its paddock areas. I remain frustrated by the real lack of engagement by and information from the parties who will be disrupting and impacting the students of ARU Writtle, a national Equine Unit in respect of which our detailed evidence of fact demonstrates the real important and relevant impacts on our teaching facility.
- 3.18 Mr Broughton advised during this meeting that ARU/Writtle College is the only educational institution impacted under the proposed NGET (Norwich To Tilbury) Order. This situation makes it all the more surprising that NGET has failed to engage with ARU frm the outset or to date in real terms. It might explain why the concerns raised and alternatives offered by us during the first three site visits by NGET were previously merely dismissed given the apparent lack of understanding by NGET regarding our safeguarding obligations to the children we teach and the national and international impact of our institution. It remains clear that NGET do not begin to understand this importance, the nature of our educational institution or the envisaged impact on our institution.
- 3.19 It was frustrating and disappointing to hear at this meeting that NGET’s absence of any meaningful engagement to date means that NGET would now not have time during the Examination Period closing on 10<sup>th</sup> August 2026 to consider the further alternative we had proposed of moving the red line to neighbours’ land (as per paragraph 3.15 above). It was also clear that further information still needed to be provided by third parties to NGET and operationally considered, such as Mr Broughton asserting that the horses’ paddocks would need to be cleared during the construction phase (as per paragraph 3.6 above).
- 3.20 Overall, I left this meeting feeling some positivity that NGET might finally (following more than two years’ of engagement from ARU Writtle and four accompanied site visits) be about to begin meaningful consideration of alternative access routes for construction and maintenance to avoid its preference to route traffic through the ARU Writtle campus for all of the risk issues we have continued to highlight to NGET. But I remain concerned that NGET is yet to reflect any change to the terms of the DCO scheme or on the phase of the DCO in respect of ARU Writtle, which is what we require in order to have any chance

at certainty as to the impact of this scheme on our students, children and horses and the dangers that are highly likely to occur if the scheme proceeds in its current form. Therefore, we request that Requirements remain necessary to be imposed by the Secretary of State by which to exclude the use of any of ARUs educational land for the Proposal by NGET.

- 3.21 There remains to date no engagement by UKPN or BT with ARU save for a questionnaire we have recently received from UKPN. Therefore, we request further that Requirements remain necessary to be imposed by the Secretary of State by which to exclude the use of any of ARUs educational land for the Proposal by UKPN and by BT.

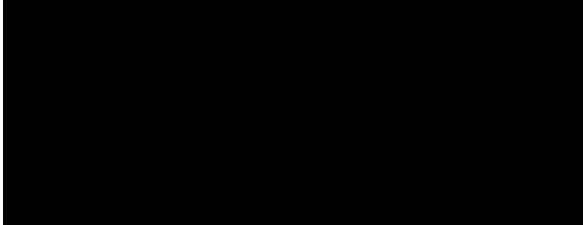
4. **SUMMARY AND CONCLUSION AS AT DEADLINE 4 (12TH MAY 2026)**

- 4.1 ARU Writtle remain committed to working with NGET to finding a constructive way forward to its plans which will need to be amended in order to avoid the dangers to our students, staff, animals and educational operation, as detailed in all of our submissions to date. We would ask the Examining Authority to recommend to the Secretary of State to only grant as much of the Order Limits of the red outlined area on Section F, Sheet 8 of the Works Plans as would exclude the area outlined in red identified as "Plot 8/42" and coloured yellow on the Section F, Sheet 8 of the Lands Plans. Based on our Deadline 4 Submissions, the Secretary of State remains not entitled (in law) to make an Order under section 122(2)(a) or (b) of the Planning Act 2008 because it cannot be said that Plot 8/42 is in law or fact "required" and nor is he entitled to include that Plot 8/42 in his grant of an Order under sections 114(1) and 115(1)(a). NGET agrees that in law the Secretary of State "is not obliged to grant all elements ... and may grant consent in part". See page 26 of the NGET Response to ARU Writtle Written Representations [REP3-073]; and our Deadline 4 Submissions.
- 4.2 We requested an accompanied site visit with the Examining Authority in our Deadline 1 submissions [REP1-200]. NGET agreed with our request and proposed an accompanied site visit during week commencing 27th April 2026 at 5.05pm. Accompanied site visits were then postponed by the Examining Authority until 27<sup>th</sup> May 2026 and we now understand that the Examining Authority is not intending to have an accompanied site visit with us at this stage. Given that we more than halfway through the examination period and we still have no certainty that the dangers of NGET's proposals will be effectively managed we confirm we would very much welcome an accompanied site visit with the Examining Authority, as previously requested, and indeed consider this to be essential in order for a decision to be properly made by the Examining Authority.

