

AENC-NG-CNS-REP-0346

# Norwich to Tilbury

**Volume 8: Examination Documents**

**Document: 8.5.7 Applicant's Written Summary of Oral Submissions  
to Issue Specific Hearing 2**

**Final Issue A**

**May 2026**

**Planning Inspectorate Reference: EN020027**

**nationalgrid**

# Contents

---

<b>1.</b>	<b>About this Document</b>	<b>1</b>
1.1	Introduction	1
1.2	Attendees on Behalf of the Applicant	1
1.3	Structure of the Document	2
<b>2.</b>	<b>Applicant’s Oral Case ISH2 (28 April 2026)</b>	<b>3</b>
2.1	Introduction	3
2.2	Agenda Item 4 (Noise and Vibration)	3
2.3	Agenda Item 5 (Aviation Safety)	7
2.4	Agenda Item 6 (The Development Consent Order)	16
<b>3.</b>	<b>Applicant’s Oral Case ISH2 (29 April 2026)</b>	<b>34</b>
3.1	Introduction	34
3.2	Response to Actions Under Agenda Item 8 (Landscape and Visual Effects)	34
3.3	Response to Actions Under Agenda Item 9 (Historic Environment)	54
<b>4.</b>	<b>Applicant’s Oral Case ISH2 (1 May 2026)</b>	<b>55</b>
4.1	Introduction	55
4.2	Response to Actions Under Agenda Item 11 (Traffic and transport)	55
4.3	Response to Actions Under Agenda Item 12 (Public Rights of Way)	64

---

Table 2.1	Item 4 (Noise and Vibration)	3
Table 2.2	Item 5 (Aviation Safety)	7
Table 2.3	Item 6 (The Development Consent Order)	16
Table 3.1	Item 8 (Landscape and Visual Effects)	34
Table 4.1	Agenda Item 10 (Traffic and transport)	55
Table 4.2	Agenda Item 12 (Public Rights of Way)	64

---

# 1. About this Document

## 1.1 Introduction

1.1.1 This document summarises the case put by National Grid Electricity Transmission plc (the Applicant), at Issue Specific Hearing 2 (ISH2) on 28 and 29 April and 1 May 2026 for the Norwich to Tilbury project (referred to as ‘the Project’) at the following times:

- ISH2 on 28 April opened at 10am and closed at 4.57pm
- ISH2 on 29 April opened at 10am and closed at 5.01pm
- ISH2 on 1 May opened at 10am and closed at 12.53pm.

1.1.2 The agenda for ISH2 was published on the Planning Inspectorate’s website on 17 April 2026 [EV2-006].

1.1.3 In what follows, the Applicant’s submissions on the points raised broadly follow the items set out in the Examining Authority’s (ExA) agenda. Where document references are included, these reference the latest versions submitted at Deadline 4, unless an earlier version specifically warrants noting in response to the point raised.

## 1.2 Attendees on Behalf of the Applicant

1.2.1 Mr Russell Harris KC, Counsel instructed by Bryan Cave Leighton Paisner LLP (BCLP), appeared on behalf of National Grid, the Applicant.

1.2.2 The following representatives were also present:

- Mr Christian Drage, BCLP
- Mr Sheridan Treger, BCLP
- Mr David Gray, the Applicant (Acoustics)
- Ms Kirstin Simpson, the Applicant (Traffic and Transport)
- Mr Nils Jamieson, the Applicant (Aviation)
- Ms Sarah Jones, the Applicant (Requirements)
- Mr Paul Reaston, the Applicant (Options and Design)
- Mr Josh Crawford, the Applicant (Options and Design)
- Ms Sarah Jones, the Applicant (Landscape and Visual)
- Ms Sam Oxley, the Applicant (Landscape and Visual)
- Dr Lara Bishop, the Applicant (Historic Environment)
- Mr Ben Hilder, the Applicant (Landscape and Visual)
- Ms Laura Cargill, the Applicant (Landscape and Visual)
- Ms Rebecca Greatrix, the Applicant (Landscape and Visual)

- Ms Karen Lees, the Applicant (Landscape and Visual)
- Ms Naomi Hayes, the Applicant (Landscape and Visual)
- Ms Kate Burrows, the Applicant (Cumulative Assessment)
- Mr Kevin Roeton, the Applicant (Consents)
- Mr Anthony James, the Applicant (Traffic and Transport)
- Ms Samantha Thirlwell, the Applicant (Traffic and Transport)
- Ms Emily Callard-Weller, the Applicant (Traffic and Transport)
- Mr William Salter, the Applicant (Traffic and Transport)
- Mr Mark Staniland the Applicant (Traffic and Transport).

## **1.3 Structure of the Document**

1.3.1 This document has three further chapters:

- Chapter 2: This summarises the oral case made by the Applicant at ISH2 on 28 April 2026
- Chapter 3: This summarises the oral case made by the Applicant at ISH2 on 29 April 2026
- Chapter 4: This summarises the oral case made by the Applicant at ISH2 on 1 May 2026.

## 2. Applicant’s Oral Case ISH2 (28 April 2026)

### 2.1 Introduction

This summarises the oral case made by the Applicant at ISH2 on 28 April 2026.

### 2.2 Agenda Item 4 (Noise and Vibration)

Table 2.1 Item 4 (Noise and Vibration)

Item No.	ExA Description	Applicant’s Response
<b>4.1 Noise and Vibration</b>		
4.1a	<b>Piling:</b> Can the Applicant explain in what circumstances they would use percussive piling over non-percussive piling?	<p>The Applicant noted that percussive piling is only contemplated for the construction of pylons. The assessment assumes that this method is used at all pylon locations across the Project, as a worst case for the noise assessment in line with the Rochdale Envelope. This approach has been adopted on all other overhead line projects and testing the worst case in those circumstances is a proportionate and robust method of approach for the assessment.</p> <p>In reality, percussive piling is likely to only be required at a small number of locations. From past experience, percussive piling is more likely to be required where granite, limestone and igneous rocks underlie the pylons. As the ground investigation has not yet started, it is not possible to give a definitive response at this stage in the Project. However, the Applicant agreed to respond in writing with examples of the situations that would likely trigger the use of percussive piling over non-percussive methods. The Applicant has provided further details on this in response to Action Point 1 (Percussive/ non-percussive piling) in <b>8.5.8 Applicant’s Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>
4.1b	<b>Piling:</b> In relation to NV23 of the Outline Code of Construction Practice,	<p>The Applicant notes that commitment NV23 in <b>7.2 Outline Code of Construction Practice (CoCP) [Revision D]</b> requires that the Applicant defaults to a non-percussive method. Therefore, percussive piling would only be used where the ground conditions determine that percussive piling is the only</p>

Item No.	ExA Description	Applicant's Response
	<p>which states, 'For the construction of pylon foundations, non-percussive piling methods will be used where practicable'.</p>	<p>practicable method. This is secured through NV01 and NV23 in <b>7.2 Outline CoCP [Revision D]</b>, which require a demonstration of best practical means to be provided within the final CoCP, as per Requirement 4 of <b>3.1 Draft DCO [Revision D]</b>.</p> <p>The Applicant stated that there are only 21 locations (out of over 500 pylons) where there is a potential significant adverse effect without mitigation, based on the worst-case assumptions in the calculations (see paragraph 14.7.9 of <b>6.14 Environmental Statement Chapter 14 - Noise and Vibration [APP-256]</b>). Of these, ten are only 1 dB above the threshold, three are 2 dB above, five are 3 dB above, one is 4 dB, one is 5 dB, and one is 7 dB. Standard mitigation measures would be expected to reduce noise effects by 10 dB, based on guidance from BS 5228:2009+A1:2014 <i>Code of practice for noise and vibration control on construction and open sites - Part 1: Noise</i><sup>1</sup>, which is sufficient on its own to avoid significant adverse effects at all locations under the worst-case assessment.</p> <p>Examples of mitigation could include:</p> <ul style="list-style-type: none"> <li>• Acoustic shroud around hammer and top of the pile</li> <li>• Applying a 'dolly' (a cushioning layer placed between the piling hammer and the top of the pile) to reduce the impact sound at source</li> <li>• A reduction of the energy of the hammer, essentially the drop height, to reduce noise.</li> </ul> <p>Percussive piling is one of the quickest methods for installing piles, typically taking a day per pylon*; therefore, the effects would be very short term at any given location. Alternative methods, such as continuous-flight augering (a method of installing piles by drilling a hollow screw into the ground and then filling the hole with concrete as the screw is slowly withdrawn, forming a foundation without leaving an open hole), typically take longer but have a lower level of noise, with a reduction of approximately 6 dB or more compared to percussive piling. This would mean that only one receptor would exceed the threshold and that would be only 1 dB over the threshold if an alternative piling method was chosen, which would be easily mitigatable using standard mitigation measures.</p> <p>* <b>Post-Hearing Note</b> - Percussive piling is typically one of the fastest installation methods because there is no curing time, minimal spoil removal and equipment can drive multiple piles sequentially. This can mean that pile installation itself may be completed within one day per pylon footprint in</p>

<sup>1</sup> British Standards Institution (2014). *BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise*.

Item No.	ExA Description	Applicant's Response
		favourable conditions. This estimate refers to driving the piles only, not mobilisation, excavation, pile testing, capping, and reinstatement.
4.1c	<b>Primary Access Route 30</b> – Bentley Road and the magnitude of impact on noise sensitive receptors (both noise and vibration impacts), especially Jasmine Cottage, and mitigation	<p>There are 16 noise-sensitive receptors within 50 m of Primary Access Route 30 – Bentley Road, which have the potential for a significant effect in the absence of mitigation. Jasmine Cottage is the only property where residual effects are expected due to the limited mitigation options, caused due to the unique nature of this property and its proximity to Bentley Road (approximately 1 m).</p> <p>The Applicant noted that Jasmine Cottage is currently vacant but is looking at specific measures because of its proximity to the access road. The Applicant is proposing to address this through a bespoke noise mitigation strategy. The Applicant has considered rehousing but does not think that would be necessary at this stage due to other methods available.</p> <p>The further pre-construction surveys at the property would identify measures to reduce internal noise levels at the property. This could involve the installation of secondary glazing and acoustically rated ventilation to replace the 1950s windows at the property. The noise levels predicted at the facade of the property are high, but not unduly high that they could not be brought down by sound insulation to suitable internal noise levels based on BS 8233 <i>Guidance on sound insulation and noise reduction for buildings</i><sup>2</sup>. This would achieve an overall and long-lasting sustainability benefit while dealing directly with the temporary impact.</p> <p>The Applicant has provided further details on this in response to Action Point 3 (Jasmine Cottage, Bentley Road) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p> <p>It is noted that the Applicant can only make an offer of any proposed measures and it would be for the property owner to agree whether to take this up.</p> <p>In terms of the other 15 properties along Primary Access Route 30, these are situated further back from the road and the noise level is not predicted to breach the Significant Observed Adverse Effect Level (SOAEL) threshold with mitigation. These properties will also require to be the subject of individual consideration as part of the Noise and Vibration Management Plan (<b>7.2 Outline Code of Construction Practice Appendix F - Outline Noise and Vibration Management Plan [Revision</b></p>

<sup>2</sup> British Standards Institution (2014c). *BS 8233:2014 Guidance on sound insulation and noise reduction for buildings*.

Item No.	ExA Description	Applicant's Response
		B]), which the relevant planning authorities would discharge under Requirement 4 of <b>3.1 Draft DCO [Revision D]</b> .
4.2a	<p data-bbox="237 316 551 392"><b>Any other noise and vibration issues:</b></p> <p data-bbox="237 400 618 587">Concerns about noise effects from vehicles using the haul road and the assessment being based on a 20mph speed limit.</p>	The Applicant said that it would respond to these matters in writing. The Applicant will respond to the first point at Deadline 5 when it responds on the oral summaries from other parties.
4.2b	<p data-bbox="237 611 551 687"><b>Any other noise and vibration issues:</b></p> <p data-bbox="237 695 618 842">Coordination with other parties and a request for a coordinated noise complaints protocol</p>	<p data-bbox="645 611 2067 794">The Applicant has a cooperation agreement with North Falls and Five Estuaries stating that if the programmes align, it would be able to use North Falls and Five Estuaries haul road. This is the Applicant's intention but would be entirely dependent on the alignment of the respective construction programmes. If the North Falls and Five Estuaries haul road is used by the Project, this would mean that the number of affected properties (see 4.1c) would be reduced to seven.</p> <p data-bbox="645 802 2067 1027">The Applicant noted that it considers that the Noise Vibration Management Plan (<b>7.2 Outline Code of Construction Practice Appendix F - Outline Noise and Vibration Management Plan [Revision B]</b>), which is secured by Requirement 4 of <b>3.1 Draft DCO [Revision D]</b>, would be the appropriate mechanism for dealing with construction noise complaints. The Applicant confirmed that it has a tripartite agreement with North Falls and Five Estuaries regarding a complaints protocol for the EACN substation and their substations during their operation.</p>

## 2.3 Agenda Item 5 (Aviation Safety)

Table 2.2 Item 5 (Aviation Safety)

Item No.	ExA Description	Applicant's Response
<b>5.1 Aviation Discussion</b>		
5.1ai	<p><b>Tibenham Aerodrome</b></p> <p>The Applicant has acknowledged that the risk of hitting the overhead line is low, but what does that mean in the context of the operations that go on at the airfield currently, and the potential severity of any accident that could occur as a result of the proposed development?</p>	<p>The Applicant has assessed this risk in <b>6.15.A2 Environmental Statement Appendix 15.2 - Review of Aviation Impact [Revision B]</b>. There is always a risk in any flight for a number of reasons, and the assessment looked specifically at what the incremental risk would be when a new obstacle (the overhead line in this instance) is introduced into the environment. A credible scenario in which the overhead line may affect risk is that an aircraft needs to make an emergency landing off-airfield, and the most common reason for that is likely to be due to an engine failure . The Applicant noted that in general aviation, and for small aircraft in particular, there is a limited amount of research in this area and statistics are quite sparse. Therefore, there is an element of professional judgement and best assessment using the data available.</p> <p>In terms of engine failures, the Australian transport safety board did a study<sup>3</sup> looking at a number of commonly used engine types, which apply to the UK too. The Applicant considers that this data is suitable for estimating how often an engine failure occurs on average. This data suggests engine failure occurs in the order of magnitude at <math>10^{-7}</math> per flying hour, so would be a very low probability. The next step is to consider what choices are available to the pilot in command of an aircraft should an engine failure occur. The aircraft generally remains manoeuvrable, so that's a key assumption in the assessment, presenting an opportunity to manoeuvre away from the overhead line, which would be the natural thing to do. The inputs to the design at this location have factored in enough space to do this.</p> <p>There could be a residual risk where an aircraft is in a position, where if the pilot did nothing, the aircraft could hit the line. In some such cases, the aircraft may not reach the line because of the gliding performance of the aircraft concerned. There may be other times when the aircraft is high enough and far enough from the overhead line that it would glide over the top of it quite safely and land the other side. The Applicant accepts that there is a period in the middle, where hitting the line is a possibility. However, given the low likelihood of a problem occurring whilst in this</p>

<sup>3</sup> The Australian Transport Safety Board (2016) *Aviation Research Statistics AR-2013-107 – Engine failures and malfunctions in light aeroplanes*

Item No.	ExA Description	Applicant's Response
		<p>position, the Applicant considers that the overall incremental risk of the overhead line being hit is very small and therefore the additional risk is acceptable.</p> <p>The Applicant notes the difference in opinion with Mr Curtis regarding the engine failure statistics and restated that the statistics vary a lot given the limited data. The number used by the Applicant is based on a government agency statistic<sup>4</sup> that has been peer reviewed. However, the Applicant agreed to respond further to this point in writing, see Action Point 5 in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>
5.1a	<p><b>Tibenham Aerodrome</b></p> <p>Please can the Applicant respond to the Civil Aviation Authority (CAA) airfield advisory group's concerns about gliders returning to Tibenham that would face challenges in clearing the proposed line that has the potential to stop competition flying at Tibenham completely?</p>	<p>The Applicant tried to secure a Statement of Common Ground (SoCG) with the Civil Aviation Authority Airfield Advisory Team (CAA AAT) was disbanded before this could happen. The Applicant has also engaged with the Norfolk Gliding Club on a number of occasions, including at the consultation events and has also met with representatives from the gliding club about the proposals (see <b>8.3.37 Draft Statement of Common Ground – Tibenham Aerodrome [Revision B]</b>).</p> <p>The Applicant's methodology as far as assumptions around aircraft performance is stated in <b>6.15.A2 Environmental Statement Appendix 15.2 - Review of Aviation Impact [Revision B]</b>. The Applicant agreed to provide further details in response to the CAA AAT letter, in writing. See the response to Action Point 5 (Norfolk Gliding Club: Tibenham airfield) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>
5.1a	<p><b>Tibenham Aerodrome</b></p> <p>Please can the Applicant respond to the airfield concern that pilots should not turn at heights of lower than 300 feet, and that such a turn in the instance of Tibenham could potentially bring the gliders in conflict with operations at Priory Farm.</p>	<p>The Applicant will undertake further discussions with Norfolk Gliding Club, as it would like to understand where the 300-foot figure comes from. It is not a figure that the Applicant has seen within British Gliding Association guidance, and it may be a figure used specifically by Norfolk Gliding Club. The Applicant agreed to attempt to engage with Norfolk Gliding Club on the matter and provide further details in <b>8.3.37 Draft Statement of Common Ground – Tibenham Aerodrome [Revision B]</b> in due course.</p>

