

Thurrock Council, Civic Offices
New Road, Grays
RM17 6SL

12 May 2026

Your Reference: EN02007
Interested Party Number: XXXXXXXXXX

Ms Susan Hunt
Lead Member of the Examining Authority
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Ms Hunt,

Application by National Grid Electricity Transmission (NGET) for a Development Consent Order (DCO) for the proposed Norwich to Tilbury Project (Application Reference: EN020027)

Thurrock Council's Submission for Deadline 4

Following receipt of the Rule 8 letter dated 17 February 2026 Thurrock Council is writing to provide a response to the points raised as requirements of Deadline 4, as set out in the final examination timetable attached as Annex A.

- **written post-hearing submissions; summaries of and responses to oral submissions made at hearings held during week commencing 27 April 2026**

The Council's summaries of and responses to oral submission from the examination hearings held during week commencing 27 April 2026 are included in Appendix A - Summary of Oral Submissions made at hearings week commencing 27 April 2026. The Council's written post-hearing submission and response to the action points from the examination hearings held during week commencing 27 April 2026 is included in Appendix B - Written post-hearing submissions for hearings week commencing 27 April 2026.

- ***the applicant's updated documents and application guide***
- ***comments on any further information or submissions received by deadline 3***

The Council's response to these points is as follows:

The complaints management process in the updated Outline Code of Construction Practice (REP3-025) is currently too basic. Although it includes contact details and a requirement to log complaints, it lacks key elements such as defined response times,

escalation procedures, ongoing communication with complainants, clear responsibility for resolving issues, and transparency through sharing records with the Local Planning Authority. This limits confidence that complaints will be handled effectively. Although Appendix E – Community Engagement and Public Information (APP-305) state the details of the above will be set out in a detailed complaints procedure but this has yet to be provided.

Similarly, the approach to noise and vibration monitoring is not sufficiently developed. There is no commitment to routine monitoring, no use of simple baseline checks like listening tests, no clear triggers for more detailed monitoring, and no defined thresholds for action or reporting requirements. The document (updated 7.2 Outline Code of Construction Practice) refers to monitoring and site inspections and monitoring following complaints, but it does not set out a clear, structured strategy. This could mean exceedances are occurring and if residents do not complain they can be subject to adverse impacts. Given the scale of the project, this is a significant omission.

Yours sincerely,



Principal Planning officer – Major Applications

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Appendix A - Summary of Oral Submissions made at hearings W/C 27 April 2026

Thurrock Council made an oral submission on Item 11 – Traffic and Transport specifically 11.1 Baseline, modelling and future monitoring on Day 3 of ISH 2. The Council explained that it is continuing discussions with the appellant to obtain additional raw traffic data to better understand traffic flows on key corridors and assessed junctions. Further information and assurances are being sought to confirm that the traffic appraisal is fair and reasonable with outstanding data to be expected shortly.

The Council noted that while National Highways did not raise significant concerns regarding M25 Junction 30, the Council's review indicates that the junction is marginally over capacity within the assessment scenarios, and potential mitigation measures such as signal optimisations may need to be explored.

The Council also highlighted significant concerns in relation to the Asda roundabout on the A1089 at Tilbury, where current modelling predicts substantial future congestion that would be exacerbated by the proposed development. Further clarity and assurance from the applicant are therefore required regarding the impacts and potential mitigation at this junction.

Appendix B - Written post-hearing submissions for hearings W/C 27 April 2026

Response to ISH 2 Action Points

The ISH 2 Action Points from the ExA are highlighted in bold and italicised followed by Thurrock Council's response.

1. Action Point 1: *Percussive/non-percussive piling* - *Provide examples of the types of ground conditions where percussive piling is needed and provide an indication of the likelihood of use for this project.*

1.1 The applicant has confirmed that the construction noise and vibration assessment assume the use of percussive piling at all pylon locations as a worst-case assessment scenario. This approach is accepted as an appropriately precautionary basis for assessment. The applicant has further stated that, in practice, percussive piling would not be used where it can reasonably be avoided and that alternative construction methodologies would be considered following detailed assessment.

