

NORWICH TO TILBURY

EN020027

Comments on Submissions received at Deadline 3

Suffolk County Council [REDACTED]

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Glossary of Acronyms

<i>AMS-OWSI</i>	<i>Archaeological Mitigation Strategy and Outline Written Scheme of Investigation</i>
<i>BNG</i>	<i>Biodiversity Net Gain</i>
<i>CIL</i>	<i>Community Infrastructure Levy</i>
<i>CoCP</i>	<i>Code of Construction Practice</i>
<i>DCO</i>	<i>Development Consent Order</i>
<i>DWSI</i>	<i>Detailed Written Scheme of Investigation</i>
<i>ES</i>	<i>Environmental Statement</i>
<i>HDD</i>	<i>Horizontal Directional Drilling</i>
<i>HEMP</i>	<i>Historic Environment Management Plan</i>
<i>HER</i>	<i>Historic Environment Record</i>
<i>(o)LEMP</i>	<i>(outline) Landscape and Ecological Management Plan</i>
<i>LIR</i>	<i>Local Impact Report</i>
<i>LPA</i>	<i>Local Planning Authority</i>
<i>LPAAA</i>	<i>Local Planning Authority Archaeological Advisors</i>
<i>NSIP</i>	<i>Nationally Significant Infrastructure Project</i>
<i>PPA</i>	<i>Planning Performance Agreement</i>
<i>RSCF</i>	<i>Regional Skills Coordination Function</i>
<i>SCCAS</i>	<i>Suffolk County Council Archaeological Service</i>

SEP Skills and Employment Plan

UU Unilateral Undertaking

“BDC” refers to Babergh District Council; “MSDC” refers to Mid Suffolk District Council; “BMSDC” refers to BDC and MSDC jointly; “SCC” refers to Suffolk County Council; and “the Councils” refers to BDC, MSDC, and SCC jointly.

Purpose of this Submission

The document has been prepared by Suffolk County Council to respond to the Applicant’s submissions, and where appropriate representations made by other interested parties, received at Deadline 3 (“**D3**”) for Norwich to Tilbury. Examination Library references are used throughout to assist readers.

Comments on submissions received at Deadline 3

Table 1: 3.1 (C) Draft DCO [REP3-004]			
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	SCC's Comments
1.1	Landscape and Visual	<p>Schedule 3 Requirement 4(3)</p> <p>Pre-commencement operations</p>	<p>SCC (Landscape) is concerned that if all pre-commencement operations must be carried out in accordance with the outline code of construction practice, the outline construction traffic management plan, the outline landscape and ecological management plan and the outline public rights of way management plan unless otherwise agreed with the relevant planning authority, this will lead to greater than necessary vegetation loss. This concern results from the use of the Rochdale Envelope, seeking consent for a reasonable worst-case scenario, which is presented in the outline plans.</p> <p>SCC considers that before any vegetation removal is carried out, detailed tree and hedgerow surveys (carried out in the field) should inform the design and micro-siting which should in turn inform updated vegetation retention and removal plans, with a view to avoid all unnecessary loss of vegetation.</p> <p>If vegetation clearance is carried out as part of the pre-commencement works and is based on plans which had the purpose to achieve consent rather than contain the necessary and up-to-date detail for construction, there is the danger that the clearance works would be in breach of paragraph (2) of Article 51.</p>
1.2	Health and Wellbeing	<p>Schedule 3 Requirement 7</p>	<p>SCC (Public Health) maintains its longstanding concern regarding the core working hours as set out in [REP3-003]. As currently proposed in Requirement 7, the core working hours of 07:00–19:00 on weekdays and 07:00–17:00 on Saturdays, Sundays and Bank Holidays, together with additional start-up and close-down activities outside these hours and various exemptions, do not provide affected communities with sufficient or predictable periods of</p>

			<p>respite from construction related noise, vibration, traffic and general disturbance. Whilst the Applicant’s rationale regarding programme flexibility is acknowledged, we do not accept that flexibility for construction programming should outweigh the health and amenity needs of local residents.</p> <p>Predictable quiet periods are a fundamental mitigation measure for protecting community wellbeing, especially where construction effects may interact with other NSIPs in the region. Reliance on management plans and best practicable means cannot fully mitigate the health impacts arising from extended daily working, weekend or Bank Holiday activity, and the routine potential for early starts, late finishes or night-time works through broadly defined exceptions. In this context, the proposed working hours risk normalising prolonged exposure to disturbance rather than minimising it at source.</p> <p>SCC (Public Health) therefore reassert its position that the construction working hours should be amended to provide more protection for public health. Construction activity should be limited to Monday to Friday 08:00–18:00 and Saturday 08:00–13:00, with no routine working on Sundays or Bank Holidays. Any deviation from these hours should be exceptional, clearly justified, time limited, and subject to advance agreement with the relevant local authority and affected communities. Start-up and close-down activities should not involve activities likely to generate noise above agreed levels or disturbance outside those periods.</p>
1.3	Landscape and Visual	<p>Schedule 3 Requirement 8</p> <p>Pre-commencement operations</p>	<p>(1) This should include pre-commencement works, and the plans should be updated to reflect detailed design and micro-siting, minimising vegetation loss.</p> <p>(2) This needs to include provisions (i.e. clearly show Tree Protection Fencing) for appropriate protection for trees and hedgerows in accordance with BS 5837:2012 Trees in relation to design, demolition and construction (or its updated version).</p> <p>(3) The default for accordance here should be the approved finalised LEMP and its updated Appendices (such as Vegetation Retention and Removal Plans). If this is not available, prior to vegetation clearance it needs to be ascertained, whether less vegetation clearance is</p>

			required. There should be no obligation to remove vegetation in accordance with a potentially outdated plan (“ oLEMP ”).
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The Applicant’s latest changes (which were submitted at Deadline 3) are included in Table 2.2 (Schedule of Changes to Version B of the draft DCO [REP2-004]) of the Schedule of Changes to the Draft DCO [REP3-009] (“the applicant’s Schedule”).

SCC wishes to comment on the following changes (SCC has no comments in respect of the other changes included in the Applicant’s Schedule).

Please note where reference in this table is made to a Sea Link DCO document, the reference which follows is a reference to the Sea Link Examination Library.

Table 2: 3.1 (B) Schedule of Changes to the Draft DCO [REP3-009]			
Table Item	DCO Reference	Rationale for Change	Change Made and SCC’s Comments
2.1	Art.11 (street works)	The proposed amendment is in response to feedback from host authorities and the Examining Authority on the duration of deemed consent periods. Further explanation can be found in response to DCO1.A2	<div style="border: 1px solid blue; padding: 5px;"> <p>(3) If a street authority that receives an application for consent under paragraph (2) fails to notify the undertaker of its decision within 2825 business days (or such other period agreed by the street authority and the undertaker) beginning with the date on which the application was received, that authority will be deemed to have granted consent.</p> </div> <p>SCC’s comment</p> <p>SCC has previously explained that it will ensure that any application for consent will be dealt with as quickly as possible. SCC has also stressed that it will be receiving a considerable number of requests for approval across several nationally significant infrastructure projects which have already been consented. While a 25 business day decision-making period is slightly better than the previous deadline of 28 days, in the context of having to discharge multiple DCOs at the same time, such a deadline is unrealistic and potentially detrimental to the effective consideration of applications.</p> <p>Given the volume of work which will arise from the number of NSIPs being delivered in Suffolk, SCC considers 25 business days is too short and requests that it is replaced with 40 business days. (i.e. the “business day” equivalent of 56 days). SCC also considers that this period should be paused if the highway authority considers that additional information is reasonably required to make a decision.</p> <p>SCC requests that 25 business days is also replaced with 40 business days in the following provisions: 14(5) (power to alter layout, etc. of streets); 16(8) (temporary closure of streets</p>