<sup>4</sup> Aviation Research Statistics AR-2013-107 – Engine failures and malfunctions in light aeroplanes – The Australian Transport Safety Board (2016)

Item No.	ExA Description	Applicant's Response
5.1aiv	<p><b>Tibenham Aerodrome</b></p> <p>Would a possibility of lower-height pylons in that vicinity assist at all?</p>	<p>The use of low-height pylons was considered at each aerodrome in the assessment. The Applicant noted that a wide range of topics is considered in the decision making process, not just the aviation interests. In terms of Tibenham, the angle between the runway and the top of the proposed overhead line meets the obstacle limitation surface (OLS) requirements for an equivalent aerodrome that was licensed. As it would meet the requirements for a licensed aerodrome, the Applicant considers that it would meet the requirements for Tibenham Aerodrome. The low-height pylons would be approximately 10 m shorter than the standard lattice pylons, which are the starting point for the assessment. Low height would only be considered in circumstances where the standard height pylon was considered unacceptable in planning terms, recognising that low height pylons have different effects. The aviation assessment did not identify compelling factors that said the standard height pylon was unacceptable, and low height pylons were not taken forward at this location. The Applicant agreed to take this away and respond in writing see the response to Action Point 5 (Norfolk Gliding Club: Tibenham airfield) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>
5.1b	<p><b>Policy matters</b></p> <p>EN-1 states, <i>'It's likely that the urgent need for CNP infrastructure will outweigh any residual impacts not capable of being addressed by application and mitigation hierarchy in all but the most exceptional circumstances, but that this presumption does not apply to residual impacts which present an unacceptable risk to or interference with human health, public safety or defence'</i>, amongst other things, so the first question to the Applicant is, do you consider that the risk to or interference with aviation safety</p>	<p>The Applicant has had positive, constructive engagement with the Defence Infrastructure Organisation (DIO) on the defence issue. The DIO has completed its various calculations and has indicated its potential concerns and a means of dealing with these in relation to Wattisham. The Applicant is currently reviewing the DIO's report and is confident on, that the concerns can be overcome and likely within the Limits of Deviation (LoD). The Applicant understands that the DIO also shares this view. The Applicant hopes that this will result in an agreement and removal of the DIO objections subject to conditions or requirements being put in place. This would mean that in all circumstances, the defence exception to the presumption in favour of CNP would not be engaged. <b>8.4.10 Applicant's Comments on Responses to ExQ1 [Revision A]</b> in relation to GEN1.6 also refers.</p> <p>The Applicant noted that the matter of public safety is one for the aerodrome operator. If and insofar as operations are alleged by an operator to be unsafe then they will not happen, the operator will cease that element of the operation. The Applicant considers that in all but one of the cases (Chase Farm), there is no public safety implication related to the overhead line or other equipment. For Chase Farm, there is no operational loss anticipated. Potential loss of operational function can be addressed by the appropriate mitigation, in this case the operator's consideration of reasonable changes to operational procedures (e.g. runway relocation or realignment) in</p>

Item No.	ExA Description	Applicant's Response
	<p>from the project could in theory apply in this respect?</p>	<p>accordance with National Policy Statement (NPS) EN-1 (2024) paragraph 5.5.50. If there is no public safety implication then the presumption in favour of CNP is fully retained. If the operator takes the view that the aerodrome is not publicly safe, it would cease operating, so there would be no public safety issue.</p> <p>In respect of Raydon Wings, it was ultimately noted that the operator did NOT say he would be forced to close. Rather the operator has indicated he would have to take a different approach to operations including curtailing certain potential future operations. If the operator has the potential to choose to alter his operational use of the aerodrome, then that would be consistent with the potential mitigation strategy referred to in EN-1. If, notwithstanding this potential, the operator decided to close the aerodrome on perceived safety grounds (which is NOT this case), as an unlicensed aerodrome, this loss would be considered within the planning balance but would generally not be weighted as heavily as for an officially safeguarded or licensed aerodrome and would not disrupt the CNP presumption. The cascade test described in EN-1 (2024) paragraph 5.5.59 would not be satisfied, nor would the physical safety risk remain (paragraph 5.5.60).</p> <p>Action Point 9 of <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Actions Points [Revision A]</b> provides further details on the assessed aviation impacts at Raydon Wings aerodrome, and ongoing engagement in relation to appropriate mitigation.</p>
5.1b	<p><b>Policy matters</b></p> <p>Are licensed aerodromes and unlicensed aerodromes dealt differently in terms of policy, in terms of Critical National Priority Projects (CNP).</p>	<p>The Applicant noted that there are 30 '<i>officially safeguarded</i>' aerodromes in the UK. These are described by EN-1 as the most important aerodromes in terms of aviation, air traffic control and socio-economic activity. These must have published official safeguarding provisions, as set out in paragraph 5.5.11 of EN-1 (2024). Those official safeguarding provisions show Obstacle Limitation Surfaces (OLS), which obstacles which should be avoided, and into which obstructions should not protrude, unless the operator agrees that there is no adverse impact, or an agreed acceptable mitigation of the OLS can be put in place. All of the 30 officially safeguarded sites are licensed. A licence is required when an aerodrome is used for public transport or, in some circumstances, for training.</p> <p>There are licensed aerodromes which are not officially safeguarded, but are nonetheless required to ensure that they have a system of safeguarding in place. They are known as 'not officially safeguarded', and the way in which they are encouraged to ensure safeguarding is with Local Planning Authorities, who can identify zones and constraints. These licensed aerodromes and their safeguards are not the same as officially safeguarded zones which have the backing of the</p>

Item No.	ExA Description	Applicant's Response
		<p>CAA. However, where you are a licensed aerodrome, which is not officially safeguarded, it is good practice to use OLS, but it is not a requirement that they are never intruded into. Operators should be flexible in determining whether they are made unsafe by overhead line systems or other CNP energy infrastructure, and they should mitigate against that possibility even if it occurs within OLS areas.</p> <p>Paragraph 5.5.44 of EN-1 makes this clear, and it makes it clear that Applicants are able to agree changes to operation of an aerodrome as mitigation, for example, which areas competitions can be held in, or to provide lighting or notification on the obstacle. If the operator takes the view that such mitigation is not available and that the aerodrome is dangerous, it should not operate.</p> <p>None of the aerodromes on the Project are officially safeguarded or licensed. The Secretary of State is specifically obliged to have regard to the circumstances where a licensed aerodrome would lose its licence and the effect of that operational loss on the national and local economy or emergency services need at licensed aerodromes. There is no such requirement in relation to the potential closure of non-licensed aerodromes, reflecting the fact that such airports are not generally intrinsically as important. So if there was a loss of an aerodrome as a result of an overhead line, for example, that closure, if it were indeed not mitigable by the airport operator being flexible and accepting changes to the operation, would weigh in the balance against the grant of the DCO, but would not upset the CNP presumption and would not weigh as heavily, all other things being equal, as the loss of a licensed aerodrome or an officially safeguarded one.</p> <p>The Applicant identified only one case where, on expert advice, there is a potential for an operational loss of an aerodrome, namely Chase Farm. In all other cases, there is acceptable mitigation available, were the operator to be flexible, as required by EN-1, and there would be in such circumstances no safety concerns that ought to give rise to any of the issues that are discussed above. In all other cases, there is acceptable mitigation based on internationally accepted criteria which would render it safe.</p> <p>As outlined in these reasons, policy EN-1 does treat licensed and unlicensed aerodromes distinctly in respect of the application of CNP and the Secretary of State therefore must apply its decision making under paras 5.5.49-5.5.60 on this basis. Unlicensed aerodromes, were they to be lost, clearly have to be taken into account, but they are in a different category in decision-making terms from licensed airports and aerodromes.</p>

Item No.	ExA Description	Applicant's Response
5.1b	<p>Please can the Applicant comment on the General Aviation Awareness Council referred to concerns regarding the use of drones for the maintenance of overhead lines. Does the Applicant consider that a requirement might be necessary in terms of use of drones or helicopters near overhead lines in the vicinity of aerodromes?</p>	<p>The Applicant noted that overhead lines are subject to maintenance inspections and that helicopters are often used with thermal cameras. The Applicant has been undertaking tests using drones for maintenance inspections and any such work would follow appropriate regulation. The Applicant has provided further details on this in response to Action Point 7 (Maintenance of overhead lines) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>
5.1c	<p><b>Wattisham Station</b> Are the preliminary findings of the technical assessment from the Ministry of Defence positive from the Applicant's point of view?</p>	<p>The Applicant confirmed that the preliminary findings are positive. The Applicant will review the document and identify technically what is achievable within the LoD. The Applicant is happy that the ExA proceed on the basis that there is a significant likelihood of an agreement and a removal of the objections, subject to there likely being a separate requirement dealing with the concerns that have been raised. The Applicant has provided further details on this in response to Action Point 8 (RAF Wattisham mitigation) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>. The ExA is reminded that the Defence Infrastructure Organisation (DIO) has stated in its representations that it has, through agreement with Wattisham Station, taken responsibility to lead in addressing the concerns raised by Wattisham Station (and operational impacts identified by Wattisham Station in previous representations to the Examination) in addition to those raised direction by the DIO in relation to its own infrastructure. Therefore, the Applicant is no longer seeking to agree a Statement of Common Ground with Wattisham Station and all matters are now addressed in the Statement of Common Ground being progressed with the DIO, which will include any references to relevant undertakings to secure the agreements required.</p>
5.1d	<p><b>Priory Farm</b> Please outline your conclusions on any risk to operations from this airstrip?</p>	<p>The Applicant signposted to paragraph 5.5.59 in EN-1, which states '<i>Where, after reasonable mitigation, operational changes, obligations and requirements have been proposed, the Secretary of State should consider whether:</i></p>

Item No.	ExA Description	Applicant's Response
		<ul style="list-style-type: none"> <li data-bbox="734 217 2110 331">• <i>a development would prevent a licensed aerodrome from maintaining its licence and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local/national economic loss, or emergency service needs'.</i></li> </ul> <p data-bbox="734 336 2110 411">The Applicant has applied this test and is satisfied that there are operational changes, obligations, etc., which mean that this aerodrome can be made safe.</p> <p data-bbox="734 416 2110 603">The Applicant has not made a distinction between officially safeguarded, licensed, unlicensed or any other kind of aerodrome and has tried to treat them all equally. Therefore, the assessment has been the same for each of the 21 sites on the Project. There is only one site (Chase Farm) where the Applicant and the operator agreed from the start that the Project would mean a site would not be safe to operate.</p> <p data-bbox="734 608 2110 1018">The Applicant's assessment of Priory Farm has shown that there is no change required to current operating practices specific to that aerodrome. Priory Farm is a north–south runway and the proposed overhead line runs relatively close to the western side of the runway. In this case, it's possible for an aircraft to climb out after take-off or to approach to land parallel to the line, and so the pilot in command would have a choice as to when or if they crossed the line, so they can do so at a safe height. We assessed that in general terms and also in terms of the published circuit patterns for Priory Farm using performance data from various different aircraft types, to assess whether it was possible to follow the published circuit, i.e. stay with the current practices and clear the line by what would be considered to be a safe margin. The assessment confirmed that this would be the case. Paragraphs 15.4.9 to 15.4.11 of <b>6.15.A2 Environmental Statement Appendix 15.2 – Review of Aviation Impact [Revision B]</b> refer.</p> <p data-bbox="734 1023 2110 1137">The Applicant has requested further meetings, but none have been agreed so far. The Applicant will continue to pursue meetings with the operator. <b>8.3.36 Draft Statement of Common Ground – Priory Farm Airfield [Revision B]</b> refers.</p>
5.1e	<p data-bbox="219 1155 405 1206"><b>Priory Farm</b></p> <p data-bbox="219 1211 719 1402">Please can the Applicant consider how low height pylons at Tibenham would be taken into account at Priory Farm given the proximity of the two airfields.</p>	<p data-bbox="734 1155 2110 1278">The Applicant has provided further details on this in response to Action Point 5 (Norfolk Gliding Club: Tibenham airfield) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>

Item No.	ExA Description	Applicant's Response
5.1fi	<p><b>Raydon Wings</b> Siting of the cable sealing end (CSE) compound and overhead lines</p>	<p><b>7.18 2022 - Corridor and Preliminary Routeing and Siting Study [APP-356]</b> looked at the broad location for the required infrastructure and a graduated swathe. This was the subject of the non-statutory consultation in 2022. There was consideration of aviation and defence interests at that stage, but the outcome was a relatively broad swathe. The detailed routing was the subject of the next consultation in 2023.</p> <p>Specifically in relation to Raydon Wings, <b>7.21 2024 - Design Development Report for the Project [APP-359]</b> identified a different location for the CSE compound and a slightly different alignment of overhead lines. The Applicant considered other options including locations to the north of the railway line. The decision-making is based on balancing feedback from different technical experts and the output of this process was that the proposed location was deemed to be appropriate.</p>
5.1fii	<p><b>Raydon Wings</b> Written question SS 1.9 was about the minor penetration of the inner horizontal surface at Raydon Wings, can the Applicant expand or clarify on what it means by Raydon Wings being an unlicensed aerodrome and that no OLS are defined.</p>	<p>As noted above, the Applicant has treated licensed and unlicensed aerodromes in the same way. Therefore, although Raydon Wings is an unlicensed aerodrome, the Applicant has applied the OLS as if it were a licensed runway of equivalent dimensions. The Applicant's response to question SS 1.9 in <b>8.9.1 Applicant's Responses to First Written Questions [REP3-074]</b> stated that the OLS are not penetrated, save the minor penetration of the inner horizontal surface, and where this has occurred in other cases not related to this Project, this has generally been accepted by an aerodrome operator.</p> <p>The Applicant also clarified that the OLS is a guide for an aerodrome operator and it is one factor to take into account in the impact assessment, for example, to highlight where any penetrations of a (theoretical) OLS would occur and if they did, what their magnitude may be. The Applicant considers that penetration of an inner horizontal surface of the size as assessed on the Project does not render the operations at an aerodrome like this unsafe.</p> <p>The Applicant confirmed that it would respond in writing about how it has followed the prescribed procedure and will also include a schedule of the appropriate interactions between the parties and things that resulted from that. The Applicant has provided further details on this in response to Action Point 9 (Raydon Wings Airfield) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>. Also see <b>8.3.35 Draft Statement of Common Ground – Raydon Wings Aerodrome [Revision B]</b>.</p>

Item No.	ExA Description	Applicant's Response
5.1g	<p><b>Chase Farm</b></p> <p>Is there any update on the airfield study of their options for relocating or reorientating?</p>	<p>The Applicant has supported the owner-operator of Chase Farm in suggesting and commissioning a consultant to assess the requirement for and scope of a reorientation or relocation of the runway. That study identified a number of viable options and the owner-operator of Chase Farm has identified a list of what they think would be involved in taking forward one of those options. The early indications are that there appears to be an available solution that would reorientate the runway. The Applicant is in discussion with Chase Farm to resolve this matter.</p> <p><b>8.3.33 Draft Statement of Common Ground – Chase Farm Airfield [(Revision B)] refers.</b></p>
<p><b>5.2 Any other aviation related issues</b></p>		
5.2	<p><b>Thurrock Airfield</b></p> <p>The latest status on the planning application is that the appeal has been dismissed.</p>	<p>The Applicant noted that it was aware of this and that its interpretation is that the airfield will continue to operate, so the Applicant is continuing to progress with low-height pylons in that location.</p>

## 2.4 Agenda Item 6 (The Development Consent Order)

Table 2.3 Item 6 (The Development Consent Order)