**Statement of Truth**

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I believe that the facts stated in this Witness Statement are true.



Dated 12<sup>th</sup> May 2026

**EXHIBIT MLP1/1**



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

**PLANNING INSPECTORATE REFERENCE: EN020027**

**WITNESS STATEMENT**

**Jane Kenny MRICS FAAV FALA**

**On behalf:**

**Interested Party Reference Number: [REDACTED] and [REDACTED]**

**DEADLINE 4**

**1. BACKGROUND AND QUALIFICATION**

1.1 My name is Jane Kenny MRICS FAAV FALA.

1.2 I am a qualified Chartered Rural Surveyor with in excess of 20 years of property experience.

1.3 I am a Director at Savills, head of consultancy for the eastern region. I specialise in advising landowners affected by a range of different infrastructure projects from National Significant Infrastructure Projects to smaller local schemes. I have been advising ARU Writtle since 2023 in relation the Applicant's Norwich-Tilbury Project.

1.4 The facts and matters set out in this statement are within my own knowledge unless otherwise stated, and I believe them to be true. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.

1.5 There is now produced and shown to me a bundle of true copy documents marked "Exhibit JK1". All references to documents in this statement are to Exhibit JK1 unless otherwise stated. References to tab numbers in this statement are to the respective tabs in Exhibit JK1 in the format JK1/[x]

**2. CURRENT POSITION**

2.1 This witness statement provides an update to my previous witness statement submitted for Deadline 1, 25<sup>th</sup> February 2026 [REP1-200].

- 2.2 Since Deadline 1, Anglia Ruskin University (“**ARU**”) and its representatives have continued to engage with the Applicant and their agents, Fisher German. Further site visits have taken place on 4 March 2026 and 15 April 2026.
- 2.3 The purpose of these meetings was to provide additional information and evidence to assist the Applicant in understanding the severe impact that the proposed access arrangements, overhead cabling, and associated works would have on ARU’s operations. The discussions also highlighted the additional and unnecessary burden that would be placed on contractors, who would be required to comply with extensive health and safety requirements arising from the specialist nature of the equine facility.
- 2.4 Both meetings included a full site inspection.

### **3. ENGAGEMENT WITH NATIONAL GRID**

#### Meeting on 4 March 2026

- 3.1 The applicant for the Development Consent Order (DCO). was and remains National Grid (“the **Applicant**”) and not any other party. The Applicant has applied for authorisation to construct an overhead electricity line supported by pylons inside of a notional volume whose ground level is demarcated by a red outline on the Order Limits plan identified on the Works Plan, Section F, Sheet 8. The red outline extends through the land of ARU at ARU Writtle. The draft DCO does not fix the position of the works inside of the red outlined area nor describe their content. The content is described in an environmental statement by reference to Document Reference 6.4.F1, Section F, page 50 of 63. That plan shows an area of ARU Writtle land coloured yellow and with 3 green coloured lines identified in the key to the plan as “Proposed overhead line crossing protection access route”. One of the 3 green lines extends Eastwards along Plot 8/42. Therefore, the evidence shows the proposed use of Plot 8/42 as exclusively relating to construction access for crossing protection. The 2 other green lines are shown on either side of the Newney Green Lane highway and it can be inferred that the protection of the line crossing that highway is above that highway. That protection also assumes that the highway remains open to passing traffic and is not closed to traffic. A hatched area identified in the key as a “overhead line pulling location” is shown to the West of that highway but not on the ARU Writtle land. Therefore, there is no evidence that the ARU Writtle land can be used for cable pulling. The Application includes no cap on vehicle type or numbers or period in respect of the desired use of Plot 8/4 by the Applicant and its EIA expressly states that such movements cannot be identified at this stage and before a contract for construction is let.