			<p>and public rights of way); 17(2) (access to works); 20(9) (discharge of water); 22(8) (authority to survey and investigate land), 49(10) (traffic regulation) and 50(5) (felling or lopping).</p> <p>A similar point applies in respect of paragraph 1(1) (applications made under requirements) of Schedule 4 (discharge of requirements).</p> <p><u>The Sea Link draft DCO</u></p> <p>In the Sea Link draft DCO [REP6-005], the applicant (National Grid Electricity Transmission) has included a 35-day period for each of the provisions mentioned above and SCC has sought the extension of that period to 56 days. At Deadline 6 of the Sea Link DCO examination, the ExA submitted its <i>Schedule of ExA’s recommended amendments to the applicant’s dDCO</i> [PD-024]. The ExA recommended the replacement of 35 days in each of these provisions with 56 days for the following reasons –</p> <p>“The ExA considers that given the volume of NSIPs within the local authority areas and the need to allow for consultation and proper scrutiny, that a 56-day period is reasonable and appropriate”.</p> <p>SCC agrees with the ExA and, for the same reasons, considers the same deadline (albeit drafted in “business days” – i.e. 40 business days) should be included in the instant Order.</p>
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<p>2.2</p>	<p>Art. 23 (removal of human remains)</p>	<p>The proposed amendment provides a ‘business day’ equivalent period to the original 56 day period, in response to DCO 1.A3.</p>	<div style="border: 2px solid blue; padding: 5px;"> <p>(5) At any time within 5640 business days after the first publication of a notice under paragraph (3) any person who is a personal representative or relative of any deceased person whose remains are interred in the specified land may give notice in writing to the undertaker of that person’s intention to undertake the removal of the remains.</p> </div> <div style="border: 2px solid blue; padding: 5px;"> <p>(9) If—</p> <ul style="list-style-type: none"> (a) within the period of 5640 business days referred to in paragraph (5) no notice under that paragraph has been given to the undertaker in respect of any remains in the specified land; or (b) such notice is given and no application is made under paragraph (7) within 5640 business days after the giving of the notice but the person who gave the notice fails to remove the remains within a further period of 5640 business days; or (c) within 5640 business days after any order is made by the county court under paragraph (7) any person, other than the undertaker, specified in the order fails to remove the remains; or (d) it is determined that the remains to which any such notice relates cannot be identified, <p>subject to paragraph (10) the undertaker must remove the remains and cause them to be re-interred in such burial ground or cemetery in which burials may legally take place as the undertaker thinks suitable for the purpose; and, so far as possible, remains from individual graves must be re-interred in individual containers which must be identifiable by a record prepared with reference to the original position of burial of the remains that they contain.</p> </div> <p><u>SCC’s comment</u></p> <p>As drafted, this article raises significant concern for SCC’s Archaeological Service (“SCCAS”), particularly in respect of the way in which archaeological human remains will be treated. As drafted, the article poses a risk to archaeological heritage assets and threatens to delay the project. SCCAS understands there are no records of any historic human remains or burial sites within the Order Limits in Suffolk. However, it is not uncommon for human remains to be encountered during archaeological fieldwork, and a project of this scale should anticipate the potential discovery of such remains during ongoing evaluation and mitigation.</p> <p>SCCAS considers article 23 conflicts with archaeological best practice for dealing with human remains in archaeological contexts as it would lead to probable burial features being exposed for an extended period and therefore be at a risk of damage or harm.</p>
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			<p>SCC therefore recommends that, if the applicant persists with this drafting of article 23, it ought to be omitted from the draft DCO.</p> <p><u>The Sea Link draft DCO</u></p> <p>In the Sea Link draft DCO [REP6-005], the applicant (National Grid Electricity Transmission) included a “removal of human remains” at article 23. At Deadline 6 of the Sea Link DCO examination, the ExA submitted its <i>Schedule of ExA’s recommended amendments to the applicant’s dDCO</i> [PD-024] and recommended the deletion of the “removal of human remains” article from that draft Order for the following reasons –</p> <p>“There are no known burial grounds within the order limits so the ExA considers this article to be unnecessary. Any archaeological human remains should be dealt with in accordance with the archaeological written scheme of investigation”.</p> <p>At deadline 7, the Sea Link applicant removed article 23 (removal of human remains) from the draft Order [REP7-003]. SCC considers the same approach should be followed here.</p>
2.3	Art. 50 (felling or lopping)	Correction of cross-reference to paragraph (5) so that deemed consent provision does not operate where an application does not include the statement required by paragraph (6).	<div style="border: 1px solid blue; padding: 5px; margin-bottom: 10px;"> <p>(7) If an application for consent under paragraph (4) does not include the statement required under paragraph (6), then the provisions of paragraph (6) will not apply to that application.</p> </div> <p><u>SCC’s comment</u></p> <p>SCC has a wider point to make in respect of this article: SCC is concerned that important hedgerows under the Hedgerow Regulations 1997 are included in this article without any provision for special consideration to minimise impacts, for example by using HDD or coppicing and temporary storage prior to replanting, instead of removal. In any event, SCC notes the following from Advice Note Fifteen: drafting Development Consent Orders: “...the Article should include a Schedule and a plan to specifically identify the hedgerows to be removed (whether in whole or in part). This will allow the question of their removal to be examined in detail. Alternatively, the Article within the DCO could be drafted to include powers for general removal of hedgerows (if they cannot be specifically identified) but this must be subject to the later consent of the local authority” (paragraph 22.1).</p> <p>Regarding “a plan to specifically identify the hedgerows to be removed”, while the applicant has prepared “trees and hedgerows to be removed and/or managed plans” it is not clear</p>

			<p>those plans apply to all hedgerows or important hedgerows to be removed and SCC would welcome clarification on this point.</p> <p>Regarding consent, only trees “within or overhanging the extent of the public highway” (and not included in the “trees and hedgerows to be removed and/or managed plans”) are subject to consent. SCC considers this article should be amended to include a more general consent provision.</p>
2.4	Sch. 3 (para 1(3))	Amendment to specify more clearly the type of information or materials that may be approved under the requirements and by whom.	<div style="border: 2px solid blue; padding: 5px;"> <p>(3) Where any requirement requires the authorised development to be carried out in accordance or in general accordance with matters including a plan, any document, or plan, drawing, strategy, statement, details or other information approved by the relevant planning authority or the relevant highway authority, those matters such document, plan, drawing, strategy, statement, details or other information are to be taken to include any amendments that may have been subsequently be-approved in writing by the relevant discharging planning authority or the relevant highway authority in question.</p> </div> <p><u>SCC’s comment</u></p> <p>Some drafting suggestions –</p> <ul style="list-style-type: none"> • After “in general accordance” insert “with”; • After the second “or other information”, replace “are to be taken to include” with “includes”); • After “any amendments” leave out “that have been” • At the end: leave out “in question”.
2.5	Sch. 3 (para 3(1))	The proposed amendment provides a ‘business day’ equivalent period to the original seven day period, in response to DCO 1.A3.	<div style="border: 2px solid blue; padding: 5px;"> <p>(1) Unless otherwise agreed with the relevant planning authority, written notice setting out the anticipated programme for the carrying out of pre-commencement operations must be given to the relevant planning authority no less than seven five <u>business</u> days prior to the date on which those pre-commencement operations are first carried out.</p> </div> <p><u>SCC’s comments</u></p> <p>SCC’s experience of discharging requirements under the National Grid (Bramford to Twinstead Reinforcement) Order 2024 (SI 2024/958) Order has shown this time period to be too short (though a period of 7 days is included in the equivalent provision of the Bramford Order).</p> <p>The relevant planning authority should get more than 5 business days’ notice for pre-commencement works as this provides little opportunity to verify that the activities are valid</p>

			<p>and comply with the relevant controls. The presence of multiple NSIPs means the resources of local authorities are becoming increasingly stretched. 5 working days hardly provides for any opportunity for a technical review of the notification in comparison to all the relevant controls. A more proportionate and reasonable approach would require confirmation from the relevant planning authority that the pre-commencement operations accord with the plans, which must be given within a more reasonable time period, such as 28 days (or 20 business days, to better align with the applicant’s latest drafting). SCC should also receive the notification as certain pre-commencement activities will fall within its remit such as highways, water environment and archaeology.</p> <p>In the light of this, SCC requests that the five business day period is increased to 20 business days. (In previous submissions, including the LIR [REP1-178], SCC sought an increase to 35 days; on reflection, SCC considers 20 business days would be satisfactory).</p> <p><u>The Sea Link draft DCO</u></p> <p>At Deadline 6 of the Sea Link DCO examination, the ExA submitted its <i>Schedule of ExA’s recommended amendments to the applicant’s dDCO</i>.</p> <p>In the Sea Link draft DCO [REP6-005], the applicant (National Grid Electricity Transmission) has included a 7-day period. At Deadline 6 of the Sea Link DCO examination, the ExA submitted its <i>Schedule of ExA’s recommended amendments to the applicant’s dDCO</i> [PD-024]. The ExA has recommended the replacement of 7 days in the equivalent provision to 28 days for the following reasons –</p> <p>“The ExA agrees with [SCC] [REP6-237] that 28 days is a more proportionate and reasonable time period”.</p> <p>At deadline 7, the Sea Link applicant replaced, in the equivalent provision (paragraph 4(1) “stages of the authorised development)) of the draft Order [REP7-003] “seven days” with “28 days”. SCC considers the same approach should be followed here, albeit with “28 days” replaced with “20 business days”.</p>
2.6	Sch. 3 (para 3(4))	The proposed amendment is in response to feedback from host authorities	<div style="border: 2px solid blue; padding: 5px;"> <p>(4) Written notice of the commencement and completion of construction of each stage of the authorised development, and the operational use of each stage of the authorised development, must be given to the relevant planning authority within 2825 business days of the relevant event occurring.</p> </div> <p>SCC’s comment</p>

		and the Examining Authority regarding decision timescales. Further explanation can be found in response to DCO 1.A2.	SCC does not understand why it should take a month for this information to be provided and considers it should be provided in 5 days (and 5 business days would be fine).
2.7	Sch. 3 (para 5)	Amendments proposed following feedback from host authorities as to the need for the involvement of the county planning authority in historic environment matters.	<p>5. Archaeology</p> <p>(1) No stage of the authorised development may commence until either a preservation in situ management plan, or detailed written schemes of investigation of areas of archaeological interest relevant to that stage (if any), as identified within the outline archaeological mitigation strategy and outline written scheme of investigation or identified through evaluation work as set out in the outline archaeological mitigation strategy and outline written scheme of investigation, has been submitted to and approved by the relevant dischargingplanning authority in following consultation with the relevant county planning authority and, if relevant, Historic England.</p> <p>(2) Any detailed archaeological works must be carried out in accordance with the approved detailed written scheme of investigation for that stage.</p> <p>(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 dischargingplanning authority in following consultation with the relevant county planning authority and, if relevant, Historic England.</p> <p>SCC’s comment</p> <p>SCC is gravely concerned with the drafting of this requirement; however, the Applicant has alternative drafting that SCC has commented on in Table 10 below. SCC would refer readers to that response.</p>