Item No.	ExA Description	Applicant's Response
<b>6.1 Articles and Schedules of the draft DCO</b>		
6.1a	The Applicant will be asked to provide a very brief overview of each part of the draft DCO	<p>The Applicant provided a brief walkthrough of the <b>3.1 Draft Development Consent Order [REP3-004]</b> (the Order), summarising at a high level, as requested, matters more particularly set out in the <b>3.2 Explanatory Memorandum [REP3-006]</b>.</p> <p>The draft DCO is based on well-worn drafting. The primary precedents for the draft Order are the recently consented The National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024 and The National Grid (Bramford to Twinstead Reinforcement) Order 2024. It is also based on the general model provisions in the Infrastructure Planning (Model Provisions) (England and Wales) Order 2009, and that in turn is based on Transport and Works Act Orders before that.</p> <p><b>Part 1 (Preliminary)</b></p> <p>The preliminary provisions provide the mechanics of bringing the Order into legal force.</p> <ul style="list-style-type: none"> <li>• Article 2 sets out definitions.</li> </ul> <p><b>Part 2 (Principal Powers)</b></p> <p>This is the main part of the Order.</p> <ul style="list-style-type: none"> <li>• Article 3 grants development consent for the authorised development. The authorised development is spelled out in Schedule 1. This is the core consenting provision necessary to authorise construction and operation of the works but is subject to controls set out in the requirements in Schedule 3.</li> <li>• Article 4 empowers the maintenance of the authorised development. It sets the scope for National Grid, UK Power Networks (UKPN), and United Kingdom Oil Pipelines (UKOP) maintaining their works.</li> <li>• Article 5 sets out the horizontal and vertical LoD, which constrain the overhead and underground lines and other permanent structures such as substations.</li> </ul>

Item No.	ExA Description	Applicant's Response
		<ul style="list-style-type: none"> <li>• Article 6 has the effect that Section 156 of the Planning Act 2008 (which allows the development consent to run with the land like a normal planning permission) is overridden so the Order powers are exercisable only by specified parties and specified circumstances, which is National Grid, UKPN, and UKOP.</li> <li>• Article 7 provides for the transfer of DCO powers with (where applicable) Secretary of State consent, noting that the transferees are subject to the same restrictions, liabilities, and obligations as the original person with the benefit.</li> <li>• Article 8 sets out a number of provisions from the Town and Country Planning Act 1990 and makes sure that they also function on equivalent terms for the DCO regime. For example, when there is a temporary planning permission under the Town and Country Planning Act, once the temporary permission is over, it reverts immediately to what the use was before, also once the authorised development is built and operational, the land will count as 'operational land' for National Grid.</li> <li>• Article 9 confirms that the community infrastructure levy is not payable on the authorised development.</li> <li>• Article 10 governs the interface between the DCO and other planning permissions past and future and other DCOs.</li> </ul> <p><b>Part 3 (Streets)</b></p> <p>This contains a series of highways and streets powers.</p> <ul style="list-style-type: none"> <li>• Article 11 is the equivalent of a New Roads and Street Works Act licence for street works.</li> <li>• Article 12 makes sure that the relevant traffic management permit schemes in the area apply to works under the Order on specified terms.</li> <li>• Article 13 sets out how parts of the New Roads and Street Works Act apply to the relevant street works.</li> <li>• Article 14 sets out the power to alter the layout of streets permanently or temporarily in Schedule 6, with scope for going to the relevant highway authorities, within the confines of the DCO, to get further consent if needed.</li> </ul>

Item No.	ExA Description	Applicant's Response
		<ul style="list-style-type: none"> <li>• Article 15 enables the permanent stopping up of streets and public rights of way in Schedule 7, again with scope for going to the relevant highway authorities, within the confines of the DCO, to get further consent if needed.</li> <li>• Article 16 is the equivalent of Article 15, but for the temporary closure, alteration, or diversion of streets and public rights of way, again with scope for going to the relevant highway authorities, within the confines of the DCO, to get further consent if needed.</li> <li>• Article 17 authorises the list in Schedule 9 of locations where there will be permanent or temporary accesses.</li> <li>• Article 18 creates an adoption mechanism for the altered, diverted, or newly constructed streets under the DCO, so that they can become maintainable at the public expense, after they've been completed to the satisfaction of the street authority, after a 12-month maintenance period.</li> <li>• Article 19 enables agreements between National Grid and street authorities in case they were to be carrying out any works.</li> </ul> <p><b>Part 4 (Supplemental Powers)</b></p> <ul style="list-style-type: none"> <li>• Article 20 provides for the discharge of water into sewers, water courses, or drains, but with the owner or drainage body's consent.</li> <li>• Article 21 allows protective works to land buildings and structures likely to be affected by the authorised development, with a notice and counter-notice mechanism and scope for arbitration where there is disagreement, and there's a time limit of five years with compensation for loss and damage.</li> <li>• Article 22 is a power to enter land affected by the authorised development to survey, monitor, and investigate it, with compensation payable for loss or damage.</li> <li>• Article 23 relates to the removal of human remains and consolidates a range of disparate statutory regimes into a single process to avoid significant delays.</li> </ul> <p><b>Part 5 (Acquisition and Possession of Land)</b></p> <p>This covers compulsory purchase and temporary possession.</p>

Item No.	ExA Description	Applicant's Response
		<ul style="list-style-type: none"> <li>• Article 24 is the operative power authorising compulsory acquisition by National Grid of Order land, by reference to the land plans and the book of reference.</li> <li>• Article 25 is the equivalent to Article 24 but for the acquisition of rights, by the creation of new rights and restrictive covenants over Order land.</li> <li>• Article 26 provides for acquiring only subsoil or airspace, without acquiring the whole parcel of land, and this is to ensure that National Grid may acquire interests in a proportionate manner.</li> <li>• Article 27 is for the temporary use of land, so as to enable National Grid to take temporary possession of land prior to construction, and following construction (if necessary) to identify what it needs to permanently acquire for the purposes of the authorised development, as a proportionality exercise.</li> <li>• Article 28 is the equivalent power set out in Article 27 but for UKPN.</li> <li>• Article 29 provides for temporary entry and possession for maintenance purposes. Compensation is payable, and that runs five years from first operational use.</li> <li>• Articles 30 to 37 are boiler plate text relating to the process for implementing the various compulsory acquisition powers. Although Article 34 sets out that the deadline for acquiring land or entering land to take temporary possession of it only runs for seven years.</li> <li>• Article 38 cleanses the title of where land or rights are compulsory acquired by extinguishing private rights and restrictive covenants, or suspending these where only temporary possession powers are used. Compensation is payable on the terms of the Compensation Code.</li> <li>• Article 39 is the standard form equivalent of Section 203 of the Housing and Planning Act 2016, aimed at overriding rights that could impede delivering the authorised development subject to compensation on the terms of the Compensation Code.</li> <li>• Article 40 is a related power to clarify the relationship between the Planning Act 2008's statutory nuisance provisions and land rights.</li> <li>• Article 41 provides for UKPN or National Grid cleansing properties of their private rights and restrictive covenants after they have removed their own apparatus to assist those to whom the land is passed.</li> <li>• Article 42 is a standard Crown rights provision.</li> </ul>

Item No.	ExA Description	Applicant's Response
		<ul style="list-style-type: none"> <li>• Article 43 relates to special category land, clarifying that where the DCO allows the acquisition of rights over that special category land, those are discharged over the land to the extent that there is a conflict.</li> <li>• Articles 44 to 46 are standard provisions for the interactions with statutory undertakers, but the reality is that each will have its own preferred set of protective provisions which will take precedence over these powers so far as material.</li> </ul> <p><b>Part 6 (Miscellaneous and General)</b></p> <ul style="list-style-type: none"> <li>• Article 47 provides that should National Grid ever lease part of the Project to someone else, normal landlord and tenant law does not apply, and it is as the parties agree.</li> <li>• Article 48 ensures that statutory nuisance claims are assessed in the context that the Project's construction impacts have been deemed acceptable on the terms of the requirements and other DCO terms.</li> <li>• Article 49 is the equivalent of a traffic regulation order giving force to the measures in Schedule 13.</li> <li>• Article 50 provides the standard form power to fell and lop trees and hedgerows subject to the usual in-built constraints and protections. Compensation is payable on the terms of the provision.</li> <li>• Article 51 is broadly the equivalent to Article 50 but relates to those trees subject to tree preservation orders listed in Schedule 14.</li> <li>• Article 52 enables temporary interference with navigation on the River Stour within the Order Limits to allow completion of the relevant works safely.</li> <li>• Article 53 allows the temporary interference with, and closure of, specified access land in Schedule 15 during construction, maintenance, and decommissioning of the authorised development.</li> <li>• Article 54 brings into force the various protective provisions in Schedule 16.</li> <li>• Article 55 gives effect to the mechanism for discharging Requirements and its related appeals process in Schedule 4.</li> <li>• Article 56 is a safeguarding provision and has been used in a number of DCOs including most recently The National Grid (Yorkshire Green Energy Enablement Project) Development Consent</li> </ul>

Item No.	ExA Description	Applicant's Response
		<p>Order 2024 and The National Grid (Bramford to Twinstead Reinforcement) Order 2024. It requires relevant planning authorities to consult National Grid before they grant permissions for development within the Order Limits, to safeguard operational integrity. It does not prevent the relevant planning authorities granting permission, but it creates a consultation obligation.</p> <ul style="list-style-type: none"> <li>• Article 57 is a standard 'no double recovery' provision.</li> <li>• Article 58 enables the disapplication and modification of legislative provisions. The DCO already provides a bespoke and sufficient framework for governing the various activities under the DCO, and so this article disapplies competing provisions in the parallel statutory regimes.</li> <li>• Article 59 is a standard provision that involves identifying local legislation and bylaws, including those set out in Schedule 18, and ensuring that these cannot impede the Project.</li> <li>• Article 60 (Certification of documents), Article 61 (Service of notices) and Article 62 (Arbitration) are boiler plate text.</li> </ul>
6.1b	<p>Articles and Schedules of the draft DCO.</p> <p>Please can the Applicant explain why, it is seeking to include both deemed consent and that consent must not be unreasonably withheld or delayed?</p>	<p>The Applicant is seeking to include deemed consent in respect of Articles 11(2), 14(4), 15(2)(a) and (b), 16(2) and (5)(b), 17(1)(b), 20(3) and (4)(a), 22(5) and 49(2) to minimise undue delay and to provide certainty that the authorised development can be delivered in a timely fashion. This aligns with the objectives of the Planning Act 2008 to ensure efficient delivery of Nationally Significant Infrastructure Projects (NSIPs) and is of utmost importance to this Project given its status as one of Critical National Priority. This approach is also considered to be proportionate in that, having undertaken extensive pre-application consultation and the Order having been rigorously examined, the delivery of the authorised development should not be held up unreasonably, if it has been approved by the Secretary of State.</p> <p>It also is common to many DCOs for those articles listed above to stipulate that the approval must not be unreasonably delayed because for some applications it would be more reasonable for an approving authority to decide within a period shorter than the maximum period to which deemed approval relates, for example where there are repeat applications for similar detail along various parts of the route.</p> <p>In terms of unreasonably withholding approval, it is important to recognise that DCOs are a 'bundle of consents' mirroring various differing processes in the Town and Country Planning regime and thus to distinguish the consents in the listed Articles above from the discharge of Requirements in Schedule 3 under Schedule 4. The discharge of Requirements mirrors the discharge of planning conditions in</p>

Item No.	ExA Description	Applicant's Response
		<p>the usual Town and Country Planning regime, where it is well established that planning merits may be considered rather than the matter being one of the absolute discretion of the approving body, for example (though clarity that the decisions must be made reasonably is still included as standard for the avoidance of doubt and is done so in Article 55(1)). Obtaining the consent of the relevant authority or person under the listed Articles above, however, mirrors agreements entered into with the relevant highway authority or the person to whom the relevant sewer or drain belongs. Such agreements would clarify that consent must not be unreasonably withheld rather than in the authority's or person's absolute discretion and acts as the bar for consideration at any appeal (if any) under Schedule 4. The Applicant acknowledges comments made by a number of authorities in their submission that they would 'not act unreasonably'. Hence, the wording merely reflects what the authorities say they undertake in practice, so should not be contentious. Furthermore, the Applicant acknowledged that no interpretation of 'reasonableness' would fetter an approving authority fulfilling its statutory functions and the example of maintaining safety was discussed and agreed.</p> <p>Throughout the DCO, whenever there is this deemed consenting provision whereby approval is deemed if not granted or refused within 28 business days, it provides specifically that the Applicant and discharging authority can agree an extension to the determination period so that the deemed approval period would only have effect at the later agreed stage. It is often likely to be in the interests of the Applicant to agree such extensions rather than pursue an appeal under Schedule 4, as well as having established proper resourcing arrangements so that these approvals can be expeditiously dealt with. There is thus no public disbenefit to including both deemed consent and that consent must not be unreasonably withheld or delayed.</p>
6.1c	<p>Articles and Schedules of the draft DCO. Planning performance agreements</p>	<p>The Applicant also noted that it has a number of planning performance agreements (PPAs) in place for the majority of the relevant planning authorities. These are currently in place up to the decision date, as would be standard practice. If consent was granted, these would be replicated for the next stage including discharge of requirements.</p> <p>The PPAs would not typically include anything relating to the quality of a submission, as this is not the purpose of such agreements. However, in addition to support this matter, the Applicant has recently issued a draft proposed ways of working for discharge of Requirements, which is currently with the relevant planning authorities for consideration. The Applicant intends to continue discussions to inform the agreed approach to discharging the Requirements that would then be used to inform the scope of the PPAs for the delivery phase.</p>

Item No.	ExA Description	Applicant's Response
6.1d	Articles and Schedules of the draft DCO. Number of days for discharge of requirements	<p>The Applicant has also issued a draft written scheme of stages that relates to Requirement 3 to inform the PPA discussions. It is noted that the draft stages could change as the Main Works Contractor progresses the detailed design phase of the Project. However, the draft stages provide an understanding of the peaks and troughs of the submissions and the likely resourcing that can then help inform the future PPAs.</p> <p>The Applicant notes that the councils suggested that 40 business days is a better period for determining the discharge of each Requirement but that would still be 15 additional business days added on to the delivery of this CNP project for each Requirement discharge (the current draft DCO specifying 25 business days), which would give rise to both subsequent cost of delay to the public purse and to the public benefit.</p> <p>The Applicant also notes that matters coming before the relevant planning authorities are not doing so for the first time at the point of discharge. The outline management plans provided during examination and the draft documentation issued in advance of formal discharge post consent, provide significant opportunity for consultation, negotiation and discussion on matters prior to submission. Therefore, discussions do not start just 25 business days before the application comes in, it starts much earlier in the process.</p> <p>The Applicant considers that there needs to be a clear justification for any extension to the timeframes in the current draft DCO because Norwich to Tilbury is a CNP project and, as set out in the need case, is urgent. At the moment, this appears to be around resourcing, finances and that the applications to discharge need to be adequate. The Applicant agrees with the last point, but does not consider that this requires a blanket extension to what amounts to more than 56 days for every single discharge application. If there is a justified need, there is a power in the Order for the Applicant and discharging authority to extend the time. The Applicant's underlying position is that there needs to be an evidential justification for stepping away from what is a reasonable discharge period because it will become the future default norm for all discharge applications.</p> <p>The Applicant considers that the Examining Authority should proceed on the basis that the applications for this CNP project are of suitable quality, and choose an appropriate timescale on this basis. In the event that the applications are unsuitable in quality, the councils would have extra time available or could reject the discharge application if extra time were not agreed.</p>

Item No.	ExA Description	Applicant's Response
6.1e	<p data-bbox="232 826 479 895">Article 5 Limits of Deviation</p> <p data-bbox="232 906 607 1313">Please can the Applicant clarify that the Limits of Deviation cover either standard lattice pylons or low height pylons in the areas proposed e.g. in the light of the Secretary of State's dismissal and refusal of planning permission of the Thurrock Airfield application?</p>	<p data-bbox="624 220 2056 443">The Applicant draws the Examining Authority's attention to paragraphs 7.3.31 to 7.3.53 of the Examining Authority's Recommendation Report<sup>5</sup> for the National Grid (Bramford to Twinstead Reinforcement) application, where the host authority (Suffolk County Council) similarly argued that the 28-day deemed consent period was insufficient and sought an extension to 56 days. Suffolk County Council argued that 28 days was too short across multiple provisions and contended that 56 days had precedent and consistency support for the same reasons as argued in this case.</p> <p data-bbox="624 454 2056 563">The Examining Authority for the Bramford to Twinstead Reinforcement did not accept that position. It concluded that 35 days was a necessary, reasonable and proportionate balance, rejecting the 56-day proposal, and the Secretary of State made the DCO on the basis of that 35 calendar day period.</p> <p data-bbox="624 574 2056 683">The Applicant notes that the 25 business days proposed in the draft Order is equivalent to approximately 35 calendar days (and potentially longer depending on Bank Holidays) — precisely the period that the Bramford to Twinstead ExA found to be necessary, reasonable and proportionate.</p> <p data-bbox="624 694 2056 802">The Applicant agreed to present its case on this in writing; see the response to Action Point 10 (Discharge period) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p> <p data-bbox="624 826 2056 970">The Applicant confirms that this assumption is the starting position. Specific restrictions are proposed for pylons TB238 to TB243. The Applicant has provided further details on this in response to Action Point 12 (Article 5 Vertical limits of deviation) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>