- 3.2 The draft DCO authorisation includes Articles and Schedules that would authorise the Applicant to close temporarily Newney Green Lane for and during construction on the terms of the Articles shown on two plans: *Traffic Regulation Order Plans, Section F, Sheet 8* that shows Newney Green Lane coloured blue to the West of ARU Writtle; and *Access, Rights of Way and Public Rights of Navigation Plans, Section F, Sheet 8* that shows Newney Green Lane coloured in blue dashed line (a temporary closure) and a traffic diversion of that traffic instead along Cow Watering Lane along the Southern edge of the ARU Writtle built campus and along the Northern edge of the part of ARU Writtle to the South of that Lane. The terms provide for the consent of the highway authority but that that consent be not unreasonably withheld. The terms also provide for a deemed consent if the highway authority does not respond to the Applicant's notice within 28 days. The terms deem the Applicant's exercise of power to be a traffic regulation order as if granted by the highway authority. Therefore, the Applicant's own application includes already proposed terms by which to shut the highway and thereby remove traffic what would otherwise need protection during their construction from the overhead lines above.
- 3.3 I note that the Document Reference 6.4.F1, Section F, page 50 of 63 is entitled "Accepted as Concept Stage". Document Reference 6.4.F1, Section F, page 50 of 63 also shows in a dashed line, a footpath leading from the Newney Lane highway Eastwards underneath the location of the proposed overhead lines and that extends Eastwards to the North of the ARU Writtle built campus and then turns Southwards to connect to the highway at Cow Watering Lane to the East of the entrance to the ARU Campus. That pre-existing footpath is situated slightly further North than the yellow coloured area of (the also L - shaped) Plot 8/42. The footpath is a highway accessible on foot, including by the Applicant and its agents in perpetuity and from which it can look upwards to the overhead cables. Similarly, Newney Lane also passes directly beneath the overhead lines and that highway would remain in perpetuity. Therefore, the current status quo actually provides immediate access to the area below the proposed overhead lines. It appears to me that the project designer has not applied its mind in designing the Concept to the actual pre-existing situation at ground level that already provides actual access locations to the proposed Concept. I note further that the draft DCO contains provisions referred to above authorising the temporary closure of the highway Lane for construction and maintenance purposes. See Article 49(1) of the draft DCO [**APP-056**].
- 3.4 Document Reference 6.4.F1, Section F, page 50 of 63 also shows, coloured blue an area overlapping the North part of the ARU Writtle paddock land. That blue coloured area is desired to be worked on by a third party – UKPN – who is not the Applicant and who has not to date (12<sup>th</sup> May 2026) reached out to ARU Writtle to explain itself or agree any terms for the works by it shown on the Applicant's Document Reference 6.4.F1, Section F, page 50 of 63 save for recently sending a questionnaire to ARU.