<p>2.8</p>	<p>(Schedule 4, discharge of requirements (paragraph 2)).</p>	<p>Replacement of “5 days” with “5 business days” and replacement of “21 days” with “15 business days” to provide a ‘business day’ equivalent period to the original periods in response to DCO 1.A3.</p>	<div style="border: 2px solid blue; padding: 10px;"> <p style="text-align: center;"><i>Further information</i></p> <p>2. —(1) Where an application has been made under paragraph 1 the relevant authority may request such reasonable further information from the undertaker as it considers is necessary to enable it to consider the application.</p> <p>(2) If the relevant authority considers further information is necessary and the Requirement<u>requirement</u> does not specify that consultation with a requirement consultee is required, the relevant authority must, within 5 <u>business</u> days of receipt of the application, notify the undertaker in writing specifying the further information required.</p> <p>(3) If the Requirement<u>requirement</u> specifies that consultation with a requirement consultee is required, the relevant authority must issue the consultation to the requirement consultee within 5 <u>business</u> days of receipt of the application and must notify the undertaker in writing specifying any further information requested by the requirement consultee within 5 <u>business</u> days of receipt of such a request and in any event within 21<u>15 business</u> days of receipt of the application.</p> <p>(4) If the relevant authority does not give the notification mentioned in sub-paragraphs (2) or (3) it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.</p> <p>(5) Where further information is requested under this paragraph in relation to part only of an application, that part is treated as separate from the remainder of the application for the purposes of calculating the time periods referred to in paragraph 1 and in this paragraph.</p> </div> <p><u>SCC’s comment</u></p> <p>SCC would propose the following amendments to paragraph 2 of Schedule 4 –</p> <p>“2.—(1) Where an application has been made under paragraph 1 the relevant authority may request such reasonable further information from the undertaker as it considers is necessary to enable it to consider the application.</p> <p>(2) If the relevant authority considers further information is necessary and the requirement does not specify that consultation with a requirement consultee is required, the relevant authority must, within 5 20 business days of receipt of the application, notify the undertaker in writing specifying the further information required.</p>
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			<p>(3) If the requirement specifies that consultation with a requirement consultee is required, the relevant authority must issue the consultation to the requirement consultee within 5 business days of receipt of the application and must notify the undertaker in writing specifying any further information requested by the requirement consultee within 5 business days of receipt of such a request and in any event within 15 business days of receipt of the application.</p> <p>(4) (3) If the relevant authority does not give the notification mentioned in sub-paragraphs (2) or (3) it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.</p> <p>(5) (4) Where further information is requested under this paragraph in relation to part only of an application, that part is treated as separate from the remainder of the application for the purposes of calculating the time periods referred to in paragraph 1 and in this paragraph”.</p> <p>In sub-paragraph (2), 20 business days has been included, and the time limit applies regardless of whether the requirement demands consultation.</p> <p>The same drafting is included in requirement 2(2) of the East Anglia ONE North Offshore Wind Farm Order 2022 (SI2022/432) and requirement 2(2) of the East Anglia TWO Offshore Wind Farm Order 2022 (SI 2022/432).</p> <p>In the equivalent provision of the National Grid (Bramford to Twinstead Reinforcement) Order 2024 (SI 2024/958) paragraph 2 includes a time limit of “seven business days”.</p> <p>It has been well-rehearsed throughout the examination that discharging under the Bramford time limits has proved challenging; a duplication of Bramford (let alone an abbreviation of it) would be unsatisfactory.</p> <p>SCC considers the time limits included in the East Anglia Orders are reasonable (they would not have been included in two made DCOs if the Secretary of State did not consider this to be the case) and their appropriateness is heightened by the fact that the two Orders are for Suffolk NSIPs. Based on the above, SCC considers the case for including its preferred drafting is more compelling than anything put forward by the applicant to date.</p>
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Table 3: 7.2 (C) Outline Code of Construction Practice [REP3-025]			
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	SCC’s Comments
3.1	Highways	General Comment	SCC (Highways) will respond at Deadline 5.
3.2	Health and Wellbeing	General Comment	<p>SCC (Public Health) reasserts its position that monitoring of mental health and wellbeing impacts is an essential component of the Project’s construction and cumulative impact management and note that such a provision is currently not committed to in [REP3-025].</p> <p>SCC has previously raised concerns regarding the Applicant’s assessment of mental health and wellbeing in [REP1-178]. Monitoring represents a reasonable safeguard and a proportionate mechanism for identifying whether impacts on communities are greater than, or different to, those anticipated.</p> <p>Whilst SCC recognises and welcomes commitment GG36 within the CoCP, the Council does not consider that liaison and complaints-based mechanisms alone provide a structured or evidence informed means of identifying emerging mental health and wellbeing impacts or differential effects on vulnerable groups. Engagement measures do not remove the need for monitoring, rather monitoring provides a foundation for meaningful engagement, transparency and responsive mitigation.</p>
3.3	Archaeology	<p>6.1.16</p> <p><i>“Construction and operation (and maintenance) phase management measures</i></p>	<p>Impacts on archaeology and palaeoenvironmental deposits must also be considered within the Hydrological Assessment. De-watering or changes to groundwater regimes can be highly destructive to sensitive deposits, especially those with the potential to preserve organic remains. Such impacts may result in irreversible loss of</p>

		<p><i>in relation to Hydrology, Land Drainage and Flood Risk are contained in the following:</i></p> <ul style="list-style-type: none"> • <i>Mitigation measures / environmental commitments in Table 6.1.</i> • <i>Outline Flood Warning and Evacuation Plan (see Appendix G)</i> • <i>Surface Water Management Plan – this Plan has not been prepared to support the Outline CoCP because the detailed design is not yet known. This Plan will demonstrate how runoff across the site will be controlled and how any off-site effects will be managed and mitigated and will be prepared by the Main Work(s) Contractor.”</i> 	<p>archaeological and palaeoenvironmental information. Therefore, hydrological modelling and mitigation strategies must be developed in consultation with the Historic England Regional Science Advisor and integrated into the wider environmental management framework.</p>
<p>3.4</p>	<p>Archaeology</p>	<p>GG08</p> <p><i>“Where features are to be retained, where practicable (including veteran trees, ancient woodland, high, medium and low value trees, hedgerows, watercourses and archaeological/ heritage assets), an appropriate protective area or protection mechanisms will be established using appropriate equipment or fencing and signage and will be inspected, repaired, and replaced as necessary.”</i></p>	<p>Management for the protection of archaeological and other heritage assets must be secured through an approved 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328], which will detail the production of a Historic Environment Management Plan (“HEMP”). This document should set out clear methodologies for the preservation and protection of heritage assets throughout all phases of the project (construction, operation, enhancement and decommissioning). The HEMP should be developed in consultation with the Historic England Regional Science Advisor and relevant local authority archaeological advisors or heritage advisor to ensure it reflects best practice and is</p>

			proportionate to the significance and sensitivity of the affected heritage assets.
3.5	Archaeology	<p>H03</p> <p><i>“The location of known archaeological remains or areas where archaeological investigations will be undertaken (i.e., excavations) will be signposted/ fenced off to avoid unintentional damage.”</i></p>	<p>To avoid unintentional damage to archaeological heritage assets, all relevant management measures must be included in the live constraints mapping for the project. This ensures that heritage assets and sensitive areas are clearly visible and accessible to all teams involved in construction, operation, and decommissioning activities. Early identification and mapping of these constraints is essential to ensure effective avoidance and mitigation.</p>
3.6	Archaeology	<p>H04</p> <p><i>“Where a previously unknown heritage asset has been discovered, or a known heritage asset has proven to be more significant than foreseen at the time of application, the Project will inform the LPA and agree a solution that protects the significance of the new discovery, through preservation or excavation and recording, whichever is practicable within the Project construction requirements.”</i></p>	<p>While the commitment to notify the Local Planning Authority (“LPA”) upon the discovery of previously unknown or unexpectedly significant heritage assets is welcomed, it is essential to emphasise the importance of early-stage archaeological evaluation to minimise such risks.</p> <p>Archaeological evaluation (geophysical survey and trial trenching) is a critical component of the pre-application and pre-consent process. These combined methods help identify areas of archaeological sensitivity, assessing the significance of known and unknown assets, and inform the development of mitigation strategies. Early identification enables the project to integrate mitigation into the project timetable, reducing the likelihood of unexpected discoveries and ensuring compliance with policy and best practice guidance.</p> <p>We would advise the following amendment to H04 add clarity to the commitment:</p> <p><u>For areas of the project where an agreed programme of archaeological investigation has been undertaken, and where land has been released for construction to commence, should</u></p>

			<p>previously unknown <i>heritage asset</i> be discovered, or a known <i>heritage asset</i> has proven to be more significant than foreseen at the time of application, the Project will inform the LPA and agree a solution that protects the significance of the new discovery, through preservation or excavation and recording, whichever is practicable within the Project construction requirements.</p> <p>This amendment clearly sets out a process to be followed, where land is released for construction to commence, and unexpected archaeology is encountered by construction teams.</p>
3.7	Archaeology	<p>W06</p> <p><i>“Where a main river is crossed by a trenchless crossing, the cables will be laid at least 1 m below the hard bed level of the river and will remain at or below this level for not less than 3 m from the brink of the riverbank. Marker posts shall also be positioned on each bank of the river to indicate the location of the under-crossing and the nature of the works.</i></p> <p><i>The Project proposed the following trenchless crossings (as detailed in Table 4.9 within ES Chapter 4: Project Description (document reference 6.4)):</i></p> <ul style="list-style-type: none"> • Section C: Higham Road • Section C: River Stour (north part), River Stour (south part) • Section C: A12 highway crossing 	<p>Where a main river is crossed by a trenchless method (such as horizontal directional drilling or microtunnelling) the design of that crossing must take into account the potential for archaeological and palaeoenvironmental remains and their preservation. River valleys often contain deeply stratified and organic-rich deposits, including peat and alluvium, which may preserve significant archaeological and palaeoenvironmental evidence.</p> <p>For Section C River Stour (north part), River Stour (south part) SCCAS would like to highlight that in 6.9.A4 Environmental Statement Appendix 9.4 – Hydrological Risk Assessment [APP-185] paragraph 7.1 states that the western cable corridor of the Stour crossing would be unsuitable for HDD and the Eastern might be possible.</p> <p>To avoid disturbance or degradation of these sensitive deposits, the crossing design should be informed by appropriate geoarchaeological and palaeoenvironmental assessment and developed in consultation with the Historic England Regional Science Advisor. This will ensure that the methodology is proportionate and aligned with best practice for the protection of sensitive archaeological heritage assets.</p>