1.2 It is acknowledged that there may be locations where percussive piling is required due to site-specific ground conditions or engineering constraints but should not be the default option (which is confirmed by the applicant).

2 Action Point 2: *Use of term 'where practicable'* - *All local authorities: Provide a response to the applicant's answer to first written question (ExQ1) NV1.6 and follow up to hearing discussion regarding use of the term 'where practicable' and whether commitment NV23 in the outline code of construction practice (CoCP) would be adequate.*

2.1 The applicant's response regarding the use of the term "where practicable" and reliance on Commitment NV23 is noted. The Outline NVMP and Outline CoCP establish a framework requiring further detailed assessment, adoption of BPM and implementation of mitigation measures through the NVMP and CoCP process.

2.2 However, from a noise and vibration perspective, the term "where practicable" introduces a degree of flexibility which could weaken the effectiveness of the commitment if not supported by clear justification and evidence. The Council would like to note that the use of 'where practicable' or other similar phraseology in the DCO and in any control documents is unacceptable. The use of percussive piling should be robustly justified through site-specific assessment.

2.3 Commitment NV23 would be considered acceptable provided that lower noise and lower vibration techniques have been prioritised and the use of percussive piling is limited only to

locations where non-percussive methods are demonstrably not possible. Additionally, Best Practicable Means are always applied in accordance with BS5228 and Section 72 of the Control of Pollution Act 1974; and appropriate mitigation, monitoring and community liaison measures are secured through the final CoCP and NVMP.

3 Action Point 10: *Discharge period*

- *Provide a full response in writing to the local authorities' request to further extend the period for discharge to 40 working days/ 56 calendar days.*
- *Local authorities to provide additional justification for their request, including reasons for continuing to request additional days for discharge (with reference to experiences relating to Sea Link and Bramford to Twinstead).*
- *Provide a response to the suggestion of a validation checklist being secured in the DCO.*

3.1 Action Point 10 requests that local authorities provide further justification for seeking extended determination periods for the discharge of Requirements, including reference to experience from other NSIPs (notably Sea Link and Bramford to Twinstead). It also invites a response to the suggestion that a validation checklist be secured within the DCO.

Requesting Additional Days for Discharge

3.2 The Council has previously set out its justification for an extended determination period within its response to ExQ1 DCO 1.A2 (REP3-088), including a breakdown of the stages involved. To avoid repetition, those points are summarised and supplemented below in light of matters raised at the hearing.

3.3 The Council's position is informed by comparing the discharging Requirements under the Bramford to Twinstead DCO. That Order provides for a 35-day determination period, supported by a Planning Performance Agreement, including provision for pre-application engagement. Notwithstanding these measures, the Council considers this timeframe is consistently challenging to achieve in practice after discussions with local host authorities directly involved with the Bramford to Twinstead DCO.

3.4 That experience has demonstrated that the statutory processes of validation, consultation, technical review, and internal sign-off cannot, in all cases, be undertaken robustly within a shortened determination period without placing undue pressure on the local planning authority, its consultees, and the Applicant's project team (including contractors).

3.5 In practice, the inclusion of a deemed consent mechanism has led to repeated requests for extensions of time in order to resolve matters that cannot reasonably be addressed within

the prescribed 35-day period. This approach reduces procedural efficiency and introduces uncertainty for all parties, particularly where extensions are not agreed.

3.6 At ISH 2, a number of host authorities raised similar concerns, noting that the scale, technical complexity, and volume of documentation associated with NSIPs necessitate realistic determination periods in order to ensure lawful, robust and defensible decision-making. The Council concurs with those submissions.

3.7 In response to the Applicant's reference to the Hinkley Point C DCO as a precedent, the Council notes that that Order provides for materially longer determination periods, allowing up to 8 weeks for more complex submissions and 5 weeks for less complex cases. This demonstrates that extended timescales are both reasonable and established practice for projects of this scale and complexity.