- 3.5 In the context of the above, on the 4<sup>th</sup> March 2026, a meeting was attended by representatives of ARU, namely James Rolfe (Chief Operating Officer), Philip Grant (Principal of Writtle College), John Iveson (Director of Estates), Dawn Bowman (Deputy Secretary, Compliance & Risk), Elizabeth Caig (Strategic Estates Manager), Daniel Cook (Head of Equine Resources), Michelle Lawlor-Perkins (Head of Legal) and myself for ARU. Attendees for the Applicant were Stephen Boughton (of National Grid) and Matthew Johnson (Fisher German). In addition, County Council representatives also attended this meeting: Mark Woodger (Principal Planning Officer for Essex County Council) and Ruth Mabbutt (Senior Planning Officer, Chelmsford City Council). There was no representative from UKPN at that meeting.
- 3.6 The written representations of ARU in respect of ARU Writtle submitted for Deadline 1 were summarised. The Applicant confirmed these submissions had been reviewed and that a formal written response would be provided by National Grid at Deadline 2.
- 3.7 The meeting considered issues arising from the proposed works by National Grid only (given the absence of any UKPN representative and the evident lack of knowledge by National Grid of the local distribution works of UKPN), including potential alternatives by which National Grid could construct its proposals. The impact during the construction phase on ARU Writtle operations was discussed in detail, particularly the feasibility of continuing operations within the affected areas of the Campus. It was noted by all present that both financial and operational impacts on ARU Writtle would be significant. The Applicant's representative asserted that the extent of construction remains subject to further detail and clarification of the timing of the works and so expressed actual real doubt over the details and timing of what was proposed on ARU Writtle land.
- 3.8 The desire of the Applicant for permanent access along Plot 8/42 for operational and maintenance purposes following construction was also discussed. Particular concern was raised by ARU regarding how such access could be safely managed in compliance with health and safety and safeguarding obligations, especially in relation to individuals under the age of 18 educated at the Equine Unit and to which the Applicant's representatives had no answer whatsoever.
- 3.9 There was discussion regarding whether the Applicant's construction works could be programmed to take place at a time that would be convenient for ARU. However ARU explained the operational nature of ARU Writtle, including the continuous and varied use of the campus throughout the year. It was therefore made clear that this would not represent a practical solution. Given the indicative nature of the Application Construction Programme in the Project Description, and the nature of construction programmes when agreed with a contractor, I suggested that it currently appears highly unlikely that the Applicant would have sufficient flexibility to align works with periods of reduced activity at ARU Writtle, and therefore this approach cannot be

relied upon to mitigate the impact. The Applicant was non-committal to considering this approach or a programme to reduce the impact.

- 3.10 ARU reminded the Applicant that ARU Writtle accommodates circa 500 students (soon to be circa 600 students from September 2026), with teaching typically undertaken between 9:00 and 17:00 during weekdays. Outside these hours, the facilities are used for third-party events, shows, and related activities. Deliveries, including horse feed, hay, and bedding, also occur outside core teaching hours.
- 3.11 Approximately 90 horses are accommodated on site. Due to the nature of working with horses, appropriate rest and workload management are essential to ensure safety and maintain effective teaching conditions.
- 3.12 ARU operates as a nationally recognised land-based college with strong affiliations to the British Horse Society (BHS) and the British Horse Register (BHR). All operations are subject to licensing by the local authority, including compliance with the Hiring of Horses Act and veterinary requirements. Regular inspections are carried out by equine welfare bodies, and maintaining accreditations is essential for securing consent and funding for educational provision.
- 3.13 ARU confirmed that an Accompanied Site Inspection had been requested by the Examining Authority. It was also noted that additional time must be factored into any programme to accommodate registration processes required for activities undertaken on site in light of ARU's safeguarding obligations to the children it teaches.
- 3.14 Construction noise and its impact on horses were discussed, with ARU emphasising that horses, as flight animals, may respond unpredictably to disturbance. The need for detailed, practicable mitigation measures supported by clear information was highlighted.
- 3.15 The ARU Writtle Campus comprises the whole of the extent of the paddock area and buildings on the North and South sides of Cow Watering Lane: that extent comprises ARU Writtle that is subject to statutory safeguarding obligations (as well as health and safety obligations). ARU further stressed to the Applicant's representatives that all personnel accessing ARU Writtle extent first must be registered and accompanied at all times by an ARU member of staff unless that third party holds an enhanced Disclosure and Barring Service (DBS) check.
- 3.16 The Applicant confirmed that both the proposed access route of Plot 8/42 for scaffolding access to the overhead line and the area of the overhead line are desired to fall within the red line boundary of the DCO. It further asserted that the red line includes works associated with and desired by UKPN to be carried out also.