		<ul style="list-style-type: none"> • <i>Section C: Railway crossing (east of Ardleigh).</i>” 	Please see comment on GH11 on hydrological risk assessment for archaeology.
3.8	Archaeology	<p>W21</p> <p><i>“Drainage ponds and outfalls serving temporary works during construction of the Project will be removed following construction, and the land reinstated.”</i></p>	<p>SCCAS would like to highlight that the Drainage Ponds and Outfalls are impacts which will require archaeological trial trenching prior to their construction to inform appropriate archaeological mitigation. Ground disturbance associated with their construction has the potential to significantly impact archaeological heritage assets that are known and currently unknown.</p>
3.9	Archaeology	<p>GH11</p> <p><i>“At trenchless crossings, and where otherwise indicated in the ES, within Appendix 9.3: Groundwater Baseline and Qualitative Groundwater Risk Assessment (document reference 6.9.A3), a Hydrogeological Risk Assessment will be undertaken to assess the specific risks to groundwater and groundwater receptors (including impacts on groundwater flow and levels, and the risk of breakout of drilling fluids and turbidity, where appropriate) at those locations and identify any additional mitigation or remediation that may be required. The nature and scope of any mitigation or remediation will be agreed with the Environment Agency or other stakeholders, as appropriate.”</i></p>	<p>GH11 should be amended to require the hydrological risk assessment to assess the hydrological risk to sensitive archaeological deposits, deposits with palaeoenvironmental potential and archaeological finds identified during the post-consent geoarchaeological and palaeoenvironmental assessment. Hydrological risk assessment to sensitive archaeological deposits, deposits with palaeoenvironmental potential and archaeological finds must also be included in an approved 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328].</p>
3.10	Landscape Visual	<p>General comment</p>	<p>SCC has provided detailed comments on the Outline CoCP in the LIR [REP1-178].</p>

			<p>The comments provided in Section 13 of the LIR still stand. SCC broadly welcomes the additional commitment regarding an Ecology Working Group and the additional Ecology and Biodiversity commitments as far as they refer to Suffolk, although SCC considers that they are too weak/contain too many caveats ('where practicable').</p>
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Table 4: 7.3 (B) Outline Construction Traffic Management Plan [REP3-028]			
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	SCC’s Comments
4.1	Highways	General comment	SCC (Highways) will respond at Deadline 5.
4.2	Landscape and Visual	General comment	<p>SCC (Landscape) considers that a commitment should be included into the oCTMP, to avoid loss of vegetation, as far as possible, in particular for temporary accesses and work compounds and that, where mature trees conflict with a temporary visibility splay, the first default approach is to apply all reasonable forms of traffic management, including temporary traffic lights and low speed limits, to enable the retention of the tree(s).</p> <p>In connection with this, SCC considers that the proposed widening of Bullen Lane and associated works area to the north of Bullen Lane should be descoped or significantly reduced/ altered to avoid loss of the visually important tree group north of Bullen Lane.</p> <p>SCC (Landscape) is concerned with regards to other potential locations, where vegetation is proposed to be cleared for temporary works, even where this could be avoided through small amendments in the works design and communication/consultation with the Local authorities.</p>

Table 5: 7.4 (D) Outline Landscape and Ecological Management Plan [REP3-030]			
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	SCC’s Comments
5.1	Archaeology	General comment	All ecological works that disturb the ground have the potential to damage or disturb archaeological deposits. Therefore, archaeological assessment and mitigation may be required. This must be managed through an approved Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation and Detail Written Schemes of Investigation where archaeological works are required.
5.2	Archaeology	1.2.2 <i>“In addition, third party utilities diversions and/or modifications would be required to facilitate the construction of the Project. There would also be land required for environmental mitigation and Biodiversity Net Gain (BNG).”</i>	<p>There needs to be a paragraph in the 1.2 Project Overview section stating that: <i>“The historic environment must be a material consideration when selecting land for environmental mitigation, ecological offsetting, and Biodiversity Net Gain (BNG), including land located outside the project Order Limits. Archaeological assessment and evaluation should inform site selection and the design of mitigation measures so that heritage assets are identified, understood, and appropriately protected or recorded before any enhancement or habitat creation is implemented.”</i></p> <p>Mechanisms for habitat creation often have significance adverse impacts on archaeological heritage assets. Any impacts will need archaeological mitigation. This is why we are advising the addition of the above paragraph.</p> <p>All archaeological works would be undertaken in accordance with the approved OAMS-OWSI and DWSI’s where archaeological work is required, which will be submitted and approved by the relevant LPAAA.</p>
5.3	Archaeology	1.4	Offsite Biodiversity Net Gain (“ BNG ”) must be delivered in a way that recognises and protects buried archaeological heritage assets. Site selection, design and

		<i>“Environmental Gain”</i>	<p>delivery of habitat creation or enhancement must be informed by archaeological assessment so that damaging interventions (for example tree planting, pond creation, or soil inversion/de-nitrification used for heathland and species-rich grassland) are avoided, minimised or mitigated before works commence.</p> <p>Please see comments on 1.2.2 for further details on how this can be addressed in the OLEMP.</p>
5.4	Archaeology	<p>2.2</p> <p><i>“Construction and Landscaping Schedule”</i></p>	<p>Where advance works are proposed, archaeology must be consulted as many habitat creation or enhancement methods are excessively damaging to buried archaeological remains (tree planting, pond creation and soil de-nitrification for heathland and species rich grassland creation, etc). It is therefore essential that archaeology is taken into account when choosing locations.</p> <p>This section must state that all advanced works which disturb the ground have the potential to damage or destroy archaeological heritage assets, and therefore, archaeological assessment and mitigation may be required. This must be managed through an approved Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation and Detail Written Schemes of Investigation where archaeological works are required.</p>
5.5	Archaeology	<p>3.3</p> <p><i>“Information Training Awareness”</i></p>	<p>For clarity in project delivery and risk reduction it is important to implement a live project constraints mapping so all environmental, archaeological, ecological, and operational constraints are recorded, visualised, and kept up to date in a single, accessible system for project staff.</p> <p>SCCAS would strongly advise the implementation of live project constraints mapping.</p>
5.6	Archaeology	<p>5.3</p> <p><i>“Designated Sites Mitigation”</i></p>	<p>Archaeology must be consulted as many habitat creation or enhancement methods are excessively damaging to buried archaeological remains (tree</p>

			<p>planting, pond creation and soil de-nitrification for heathland and species rich grassland creation, etc).</p> <p>It is therefore essential that archaeology is taken into account when designing habitat replacement and protection measures.</p>
5.7	Archaeology	<p>5.3.2</p> <p><i>“Where embedded/ standard mitigation measures set out in the Outline CoCP (document reference 7.2) (Revision C), associated with a statutory designated site, are required these have been included within Table 5.3 for clarity. This predominantly relates to pollution prevention measures, which within the Outline CoCP (document reference 7.2) (Revision C) under GG32 states ‘Runoff across the site will be controlled through a variety of methods including header drains, buffer zones around watercourses, on-site ditches, silt traps and bunding. There will be no intentional discharge of site runoff to ditches, watercourses, drains, including highways drainage systems, or sewers without appropriate treatment and agreement of the</i></p>	<p><i>GG32 states ‘Runoff across the site will be controlled through a variety of methods including header drains, buffer zones around watercourses, on-site ditches, silt traps and bunding. There will be no intentional discharge of site runoff to ditches, watercourses, drains, including highways drainage systems, or sewers without appropriate treatment and agreement of the appropriate authority. All practicable steps would be put in place to prevent pollution of watercourses in the case of an emergency, with protocols in place to address accidental spills and severe weather events’.</i></p> <p>SCCAS recognise the importance of this, but archaeology needs to be a consideration when designing these mitigation measures. Where these mitigation measures disturb the ground they have the potential to damage or disturb archaeological deposits. Therefore, archaeological assessment and mitigation may be required. This must be managed through an approved Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation and Detail Written Schemes of Investigation where archaeological works are required.</p>