<sup>5</sup> Planning Inspectorate (2024) *Bramford to Twinstead Reinforcement, Recommendation Report*. <https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN020002-001913-BTTR%20-%20ExA%20Recommendation%20Report.pdf>

Item No.	ExA Description	Applicant's Response
6.1f	<p>Article 10 Planning permission and other consents</p> <p>Can the applicant explain what power in the Planning Act it is relying on to effectively discharge or exclude a judgment from the UK Supreme Court in the draft DCO?</p>	<p>The Applicant confirms that it is Section 120(5)(c), which states, ‘An order granting development consent may 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’. This is to avoid the unintended consequences of the Supreme Court decision in <i>Hillside</i>. Otherwise, this would mean that if a physically inconsistent planning permission were granted anywhere along the line, the potential consequence of that would be this would prevent the Applicant from being able to construct the Project, which clearly wouldn't fit with the parliamentary intent behind the DCO legislation. It's for that very reason that that provision exists: in effect, to disapply case law where it does not fit with the intention of Parliament and as such has been included within a number of post-<i>Hillside</i> DCOs.</p>
6.1g	<p>Please provide the status of progress with regard to either protective provisions with the relevant highways authorities or a highways side agreement?</p>	<p>Discussions are ongoing with the relevant highway authorities. The Applicant has submitted a tracker containing the status of discussions with the relevant highway authorities, together with the status of the statutory undertaker and protective agreements at Deadline 4. <b>8.7 Statutory Undertaker Tracker [Revision C]</b> also sets out when the Applicant intends to submit the Protective Provisions into Examination.</p>
6.1h	<p>Article 14. Power to alter layout, etc. of streets</p> <p>Would the Applicant like to respond to the concern about Article 14(1) being too loose without consent or pre-agreement at all, please?</p>	<p>Article 14(1) clarifies for the avoidance of doubt that the consent of the street authority is not required in relation to the street alteration works set out in Schedule 6 of the Order. This is standard because it is the Order which would grant the relevant consent for those specified works. There are ongoing discussions with the relevant highway authorities, who are statutory consultees during the Examination rather than the decision-makers in relation to such matters before the Secretary of State, which will include going through the lists in Schedule 6 to determine if they have any particular issues. The various control documents would apply to such street alteration works as relevant and street works carried out under the DCO have to be carried out to the relevant highways authority's satisfaction (see Article 18(1)). Article 14(2) would require the relevant highway authority's consent as decision maker to alter the layout of any streets not specified in Schedule 6, a standard precautionary provision in DCOs in the event that any currently unanticipated layout works became necessary.</p>
6.1i	<p>Article 15 (Permanent stopping up of streets and public rights of way),</p>	<p>The approach taken within <b>3.1 Draft DCO [Revision D]</b> in respect of these provisions is the approach in all DCOs so far as the Applicant is aware, reflecting the answer given in relation to 6.1h above: the relevant highway authorities are statutory consultees during the Examination in relation to</p>

Item No.	ExA Description	Applicant's Response
	<p>Article 16 (Temporary closure of streets and public rights of way) and Article 17 (access to works)</p> <p>The Councils suggest these articles should be subject to consent. Can the Applicant advise whether it's going to be able to resolve these concerns and clarify them through adequately dealing with the protective provisions?</p>	<p>the lists of temporary and permanent stoppings up and access works in Schedules 7 to 9 of the DCO which are being put to the Secretary of State to consent under the DCO in the usual manner. Those provisions, however, provide for consent by the relevant highway authorities for temporary and permanent stoppings up and access works not listed in those Schedules as standard precautionary provisions in DCOs in the event that any currently unanticipated stoppings up or access works became necessary (such determinations by the relevant highway authorities being subject to the appeal process in Schedule 4 of the DCO in the usual manner).</p>
6.1j	<p>Article 18 (Construction, alteration and maintenance of streets and other structures). Can I ask the Applicant how works will be maintained if authorities do not wish to adopt the works undertaken? How is that going to be dealt with in the draft DCO?</p>	<p>This is the standard DCO mechanism for the automatic adoption of streets constructed under DCOs. The highway authority must be content that the works have been completed to their satisfaction and only then does the 12 month maintenance period run from that point as the necessary precursor to automatic adoption. So if the works are not completed to the satisfaction of the highway authority their maintenance remains the responsibility of the owner of the unadopted private road in the usual manner.</p>
6.1k	<p>Article 22. Authority to survey and investigate the land</p> <p>The wording says, 'All land which may be affected by</p>	<p>The Applicant noted that the provision as it stands in <b>3.1 Draft DCO [Revision D]</b> is a precautionary power common to DCOs necessary because National Grid going on to land not affected by the authorised development (the standard built in constraint to that power) would otherwise be outside of its powers, and it would be acting ultra vires. As for buildings, the Applicant would need to enter buildings for example to undertake bat surveys</p>

Item No.	ExA Description	Applicant's Response
	<p>authorised development', at 22(b), the wording includes 'land and any buildings' and 22(d), includes 'and monitoring on land'. Should this wording be narrowed down?</p>	
6.1l	<p>Article 27 (Temporary use of land). The notice period at (2) is 14 days. The National Farmers Union would request that landowners and farmers need at least three months' notice.</p>	<p>The Applicant has provided further details on this in response to Action Point 14 (Article 29 Temporary use of land for maintaining the authorised development) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>
6.1m	<p>Article 34 (Time limit for exercise of authority to acquire land and rights compulsorily) Article 34(3) onwards allows for a period specified in Article 34(1) to be extended in the event of proceedings of a challenge to the order, if made. Article 34(4) provides that the time period for the exercise of the compulsory access acquisition powers is</p>	<p>The Applicant confirmed that this is correct. Judicial review applications are capable of having the written Court permission stage (if there is a refusal) resulting in an oral hearing which in turn can be 'rolled up' with a substantive hearing of the merits and refusals at the Court permission stage even being appealed to the Court of Appeal and remitted back to the High Court for a such a 'rolled up' hearing. The exception for a challenge thus rightly assumes applications even if unsuccessful could take the better part of a year, so you get a year in any event for certainty. In addition, the DCO would remain lawfully operative until quashed notwithstanding the existence of a challenge.</p>

Item No.	ExA Description	Applicant's Response
	<p>either extended by the period equivalent to the period beginning with the day of the proceedings being filed, or the end of the day they are finally determined or withdrawn or, if shorter – which is the (b) limb of this particular article – if shorter, one year. If limb (b) applies and it's shorter than one year, it gives the Applicant another year on top of the period to extend the consent by. Is that correct?</p>	
6.1n	<p>Article 49 Traffic regulation National Highways has objected to this power allowing the undertaker to prohibit certain specific activities without consent. Additionally, another local authority has commented, 'Consultation is necessary with the authorities'. Is the Applicant able to advise whether this is able to be resolved with those authorities, or whether or</p>	<p>The Applicant notes that part of the answer is the same as set out in 6.1h and 6.1i above, i.e. the list of traffic regulation measures in Schedule 13 and to which Article 49(1) refers are before the Secretary of State for consent under the DCO and do not require further consent (the relevant traffic authorities being statutory consultees during the Examination in this regard). Article 49(2) includes the standard precautionary provision for unanticipated traffic regulation measures not set out in Schedule 13 (if any) being subject to the approval of the traffic authority and the appeal mechanism in Schedule 4 in the usual manner for DCOs. Otherwise, the Applicant notes that the discussions with National Highways are ongoing.</p>

Item No.	ExA Description	Applicant's Response
	not they can be resolved through protective provisions?	
6.1o	<p>Schedule 16 Protective Provisions</p> <p>The ExA notes that the Applicant is negotiating protective provisions with a significant number of interested parties, and that they will be added to the draft DCO at various stages, with the majority being added at Deadline 7. The ExA would like to see these submitted into the draft DCO earlier than Deadline 7 where possible, to give people time to respond to these.</p>	<p>The Applicant notes this point and was proposing to add the Protective Provisions to the draft DCO once they were agreed, which is why it had suggested Deadline 7. However, it acknowledges the point regarding time to comment and will endeavour to submit the Protective Provisions earlier where practicable.</p>
6.1p	<p>Schedule 16 Protective Provisions</p> <p>The ExA notes that Five Estuaries has confirmed that it is satisfied with its Protective Provisions, but the ExA has not seen anything from North Falls. Please can the Applicant</p>	<p>The Applicant can confirm that the North Falls Protective Provisions are mostly agreed. Once fully agreed the wording will be copied into the draft DCO and provided to the Examination as part of any updated draft. The Applicant has provided an update in <b>8.7 Statutory Undertaker Tracker [Revision C]</b></p>

Item No.	ExA Description	Applicant's Response
	provide an update on whether this is agreed?	
<b>6.2 Schedule 3 (Requirements) and Schedule 4 (Discharge of requirements) of the draft DCO</b>		
6.2a	Schedule 3 (3) Stages of authorised development The definition of stage has been an issue throughout the document for county and local authorities. Is there any update on this?	The Applicant noted that it has issued an outline written scheme of stages to the relevant planning authorities alongside the proposed ways of working for discharge of requirements for their comment.
6.2b	Schedule 3(9). Reinstatement planting plan The ExA noted that it is difficult to interpret exactly what is being proposed as mitigation, enhancement, compensation or BNG as separate entities. Please can the Applicant signpost to exactly where in submitted application document where these terms are defined clearly and where these different elements are shown in their own right on the submitted plans? The ExA also asked how any necessary post-	The Applicant noted that mitigation, enhancement, compensation or Biodiversity Net Gain (BNG) are defined in <b>6.5 Environmental Statement Chapter 5 - Environmental Impact Assessment Approach and Method [APP-135]</b> paragraphs 5.4.21 to 5.4.31 but noted that it would be better to have it in a single place and <b>7.2 Outline CoCP [Revision D]</b> has a section setting it out. The Applicant has provided further details on this in response to Action Point 18 (Schedule 3 requirement 9: Reinstatement planting plan) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b> . With regards to compensation enhancement and BNG, these are included in <b>7.4 Outline Landscape and Ecological Management Plan (LEMP) [REP3-030]</b> . The LEMP is a daughter document, which is specifically referred to and capable of being enforced through Article 4 and is part of <b>7.2 Outline CoCP [Revision D]</b> . Therefore, the Applicant does not think there is a need for an additional requirement to cover these items. The Applicant also noted that it is also in discussion with the relevant planning authorities as to the nature, extent and quantum of mitigation planting, BNG and, if it is appropriate, compensation.

Item No.	ExA Description	Applicant's Response
	planting monitoring and aftercare management would be secured for any proposed planting that could be considered to be compensation enhancement and biodiversity net gain, and which would fall outside of the environmental areas?	
6.2c	<p>Schedule 4 Discharge of Requirements</p> <p>With regards to the proposal to establish a new unit within the Department for Energy Security and Net Zero (DESNZ) to coordinate post-consent discharge functions, is the Applicant proposing to take a similar approach to Sea Link in terms of providing alternative drafting options within the draft DCO?</p>	<p>The Applicant noted that it will continue to consider this matter and will discuss the approach with the relevant planning authorities. It committed to providing an update at Deadline 5.</p> <p>The Applicant also noted separately, in relation to the time limits for determination, it has drafted and issued proposals for the relevant planning authorities around ways of working for discharge requirements. The Applicant has proposed to fund an independent resource that the relevant planning authorities would be able to appoint themselves to help manage the coordination and resourcing of the discharge of requirements. This is based on an approach that National Grid adopted on the Hinkley Connection project, which was just over 50 kilometres, so not as large as this one, but it was found to be incredibly effective in terms of providing a smooth process to discharge the requirements within the time limits. The Applicant has requested comments from the relevant planning authorities on the proposed approach and has also offered to support the resourcing of the discharge of requirements.</p> <p>The Applicant noted that the document is being developed in the background and can be submitted into Examination once there has been further engagement between the parties on the draft version.</p>
<p><b>6.3 Article 60 and Schedule 19 of the draft DCO – Certification of plans</b></p>		
6.3	Review of the plans and documents to be certified	The Applicant made no submissions under this item as the matter was not discussed in the hearing.

Item No.	ExA Description	Applicant's Response
<b>6.4 Consents, licences and other agreements</b>		
6.4a	<p>Consents, licences and other agreements</p> <p>Provide an update of progress and timescales for completion of such consents, licences and other agreements.</p>	<p>The Applicant agreed to respond in writing regarding the proposed list of consents and licences that would be sought, along with an indication of progress with the discussions with the third parties, noting that this is in regard to Section 150 of the Planning Act 2008. The Applicant has provided further details on this in response to Action Point 21 (Consents, licences and other agreements) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>
6.4b	<p>Planning obligations/ other types of obligation/ agreement</p> <p>In its response to first written questions DCO 1.S15 the Applicant stated that it is submitting a unilateral undertaking, which will be completed and given to the local authorities.</p> <p>With regards to the response to first written questions DCO 1.G4, the Applicant noted that off-site provision of BNG, including long-term monitoring and maintenance would be secured through a legal agreement either completed with the</p>	<p>The Applicant noted that these are separate documents at present, although they do not necessarily need to be separate. The Applicant confirmed that this has been shared with the relevant planning authorities for comment. This has started off with heads of terms for the agreement, as is standard. The Applicant intends to submit this into Examination once it has had feedback from the relevant planning authorities on the draft version. The Applicant noted that a unilateral undertaking instead of a bilateral agreement with authorities is a tried and tested method for long linear projects and of no lesser binding or lawful effect. Section 106(1) of the Town and Country Planning Act 1990 itself specifically introduced lawful scope for such unilateral undertakings being given under that section exactly for such circumstances, stating as it does that '<i>any person interested in land in the area of a local planning authority may, by agreement or otherwise, enter into an obligation (referred to in this section and sections 106A to 106C, Schedule 7A as "a planning obligation")</i>).</p> <p>The Applicant also agreed to provide a response in writing with regards to the document that is being agreed with landowners.</p>

Item No.	ExA Description	Applicant's Response
	<p>appropriate landowner or the relevant planning authority and yet, within the same response, you seem to refer to it as being a unilateral undertaking. Are the legal agreement and the unilateral undertaking two separate documents, what discussions have been had on these, how are these going to be completed and will they be submitted into Examination to check that these documents meet the test of Section 106?</p>	

# 3. Applicant’s Oral Case ISH2 (29 April 2026)

## 3.1 Introduction

This summarises the oral case made by the Applicant at ISH2 on 29 April 2026.