3.8 The Council acknowledges the Applicant's emphasis on the importance of timely delivery of nationally significant energy infrastructure and will continue to engage proactively to support this objective. However, this must be balanced against the need for proportionate scrutiny, meaningful consultation, and sound decision-making. These processes rely on input from consultees who are frequently engaged across multiple NSIPs. Unrealistic determination periods risk undermining the quality and robustness of decisions and may increase the likelihood of refusals where matters cannot be adequately resolved within the prescribed timeframe.

3.9 For these reasons, and consistent with its previous submissions, the Council maintains that a minimum 56-day determination period (or 40 working days), with flexibility to extend where necessary, remains appropriate and justified.

Validation Checklist in DCO

3.10 The Council supports the inclusion of a validation checklist within the DCO. The Bramford to Twinstead project indicates that submissions have, on occasion, been deficient in terms of either the quality or completeness of information, including reliance on documents that were not provided at the point of submission.

3.11 The inclusion of a clear validation framework would assist in ensuring that applications to discharge Requirements are accompanied by all necessary information at the outset. This would improve efficiency in the determination process, reduce the need for subsequent information requests, and provide greater certainty for all parties.

4 Action Point 11: ExQ1 DCO 1.A7 and 'maintain' - *Local authorities to comment on the applicant's position in its response to the question.*

- 4.1 As stated in various Local Impact Reports, the definition of “maintain” includes a wide range of specified operations in relation to the authorised development which can be undertaken subject to those works not giving rise to any materially new or materially different environmental effects to those identified in the Environmental Statement.
- 4.2 The Applicant refers to precedent and that is not necessary or appropriate for there to be any external oversight of what is new or materially different. The Applicant also refers to its statutory duty to maintain a safe and efficient transmission network. However, it is considered this has little bearing on the whether those works covered by the definition of maintain have any new or additional environment effects.
- 4.3 It is acknowledged that certain works including inspect, repair, dismantle, remove, clear, refurbish, paint, surface treat, decommission, are unlikely to give rise to new or materially different environmental effects. However, works involving alteration, improvement, reconstruction or replace which are covered by the current definition do retain the potential to give rise to new or materially different environmental effects.
- 4.4 If these operations are to remain within the definition of maintain, Thurrock Council is of the opinion that to provide clarity and avoid any dispute, the DCO should incorporate a mechanism for determining whether such maintenance works give rise to materially new/different environmental effects. It therefore considers that the definition of ‘maintain’ should be amended to include *“provided such works do not, in the opinion of the local planning authority, give rise to any materially new or materially different environmental effects to those identified in the Environmental Statement, and any derivative of “maintain” must be construed accordingly.”*

5 Action Point 16: Schedule 3 - Requirements 1 (Interpretations) - Local authorities to comment on the applicant's response to ExQ1 DCO 1.S5 regarding the discharging authority and the revised wording, including in relation to local government reform as set out in the Devolution and Community Empowerment Bill 2025. Both the applicant and local authorities to provide further comments on the definition of ‘stage’

- 5.1 Thurrock Council is satisfied with the Applicant’s proposed definitions of ‘relevant planning authority’ and ‘relevant county planning authority’. The Council is of the view that it removes any ambiguity from previous terminology and limb (b) of the former term adequately recognises the functions unitary authorities, like Thurrock Council, exercise as single-tier authorities undertaking both county and district planning functions.:

“(b) for an area to which the provision relates in respect of which there is only one local planning authority for the purposes of that Part, that one local planning authority,”

5.2 Revision C has already inserted “any successor exercising its functions as local planning authority” within the definition of “relevant planning authority”. That is welcome. However, the wording should refer to “any successor or successors in function”. Where a predecessor authority's area falls across the boundary of more than one new unitary, which could be the case across Essex in particular, given that the existing districts and boroughs in the Order Limits will be reorganised into five new unitary authorities there may be more than one successor authority for what is currently a single ECC or district function. A “successor in function” reference in the singular leaves that ambiguous on the face of the Order.