		<i>appropriate authority. All practicable steps would be put in place to prevent pollution of watercourses in the case of an emergency, with protocols in place to address accidental spills and severe weather events’.</i>	
5.8	Archaeology	<p>Table 5.4</p> <p><i>“Non-statutory ecological designated sites relevant to the Outline LEMP”</i></p>	<p>SCCAS notes that clay breakouts from proposed HDD river crossings of the Stour could cause significant environmental harm, and any mitigation for drilling clay breakouts must explicitly consider archaeological impacts. Hydrological changes associated with the works may adversely affect archaeological heritage assets both within and beyond the Order Limits redline. SCCAS notes that 6.9.A4 Environmental Statement Appendix 9.4 – Hydrological Risk Assessment [APP-185] paragraph 7.1 states that the western cable corridor of the Stour crossing would be unsuitable for HDD and the Eastern might be possible.</p> <p>Reinstatement of arable habitat has the potential to cause substantial damage to buried archaeological remains, such areas must therefore be subject to archaeological evaluation and, where necessary, mitigation. Areas identified and agreed for in-situ archaeological preservation must be managed under the AMS-OWSI and by separate DWSIs or a Preservation in situ management plan.</p> <p>Close, ongoing coordination between all Clerks of Works identified in the OLEMP and the Archaeological Clerk of Works is essential to ensure the ecological and archaeological requirements are delivered smoothly and without conflict.</p>
5.9	Archaeology	6	<p>There needs to be a paragraph at the beginning of this section to state that the LEMP will be implemented in close coordination with an approved OAMS-OWSI to ensure that species mitigation and habitat works are planned and delivered</p>

		<p><i>“Ecology Species Specific Mitigation”</i></p>	<p>alongside archaeological mitigation works. This is essential as it is a two-way impact, where archaeological works can impact ecology and ecological works can impact archaeology and it is essential they work together for smooth delivery of the project.</p>
5.10	Archaeology	<p>6.1.35</p> <p><i>“Where water vole presence is confirmed within a works area, and habitat removal is less than or equal to a 50 m linear length of bankside vegetation (unless otherwise agreed with Natural England), displacement techniques will be used to degrade the bankside habitat suitability either through the use of a CL31 water vole displacement class licence or a standard (A11) mitigation licence obtained from Natural England. Displacement activities will be undertaken either during February to April or September to October and then maintained until construction works have been completed. Mitigation will follow measures set out within the draft water vole licence and agreed with Natural England.”</i></p>	<p>Archaeology needs to be a consideration for displacement of Water Voles.</p>

5.11	Landscape and Visual	<p>7.3 <i>“Tree Protection Measures 7.4 General Principles of Tree Work”</i></p>	<p>SCC broadly agrees with the tree protection measures proposed in Section 7.3 of 7.4 Outline Landscape and Ecological Management Plan [REP3-030]. SCC considers that the Tree Protection Plans in accordance with BS 5837:2012 Trees in relation to design, demolition and construction (or its revision), need to be shared and agreed with the relevant discharging local authority.</p>
5.12	Landscape and Visual	<p>7.4 <i>“General Principles of Tree Work”</i></p>	<p>With regards to minimisation of tree losses, SCC considers that a commitment should be included into the oCoCP and other relevant documents, such as the oLEMP and oCTMP, that, where mature trees conflict with a temporary visibility splay, the first default approach is to apply all reasonable forms of traffic management, including temporary traffic lights and low speed limits, to enable the retention of the tree(s).</p>
5.13	Landscape and Visual	<p>7.6 <i>“Hedgerows”</i></p>	<p>SCC has provided detailed comments and guidance on hedgerows in its LIR [REP1-178], which do not appear to be reflected in Section 7.6 of 7.4 Outline Landscape and Ecological Management Plan [REP3-030].</p>
5.14	Archaeology	<p>7.5.15 & 7.5.16 <i>“Veteran Trees Potentially Removed</i> <i>Four veteran trees require removal, while 15 veteran trees and two veteran groups require crown management to facilitate construction of the Project.</i> <i>When removing veteran trees, there are a number of options available i.e. simulated windfall, stem monolith, phased felling, straight</i></p>	<p>The project need to understand the archaeological implications of veteran tree removal. As the survival of veteran trees tend to relate to survival of historic parkland or historic boundaries and root removal can damage or destroy archaeological deposits.</p>

		<p><i>felling. All of the above options seek to retain the woody material in situ. All brash, timber and material from the tree should be retained on site in brash / wood piles as close to the original location of the tree as possible. This material provides a niche habitat for specialist fungi, invertebrates and mammals.”</i></p>	
5.15	Archaeology	<p>7.7 <i>“Protection of Watercourses</i> <i>A 10 m protection buffer from the top of the bank from all retained watercourses will be applied where practicable and clearly demarcated to avoid accidental encroachment. Measures relating to pollution prevention are set out in the Outline CoCP (document reference 7.2) (Revision C).</i></p> <p><i>Pylons will not be constructed within 8 m of the top of bank of main rivers, in accordance with requirements for regulated activities set out in the guidance for environmental permits for flood risk activities (Environment Agency and</i></p>	<p>These are likely to have archaeological impacts, particularly on well preserved waterlogged archaeological remains and palaeoenvironmental information.</p> <p>Geoarchaeological and palaeoenvironmental assessment will be required to inform specific archaeological methodology will need to be developed to mitigate these impacts. I.e. development of a Peat Management Strategy and Deep waterlogged archaeological excavation strategy.</p>

		<p><i>the Department for Environment, Food and Rural Affairs (Defra), 2019). It is anticipated that pylons would also not be located within 3.5 m of an ordinary watercourse.”</i></p>	
5.16	Archaeology	<p>7.7.6</p> <p><i>“The only main river located within the underground cable sections of the Project is the River Stour. Where the cable route crosses the River Stour at two points, these will be subject to use of trenchless techniques rather than use of an open cut method. This will protect the banks and channel of the River Stour removing any direct construction impacts.”</i></p>	<p>SCCAS would like to highlight that in 6.9.A4 Environmental Statement Appendix 9.4 – Hydrological Risk Assessment [APP-185] paragraph 7.1 states that the western cable corridor of the Stour crossing would be unsuitable for HDD and the Eastern might be possible, this is contradictory to the statement in 7.7.6 of the OLEMP.</p>
5.17	Archaeology	<p>8.1.7</p> <p><i>“Woodland, tree and hedgerow removal works would be coordinated with archaeological mitigation as set out in the Outline AMS-OWSI (document reference 7.5) and relevant Detailed WSIs for areas of archaeological sensitivity.”</i></p>	<p>SCCAS welcome the inclusion of this paragraph.</p>

5.18	Archaeology	<p>9.1</p> <p><i>“Landscape and Ecological Reinstatement and Other Mitigation General Approach</i></p> <p><i>[...]</i></p> <p><i>As a general principle, all land which is temporarily impacted by the Project will be reinstated where practicable to its pre-construction condition land use. The only exception to this will be restrictions on tree planting below the overhead line and directly on top of the underground cables. Species mixes will allow for low growing and shallow rooted tree/scrub species as an alternative in these locations. [...]</i>”</p>	<p>All landscape and ecological reinstatement and other mitigation works that disturb the ground have the potential to damage or disturb archaeological deposits. Therefore, archaeological assessment and mitigation may be required. This must be managed through an approved Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation and Detail Written Schemes of Investigation where archaeological works are required.</p> <p>The relevant LPAAA should be consulted at the earliest opportunity to review the indicative landscape design in order to provide advice on the archaeological implications of the habitat creation in these locations.</p>
5.19	Archaeology	<p>SCCAS Recommendation</p>	<ul style="list-style-type: none"> • The Historic Environment is considered as part of the Environment within in the OLEMP. • Early assessment: Undertake full geoarchaeological and palaeoenvironmental assessment of the river valleys to inform appropriate archaeological mitigation. • Mitigation planning: undertake full archaeological evaluation to ensure CoCP, AMS-OWSI and LEMP work together so that drilling, spoil management, and reinstatement methods are designed to avoid or minimise disturbance to archaeological deposits; where avoidance is

			<p>not possible, undertaken appropriate mitigation, informed by the results of archaeological evaluation.</p> <ul style="list-style-type: none"> • Hydrological risk assessment: Assess potential hydrological changes from HDD and associated works and evaluate their likely impacts on archaeological heritage assets and important deposits; incorporate findings into both ecological and archaeological mitigation strategies. Consultation with the Historic England regional science advisor for the eastern region is strongly advised. • Management of preserved areas: Record any areas to be preserved in situ and manage them through the AMS-OWSI, DWSIs, HEMP and live constraints mapping, with clear responsibilities, monitoring regimes, and long-term maintenance arrangements. • Clerks of Works coordination: Establish communication protocols and regular joint site meetings between the Archaeological Clerk of Works and all ecological/engineering Clerks of Works named in the OLEMP to coordinate works, inspections, and unexpected discoveries. <p>Contingency procedures: Put in place a written unexpected archaeological finds procedure linked to the OLEMP so that discovery, recording, temporary protection, and decision-making are consistent throughout the CoCP, AMS-OWSI and LEMP.</p>
5.20	Landscape and Visual	<p>9.7 <i>“Landscape Mitigation and Compensation”</i></p>	<p>SCC considers that the outline landscape proposals for mitigative planting at Environmental Areas and CSE compounds should be further developed during the examination, in light of the updated Ancient Woodland Areas and comments by Interested Parties, such as the local authorities to secure acceptable planting schemes. SCC is particularly concerned with regards to planting along the western boundary of Wenham CSEC (see Viewpoint 3.25: PRoW near Woodlands Hall (Raydon 5)) and the access road to the Wenham CSE compound which could adversely affect the Wenham Grove (newly identified Ancient Woodland).</p>