- 3.17 The Applicant stated that, due to the advanced stage of the DCO process, alternative routes are not being considered. The Applicant asserted that potential construction approaches were being discussed but did not name with whom (if anyone at all), including road closure options which could reduce the need for certain access arrangements. The Applicant stated that limited access would still be required for specific activities, such as cable installation by the Applicant and that this was all subject to obtaining a road closure order from ECC highways who the Applicant was currently in discussions with. (I note that the Draft DCO contains authorisation for Traffic Orders and that the consent of ECC highways is required by the Draft DCO to not be unreasonably withheld).
- 3.18 The Applicant informally undertook to provide indicative timelines and phasing for these works.
- 3.19 Those present at the meeting carried out a further site walkover and the sensitivity of the environment, including proximity to classrooms, student accommodation, stabling, and grazing paddocks was highlighted to the Applicant's representatives. Constraints at the highway interface were also identified, including limited visibility and existing utilities including a gas pipeline.
- 3.20 Despite informal assurances from the Applicant that it asserted options were under consideration, no substantive progress or clear proposals were presented following the meeting. This high level of ongoing uncertainty is unacceptable for an educational institution that must plan long-term operations and manage risk effectively.

#### **4. ADDITIONAL MEETING**

- 4.1 Following Deadline 2 submissions, and notwithstanding the Applicant's stated informal commitment to ongoing engagement with ARU in its response to the Examining Authority, no substantive contact was forthcoming. Accordingly, ARU took the initiative to arrange a further meeting to seek updates.

##### Meeting on 15 April 2026

- 4.2 The meeting included representatives from ARU, James Rolfe (Chief Operating Officer), Philip Grant (Principal of Writtle College), John Iveson (Director of Estates), Caroline Flanagan (Head of School of Agriculture, Animal and Environmental Sciences), Daniel Cook (Head of Equine Resources), Michelle Lawlor-Perkins (Head of Legal), Joseph Hough (KMC Transport Planning Ltd) and myself for ARU Writtle. Attendees for the Applicant were Stephen Boughton (National Grid), James Gowing and Matthew Johnson (Fisher German), Will Salter (Mott Macdonald, Traffic and Transport) and Zivile Cizeikaite (ARUP, Civil Engineering). Again UKPN was not present.

- 4.2 The Applicant confirmed its “preference” to temporarily close the lane to Newney Green during construction. The road closure was anticipated to be 4 – 6 weeks. Under this approach, the Applicant’s representative confirmed that the delivery of scaffolding could be undertaken directly from the public highway (at Newney Green Lane). The Applicant’s representative at this meeting also then asserted that some limited access would still be required to the ARU Writtle land to facilitate cable pulling operations. (This is notwithstanding Document Reference 6.4.F1, Section F, page 50 of 63 does not evidence the use of ARU Writtle land for cable pulling at all). The Applicant’s representative asserted that cable pulling would necessitate the use of a four-wheel-drive vehicle accessing the proposed route of Plot 8/42 for a period of approximately two to three days in order to assist with the installation. (But the desired vehicle can use the adjacent highway for that purpose).
- 4.3 The Applicant confirmed they were confident that in fact they would be able to access from the Newney Green Lane highway subject to agreement from Essex County Council Highways that is currently being sought. (However, the draft DCO contains authorisation for temporary use of the highway and the agreement of ECC highways would be premature the consent of the Secretary of State to the draft DCO).
- 4.4 Alternative access routes were discussed, including options involving third-party land already impacted by the scheme. The Applicant declined to progress these options, citing insufficient time to amend the red line boundary given the Examination had commenced.
- 4.5 The Applicant confirmed that the proposed route from the highway would need to be a permanent right of access, despite the relatively infrequent need for maintenance. While inspections are primarily undertaken via drones, helicopter surveys, or on foot from the highway, ARU raised concerns regarding aerial operations and stated that a no-fly zone is required to safeguard students.
- 4.6 ARU expressed clear frustration, having been seeking to engage constructively with the Applicant on these matters since 2024 without satisfactory progress.
- 4.7 There were discussions with regards to the overhead line being sited so that it did not pass over ARU land. The Applicant confirmed that this was being looked at by the design team.
- 4.8 There was discussions with regards to the submissions made by Writtle Parish Council and it’s consortium with regards to the project being rerouted around Chelmsford rather than Writtle. The Applicant confirmed this was not feasible due to technical reasons.
- 4.9 A further site inspection was undertaken with the Applicant and their representatives. During this visit, discussions focused on the two identified potential alternative access points that could be created directly from the public highway (subject to highways authority approval). It was acknowledged that either option could facilitate temporary