5.3 Article 2(8) (which provides that references in the Order to any statutory body include that body's successor in respect of functions relevant to the Order) should be amended in two ways: to include the plural (“successor or successors”), and to add a tie-breaker for the situation in which a function is split across more than one successor authority. The following wording is suggested:

"References in this Order to any statutory body include that body's successor or successors in respect of functions which are relevant to this Order and, where there is more than one such successor, the successor authority for the area to which the relevant provision relates."

5.4 That reflects how Structural Changes Orders typically allocate functions on reorganisation and avoids the risk of the Order being read as requiring all successors jointly to discharge a function that, after reorganisation, will sit with one of them by reference to area.

5.5 The Council have commented on the definition of ‘stage’ in its responses to ExQ1 to DCO 1.A10 (REP3-088);

“2.16.2 b) A suggestion from the Council is that the Applicant should identify which local authorities are relevant for each stage and section. The Applicant should also clarify if the Article 62 (Arbitration) process is to be followed in the event that there is a disagreement between Local Authorities on the discharge of a requirement(s). Article 62(1) (Arbitration) provides that it is subject to Article 55 (Procedure regarding certain approvals etc), which at paragraph (2) refers to Schedule 4 (discharge of Requirements). The Applicant should clarify if it is open to adding drafting to Article 55 that provides for a dispute process between Local Authorities.

5.6 2.16.3 c) *A requirement for a "stages plan" would be considered helpful to the Council as it will provide further detail on the sequencing of Scheme works. Should the Applicant not believe this is required, they should explain why.”*

6 Action Point 17: Schedule 3 – Requirement 5 (Archaeology) - *Local authorities to provide comments on the applicant's answer to ExQ1 DCO 1.S8 and the document now provided [AS-090].*

6.1 Place Services is providing a response to document 8.9.1 Applicant's Responses to First Written Questions (Additional Submission) with regard to archaeology for Essex County Council and on behalf of Colchester, Tendring, Chelmsford, Basildon, Brentwood and Thurrock planning authority areas.

6.2 Currently Requirement 5 (Archaeology) states:

5 (4) All pre-commencement operations must be carried out in accordance with the outline archaeological mitigation strategy and outline written scheme of investigation, unless otherwise agreed with the relevant planning authority following consultation with the relevant county planning authority and, if relevant, Historic England.

6.3 It was requested in the Local Impact Report (REP1-161) and at Deadline 2 that changes were made to the wording of 5 (4) to:

5 (4) Intrusive site preparation works must not take place until an archaeological or geoarchaeological written scheme(s) of investigation in accordance with the outline written scheme(s) of investigation as appropriate has been submitted to and approved by the discharging authority in consultation with Historic England. The archaeological or geoarchaeological written scheme(s) of investigation required under this sub-paragraph must be implemented as approved.

6.4 The Applicant considers this wording "*significantly and unacceptably limits the scope of pre commencement operations that can be carried out prior to commencement of the authorised development*" however the outline archaeological mitigation strategy and outline written scheme of investigation (OAMS-OWSI) have not been approved and are not yet considered adequate as control documents.

6.5 The OAMS-OWSI (APP-328) submitted with the application was not considered sufficient to ensure adequate evaluation and mitigation of heritage assets following consent. A number of amendments were required and provided to the Applicant's archaeological advisors. A revised OAMS-OWSI has been discussed at regular meetings and is to be submitted before Deadline 5. At present there is no agreement or sight of the revised OAMS-OWSI, there is also no agreement as to the further scope of works in the overhead sections of the development and other areas of associated infrastructure. The agreement of an appropriate OAMS-OWSI

within the determination period is critical to the undertaking of appropriate and timely archaeological and geoarchaeological mitigation post consent.

6.6 Any pre-commencement works would therefore need to take place in accordance with an agreed OAMS-OWSI which included details of scope and identification of areas for the completion of all evaluation works. This document, at present, does not exist and therefore the Requirement refers to a control document that is not yet submitted into the DCO library nor has agreement with the local authority advisors or Historic England.