## 3.2 Response to Actions Under Agenda Item 8 (Landscape and Visual Effects)

Table 3.1 Item 8 (Landscape and Visual Effects)

Action No.	ExA Description	Applicant’s Response
<b>8.1 Methodology</b>		
8.1a	Please provide examples of how the use of the Landscape Institute technical guidance note 0221, ‘Assessing landscape value outside national designations’ had an effect on the proposed route.	The Applicant has provided further details on this in response to Action Point 24 (Landscape Institute Technical Guidance Note 02/21) in <b>8.5.8 Applicant’s Response to Issue Specific Hearing 2 Action Points [Revision A]</b> .
<b>8.2 Landscape and visual effects – general issues, including limits of deviation (LoD)</b>		
8.2a	Please can the Applicant explain the approach taken to assessments and the LoD? Did the assessment for landscape, and indeed heritage, consider indicative fixed points of the pylons and overhead lines or	The Applicant confirmed that the assessment took the approach of assessing a reasonable worst-case scenario, essentially the Rochdale Envelope. It was based on the pylon positions in the current design, which is considered the most likely route to come forward. The Applicant also undertook sensitivity testing in relation to the LoD as part of the assessment. This is set out in Section 13.9 Sensitivity Testing, in <b>6.13 Environmental Statement Chapter 13 - Landscape and Visual [APP-226]</b> . The sensitivity testing considered the potential for changes to the longitudinal, lateral and vertical LoD. This testing did not identify any change

Action No.	ExA Description	Applicant's Response
	fixed points of the full extent of the lateral and vertical movement permitted by the limits of deviation?	<p>to the level or significance of effects reported in the Environmental Statement, except at two viewpoints where the level of effect was increased, but there would be no change to significance.</p> <p>The landscape and heritage visualisations were based on the pylon positions in the current design, which is considered the most likely route to come forward. Otherwise, there would theoretically be an infinite number of positions where the pylons could move to within the LoD, because if one pylon moved laterally or horizontally it could affect the position of the surrounding pylons. The Applicant also noted that although a pylon may move closer in one view, it may be further away in a different view, but overall the effects would be likely to balance out in most cases.</p>
8.2b	Should the visualisations be presenting the worst case scenario for the pylon position in terms of the LoD, for example for a specific heritage receptor?	<p>The visualisations are for illustration purposes and are not solely relied upon for the Landscape and Visual Impact Assessment (LVIA). The LVIA is based on fieldwork, desk-based research, the application of relevant guidance, zone of theoretical visibility models and visualisations. The professional judgements were made knowing that there could be change to the proposed alignment, which was considered through sensitivity testing.</p> <p>The Applicant confirmed that the heritage assessment identified certain locations along the route where it was considered that movement of pylons within the LoD could increase the level of harm. Commitments were then added to <b>7.2 Outline CoCP [Revision D]</b> at GG34, which restrict the LoD in those locations as mitigation. The assessment concluded that this was not necessary in other locations because setting is quite a wide consideration and the movement of a pylon within the LoD would be unlikely to alter the level of harm.</p> <p>The Applicant considers that having an understanding of changes which could be made within the LoD, and using professional judgment to consider these changes, is the most appropriate way of assessing the likely significant effects of the Project. The visualisations are only one tool to be employed in this process.</p> <p>The current visualisations have been modelled on the most likely positions, having regard to information from all disciplines on the Project team, including engineering. If one were to model the worst-case LoD in every case, this would result fundamentally in an unrealistic estimation of the Project, because the LoD are only used where there are individual technical or safety reasons to move from the position from that assessed within the Environmental Statement (ES). This issue was considered on the Yorkshire Green DCO, where the panel</p>

Action No.	ExA Description	Applicant's Response
		<p>agreed that the use of worst-case pylon positions across the entire project would provide an unrealistic picture which could not have been usefully relied on either by the panel or by anyone else.</p> <p>The Applicant agreed that if the other parties could identify specific viewpoints within the most sensitive areas, then the Applicant will consider how a proportionate exercise of producing further visualisations for those areas can be provided.</p>
8.2c	How do the LoD for this project compare to that on the Bramford to Twinstead DCO?	The Applicant confirmed that the LoD on Norwich to Tilbury are in the same broad order as on the Bramford to Twinstead DCO but are not exactly the same. The Applicant confirmed that it would provide a response in writing on this matter, see the response to Action Point 26 (Limits of Deviation 2) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b> .
8.2d	Given their age, does the Applicant consider that the Holford Rules are still relevant for a project in today's world and are most judgments on routing going to create conflict with one or the other rule?	<p>The Applicant considers that the Holford Rules continue to be fit for purpose and are contained in both the 2024 and 2026 versions of EN-1, which shows that the rules remain part of government guidance. Therefore, the Applicant is obliged by EN-1 to have regard to, where appropriate, the Holford Rules and they remain up to date in that respect.</p> <p>When looking at the Holford Rules and the Horlock Rules for substation siting, the nature of the scope covered means that there is likely to be a degree of conflict in most instances. For example, one of the rules favours going through valleys, but if that valley includes ancient woodland or some other environmental feature that one of the other rules says you should avoid, there is inevitably a degree of conflict. This is an example of where a balance is required through the option appraisal process.</p> <p>Whichever alternative route or location is considered in the assessment, there will be different environmental features, attributes, properties, etc. These features and potential effects are identified through the different technical assessments.</p>
8.2e	Suffolk County Council noted the divergence of view between the Applicant and the council on the role of mitigation where you are dealing with landscapes which are not designated	A number of councils maintained the position that all residual impacts after mitigation should be fully compensated. This is not the position of the Applicant and is not supported by a reading of NPS EN-1, NPS EN-5 or other decisions of the Secretary of State. The NPSs acknowledged that there are likely to be adverse impacts including landscape and visual impacts due to large infrastructure projects on many occasions. If there was a need in all circumstances to compensate fully for such impacts, then the guidance (particularly in the

Action No.	ExA Description	Applicant's Response
	landscapes, and the interpretation of the guidance in EN-1, which can include measures of compensation.	<p>landscape sections of the suite) would say so in clear terms. The Applicant pointed to the Examining Authority's response on the Bramford to Twinstead DCO (paragraphs 3.9.142-3.9.157)<sup>6</sup>, where the panel summarised their consideration in relation to the same debate (including legal submissions). For that DCO the Examining Authority concluded (in paragraph 3.9.196) that <i>'The Examining Authority understands the local authorities' concerns that some of the impacts cannot be fully mitigated, but does not concur that this should automatically mean that some form of compensation should be required'</i>.</p> <p>The Applicant considers that the Bramford to Twinstead DCO panel was right to do this because any such compensation would need to be required by a formal requirement, which should be necessary, precise, enforceable, relevant to the development, relevant to planning and reasonable in all other respects.</p> <p>EN-1 states that some significant residual impacts are likely for any NSIP, and particularly for an overhead line. It also states that the residual impacts are likely to be outweighed by the public need for CNP, including, for example, in circumstances where harm is occasioned to National Landscapes.</p> <p>Compensation, although part of the mitigation hierarchy, cannot reduce the residual impacts of a proposal. That sentence, although it's not expressly stated in the existing (2024) EN-1, was added at paragraph 4.2.25 of the adopted (but not the determinative) 2026 EN-1 for the purposes of this case. The Applicant considers that this clarification has potentially come about as a result of the arguments that have been going on in this case and in the Bramford to Twinstead DCO and in other cases across the country. This issue of compensation being somehow a different consideration in the mitigation hierarchy was grappled with by the Bramford to Twinstead DCO Examining Authority<sup>6</sup>. Its conclusion was that they agreed with the position advanced by National Grid, that compensation was different and there is and can be no necessary requirement for full compensation of all inevitable residual harms and impacts.</p> <p>No part of EN-1 or EN-5 states that all residual landscape impacts need to be compensated for or offset. If that was the test, the policy would have said so, and it does not because it is</p>

<sup>6</sup> The Planning Inspectorate (2024) *Bramford to Twinstead Reinforcement Examining Authority's Report of Findings and Conclusions and Recommendation to the Secretary of State for Energy Security and Net Zero*

Action No.	ExA Description	Applicant's Response
		<p>not thought to be proportionate, necessary, economic or in many cases achievable, to address all residual harm by some form of compensation. The Applicant noted that this does not mean that compensation is never an appropriate provision for a DCO requirement and listed three examples in EN-1 (habitats, woodland and National Landscapes) where the policy states that compensation is required where possible. Elsewhere, if compensation is to be secured by requirement, then that compensation must be truly necessary to the grant of the DCO to satisfy the relevant tests, and without that compensation, the DCO should not be granted. In other words, the absence of the compensation that's being sought by a local authority outweighs the public benefits of the Project, and results in the DCO being refused. Paragraph 5.10.6 in EN-1 (2024) has been carefully drafted and includes these words, <i>'providing reasonable mitigation where possible and appropriate'</i>.</p> <p>So, for all of the reasons outlined above there is not a formal requirement that all landscape and visual impacts be fully compensated when looking at EN-1 as a whole. The Applicant noted that this now appeared to be accepted by the authorities post Bramford to Twinstead. The Applicant considers that it has provided sufficient mitigation and that the residual impacts are vastly and substantially outweighed by the public benefits. Meaning that further compensation for landscape and visual effects would be disproportionate.</p> <p>Notwithstanding the reasons above, there are constructive ongoing discussions between the Applicant and relevant local authorities and parties with a view to seeing whether the local authorities can come forward with any landscape measures which may be capable of falling within one or more of the proper ambits of a DCO requirement or Section 106 agreement, either of which would require the meeting of the relevant policy and legal tests. The Applicant noted that in relation to the statutory duties placed on National Grid, cost is one of the issues which Ofgem will look at carefully. Something which is not necessary to the grant of permission pursuant to policy is very unlikely to get authorisation. Environmental duties also exist under Schedule 9 of the Electricity Act 1989 as well, and that may provide some room for manoeuvre in relation to a voluntary agreement for enhancements outside of the DCO requirements, as took place on the Bramford to Twinstead DCO.</p>
8.2f	<p>Masterplans</p> <p>The Applicant was requested to produce visual masterplans for</p>	<p>The Applicant notes this action and has agreed to engage with the local authorities about providing plans for Deadline 5.</p>

Action No.	ExA Description	Applicant's Response
	the areas identified in question LV 1.28, which bring together the various constraints, opportunities and the potential effects of the Project on a single plan for those specific areas.	
8.2g	The Applicant was asked whether the residential visual amenity assessment (RVAA) was a desk-based exercise?	The Applicant undertook site surveys of local places of public access, e.g. public rights of way and public highways, for the Residential Visual Amenity Assessment (RVAA) in <b>6.13.A4 Environmental Statement Appendix 13.4 - Residential Visual Amenity Assessment - Part 1 of 2 [Revision B]</b> . The assessment also involved studying maps, models, topography and vegetation plans, which all contributed towards the RVAA.
8.2h	The Applicant was asked about the tension between the Holford Rules (Rule 6 in particular) and EN-1 and EN-5 especially around Chelmsford.	The Applicant considered Holford Rule 6 (Wirescape) when positioning the proposed line alongside existing overhead lines in a given location. With regards to the route around Chelmsford, the Applicant responded to this point in ALT1.6 in <b>8.9.1 Applicant's Responses to First Written Questions [REP3-074]</b> , which included various combinations of paralleling the existing route to the east side of Chelmsford along with combinations of undergrounding the existing 132 kV overhead line.
<b>8.3 Consideration of specific areas</b>		
8.3a	<b>Waveney Valley</b> Please can the Applicant explain the location of the policy that states lattice pylon effects must be unacceptable in policy terms before T-pylons are considered?	Decision making on routing is governed by EN-1, EN-5 and EN-3, but the Applicant has to also consider other duties under the Electricity Act 1989. The latter includes being economic and efficient, and as a consequence of this it has to consider the mitigation hierarchy when progressing to use more expensive design choices. The options appraisal has a starting presumption of using a standard lattice pylon, and when that position is unacceptable the Applicant would then consider alternative options as part of the mitigation hierarchy.
8.3b	<b>Waveney Valley</b> Noting the above, the Applicant in one of the written questions mentioned that the cost of lower	The Applicant noted that this is where the balancing of different factors comes in. The low height lattice pylons are a shorter, squatter structure than the standard lattice pylons and as a consequence have different effects. For example, there would need to be more frequent low height pylons, compared to standard height pylons, to maintain sufficient height clearance for

Action No.	ExA Description	Applicant's Response
	<p>height pylons was basically in the same ballpark as standard lattice pylons so how is this then considered? Should they be on the same mitigation level?</p>	<p>the conductors. In addition, the Applicant also considers the consequences of swapping between different pylon types within a landscape and would prefer consistency along a section to present a simpler visual composition, unless there was a compelling reason for a change.</p> <p>When the Applicant applies the mitigation hierarchy, it is this different balance of factors that is considered and that is why it is considered a step-up to use low height pylons, because of the generally additional consequences of the broader cross-arms.</p>
8.3c	<p><b>Waveney Valley</b></p> <p>What factors led to the Applicant considering undergrounding at this location in the first place? What was different about this area?</p>	<p>Undergrounding is never identified on the basis of a single factor and a number of factors played into this decision, including feedback from the Local Planning Authorities, that the effects had the potential to engage with paragraph 2.9.23 of EN-5. The potential deployment of an underground cable design as well as an overhead line design was taken forward on a precautionary basis at this location, to allow further consideration of it as an option. At the time, the Applicant was still concluding assessments and investigating other potential impacts that would factor into the decision-making, such as impacts on peat and technical and design implications based on the geology. Therefore, the potential for undergrounding was considered to allow the decision to be fully informed by all of the available information.</p>

Action No.	ExA Description	Applicant's Response
8.3d	<p><b>Waveney Valley</b></p> <p>Would the combination of factors not point to a move up the mitigation hierarchy for this particular area in terms of, for instance, T-pylons?</p>	<p>The Applicant considered both low-height pylons and T-pylons at this location. There are technical constraints in relation to the change of angle (and hence the change of direction) that can be achieved from these options and the change of angle required at this location was larger than what could be achieved through low height or T-pylons.</p> <p>Lattice pylons are designed to be visually permeable and to disappear over distance. T-pylons are solid structures and tend to be white or grey and you cannot see through them in the same way. T-pylons tend to be associated with more urban or urban-edge landscapes due to their more architectural-type form. T-pylons also require large foundations and permanent roads for maintenance, so from a landscape and visual perspective, they are not necessarily appropriate in a rural environment like this.</p> <p>Similarly, the low-height pylons are more squat and bulky than standard lattice pylons. The impacts can be more severe when viewed in close proximity, for example by users of the Angles Way long distance path. The more transparent lattice pylons were considered more appropriate in the shallow valley which benefits from a degree of back-clothing by landform and woodland.</p> <p>The Applicant agreed to provide further details on the technical difficulties regarding the angles of low height and T-pylons in writing – see response to Action Point 28 (Waveney Valley) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>
8.3e	<p><b>Waveney Valley</b></p> <p>Further questions were asked by Interested Parties with regards to the reason undergrounding was considered appropriate at this location.</p>	<p>Paragraphs 2.9.20 and 2.9.21 in EN-5 (2024) create a strong presumption for undergrounding in National Landscapes, but overhead lines is the strong starting presumption outside of National Landscapes with such areas outside including the Waveney Valley. Paragraph 2.9.23 of EN-5 (2024) states that outside of nationally designated landscapes, consideration can be given to undergrounding where there might be a high potential for widespread and significant adverse landscape and/or visual impacts, and it was for that reason and on a precautionary basis given the urgency of the Project, that the Applicant decided to take forward the consideration of a proposed underground option in the statutory consultation.</p> <p>When considering whether undergrounding is the appropriate way forward, there are two further tests. The first test is whether there is a proposal which would have widespread adverse landscape and/or visual impacts. The Applicant's landscape and visual assessment</p>

Action No.	ExA Description	Applicant's Response
		<p>found that this was not the case, given the valley topography and the presence of woodland and trees. Then, even if it was considered on a precautionary basis there were to be such impacts, the Applicant would need to consider whether a potential undergrounding option is outweighed by other factors (see paragraphs 2.9.24 and 2.9.25 EN-5 (2024)) having regard, for example, to feasibility of alternatives and costs and other matters, and in this case, the other matters were fundamental.</p> <p>There were also other factors that were relevant to the decision taken at Waveney Valley, in particular, the WaLOR project. This government-backed, fully-funded, pioneer environmental project, responded to the statutory consultation by saying that the undergrounding would be fundamentally inconsistent with the objectives of the WaLOR project, and this was one of the factors that went against the feasibility of undergrounding. There were also objections from Natural England and the Wildlife Trust relating to the impacts of undergrounding on the unique peat soils. This was also considered to be fundamentally inconsistent with undergrounding. The combination of these different factors was considered to be sufficient to rule out undergrounding.</p>
8.3f	<p><b>Waveney Valley</b></p> <p>Please can the Applicant clarify its views of the effect on the proposed development on the Church of St Remigius? The church has noticed the prominent position overlooking the valley and there are clear views of the church from Doit Lane and from the Angles Way footpath. The church would have been and is still a landmark feature in the landscape. In this respect, should the harm levels be</p>	<p>The Applicant assessed the impact on the Church of St Remigius in <b>6.11 Environmental Statement Chapter 11 - Historic Environment [AS-068]</b>, and appendices <b>6.11.A1 Environmental Statement Appendix 11.1 - Historic Environment Baseline Report [APP-209]</b> (p 122), <b>6.11.A2 Environmental Statement Appendix 11.2 - Historic Environment Assessment Tables [AS-070]</b> (p 5-6 and 1006-7), <b>6.11.A7 Environmental Statement Appendix 11.7 - Assessment of Harm to Designated Heritage Assets [APP-215]</b> (p 8-9 and 204). This concluded that there would be harm caused to this asset from the Project but that this would be less than substantial harm and at the lower end of that scale.</p> <p>The Applicant considered thof the church in its totality, and the harm as stated, primarily arises from the view to the church from the south when passing through the valley, where people using the footpath would have pylons visible within their view. It is possible to get an unobstructed view of the church as a user proceeds east and the pylons would not infringe on every view within that landscape. For example, on the other side of the valley, the overhead line would have very little effect on the setting of the church in the immediate environs. In addition, people experiencing the church as a place of worship or for an event would have views of the screening vegetation that borders the churchyard and screening from the White</p>