construction works and would also provide an appropriate solution for long-term operational and maintenance access.

- 4.10 There was discussion with regards to security and it was concluded in all likelihood providing the Applicant had the right to take access, and due to the infrequency of the need, the ability to be able to remove a fence panel would be sufficient.
- 4.11 ARU confirmed that no engagement had yet taken place with it by UKPN. James Gowing (Fisher German) informally undertook to arrange an introduction to Dalcour Maclaren. ARU expressed concern regarding reinstatement of the ground surface of the paddock areas and the likely loss of grazing land for at least two seasons that were envisaged by the UKPN works to have to be subject to ground surface recovery.

## **5. FURTHER OPERATIONAL IMPACTS**

- 5.1 The cumulative impact of infrastructure, construction activity and access requirements would result in a significant loss of usable paddock grazing land forming part of the ARU Writtle Campus.
- 5.2 With approximately 90 horses on site, careful paddock grazing management is critical. Any reduction in available paddocks directly affects welfare and operational safety.
- 5.3 If horses are required to be relocated this would be to the paddocks south of the campus, see plan at **JK1/1**:
- a. Increased crossings of Cow Watering Lane would be necessary;
  - b. This would significantly increase interaction between horses and traffic;
  - c. Safety risks to staff, students, and road users would increase;
  - d. These risks would be exacerbated by construction traffic and road closures.
- 5.4 No mitigation has yet been discussed with the applicant. There are options available to reduce the safety risk such as signage and crossing lights. This is detailed more particularly in the witness statement of Mr Joseph Hough submitted at this deadline 4 submission.

## **6. SUMMARY AND CONCLUSION AS AT 12<sup>TH</sup> MAY 2026**

- 6.1 In my professional opinion, as at 12th May 2026 the Applicant has failed to address at all the actual impact of the proposed scheme on ARU's operations. I therefore maintain the representations set out in my Deadline 1 witness statement [REP1-200], and they remain unanswered save by mere assertions by National Grid and significant lack of information and progression from UKPN. Specifically:

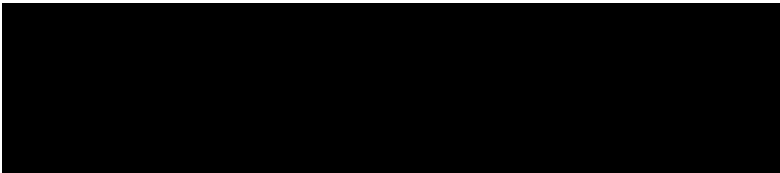
- a. The proposed access route across the campus is not justified;
- b. Construction access can be accommodated within the public highway if road closures are implemented;
- c. Alternative access directly from the highway for operational purposes is feasible;
- d. The limited frequency of maintenance access does not justify a permanent route across the campus;
- e. The routing of overhead lines across ARU Writtle land is unnecessary and disproportionate.

6.2 The proposals as currently proposed at 12<sup>th</sup> May 2026 represent a significant and unjustified impact on a specialist educational facility and the equine operations of ARU.

**Statement of Truth**

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I believe that the facts stated in this Witness Statement are true.



Dated ..... 12th May 2026 .....

**EXHIBIT JK1/1**