6.7 The Bramford to Twinstead NSIP failed to reach agreement on the OWSI and this has led to significant delays in the timetable. Therefore, it cannot be assumed that agreement on the projects OAMS-OWSI will be achieved before determination.

6.8 A further requirement for post-excavation works and publication was requested in the Local Impact Report (REP1-161) and at Deadline 2. The suggested wording proposed is reproduced below:

5 (5) Unless otherwise agreed with the local planning authority.

(a) No later than one year following the completion of the fieldwork specified in each site-specific written scheme of investigation, a site-specific post excavation assessment (PXA) for that site must be completed in accordance with the Written Scheme of Investigation and submitted to the local planning authority for approval.

(b) No later than one year following the approval of the final site-specific post excavation assessment, an archaeological updated project design for all applicable sites, must be submitted to the local planning authority for approval. The archaeological updated project design must be produced in general accordance with the detailed Written Scheme of Investigation for each stage, include details of the scope of post-excavation analysis and publication and have regard to the site-specific research agendas set out in the site-specific written schemes of investigation

(c) Post-excavation analysis and publication must be carried out in accordance with the approved archaeological updated project design and provision made for the full archive to be submitted to the appropriate museum.

6.9 The Applicant's position is that the inclusion of paragraph (6)(a) of the discussion draft, together with paragraph (7), would be the clearest approach to adopt.

6(c) *Post-excavation analysis and publication must be carried out in accordance with the approved archaeological updated project design and provision made for the full archive to be submitted to the appropriate museum.*

(7) *No later than two years after the completion of the construction phase of work, an Updated Project Design must be submitted to and approved by the Local Planning Authority. The Updated Project Design must be in general accordance with the approved Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation, and relevant Detailed Written Schemes of Investigation, and set out scope for full post excavation analysis, publication, and address the site-specific research agendas. Post-excavation analysis and publication must be carried out in accordance with the approved Updated Project Design.*

6.10 Thurrock consider this position would be acceptable.

7 Action Point 19: Schedule 4 Discharge of requirements - *The applicant and local authorities are both to provide a response to the ExA questions and comments including an update by deadline 5 (Wednesday 10 June) regarding post-discharge functions and the involvement of the Department of Energy Security and Net Zero (DESNZ), following the related submissions at the final deadline of the Sea Link examination. Enquiries are to be made whether DESNZ has been consulted or provided comments regarding the draft wording of the relevant schedule in the Sea Link draft DCO.*

7.1 The Council reiterates its position set out in its responses to ExQ1 (REP3-088);

“The Council supports a consolidated approach to post-consent processes, working collaboratively with DESNZ and the Applicant, while retaining its role as a statutory local planning authority.”

7.2 It is essential the Council continues to play a meaningful role in post-consent discharge given the scale of the proposed project and its potential for significant local impacts.

8 Action Point 20: Article 60 and Schedule 19 - *Local authorities to respond to the points made at the hearing.*

8.1 This Action Point requires local authorities to respond to the matters raised at the hearing.

8.2 The Examining Authority (ExA) referred to the Applicant’s response to ExQ DCO 1.G3 and sought confirmation as to whether that response addresses concerns regarding the list of documents to be certified by the dDCO (as provided in Schedule 19 and secured by Article 60).

8.3 By way of context, ExQ DCO 1.G3 requested that the Applicant:

“Explain why the outline Code of Construction Practice (oCoCP), outline Construction Traffic Management Plan (CTMP), outline Landscape and Ecological Management Plan (LEMP), outline Materials and Waste Management Plan, outline Public Rights of Way (PRoW) Management Plan, and outline Written Scheme of Investigation (WSI) are not identified as certified control documents, as is the case in the made Bramford to Twinstead DCO. It also sought justification for the absence of a Construction Environmental Management Plan (CEMP), Materials Management Plan, and Waste Management Plan within the Norwich to Tilbury dDCO.”