Action No.	ExA Description	Applicant's Response
	higher than lower, and less than substantial level.	<p>Hart public house. There would be some glimpsed views through that vegetation as a user moves around the churchyard, but from the church itself, there would be limited change in the setting. All of these factors, and others, were taken into account when considering the overall effect on the setting within the assessment.</p> <p>The Applicant recognises that there are differences of opinion in the level of harm to the church, but that Historic England and the councils commenting today all say that it falls within the 'less than substantial harm' category. The Applicant stands by its analysis and based on the oral summaries given at the hearing, there is consistency between the parties that this would be less than substantial harm to the setting with regards to paragraph 4.2.17 in EN-1 (2024).</p>
8.3g	<p><b>Waveney Valley</b></p> <p>Babergh and Mid Suffolk District Council noted the extensive PRow network and the potential for kinetic views travelling towards the National Landscape, particularly with the CSE compound, near Wenham Grove.</p>	<p>In terms of the visibility of Wenham Grove CSE compound, the Applicant noted <b>6.13.F11 Environmental Statement Figure 13.11 - ZTV of Wenham Grove CSE Compound [APP-247]</b>, which shows the zone of theoretical visibility of the CSE compound. This illustrates that the level of visibility is very low from within the National Landscape. This is also shown in Viewpoint 3.25 from outside of the National Landscape close to Wenham Grove, and Viewpoint 3.24 from a high point within the National Landscape, which demonstrates that the CSE compound would not be visible from the National Landscape.</p>
8.3h	<p><b>Dedham Vale National Landscape</b></p> <p>How frequent are the joint bays and link pillars? Has the worst-case scenario for any visual effect of the link pillars been assessed (i.e. a link pillar every 500m, so around 42 link pillars) within the National Landscape?</p>	<p>The link pillars are related to the jointing of sections of cable which come in those lengths, so the distance between them would vary but would be between 500–1,000 m. The Applicant has assessed the link pillars as part of the environmental assessment and considers these to be relatively small components. The Applicant would seek to locate these near existing field boundaries if possible, and they could be coloured to blend into the landscape to reduce visual effects. The Applicant agreed to respond in writing - see response to Action Point 29 (Dedham Vale 1) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>

Action No.	ExA Description	Applicant's Response
8.3i	<p><b>Dedham Vale National Landscape</b></p> <p>How have the restrictions on existing land management practices been considered as part of the landscape and visual amenity assessment and on the special qualities of National Landscape been assessed properly?</p>	<p>Normal agricultural practice would be able to continue over the cables. Areas of grassland present before construction would be reinstated to grassland, following the cables being installed. Arable farming practices can also resume post construction. There are not anticipated to be any restrictions on normal agricultural practices, including ploughing.</p> <p>The main restriction on land management practices over the cables is that trees cannot be replanted over the cables due to the roots potentially damaging the cables. Therefore, trees removed from the cable route would need to be relocated outside of the cable footprint. This does not apply to hedgerows, which can be replanted as these have shallower roots.</p> <p>The Project has reduced the effects on trees within the National Landscape by clipping the Order Limits and restricting the LoD where trees are present.</p> <p><b>Post-Hearing Note</b> – further information on the 3:1 ratio can be found in response to LV 1.37 of <b>8.9.1 Applicant's Responses to First Written Questions [REP3-074]</b>,</p>
8.3j	<p>Suffolk County Council and Dedham Vale National Landscape and Stour Valley Partnership requested the consideration of using horizontal directional drilling to avoid loss of hedgerows.</p>	<p>The Applicant is considering the approach to HDD under hedgerows in the National Landscape and will provide a further response at Deadline 5.</p>
8.3k	<p><b>Dedham Vale National Landscape</b></p> <p>In terms of the duty to further the purposes of the National Landscape, including whether the proposed agreement to provide a financial contribution to enhance National Landscape and its setting is proposed?</p>	<p>There is a duty on the Examining Authority and the Secretary of State to seek to further the statutory purposes of the National Landscape. This was considered and tested in the Lower Thames Crossing DCO case, where the Secretary of State considered the duty and held that it could be met by a financial contribution amount to be agreed post-examination. The Applicant has gone further than this, as it is currently developing heads of terms with Suffolk County Council (as the host authority for the National Landscape) and Dedham Vale National Landscape and Stour Valley Partnership, which would meet the statutory duty to seek to further the purposes.</p> <p>The heads of terms have been shared and progressed with Suffolk County Council and the Dedham Vale National Landscape and Stour Valley Partnership. The Applicant has received</p>

Action No.	ExA Description	Applicant's Response
		<p>comments from both parties and has updated the heads of terms and re-shared for agreement, but fundamentally the terms are broadly agreed.</p> <p>The Applicant has been engaging with both parties to identify measures that would be sufficient and appropriate, reasonable and proportionate in line with the EN-1 (2024) and also the 2024 Defra Guidance for Relevant Authorities on Seeking to Further the Purposes of Protected Landscapes<sup>7</sup>. The feedback received to date, was that there was a preference from the local authorities and Dedham Vale National Landscape and Stour Valley Partnership for a financial contribution. These comments and preference were taken on board. As part of identifying the sum of that contribution, the Applicant and the National Landscapes Partnership have identified a list of projects in Annex A of Appendix A of <b>5.10 National Landscapes - Duty to Seek to Further the Purposes Report (s85 Countryside and Rights of Way Act 2000) [APP-120]</b> that the financial contribution could be applied towards. These are all in line with the Dedham Vale Management Plan<sup>8</sup> and seeking to further the statutory purposes of the National Landscape. The Applicant has also agreed to undertake an initial feasibility study to look at the future removal of the 132 kV overhead line known as the 'PJ line', which is also noted in <b>5.10 National Landscapes - Duty to Seek to Further the Purposes Report (s85 Countryside and Rights of Way Act 2000) [APP-120]</b>.</p> <p>The Applicant considers that these measures, combined with the mitigation measures that have been undertaken through the Project routeing and design, meet the statutory duty to seek to further the purposes and the related 2024 Defra guidance and policy in EN-1. The Applicant considers the measures are appropriate, reasonable, proportionate and sufficient to meet the duty.</p>
8.3I	<p><b>Burstall and Bramford</b></p> <p>There is a considerable wirescape already around Bramford from the existing</p>	<p>The design includes the removal of three sections of existing 132 kV overhead lines around Bramford Substation, as shown on pages 23 to 27 of <b>6.4.F1 Environmental Statement Figure 4.1 - Proposed Project Design (Final Issue A) [APP-133]</b>. To the north of Bramford Substation, there is approximately 8 km of overhead line that would be replaced by</p>

<sup>7</sup> Defra (2024) *Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes*. <https://www.gov.uk/government/publications/the-protected-landscapes-duty/guidance-for-relevant-authorities-on-seeking-to-further-the-purposes-of-protected-landscapes>

<sup>8</sup> Dedham Vale National Landscape and Stour Valley Partnership (2026). *Dedham Vale National Landscape and Stour Valley Project Area Management Plan 2026-2031*. <https://dedhamvale-nl.org.uk/managing/management-plan/>

Action No.	ExA Description	Applicant's Response
	<p>substation and the works going on there, which will be added to by the Project. How does the Applicant intend to mitigate those effects, if indeed it does?</p>	<p>underground cable (between Offton and Bramford). To the south, there are two separate 132 kV overhead lines that would be replaced by underground cable.</p> <p><b>6.13 Environmental Statement Chapter 13 - Landscape and Visual [APP-226]</b> has considered embedded mitigation measures proposed as part of the Project. This includes the routing of the overhead line in and out of Bramford Substation and the removal of three existing sections of overhead lines around the substation. Other relevant mitigation measures include the reinstatement of vegetation removed and a commitment to 3:1 tree replacement planting ratio as set out in <b>7.4 Outline Landscape and Ecological Management Plan [REP3-030]</b>.</p>
8.3m	<p>The Applicant responded to Burstall Parish Council and Babergh District Council and Mid Suffolk District Council's comments on:</p> <ul style="list-style-type: none"> <li>• The suggestion to underground the 400kV overhead line rather than the existing 132kV lines.</li> <li>• Concerns about the landscape planting taking years to mature and will offer little mitigation as the site lies on high ground.</li> <li>• Concerns about the cumulative effects of development around Bramford Substation, including other developments that will be enabled by the Bramford to</li> </ul>	<p>The Applicant has responded to the question about why the proposed 400 kV line is more difficult to underground than the existing 132 kV overhead line in the response to Seddon in <b>8.5.5 Applicant's Response to the Oral Submissions Made at the Open Floor Hearings [REP2-028]</b>. In summary, the 400 kV connection would require 18 cables, six trenches of three, with the cables requiring a 55-60 m width, compared to the 132 kV connections which can be undergrounded via a single trench. There is not enough space available given the existing infrastructure to underground the proposed 400 kV connection at this location.</p> <p>The Applicant noted that the assessment presented in <b>6.13 Environmental Statement Chapter 13 - Landscape and Visual [APP-226]</b> assumes that existing infrastructure, including the overhead lines and solar farms, form part of the baseline environment. Future development proposals around the substation have been considered as part of the cumulative effects assessment in <b>6.17.A3 Environmental Statement Appendix 17.3 - Inter-Project Cumulative Effects [APP-284]</b>. Each future development proposals would need to be considered under its own merits in the planning system. In terms of the battery storage proposal, the Applicant has responded to this in paragraph 6.1.3 in <b>5.15 Design Development Report [APP-122]</b>.</p> <p>There is no environmental area identified around Bramford Substation for additional planting due to a lack of space from existing or proposed developments. This constraint is illustrated on the figure supporting GEN 1.15 in Appendix B of <b>8.9.1 Applicant's Responses to First Written Questions [REP3-074]</b>.</p> <p>The Applicant agreed to come back in writing regarding the point raised about joint mitigation planting with the Bramford to Twinstead DCO see response to Action Point 31 (Burstall and</p>

Action No.	ExA Description	Applicant's Response
	Twinstead Project and the proposed Project.	Bramford) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b> .
8.3n	<p><b>Ardleigh and Little Bromley</b></p> <p>Please can the Applicant respond to whether it is producing any additional visualisations for this area in response to the comments raised by Tendring District Council? Does the line to the north of Ardleigh warrant further consideration in relation to the historic environment?</p>	<p>The Applicant will consider locations for visualisations proposed by Tendring District Council at Deadline 4 and provide a response by Deadline 5, see response to Action Point 25 (Ardleigh and Little Bromley) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p> <p>The Applicant considers that the viewpoints that are included within the application are appropriate for the assessment. The Applicant has chosen viewpoints that are identified as key views within the conservation area appraisal, and specifically those views that are orientated towards the Project and could be affected. This includes Viewpoint HE25 in the centre of Ardleigh. This shows how the infrastructure would be seen in relation to the Church of St Mary (1112060). It is an obscured view, and it was chosen because it was representative of the central part of the conservation area because one of the features of the conservation area is its secluded nature, as identified in the 'Ardleigh Conservation Area Character Appraisal and Management Plan' (Essex Place Services 2025). VP3.11 is taken on the northern edge of the village, which lies slightly beyond the conservation area and the screening provided. This is an unobscured view and is considered to be a worst-case view across open arable land, from near the edge of the settlement.</p>
8.3o	<p><b>Ardleigh and Little Bromley</b></p> <p>Two further matters were raised by Interested Parties:</p> <ul style="list-style-type: none"> <li>• How has the Applicant had considered best and most versatile land when siting the EACN?</li> <li>• How were the effects on heritage asset 1147743 (Bounds Farmhouse) considered in the assessment?</li> </ul>	<p>The Applicant said that it would respond to these matters in writing. The Applicant will respond to the first point at Deadline 5 when it responds on the oral summaries from other parties.</p> <p>The Applicant has provided further details on this in response to Action Point 33 (Bounds Farmhouse) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>

Action No.	ExA Description	Applicant's Response
8.3p	<p><b>Colne Valley</b></p> <p>The valley to the west of Great Horkesley through Fordham, Ford Street and Aldham has some differing characteristics in terms of topography and could be an area where pylons may be more visible. How has the Applicant's approach to the proposed route in this area varied given those characteristics?</p>	<p>The methodology that the Applicant applied throughout the routing and siting is the same regardless of location. However, each location has different environmental constraints and other features, and it is the balance between these factors that informs the decision at a given location.</p> <p>The landscape in this area is undulating due to the Colne Valley, which runs in an east–west orientation, and there is a tributary valley connecting from the north, at the top of which is situated the Great Horkesley (Tilbury side) CSE compound. <b>6.13.A2 Environmental Statement Appendix 13.2 - Landscape Baseline and Assessment [APP-228]</b> shows that both Landscape Character Area (LCA) A4 Colne River Valley Floors and LCA A5 Colne River Valley Slopes are of high sensitivity and there would be significant effects up to approximately 1.5 km from the Project within both character areas. There would also be significant effects on LCA B4 Great Tey Farmland Plateau and LCA B5 Rochfords Farmland Plateau.</p> <p>In terms of visual effects, the Applicant grouped visual receptors into three visual receptor areas, D5, D6 and D7, as presented in <b>6.13.A3 Environmental Statement Appendix 13.3 - Visual Baseline and Assessment - Part 1 of 4 [APP-229]</b>. Whilst the Applicant does accept there are locations where views of the overhead line would extend into more elevated surrounding rural areas in the vicinity of the Colne Valley and into neighbouring lower-lying farmland, there are occasions where intervening landform and vegetation will filter views of parts of this section of the overhead line, and typically limit more distant views. There are also the effects of the changing view over distance and the visual permeability of the infrastructure, in terms of the way it will disappear more readily into the distance than would be the case for other types of infrastructure. The effects within the lower lying River Colne Valley itself will generally be more contained.</p> <p>The visual assessment identified significant effects up to approximately 1.5 km. Landscape and visual effects beyond approximately 1.5 km are judged to be not significant, but there are some isolated locations where the Applicant has identified significant visual effects up to approximately 2 km. Therefore, the findings of the LVIA demonstrate there is not a high potential for widespread, significant adverse landscape and/or visual impacts of the Colne Valley (for the purposes of paragraph 2.9.23 of EN-5 (2024)), albeit it is recognised that significant adverse landscape and visual effects are reported in this location.</p>

Action No.	ExA Description	Applicant's Response
		<p>In summary, the methodology considered whether this location was designated as a National Landscape, where there would be a strong presumption for undergrounding, and the answer was no. The next question was to apply the test in paragraph 2.9.23 about whether there is a high potential for widespread adverse impact which would not by itself rebut the strong presumption for underground but ought to give rise to consideration. The Applicant concluded that there was not a high potential for widespread significant adverse effects at this location.</p>
8.3q	<p><b>Colne Valley</b></p> <p>There are also a number of listed buildings in this area and quite a narrow route. It seems to be an area where there is lots of different competing constraints, so have these been considered?</p>	<p>The assessment of the alternative routes is set out in Section 7.3 and Figure 7.4 in <b>5.15 Design Development Report [APP-122]</b>. Each route brings different effects on the different technical topics that were involved in the appraisal and the feedback from each team was used to identify the preferred route. In terms of heritage, the assessment (<b>6.11 Environmental Statement Chapter 11 - Historic Environment [AS-068]</b>) concludes a significant effect for Ford Street conservation area due to the proximity of the overhead line in relation to it, and it also concludes a number of adverse effects, both not significant and significant, for the listed buildings in this area.</p>
8.3r	<p><b>Great and Little Waltham</b></p> <p>At REP1-261 the North-West and South-West Chelmsford Parishes Group submitted a landscape assessment of the Waltham Gap carried out by Alison Farmer Associates, which considered that it was surprising that the effect of the proposal on the churches of Greater and Little Waltham hadn't been assessed from Wheelers Hill towards Little Waltham Church, and that historic maps showed that the historic landscape at Langleys extended further than the</p>	<p>The Applicant identified that the setting of Langleys Park and Garden (1000241) extends beyond the designated area in the assessment, particularly towards the River Chelmer (<b>6.11.A1 Environmental Statement Appendix 11.1 - Historic Environment Baseline Report [APP-209]</b>, p 890-891). The settings of the Church of St Martin (1122044) in Little Waltham and Church of St Mary and St Laurence (1122058) in Great Waltham were also considered within <b>6.11.A1 Environmental Statement Appendix 11.1 - Historic Environment Baseline Report [APP-209]</b>, p 861 and 855 respectively. In the case of both churches, the conclusion was that the heritage assets settings are greatly informed by their settlement location, including their relationships with the other historic buildings within the settlements. In the case of the Church of St Martin its relationship with the adjacent rural landscape clearly informs its setting but this is located to the east and north east, in the opposite direction to the Project. Therefore, it was concluded that the area of the Project did not make a clear contribution to their settings and their settings did not extend to the Order Limits. Following the methodology set out in <b>6.11 Environmental Statement Chapter 11 - Historic Environment [AS-068]</b> the churches were not considered further in assessment as there would be no potential for effects.</p>