5.21	Landscape and Visual	<p>10</p> <p><i>“Aftercare”</i></p>	<p>SCC has provided detailed comments on Aftercare in its LIR [REP1-178], which still stand.</p> <p>SCC does further not agree with the additional wording in 10.1.1 and is of the view that any planting that is to be counted as part of the BNG should be maintained for 30 years, rather than 5.</p>
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Table 6: 7.4 (B) Appendix B – Ancient Woodland and Veteran Tree Strategy [REP3-032]			
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	SCC’s Comments
6.1	Landscape and Visual	General	SCC welcomes that the Ancient Woodland and Veteran Tree Strategy now comprises the data of the Updated Ancient Woodland Inventory. This shows, however that the current alignment potentially affects additional ancient woodlands, previously not recognised.
6.2	Landscape and Visual	Table 3.2	<p><i>Lodgefield Row</i></p> <p>SCC considers that at this location LoD should be considered/utilised to minimise the impacts on the woodland.</p> <p><i>Wenham Grove</i></p> <p>SCC considers that works area and access road should be moved outside the 15m buffer zone and and as far as necessary to avoid harm to the ancient woodland.</p>

Table 7: 8.10.1 (A) Ancient Woodland Technical Note – Part 1 [REP3-058] and Part 2 [REP3-059]			
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	SCC’s Comments
7.1	Landscape and Visual	Appendix B [REP3-059]	<p>SCC welcomes the additional commitments included in the 1.6.2 of the oCoCP (Revision C) in response to the changes to the AWI.</p> <p><i>Table B.2 Impact assessment including residual effects on ecology and biodiversity receptors during construction</i></p> <p>SCC welcomes the assurance that harm to Ancient Woodlands can be avoided through mitigation.</p> <p><i>Table B.3 Impact assessment including residual effects on ecology and biodiversity receptors during operation (and maintenance)</i></p> <p>SCC considers that bespoke operating procedures may need to be employed when undertaking vegetation management of AW such as Lodgefield Row (Section B), rather than standard procedures. The appropriate management should be agreed and overseen by the Ecology Working Group.</p>
7.2	Landscape and Visual	Appendix C [REP3-059]	<p>SCC considers that the design should be amended at Lodgefield Row (alignment) and Wenham Grove (design of environmental area and access road) as far as necessary to avoid harm to the newly identified Ancient Woodlands.</p>

Table 8: 8.4.8 (A) Applicant’s Comments on any Further Information or Submissions Received by Deadline 2 [REP3-070]			
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	SCC’s Comments
8.1	Archaeology	<p>REP2-040 (1.1)</p> <p><i>“The purpose of the geophysical survey results report is to provide results and interpretation of the survey.</i></p> <p><i>The strategy for trial trenching and mitigation is outlined in the Written Schemes of Investigation (WSI) for the priority trial trenching areas and 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328], which will be submitted into Examination.</i></p> <p><i>The Applicant has actively engaged with Local Planning Authorities and Historic England regarding 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] since submission of the DCO application. The Applicant has discussed progress on the ongoing geophysical survey and trial trenching, the approach to Phase 2 trial trenching and the programme for updates to 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] at meetings with Essex and Suffolk County Councils on 26 March 2026, with Norfolk County Council on 27 March 2026, and with representatives from Historic England, Thurrock</i></p>	<p>SCC Archaeological Service requests that the Geophysical Report acknowledge the limitations of the chosen geophysical technique and state that archaeological trial trenching will be necessary to ground-truth the results. This does not require including a detailed trenching methodology in the geophysical survey report.</p>

		<p><i>Council and Essex, Suffolk and Norfolk County Councils, at the Archaeological Working Group Meeting on 1 April 2026.</i></p> <p><i>The Applicant is currently preparing an updated version of 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] taking into account feedback received from stakeholders noted above as well as others. The updated document is scheduled for submission at Deadline 5. Prior to this, the updated document will be shared with the relevant stakeholders for their review.”</i></p>	
8.2	Archaeology	<p>REP2-040 (1.2)</p> <p><i>“The Applicant acknowledges this and notes that the strategy for trial trenching is outlined in the WSIs for the priority trial trenching areas and 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328], which is being updated and will be submitted into Examination and updated for the Phase 2 trial trenching.”</i></p>	SCCAS notes and will await to review.
8.3	Archaeology	<p>REP2-040 (1.3)</p> <p><i>“The Applicant has responded to this in its response to question HE 1.47 in 8.9.1 Applicant's Responses to First Written Questions [Revision A].”</i></p>	SCC Archaeological Service acknowledge the applicant’s response to question HE 1.47 in 8.9.1 Applicant's Responses to First Written Questions [REP3-074] and highlights the importance of trial trenching to ground-truth geophysical survey results.

8.4	Archaeology	<p>REP2-040 (1.4)</p> <p><i>“The Applicant will update the interpretation section of 6.11.A4 Environmental Statement Appendix 11.4 – Geophysical Survey (Priority Areas) Results Report [AS-072 - AS-077] to take account SCC’s comments. The updated document is scheduled for submission at Deadline 4.”</i></p>	<p>SCC Archaeological Service await the revised document before making further comment.</p>
8.5	Archaeology	<p>REP2-040 (2.4 – 2.10)</p> <p><i>“Noted [that SCCAS will comment when the full report is submitted, as opposed to the interim report]. The Applicant will respond further when it receives SCCAS comments.”</i></p>	<p>SCC Archaeological Service can only comment further when full reports are submitted for review.</p>
8.6	Archaeology	<p>REP2-040 (5.5 – 5.10, 5.15 – 5.16)</p> <p><i>“The Applicant has responded to this in its response to question HE 1.46 in 8.9.1 Applicant’s Responses to First Written Questions [Revision A]. This confirms that the Applicant is preparing an updated 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328], which is planned for submission at Deadline 5.”</i></p>	<p>SCC Archaeological Service await the submission of an amended 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] for review.</p>
8.7	Archaeology	<p>REP2-040 (5.5 and 5.8)</p> <p><i>“The Applicant acknowledges the potential for sections of the Project to contain peat and alluvial deposits with the potential to mask deeply buried archaeological material.</i></p>	<p>SCC Archaeological Service disagree with this statement <i>“However, where such deposits are oversailed by the overhead line or are located outside areas of impact, no further evaluation work will be undertaken as there is no potential for physical impact.”</i> As this does not account for the potential impacts of</p>

		<p><i>However, where such deposits are oversailed by the overhead line or are located outside areas of impact, no further evaluation work will be undertaken as there is no potential for physical impact.</i></p> <p><i>The results of 6.11.A6 Environmental Statement Appendix 11.6 - Geoarchaeological Monitoring of Ground Investigation Works Report [APP-214] and included in 6.11 Environmental Statement Chapter 11 - Historic Environment [AS-068] will be used to inform proposals for further geoarchaeological and palaeoenvironmental works, where such areas correspond with areas of known impact to deeply buried deposits. Provision for further geoarchaeological and palaeoenvironmental work in areas of impact is included in 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328], which is currently being updated following comments received in Local Impact Reports and Written Representations. It is anticipated to be submitted at Deadline 5.”</i></p>	<p>haul roads and flood alleviation measures within the overhead sections.</p> <p>SCCAS await the submission the amended 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] to see if this document provides adequate provision for geoarchaeological and palaeoenvironmental assessment.</p>
8.8	Archaeology	<p>REP2-040 (5.7)</p> <p><i>“The Applicant has already committed to undertaking evaluation of the areas of impact from the Project, and progress on this is well advanced, as set out in the Applicant’s response to question HE 1.43 in 8.9.1 Applicant’s Responses to First Written Questions</i></p>	<p>Please see SCCAS comments on Appendix A. Supplement 1 – 1.S8 Draft Development Consent Order (Table 10 below).</p> <p>SCCAS await the submission the amended 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] before we comment</p>

		<p><i>[Revision A]. Part (1) of Requirement 5 of 3.1 Draft Development Consent Order (Revision C) already ensures that pre-commencement and construction activities cannot commence until evaluation (if not already completed) and mitigation have been agreed through Detailed WSIs.”</i></p>	<p>further, to see if the document contains adequate provision to deliver an appropriate programme of archaeological work.</p>
<p>8.9</p>	<p>Archaeology</p>	<p>REP2-040 (5.10)</p> <p><i>“The Applicant maintains the position that the level of fieldwork undertaken on this Project exceeds that of many other NSIPs and DCO submission stage and positively accepts SCCAS’s recognition of that. The Applicant also draws attention to the response to question HE 1.43 in 8.9.1 Applicant’s Responses to First Written Questions [Revision A] where it is detailed that the Priority trial trenching areas are due to be completed by the end of April 2026 and the Phase 2 trial trenching is programmed to commence in summer 2026 and is expected to be mostly complete by the end of 2026.</i></p> <p><i>The Priority trenching area comprises a total of 3,350 trenches. The exact number of trenches within the Phase 2 area is still subject to agreement with the Archaeological Advisors to the Local Planning Authorities but for the purpose of illustration a 2.5% sample of the Phase 2 area would represent 3,000 trenches.</i></p>	<p>SCC Archaeological Service accept the applicant’s statements around the priority trenching. However, this is a large c.180km linear project, and priority area archaeological works to date only constitute a small proportion of the overall project impact area. SCCAS considers that there is sufficient archaeological work undertaken in the Suffolk Priority Areas to inform the principle of development for Suffolk. However, significant further archaeological evaluation is required across the remainder of the scheme to inform detailed engineering designs and a programme of archaeological mitigation.</p> <p>This must be secured by robust requirement wording and appropriate provision in an approved OAMS-OWSI.</p> <p>Full reports on geophysical survey and trial trenching are unlikely to be completed prior to determination of the application. Therefore, it is essential that the OAMS-OWSI and the requirement wording secure the delivery of full reports for all works undertaken as soon as they are available and set clear deadlines for their submission and review.</p> <p>It is in the applicant’s interest to complete the remaining archaeological evaluation (both geophysical survey and trial</p>