8.4 The Council has had regard to the Applicant’s response to ExQ DCO 1.G3 (REP3-074).

8.5 In respect of the certification of documents, the Council has no substantive comments to make.

8.6 Following the Applicant’s response to ExQ DCO 1.G3, and having considered this issue in light of subsequent submissions, the Council has reviewed its position.

8.7 In relation to the absence of a standalone CEMP, the Council’s concern centred on whether adequate controls would be secured in respect of construction-phase environmental effects. The Applicant has set out that the oCoCP, together with its appendices, incorporates the measures typically contained within a CEMP, thereby negating the need for a separate document.

8.8 The Council has sought and received clarification on a number of technical matters within the oCoCP, in order to verify that it secures the mitigation measures and controls ordinarily expected to be delivered through a CEMP, and that it is sufficiently robust and fit for purpose.

8.9 On the basis of this further review, the Council’s technical specialists in Air Quality, Geology and Hydrogeology, and Noise and Vibration are satisfied that the oCoCP adequately addresses the necessary construction-phase controls within their respective disciplines. While some concerns remain in relation to other matters, including working hours, the Council is satisfied in principle that the oCoCP can operate as an appropriate substitute for a standalone CEMP.

8.10 In relation to ecological matters, the Council’s Ecological Advisor considers that the outline Code of Construction Practice (oCoCP) broadly addresses the range of issues that British Standard BS 42020:2013 Biodiversity – Code of practice for planning and development advises should be encompassed within a Construction Environmental Management Plan (CEMP).

8.11 The Council also notes that there is a degree of overlap between the oCoCP and the outline Landscape and Ecological Management Plan (LEMP), the latter providing additional

detail relevant to the construction phase. However, it is acknowledged that BS 42020:2013 anticipates a greater level of specificity than is currently presented within the outline oCoCP and LEMP.

8.12 In any case, the Council recognises that both documents are, at this stage, outline in nature, and therefore certain detailed measures may not yet be capable of being fully specified.

8.13 The Council will defer to Essex County Council regarding the omission of a Materials and Waste Management Plan.

9 Action Point 22: ExQ1 GEN 1.21 and Appendix E - *The local authorities, highway authorities, police forces and statutory undertakers named in the Appendix E of [REP3-074] are to provide further response to ExQ1 GEN 1.21 and Appendix E, having regard to the criteria set out in s122(2) of the Community Infrastructure Levy Regulations 2010. Rosie Pearson for Pylons East Anglia and Charles Micklem to provide in writing their comments regarding clauses in agreements relating to objections to planning applications and projects.*

9.1 This Action Point requires the local authorities, highway authorities, police forces and statutory undertakers named in Appendix E of [REP3-074] to provide a further response to ExQ1 GEN 1.21 and Appendix E, having regard to the criteria set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

9.2 The Council have been mentioned in Appendix E [REP3-074] in relation to landscape and visual, traffic and transport, health and wellbeing, and noise and vibration.

9.3 The Council considers the agreements sought fall outside of the development consent order process and will continue to engage in discussions with the Applicant to achieve such matters. Therefore, the Council agrees with the Applicant's response to ExQ1 Gen 1.21.

10 Action Point 25: Limits of Deviation 1 - *Local authorities to identify the most sensitive locations and specific viewpoints that they would like to see additional visuals of pylons within the limits of deviation (so as to further illustrate the worst case scenario). The list of viewpoints is to be agreed as soon as possible with the applicant, and submitted by the applicant at deadline 4 (Tuesday 12 May). The applicant is to submit the agreed visuals by deadline 5 (Wednesday 10 June).*

10.1 Additional visualisations are not required at this time for Thurrock.

11 Action Point 28: Waveney Valley - *Provide more information on the technical reasons for other pylon types being discounted. Local authorities to provide further comments in writing in response to the discussion regarding the setting of St Remigius Church.*

11.1 Thurrock Council considers this not applicable.