Action No.	ExA Description	Applicant's Response
	<p>existing registered park and garden. I wondered what your views on that document were. Further points were also raised by Interested Parties about the alternatives and the LoD.</p>	<p>The Applicant confirmed that it has responded previously to the Alison Farmer Associates report on pages 650 to 654 of <b>8.4.1.2 Addendum to Applicant's Comments on Relevant Representations – Part 2 [AS-089]</b>. This responds to the proposed suggested routes, effects on landscape character and the Broomfield and Writtle Neighbourhood Plans.</p> <p>The Applicant has already responded to the points raised on the LoD in the response to DCO 1.A16 of <b>8.9.1 Applicant's Responses to First Written Questions [REP3-074]</b>. This covers the proposed change to the pylons south of the River Chelmer to two standard pylons replacing three low height lattice pylons. Commitment GG34 in <b>7.2 Outline CoCP [Revision D]</b> is for a restriction, for heritage reasons, on pylon TB136 to further constrain the vertical LoD.</p> <p>In terms of the routing of the alternatives, as noted in previous responses, the Applicant had previously identified the route to the west of the Walthams, as set out in Section 9.2 in the <b>5.15 Design Development Report [APP-122]</b>. The alternatives are not devoid of their own effects, and the Applicant has taken a view that the alternatives were less preferred than the proposed Project.</p> <p>In response to the questions about not acknowledging the value of the Chelmer Valley landscape, the Applicant pointed to the landscape value assessment set out in Appendix A of <b>6.13.A2 Environmental Statement Appendix 13.2 - Landscape Baseline and Assessment [APP-228]</b>. This sets out a consistent approach to assessing landscape value across the entire study area. It takes into account site observations, as well as desktop research. The approach is based on guidance from the Guidelines for Landscape and Visual Impact Assessments, Third Edition<sup>9</sup>. It also takes into account the Landscape Institute Technical Guidance Note, for assessing landscape value outside of designated landscapes<sup>10</sup>. This defines landscape value as the relative value or importance attached to different landscapes by society on account of their landscape qualities. The guidance notes that the landscape value can be assessed at different stages in the planning process, including as part of the LVIA, as per the assessment on this Project.</p>

<sup>9</sup> The Landscape Institute and Institute of Environmental Management and Assessment (2013) *Guidelines for Landscape and Visual Impact Assessment, 3rd Edition*

<sup>10</sup> Landscape Institute (2021) *Technical Guidance Note 02/21 Assessing landscape value outside national designations*

Action No.	ExA Description	Applicant's Response
		<p>Each Landscape Character Area (LCA), or Landscape Character Type, has been systematically assessed against the value factors which are presented in Appendix A, and this has informed the sensitivity judgement in relation to the landscape assessment. The approach avoids the potential for downplaying specific qualities in areas that are not designated, and provides a consistent approach to value, whether the area is designated or not.</p> <p>In terms of the historic environment, the Applicant has included a number of viewpoints and visualisations, both within Langleys Registered Park and Garden and within the surrounding areas. The visualisations were used to inform the assessment, but they are not the only aspect that was considered when forming the judgement on impact.</p> <p>With respect to Langleys Grade I house in particular, viewpoint HE7 was selected and micro-sited on site to consider the view from the east side of the house along the open view towards the east-north-east. This was taken from ground-level as the Applicant had regard to the use of the house and the doorway at this point between the house and garden. On the basis of desk based research the Applicant understood that there are no significant rooms designed to have group functions, such as long galleries, on an upper floor less than substfrom which views might be a consideration in general terms. The viewpoints for Langleys were agreed with Historic England and the historic environment advisor to Chelmsford City Council.</p> <p>The Applicant considers that the location of the viewpoint is useful to represent the impact and that the impact of less than substantial harm for Langleys is appropriate. Whilst the Applicant acknowledges that there is change within the setting, it also considered that there is significant screening, not just from the cricket bat willows, but from other built form with the surrounding buildings on the estate itself, as well as the mature and intentional planting of the registered park and garden.</p>
<b>8.4 Cumulative effects</b>		
8.4a	The ALBA is concerned about the Applicant's response to LV 1.13 in First Written Questions, where the Applicant notes that the cumulative assessments are	Cumulative effects are considered in <b>6.17 Environmental Statement Chapter 17 - Cumulative Effects [APP-281]</b> and the Applicant does not consider this assessment to be in any way legally deficient. The assessment methodology was agreed through <b>6.19 Scoping Report [APP-288 to APP-296]</b> , and <b>6.20 Scoping Opinion [APP-297]</b> . It was also undertaken in accordance with the Planning Inspectorate's Advice on Cumulative Effects

Action No.	ExA Description	Applicant's Response
	<p>being reviewed, and any changes to the conclusions and likely significant effects will be published into the examination and it raises the question as to why now?</p>	<p>Assessment<sup>11</sup>. The assessment included both inter-project and intra-project cumulative effects and the residual effects are set out in <b>6.17.A3 Environmental Statement Appendix 17.3 - Inter-Project Cumulative Effects [APP-284]</b>.</p> <p>In terms of the answer to LV1.13, the Applicant is bringing the assessment up to date given that the cut-off date for the cumulative assessment in the application was 1 April 2025. Therefore, it is not that the assessment in the application was deficient, it is because there is now new information available about other proposed developments that was not available at the time of the assessment.</p> <p>The Applicant has submitted the updated cumulative effects assessment at Deadline 4, see <b>6.17.1 Environmental Statement Chapter 17 - Cumulative Effects - Response Update [Revision A]</b>.</p>
8.4b	<p>Please can the Applicant confirm where the viewpoints for cumulative effects of the EACN, together with North Falls and Five Estuaries infrastructure can be found in the application?</p>	<p>The Applicant does not have any detailed cumulative visualisations but does have several viewpoints that identify the maximum parameters for North Falls and Five Estuaries substations with a dashed line. However, it noted, that the Five Estuaries offshore wind farm application includes a photomontage which illustrates the proposed Five Estuaries substation together with the Norwich to Tilbury Project. That is 10.34.3 VP2 Barn Lane public right of way. North Falls has also produced a cumulative visualisation at the onshore substation, including the Norwich to Tilbury Project pylons shown as wire lines. Furthermore, the Environmental Area for the EACN is also shown within the joint substations design guide for North Falls and Five Estuaries offshore wind farms in Figures 8.17 and 8.19<sup>12</sup>. These figures clearly illustrate the interrelationship between the substations and how the landscape mitigation has been coordinated in that area.</p> <p>The Applicant has provided further details on this in response to Action Point 35 (Cumulative effects) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b> including copies of the images referenced at the hearing.</p>

<sup>11</sup> Planning Inspectorate (2025) *Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment*

<sup>12</sup> North Falls and Five Estuaries offshore wind farms (2026) *Joint Substations Design Guide*

Action No.	ExA Description	Applicant's Response
<b>8.5 Mitigation</b>		
8.5a	Please can the Applicant confirm the age what size trees it would be using for the replacement planting? It would also be helpful if the Applicant can specify age of tree.	<p>The Applicant confirmed that there are indicative specifications set out for the sizes of trees in the Environmental Areas but there are no specific size specifications in terms of the three-to-one tree replacement scheme at this stage. This detail would be provided within the final LEMP secured by Requirement 4. The indicative planting specifications are set out in <b>7.4 Outline Landscape and Ecological Management Plan Appendix C - Planting Schedules [APP-324]</b>.</p> <p>The majority of planting would follow best practice and involve planting transplants, whips and some light standard trees, because that is when trees are most vigorous and grow at their best. The Applicant fully appreciates that you cannot transplant a hundred-year oak, and that is why the three-to-one replacement is provided, in part to help compensate for the fact that the replacement trees will be younger than those removed.</p> <p>In terms of mitigation more generally, it is useful to consider everything that is included as mitigation. This includes mitigation embedded into the design such as decisions made through routeing and siting, around undergrounding, rationalisation of infrastructure and consideration of low height or other types of pylons. The mitigation also includes the Environmental Areas that are associated with the various substations. It includes clipping the Order Limits in some locations to reduce tree loss or to reduce the potential to move closer to settlements. Compensation (part of the mitigation hierarchy) also includes the 3:1 replacement planting scheme. Therefore, the mitigation is made up of a whole series of different measures which should be taken together.</p> <p>The Applicant has provided further detail on general mitigation in response to Action Point 18 (Mitigation, Enhancement, Compensation and Biodiversity Net Gain) and to Action Point 36 (Mitigation) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>

**8.6 Any other landscape and visual matters** – the Applicant made no oral summary under this item.

### **3.3 Response to Actions Under Agenda Item 9 (Historic Environment)**

The ExA noted that it would raise a Rule 17 letter to cover specific questions on the historic environment. The Applicant said it would respond in writing to the Rule 17 letter and made no oral summary under this agenda item otherwise.

## 4. Applicant’s Oral Case ISH2 (1 May 2026)

### 4.1 Introduction

This summarises the oral case made by the Applicant at ISH2 on 1 May 2026.

### 4.2 Response to Actions Under Agenda Item 11 (Traffic and transport)

Table 4.1 Agenda Item 10 (Traffic and transport)

Action No.	ExA Description	Applicant’s Response
<b>11.1 Baseline, modelling and future monitoring</b>		
11.1a	What is the status of modelling and assessments and matters that may not be agreed with National Highways, and also any outstanding information requested by National Highways?	<p>The Applicant has undertaken extensive junction modelling and held meetings with National Highways to discuss the results of the modelling and mitigation prior to the DCO application being submitted. Since submission, the Applicant has undertaken further surveys and modelling to address concerns or queries.</p> <p>In terms of additional modelling requests, National Highways requested that the Applicant build an additional five junction models. The Applicant has reviewed this request and considered that it would be appropriate and proportionate to model and assess the effects on one of these junctions, the A12 Junction 25. This junction was the subject of a previous DCO, the A12 Chelmsford to A120 widening scheme, which was cancelled in July 2025. It was not modelled originally due to the changes that would have resulted, if the A12 DCO was implemented.</p> <p>In terms of the remaining four junctions requested to be subject to VISSIM modelling by National Highways, the Applicant’s position is that it is neither proportionate nor needed for the Project, because the Project would only have a temporary effect on these junctions and this type of modelling would require extensive inputs and potentially several months to build and assess.</p> <p>It would not be possible to undertake these within the Examination timetable, so should it be agreed that these models need to be undertaken, the Applicant would seek to agree a</p>

Action No.	ExA Description	Applicant's Response
		<p>commitment in the Outline CTMP to agree a timescale and mechanism for agreeing any mitigation with National Highways. However, the Applicant does not believe that is necessary to model these junctions and is confident that a solution can be found that can be agreed with the relevant authorities.</p> <p>The Applicant noted that it was grateful to National Highways for taking the robust approach that it has and a realistic approach in relation to A12 junction 25. The Applicant reserves its position on microsimulation but would be very keen to see and to discuss the information and proposed options noted by National Highways, to see whether that changes its position on proportionality.</p> <p>In terms of demand forecast, the Applicant is continuing to engage with National Highways to agree the position.</p>
11.1b	<p>What is the status of modelling and assessments and matters that may not be agreed with the Local Highway Authorities (LHAs), and also any outstanding information requested by the LHA?</p>	<p>The Applicant has held a number of meetings with the LHAs and it understands that there are consultants appointed for the LHAs who are reviewing the modelling data. The Applicant is yet to receive those responses and will be having further meetings with the LHAs to discuss the modelling items that they have identified.</p> <p>In terms of outstanding mitigation, the Applicant is intending to submit an addendum to <b>7.11 Transport Assessment [APP-333]</b> at Deadline 5. This will provide the updates to the modelling, but the Applicant is sharing the modelling with the LHA prior to that time as part of working together as part of seeking to resolve any outstanding issues.</p> <p>The Applicant asked if the LHA could request anything on which they are seeking further information from the Applicant that they have not already sought by Deadline 4.</p> <p>The Applicant also noted that in terms of mitigation, it has included a commitment in the latest version of <b>7.3 Outline CTMP [Revision C]</b> to participate in a developers' forum that Essex County Council would set up. The Applicant noted that it could commit to a similar forum if other LHA would also welcome that mechanism. That can be captured in the commitments set out in <b>7.2 Outline CoCP [Revision D]</b>.</p>
11.1c	<p>Is there an update on the Thetford/Diss split of traffic issue?</p>	<p>The Applicant provided a comprehensive response to Diss in its response to TT1.14 in <b>8.9.1 Applicant's Responses to First Written Questions [REP3-074]</b>. The Applicant welcomes Norfolk County Council's response at Deadline 3 [<b>REP3-083</b>] stating that it is happy for Light Goods Vehicles to go through Diss.</p>

Action No.	ExA Description	Applicant's Response
		<p>The Applicant noted that the key issue with restricting all Heavy Goods Vehicles (HGVs) through Diss is that there could be the instance where HGV deliveries need to deliver to both Diss and the site south of Diss, and if this was necessary, it would take approximately a two-hour diversion to return to Diss and then go back down again. The Applicant noted that through its discussions with Norfolk County Council, it has managed to reduce 295 HGVs during the peak day, so the Applicant's proposal is that 100% of HGVs do not go through Diss during the AM and PM peak hours. The Applicant proposes to route 50% of the construction traffic through Diss with the inter-peak defined by Norfolk County Council as between 10:00 and 15:00. This would be approximately seven vehicles an hour within the 50-50 split.</p>
11.1d	<p>What is the commitment with regards to monitoring of junction performance? How will the junctions be monitored for performance during the construction phase, and what measures may be considered at certain locations that may be of concern? Are you planning on actual monitoring of traffic flows at junctions continually?</p>	<p>The Applicant responded to this question in its response to TT 1.36 in <b>8.9.1 Applicant's Responses to First Written Questions [REP3-074]</b>, stating that it has committed to developing a monitoring framework with the inclusion in the final CTMP. The commitment has been included in an update to <b>7.3 Outline CTMP [Revision C]</b> at Deadline 4.</p> <p>The Applicant will implement a booking management system, which will compare against the numbers assessed in <b>7.11 Transport Assessment [APP-333]</b> and the <b>ES [APP-123 to APP-287, AS-026 and AS-068]</b>. This will enable that comparison of the flows within the junction assessments. In addition, the Applicant has committed to a proactive three-month look-ahead on forecast traffic flows in advance. This will allow potential issues and mitigation to be identified before the impacts arise.</p> <p>The Applicant has updated <b>7.3 Outline CTMP [Revision C]</b> to include a commitment to develop a framework that will outline and identify potential mitigation measures, including traffic management measures, in response to the forecast traffic flows. These measures would be discussed and agreed with the LHA though the final CTMP submitted for discharge of Requirement 4.</p> <p>The Applicant confirmed it would be using a booking system which allows the monitoring of the vehicle flows through those junctions. The booking system will capture every vehicle that arrives on site and leaves from site, and the time that they arrive and depart.</p>
11.1e	<p>Please can the Applicant explain what has been undertaken in terms of the walking, cycling and horse-</p>	<p>The Applicant has undertaken assessment of the significance of effects on walkers, cyclists and horse-riders (WCHs) along Primary Access Routes in <b>6.16 Environmental Statement Chapter 16 - Traffic and Transport [APP-271]</b>. The Applicant has also undertaken a WCH Assessment based on DMRB GG 142 Walking, Cycling and Horse-riding Assessment and</p>

Action No.	ExA Description	Applicant's Response
	riding (WCH) assessments. Please reference the Design Manual for Roads and Bridges (DMRB) as appropriate.	<p>Review<sup>13</sup> (WCHAR) at two locations on the National Highways network, that of the A12/B1070 Hadleigh Road (Holton St Mary) junction in Suffolk and the A120/Bentley Road junction in Essex. These assessments aim to identify new or improved opportunities to improve facilities for WCH as part of the Project, as both temporary and permanent highway proposals would be in place for more than six months. Both junctions have WCH facilities and the review has shown that the proposed mitigation is sufficient. The Applicant is in the process of submitting the reports to National Highways for review and further discussion. An Exemption Note under DMRB GG 142 WCHAR for the temporary site access point (TB-B059) to the Project from the A120 Colchester Road in Essex will also be submitted to National Highways.</p> <p>The Applicant said it would respond in writing to the concern raised by Anglian Ruskin University (ARU) in relation to horse traffic on the highway near to the ARU Writtle facility. The ARU has concerns of the interface of horse traffic with vehicle traffic on the highway of Cow Watering Lane, which is particularly sensitive to changes in traffic levels and new road users. See response to Action Point 40 (ARU Writtle) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b>.</p>

## 11.2 Abnormal indivisible load (AIL)

11.2a	Please can the Applicant summarise the abnormal indivisible loads (AIL) routing strategy including the number of deliveries, expected timings, and the indicative programme when deliveries would start in the programme?	<p>The Applicant takes liaison with the joint constabularies extremely seriously, as it understands that cooperation and close working collaboration is essential in terms of the delivery of the Project, as AILs are needed to get equipment to site for construction.</p> <p>The Applicant is committed to addressing the Joint Forces' concerns as early as is possible in the process and recognises that there are two areas: the first regarding the detailed arrangements and the second regarding appropriate funding.</p> <p><u>Detailed arrangements relating to routes, numbers and precise nature of AIL movements</u></p> <p>Detailed arrangements of this nature are currently unknown, as National Grid cannot, in the public interest, pre-purchase or indeed pre-order equipment at risk without a DCO in place. If the DCO is granted and contracts are let, it would then be able to procure the equipment required. This would need to go into the international market and would be done in a way that is economic and efficient having regard to the Schedule 9 duties under the Electricity Act 1989.</p>
-------	---	---