		<p><i>Together the Priority and Phase 2 trenching represent the same or greater level of coverage as achieved by the DCO’s quoted by SCCAS.</i></p> <p><i>As with the approach taken by Sizewell and quoted by SCCAS any outstanding trial trenching post-DCO for this Project will be secured through commitments made in 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328].</i></p>	<p>trenching) at the earliest opportunity to inform a mitigation programme.</p>
8.10	Archaeology	<p>REP2-40 (5.11)</p> <p><i>“The Applicant has actively engaged with Local Planning Authorities and Historic England regarding 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] since submission of the DCO application. The Applicant has discussed progress on the ongoing geophysical survey and trial trenching, the approach to Phase 2 trial trenching and the programme for updates to 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] at meetings with Essex and Suffolk County Councils on 26 March 2026, with Norfolk County Council on 27 March 2026, and with representatives from Historic England, Thurrock Council and Essex, Suffolk and Norfolk County Councils, at the Archaeological Working Group Meeting on 1 April 2026.</i></p>	<p>SCCAS await the submission the amended 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] before we comment further.</p>

		<p><i>The Applicant is currently preparing an updated version of 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] taking into account feedback received from stakeholders noted above as well as others. The updated document is scheduled for submission at Deadline 5. Prior to this, the updated document will be shared with the relevant stakeholders for their review.”</i></p>	
8.11	Archaeology	<p>REP2-040 (5.12) <i>“7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] is currently being updated and will be submitted into Examination, anticipated for Deadline 5.”</i></p>	<p>SCCAS await the submission the amended 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] before we comment further.</p>
8.12	Archaeology	<p>REP2-040 (5.13) <i>“The Applicant has responded to this in its response to question DCO 1.S8 in 8.9.1 Applicant's Responses to First Written Questions [Revision A].”</i></p>	<p>Please see SCCAS comments on Appendix A. Supplement 1 – 1.S8 Draft Development Consent Order (Table 10 below).</p>
8.13	Archaeology	<p>REP2-040 (5.17) <i>“An updated version of 7.2 Outline Code of Construction Practice (Rev B) (Revision C) has been submitted at Deadline 3. 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] is</i></p>	<p>Please see SCCAS comments on 7.2 Outline Code of Construction Practice (Rev B) (Revision C).</p>

		currently being updated and will be submitted into the examination.”	
8.14	Skills	<p>REP2-040 (5.29)</p> <p><i>“At this stage, the competence profile of the construction workforce is not available. However, it is anticipated that this information would become accessible following the appointment of the construction contractor. The assessment approach set out in 6.15 Environmental Statement Chapter 15 - Socio-economics, Recreation and Tourism [APP-265] is in line with other grid connection projects, including Yorkshire Green and Bramford to Twinstead Reinforcement.</i></p> <p><i>To provide an initial insight at the current design stage, the anticipated peak daily construction workers distribution throughout the construction phase in Suffolk is presented in Figure 2.2 of 7.3 Outline Construction Traffic Management Plan - Appendix B - Outline Construction Worker Travel Plan [APP-311].</i></p> <p><i>The cumulative effects on local employment and visitor accommodation bedspace are set out in 6.17.A3 Environmental Statement Appendix 17.3 - Inter-Project Cumulative Effects [APP-284].”</i></p>	<p>SCC does not agree that the Applicant’s response adequately addresses the concerns raised in respect of skills, education and employment. The Applicant’s position that detailed workforce competence profiles will only be available following contractor appointment does not justify the absence of granular, phase-by-phase workforce and skills modelling at the Environmental Statement stage. SCC’s Supplementary Guidance and EN-1 (4.3.12) require worst-case assumptions to be applied in advance of consent to assess labour demand, skills requirements and cumulative pressures, rather than deferring this analysis post-consent.</p> <p>SCC also does not accept that alignment with other grid connection projects is sufficient to demonstrate compliance with policy, nor that the presentation of peak daily worker numbers within the Outline Construction Worker Travel Plan provides an adequate basis for assessing skills demand, home- and non-home-based labour or impacts on local labour capacity. References to cumulative effects within Appendix 17.3 are similarly limited and do not address cumulative skills demand, displacement risks or interactions with other NSIPs. SCC therefore maintains that the lack of robust, phase-specific workforce and skills evidence represents a fundamental deficiency in the ES, and that further modelling, cumulative assessment and secured mitigation (through a DCO-secured Employment and Skills Plan) are required.</p>

8.15	Skills	<p>REP2-040 (5.29)</p> <p><i>“The Applicant recognises the importance that host communities and host authorities place on social value including employment opportunities, skills development and local supply chain participation associated with a project of this scale and duration. The Applicant also acknowledges that a number of Local Impact Reports express concern about the absence, at application stage, of a single consolidated document setting out how these matters would be approached in practice. In response, and to elaborate on what the Applicant set in response to Relevant Representations and without prejudice to the Applicant’s position that such matters do not constitute mitigation, National Grid now proposes to prepare and submit an Employment and Skills Plan into the Examination at Deadline 5. This document is intended to provide transparency and clarity regarding the approach that National Grid and its delivery partner, The Great Grid Partnership, will take to employment, skills, training and supply chain engagement during construction of the Project.”</i></p>	<p>While SCC welcomes the proposal to submit an Employment and Skills Plan at Deadline 5, SCC remains concerned that this is framed as a voluntary exercise “without prejudice” to the Applicant’s position that such matters do not constitute mitigation. SCC does not accept this characterisation, the Examining Authority’s approach in the Sea Link examination demonstrated that robust, phase-specific workforce assessment and a secured Skills and Employment Strategy are integral to managing socio-economic effects, particularly where construction workforce demand is significant. Given that Norwich to Tilbury is materially larger than Sea Link in workforce terms, SCC maintains that any Employment and Skills Plan must be informed by detailed, phase-specific workforce and skills modelling, address cumulative NSIP labour pressures, be developed through appropriate regional governance arrangements and be secured through the DCO with clear monitoring and reporting.</p>
8.16	Skills	<p>REP2-040 (5.29)</p> <p><i>“The current workforce data reported in the ES has been generated from the traffic model produced for the Project with a worst-case scenario applied.</i></p>	<p>SCC considers that reliance on transport modelling does not provide the granular, phase-specific labour and skills analysis required to understand workforce composition, skills demand, cumulative NSIP pressures or the associated impacts on</p>

		<p><i>As stated in the response above, the Applicant now proposes to prepare and submit an Employment and Skills Plan into the Examination at Deadline 5 which will be secured by way of a DCO Requirement to be added into an updated version of the Draft DCO alongside the submission of the Employment and Skills Plan. This document is intended to provide transparency and clarity regarding the approach that National Grid and its delivery partner, The Great Grid Partnership, will take to employment, skills, training and supply chain engagement during construction of the Project.”</i></p>	<p>accommodation, transport, public services and labour markets. The experience at Hinkley Point C demonstrates the risks of underestimating construction workforce requirements and the significant consequences that can arise where initial labour modelling is insufficiently robust.</p> <p>While SCC welcomes the Applicant’s proposal to prepare an Employment and Skills Plan and to secure this through a DCO Requirement, SCC maintains that such a plan must be underpinned by comprehensive, phase-specific workforce and skills modelling in line with SCC’s Supplementary Guidance and EN-1 expectations. Without this evidence base, the adequacy of the ES cannot be demonstrated and the socio-economic effects of the scheme cannot be properly assessed, monitored or mitigated. SCC therefore continues to require robust labour modelling to inform a DCO-secured Employment and Skills Plan.</p>
8.17	Skills	<p>REP2-040 (5.30)</p> <p><i>“At this stage, the competence profile of the construction workforce is not available. However, it is anticipated that this information would become accessible following the appointment of the construction contractor. The assessment approach set out in 6.15 Environmental Statement Chapter 15 - Socio-economics, Recreation and Tourism [APP-265] is in line with other grid connection projects, including Yorkshire Green and Bramford to Twinstead Reinforcement.</i></p>	<p>SCC remains of the view that the Applicant’s position that workforce competence profiles are not available prior to contractor appointment is not a sufficient justification for relying on a generic assumption derived from experience on other projects. This approach conflicts with SCC’s adopted Supplementary Guidance and EN-1 expectations, which require applicants to assess the changing influx of workers across different construction phases using reasoned, evidence-based assumptions, including likely worst-case scenarios where details are not yet fixed. Alignment with other grid connection projects does not demonstrate policy compliance or provide</p>