<sup>13</sup> Highways England (2019) *Design Manual for Roads and Bridges, GG 142 Walking, Cycling and Horse-riding Assessment and Review*

Action No.	ExA Description	Applicant's Response
		<p>It is therefore not possible to have meaningful and accurate discussions on the logistics of AIL movements until such a time as those procurements and their associated manufacturing timetables are known, which would occur if and when the DCO is granted.</p> <p>In response to concerns from the Joint Forces on having sufficient time in which to organise themselves, the Applicant noted that on the most likely accelerated path to delivery, the first abnormal loads are not scheduled to be delivered until quarter 3 in 2028. If and when a DCO is granted, with the statutory timetables and reasonable expectations of post-examination procedures, the present anticipated DCO consent would be in early 2027, giving an 18-month window prior to the first scheduled AIL deliveries. This would allow reasonable post-procurement certainty and accuracy as to the number of AIL movements and potential routes to allow time for meaningful, robust and collaborative discussions with the Joint Forces. The Applicant also noted that it would continue to engage with the Joint Forces, and will share data as soon as practicable, when it has such details regarding the routes and timescales, but definitive information cannot be shared now for the reasons outlined above.</p> <p><u>Funding</u></p> <p>In terms of funding, the Applicant recognises that it would need to fund the Joint Forces for reasonable and proportionate costs associated with non-core policing duties that arise as a result of the Project where the Joint Forces needed to escort AILs. This would include the escorting of multiple AILs, as identified as an additional activity above and beyond core policing in the National Police Chiefs' Council's guidelines on the charging for police services.</p> <p>This document recommends putting in place a formal contractual arrangement with the relevant body that would require an Applicant requiring use of the service. The Applicant does not consider it either necessary or appropriate to use a Section 106 agreement for this because Section 25 of the Police Act and the National Police Chiefs' Council's guidelines both say that at the relevant time a formal contract would be put in place, which would mean that the test of necessity is not passed.</p> <p>The Applicant is interested in discussing whether a reference needs adding to the Outline CTMP to cover the in-principle acceptance that the Joint Forces would be fully funded for its reasonable and recoverable costs associated with non-core police activities and the framework for sharing information on a regular basis as information comes to light about the ports of entry and AIL movements. This could also include a proportionate method for the resolution of</p>

Action No.	ExA Description	Applicant's Response
		<p>disputes, if any, which was something mentioned by the Joint Forces in its response. Finally, it could cover the forum for discussing any other non-abnormal load matters.</p> <p>The Applicant noted that it would be submitting updated SoCGs with the Joint Forces at Deadline 4, see <b>8.3.2 Draft Statement of Common Ground - Suffolk Constabulary [Revision C]</b> and <b>8.3.3 Draft Statement of Common Ground - Essex Police [Revision C]</b>.</p> <p>In response to the comment raised by Pylons East Anglia in terms of timescales for ALL, the Applicant noted that there is nothing in any potential judicial review that would stop the engagement with the Joint Forces. Therefore, it is not anticipated that a judicial review, if there should be one, would stand on the critical path, and it certainly would not stop the potential for the Applicant to engage with the Joint Forces in the way that was outlined above.</p>
11.2.b	The Applicant was asked to provide an update on the status of structural assessments on construction routes.	<p>The Applicant noted that a summary of the current status of structural assessments was provided in response to questions TT 1.15 and TT 1.16 in <b>8.9.1 Applicant's Responses to First Written Questions [REP3-074]</b>.</p> <p>The structural assessment for structures within Thurrock, Norfolk, Suffolk and Network Rail are almost complete and subject to Agreements in Principle.</p> <p>There are currently three structural assessments required within Essex, which have been completed. However, there are a further 23 structures where the Applicant is liaising with Essex County Council as to whether a structural assessment is required. The Applicant is waiting for records to be provided by Essex County Council on nine of the 23 structures.</p> <p>The Applicant is waiting for information on 82 structures from National Highways. However, through discussions with National Highways, their preference was to apply for Electronic Service Delivery for Abnormal Loads (ESDAL) rather than undertaking structural assessments ahead of the ESDAL process. National Highways would then provide the records needed to undertake those assessments, but that process would only be done by the haulage contractor once they are onboard.</p>
<b>11.3 Cumulative impact</b>		
11.3	How is the Applicant working with other NSIPs with regards to traffic movements and managing cumulative effects?	The Applicant has also included a commitment in the latest version of <b>7.3 Outline CTMP [Revision C]</b> to work with other NSIPs to coordinate movements. As noted earlier it has also committed to joining the developer's forum in Essex and would be happy to make a similar

Action No.	ExA Description	Applicant's Response
		<p>commitment for other LHAs. There could also be the potential to include relevant parish councils on that to give them an opportunity to hear proposals and inputs.</p> <p>In terms of committed developments, the Applicant has undertaken a review of all the planning applications which would overlap with the Project in terms of using the Primary Access Routes within the same timeframe of works. The Applicant has only been able to source the applicable information for some developments depending on their status in the planning process. For example, the Applicant does not have any traffic data at the present time for Tarchon, so this is not currently factored into the assessment at this stage, but the Applicant is aware of the potential impact that project could have at a later stage.</p> <p>In terms of the significance of effects, the Applicant has presented this in <b>6.16.A4 Environmental Statement Appendix 16.4 - Traffic and Transport Construction Effects [APP-275]</b>, which identifies the level of mitigation required to minimise any significant impact on driver delay, pedestrian delay, severance, amenity, fear and intimidation and road safety.</p> <p>The Applicant has committed to working with the North Falls and Five Estuaries group, other NSIPs, and the Essex development forum so there can be further discussion regarding cumulative traffic. The Applicant noted that this is secured within <b>7.2 Outline Code of Construction Practice Appendix E - Community Engagement and Public Information [Revision B]</b> (Section 6.6), which sets out a stakeholder communications plan and sets out how information would be shared with local residents, parishes and other key stakeholders.</p> <p>In response to the matter raised by Little Bromley with regards to how much reliance can be placed on the HGV figures provided, the Applicant stressed that the numbers presented in the assessment are very much a worst case and that the mitigation has been developed on this worst case. The contractor will be refining the HGV numbers to try and bring them down.</p> <p>The Applicant noted that is has looked at the effects on Bentley Road and Ardleigh Road as a result of the combined traffic in terms of the Project and other developments. There will be within those roads an increase in traffic, given that these routes will also be used by North Falls and Five Estuaries. The Applicant also intends to use the haul road to alleviate issues along Bentley Road to the village. In terms of significant residual effects on the primary access routes, this takes into consideration receptor sensitivity and the mitigation proposed by the Project, such as the temporary pedestrian/cyclist off-carriageway facility on Bentley Road. Therefore, although there would be a high number of construction vehicles, there would only</p>

Action No.	ExA Description	Applicant's Response
		<p>be a slight adverse effect on driver delay, and a slight adverse or neutral effect on pedestrian, cyclist and horse-rider amenity, severance, and fear and intimidation.</p>
<p><b>11.4 The Outline Construction Traffic Management Plan</b></p>		
<p>11.4a</p>	<p>The Applicant was asked to comment on whether there is the need for a cap on HGVs?</p>	<p>The Applicant has committed to a delivery management system and a three-month forward lookahead, that would compare the anticipated construction vehicle delivery flows from our Main Works Contractors against those that were included within the <b>7.11 Transport Assessment [APP-333]</b> and the <b>6.16 Environmental Statement Chapter 16 - Traffic and Transport [APP-271]</b>. The Applicant would compare the data if there were instances where the booking system indicates a potential slight increase in flows against those assessed, it will kind of trigger a conversation to be held with the LHA to understand what additional mitigation may need to be put in place, for example, additional traffic management systems or potentially retiming vehicles outside of peak periods.</p> <p>The mitigations would be included within the mitigation management pack that would be committed to within the CTMP. A similar approach has been adopted on the Bramford to Twinstead DCO, where similar issues were raised and the Secretary of State's judgement stated that no caps were necessary.</p> <p>The Applicant also noted that <b>3.1 Draft DCO [Revision D]</b> covers this from a regulatory point of view because, under Requirement 1(4), one of the key tests is that the authority has to be satisfied that any approval that's required under the Order, does not give rise to any materially new or materially different environmental effects. So, there is added protection at the point where the LHA would discharge the CTMP, in accordance with Requirement 4.</p>
<p>11.4b</p>	<p>The Deadline 3 submission of the Outline CTMP included a revision at paragraph 5.4.2 and a new table (5.2) relating to construction traffic for non-primary access routes (PAR). It appears to be carefully worded could lead to the wrong traffic and the wrong roads. Please can the</p>	<p>The Applicant noted that prior to this change, the CTMP applied to pre-commencement works and also construction of crossover bellmouths as part of pre-commencement work. It also stated that all vehicles should use primary access routes. The crossover bellmouths themselves are not located on primary access routes, and also the haul road was not identified to be a pre-commencement activity either, so, essentially, that means that the haul road would not be in place to enable construction of crossover bellmouths as part of the pre-commencement works.</p> <p>This was raised by Suffolk County Council in its relevant representation <b>[RR-3520]</b> in terms of an inconsistency. In response to this, the Applicant reviewed the wording in the CTMP and identified several other activities that would require the use of non-PARs, which are detailed in</p>

Action No.	ExA Description	Applicant's Response
	Applicant explain why that change has appeared and what it really means?	the new table. This will ensure that the CTMP covers these instances. The construction vehicle movements associated with the movements have been assessed and the Applicant is confident that they are negligible to minor so as to not trigger additional environmental effects or transport traffic impacts.
11.4c	There is a concern regarding the extent of non-definitive commitments in the management plans e.g. 'maybes' and 'coulds'. The Applicant is requested to look at these.	The Applicant confirmed that it is looking at the commitments and seeing which can be firmed up. The Applicant has provided further details on this in response to Action Point 47 (CTMP and Construction Workers Travel Plan (CWTP) and appendices) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b> .
11.4d	Please can the Applicant give a brief answer as to when roads would be closed?	<p>The road closures proposed within the DCO are a worst case and are required to enable the safe construction of the Project. They are typically very short in duration, for example, enabling the installation of netting could potentially just be a matter of hours or overnight.</p> <p>The Applicant is providing further detail to the LHAs on the reasons for each of the Traffic Regulation Orders, which will also include details on how the Traffic Regulation Orders and the permit schemes would work. The Applicant confirms that the use of the Permit Scheme will enable closures to be coordinated to maintain access and minimise disruption, recognising the concerns about landlocking and multiple closures.</p>
<b>11.5 Mitigation</b>		
11.5a	The Applicant was asked to provide some further clarification about the drivers' information pack and how this would be used.	<p>The Applicant noted that the drivers' information pack is in outline at this stage and therefore, understandably lacks detail that would be included within the final CTMP agreed with the LHA in accordance with Requirement 4 of <b>3.1 Draft DCO [Revision D]</b>.</p> <p>In terms of how it would be used, the Main Works Contractor would manage an internal audit making sure that every delivery driver follows the CTMP, and that they have read and acknowledge the driver information management pack. In terms of what the drivers' information pack would look like, this is detailed in <b>7.2 Outline CoCP [Revision D]</b>. Each construction worker will undertake a site-specific induction where there will be a driver information management pack detailed per route, for example a driver delivering to site 1 would have a driver information management pack specific to site 1.</p>

Action No.	ExA Description	Applicant's Response
		The Applicant agreed to take this action away see response to Action Point 48 (Driver's information pack) in <b>8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [Revision A]</b> .

### 4.3 Response to Actions Under Agenda Item 12 (Public Rights of Way)

Table 4.2 Agenda Item 12 (Public Rights of Way)

Action No.	ExA Description	Applicant's Response
<b>12.1 Applicant to outline mitigation, measures to reduce time and length of diversions and communication of impacts on PRowS</b>		
12.1	The ExA asked about how there can be certainly in terms of keeping Public Rights of Way (PRow) diversions and closures to the shortest duration and what incentives the contractor would have to do this.	<p>The Applicant noted that relevant information is contained within <b>7.6 Outline Public Rights of Way Management Plan [Revision B]</b>, <b>7.3 Outline Construction Traffic Management Plan [Revision C]</b>, <b>7.2 Outline Code of Construction Practice [Revision D]</b> and <b>7.2 Outline Code of Construction Practice Appendix E - Community Engagement and Public Information [Revision B]</b>.</p> <p>The Applicant said that the general principle and primary mitigation would be to keep PRow open wherever possible. In many cases, access would be maintained along the existing alignments, and the contractor would use fencing and gates to segregate the PRowS from the working area, with appropriate control measures in place.</p> <p>Temporary closures with diversion routes would only be used where managed access would not be practicable, either due to safety constraints or space limitations. In these cases, the Applicant would seek to use the shortest possible route for diversions, accounting for land boundaries and existing features. A small number of PRow diversions could be diverted onto local highways, or connected to highways at a slightly different point to the existing situation. These tend to be on very low-traffic lanes and would have additional mitigation measures put in place, such as temporary speed limits, warning signs for road and PRow users and vegetation clearance to maintain visibility. The Applicant has engaged with the LHA and agreed these locations will be subject to road safety audits during the detailed design and construction. The Applicant confirmed that there are no locations where temporary closures are proposed without a diversion.</p>

Action No.	ExA Description	Applicant's Response
		<p>There are a small number of locations where the Applicant has included for permanent stopping up, where the Project would widen a highway and therefore shorten the connecting PRow by a couple of metres or that sort of length, to create a new termination point. There are also a couple of permanent diversions, which generally relate to the new private access to the EACN, and are associated with realignment of crossing points. The exact details would be discussed with LHA at the relevant time.</p> <p>The Main Works Contractor would undertake risk assessments where the Project interacts with PRows and would identify the specific measures required at each location. Typical measures are identified in <b>7.6 Outline Public Rights of Way Management Plan [Revision B]</b> and include, for example, signage, waymarking of diversions, low speeds (5 mph) for construction traffic at haul road crossings and protocols for construction staff and drivers communicated through the Driver Information Packs.</p> <p>In terms of measures to reduce duration and lengths of diversion, the Applicant has provided the indicative durations for each interaction in Tables 7.1, 7.2 and 7.3 of <b>7.6 Outline PRow Management Plan [Revision B]</b>. These durations have been identified as the typical time necessary to get the work done.</p> <p>The Applicant will also seek to sequence construction activities to prevent parallel concurrent closures. PRows will be reinstated and reopened as soon as practicable after the works are complete, without compromising safety, construction, environment or the construction sequence. Final durations and arrangements will be set out in the final PRow Management Plan prepared by the Main Works Contractor, which will be approved by the LHA, as secured through Schedule 3, Requirement 4 of <b>3.1 Draft DCO [Revision D]</b>.</p> <p>The Applicant explained that impacts to PRow would be communicated in accordance with the measures identified in <b>7.6 Outline Public Rights of Way Management Plan [Revision B]</b>, <b>7.2 Outline Code of Construction Practice [Revision D]</b> and <b>7.3 Outline Construction Traffic Management Plan [Revision C]</b>. These all state that advance notification would be put in place prior to any temporary closures or diversions being put in place, setting out the controls, timing, duration and diversion routes and that advance signage and waymarking would all be in place prior to closures. Wider community engagement is also proposed with residents and occupiers via the project website. There would also be engagement with the LHAs and parish councils through letters and email.</p> <p>In response to Suffolk County Council's comment regarding the amenity and enjoyment that is gained from a PRow, the Applicant noted that the visual amenity associated with PRow was covered in <b>6.13</b></p>

Action No.	ExA Description	Applicant's Response
		<p><b>Environmental Statement Chapter 13 - Landscape and Visual [APP-226]</b>. The assessment in terms of disruption to PRow is in <b>6.16.A4 Environmental Statement Appendix 16.4 - Traffic and Transport Construction Effects [APP-275]</b>, which looked at the distance and delay incurred by a diversion if it is in place for longer than a four-week period. As many of the PRow are used for leisure, rather than commuting or such, the Applicant considered that walking a slightly longer route / diversion would not necessarily be seen as a disbenefit.</p> <p>The Applicant confirmed that it would submit an updated version of the <b>7.6 Outline Public Rights of Way Management Plan [Revision B]</b> into Examination at Deadline 4.</p>

National Grid plc  
National Grid House,  
Warwick Technology Park,  
Gallows Hill, Warwick.  
CV34 6DA United Kingdom

Registered in England and Wales  
No. 4031152  
[nationalgrid.com](http://nationalgrid.com)