		<p><i>As stated in the response above, the Applicant now proposes to prepare and submit an Employment and Skills Plan into the Examination at Deadline 5. This document is intended to provide transparency and clarity regarding the approach that National Grid and its delivery partner, The Great Grid Partnership, will take to employment, skills, training and supply chain engagement during construction of the Project.”</i></p>	<p>project-specific evidence of local labour capacity, skills availability or cumulative NSIP pressures.</p> <p>While SCC welcomes the Applicant’s proposal to prepare an Employment and Skills Plan at Deadline 5, SCC maintains that such a plan must be informed by robust, phase-specific workforce and skills modelling, developed through appropriate regional governance arrangements such as the Regional Skills Coordination Function and secured through the DCO. Without this evidence base, the continued reliance on a blanket 10% assumption undermines the assessment of displacement, wage pressure, cumulative impacts and linked topics.</p>
<p>8.18</p>	<p>Skills</p>	<p>REP2-040 (5.31)</p> <p><i>“Cumulative effects from the Project are reported in 6.17 Environmental Statement Chapter 17 - Cumulative Effects [APP-281], including local employment.</i></p> <p><i>The projected construction employment is to be employed across the approximately 180 km route. The projected peak construction workforce for the project is 1,720 employees, representing less than 3% of the total construction workforce in the Wider Study Area. Alternatively, the cumulative construction employment over a four-year period is estimated at 4,800 workers, equating to less than 10% of the total construction workforce in the area.</i></p> <p><i>Given these proportions, the overall contribution of the project to construction sector employment within</i></p>	<p>SCC considers that the use of headline percentage figures for project workforce and comparison to the Wider Study Area does not constitute a robust cumulative assessment. This approach fails to examine how the Project’s workforce demand overlaps temporally and by skill type with other NSIPs and major infrastructure projects, nor does it assess displacement risks, wage pressures or pressure on specialist labour markets. SCC’s adopted Supplementary Guidance requires cumulative labour needs to be assessed both alone and in combination with other projects, including phase-specific analysis and consideration of worst-case home-based labour draw, informed through appropriate regional governance such as the Regional Skills Coordination Function. EN-1 similarly recognises that concurrent NSIPs may give rise to short-term labour shortages, irrespective of the proportion of the overall workforce represented by a single scheme. SCC therefore maintains that the Applicant’s reliance on percentage-based comparisons and</p>

		<i>the Wider Study Area is considered minimal and is considered not significant.”</i>	dispersed route geography does not provide the evidence needed to discount cumulative effects on skills, education and employment. Further quantitative, phase-based cumulative labour assessment is required before a conclusion of non-significance can be supported.
8.19	Skills	<p>REP2-040 (5.32)</p> <p><i>“As stated in the response above, the Applicant now proposes to prepare and submit an Employment and Skills Plan into the Examination at Deadline 5. This document is intended to provide transparency and clarity regarding the approach that National Grid and its delivery partner, The Great Grid Partnership, will take to employment, skills, training and supply chain engagement during construction of the Project.”</i></p>	<p>While SCC welcomes the Applicant’s proposal to submit an Employment and Skills Plan at Deadline 5, this does not address the fundamental issue that the Applicant has not engaged with, nor committed to working through, the Regional Skills Coordination Function, which SCC’s adopted Supplementary Guidance identifies as the primary mechanism for coordinating labour demand, developing skills pipelines and managing cumulative impacts arising from multiple concurrent NSIPs. The preparation of an Employment and Skills Plan in isolation does not provide an equivalent governance or coordination arrangement and, in the absence of clarity on its evidence base, scope, monitoring arrangements or securing mechanism, does not resolve SCC’s concerns. SCC further maintains that reliance on voluntary community benefit approaches, as identified within ES Chapter 15, cannot be treated as socio-economic mitigation, as such measures are not secured through the DCO, are not aligned to construction phasing, and do not provide assurance that cumulative labour pressures will be anticipated or managed.</p>

Table 9: 8.9.1 (A) Applicant’s Response to First Written Questions [REP3-074]			
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	SCC’s Comments
9.1	Legal Agreements	<p>GEN1.21 (and Appendix E)</p> <p><i>“The response has been provided in the form of a table (Appendix E) with the requests identified from the Local Impact Reports (LIRs) grouped by the themes identified by the Examining Authority in their Initial Assessment of Principal Issues (IAP). It was not always clear within the LIRs whether the Local Planning Authority was requesting a measure be secured by a legal agreement or alternative measure, and if a legal agreement was requested, what form of legal agreement was being requested. The Applicant has therefore taken a conservative approach and where the Local Planning Authority has indicated in their LIR that the measure could be secured by a legal agreement, even if alternative mechanisms have also been identified in the LIR, this has been included within the table. Measures which would require a financial contribution or necessitate the involvement of other developers have also been included in the table.</i></p> <p><i>If the mechanism by which the agreement would be secured has not been specified by the Local Planning Authority, the Applicant has made the assumption that the stakeholder is seeking a bilateral s106 agreement. The relevant tests for s106 agreements are outlined in Regulation 122 of The Community Infrastructure Levy Regulations 2010. The obligation must be:</i></p>	<p>SCC considers that its response to ExQ1 GEN1.21 [REP3-086] are those schedules requested by the Council for a bilateral s106 agreement. Following engagement since Issue Specific Hearing 2, the Council understands that the schedule related to police escorts for AIL movements is no longer required, as an alternative securing mechanism is preferred between the parties.</p> <p>The Council considers that these meet the relevant tests for s106 agreement, as outlined in s122(2) of the Community Infrastructure Levy (“CIL”) Regulations 2010. SCC can provide further justification in the format of a CIL compliance assessment, if requested.</p>

		<ul style="list-style-type: none"> • <i>Necessary to make the development acceptable in planning terms</i> • <i>Directly related to the development</i> • <i>Fairly and reasonably related in scale and kind to the development.”</i> 	
9.2	Planning	<p>ALT1.4 (Part A)</p> <p><i>“The Applicant’s Transmission Owner Licence Condition D5 ‘Prohibition on engaging in preferential or discriminatory behaviour’ does not allow us then to discriminate in any form ‘in meeting its obligations under standard condition D4A (Obligations in relation to offers for connection etc)’.</i></p> <p><i>This includes public comment on generation abilities to meet dates, such that any comment may discriminate on any generator’s ability to fund, consult or gain required permissions for their project”</i></p>	<p>SCC is surprised at the Applicant’s attempt to rely on its licence conditions in order to decline to answer a relevant question asked by the ExA about the feasibility of identified generation projects providing new electricity by 2030, and if they are delayed, the implications for the Applicant’s consideration of alternatives. The Applicant claims that to provide an update on whether any of those projects are feasible by 2030, given their current consenting status, would involve the Applicant breaching its licence condition D5 in relation to discriminating against persons who have a connection offer.</p> <p>SCC does not consider this is a tenable interpretation of licence condition D5 and would invite the ExA to ask Ofgem, as the grantor of the licence whether it shares the Applicant’s view that it cannot answer the ExA’s question. Licence condition D5 of the Applicant’s Transmission licence states that it may not “unduly discriminate between any persons” when meeting specified licence obligations, one of which is its obligations in relation to offers for connection (licence condition D4A). Providing factual information, which the Applicant believes to be correct, in response to a request for that information by a public authority (i.e. the ExA) does not constitute “discrimination”, let alone “undue discrimination” between any persons,</p>

			<p>whether holders of connection offers or not. The Applicant appears to have confused “undue discrimination” with comments which may be adverse to the interests of another person. Making a factually true statement in response to a perfectly proper request for information is not discrimination.</p> <p>SCC has already drawn attention in [REP1-177] to the discrepancy between the Applicant’s calculations of electricity generating capacity and the realistic time line(s) for the delivery of the projects generating that capacity and is disappointed that the Applicant has not engaged with this issue or provided the Examination with updated information reflecting known facts from the TEC register and the Planning Inspectorate’s register of NSIP applications (or proposed applications), and the Applicant’s failure to answer Part a of ALT1.4 needs to be seen in that light. SCC would request the ExA to continue to seek this information in its Second Written Questions.</p>
9.3	Landscape and Visual	<p>DES 1.9</p> <p><i>“[...] During normal operational conditions, all National Grid substations are typically unmanned, therefore the use of the substation lighting on substation buildings or High Voltage compounds during the evening or night time is limited to fault response activities by the call out engineers or security call outs when the security team or police respond to a security alarm; in all other circumstances the substation lighting is off, outside of working hours [...]”</i></p>	<p>SCC disagrees with the Applicant’s response and considers that permanent lighting schemes need to be approved by the discharging authority to safeguard wildlife and visual receptor amenity, and that a Requirement to this effect needs to be included in the DCO.</p>

<p>9.4</p>	<p>Landscape and Visual</p>	<p>DES 1.10</p> <p><i>“[...] Because of their consideration via the mitigation hierarchy the initial consideration was focussed on excluding sections where the general alignment characteristics and technical suitability of T-pylons was compromised by, for example, sharp angle changes. As such there were no inclusion criteria to identify sections to consider because the whole route was considered. [...]”</i></p> <p>The Applicant’s position is that the appropriate basis for decision-making between pylon types is not a comparative exercise intended to demonstrate a reduction in landscape and visual effects through the use of one type against another. Rather, in accordance with the mitigation hierarchy and established NSIP policy, alternative design solutions such as T-pylons only arise for consideration where the effects of the assessed solution (in this case lattice pylons) are found to be unacceptable in policy or environmental terms. The Applicant’s assessment is that this threshold is not met. The landscape and visual effects of the proposed lattice pylons have been fully assessed within the Environmental Statement, supported by viewpoint photomontages that are representative and proportionate to the scale of the Project and the receiving landscapes. That assessment concludes that, while effects are acknowledged, they are not unacceptable in policy terms</p>	<p>SCC would welcome further clarification from the Applicant with regards to their interpretation of the mitigation hierarchy. The first principle of the mitigation hierarchy is to avoid harm, followed by minimising harm. This is not the same as having concluded that the harm is, according to the Applicant’s assessment, acceptable.</p> <p>In SCC’s (Landscape) view it should be considered if landscape and visual effects in particularly sensitive areas (such as Waveney Valley, Mellis Common, Gipping Valley) could be further reduced using an alternative pylon design and changes to the route alignment.</p> <p>SCC has previously asked that a comparison to the standard towers should be carried out around Mellis Common, with the specific ask to weigh up potential benefits of shorter towers on views from the common against the increased number and visual effects of shorter towers and the landscape and visual effects on locations and visual receptors away from the common, closer to where the towers would be placed, such as Burgate Road.</p> <p>SCC notes the Applicant’s response in this regard at LV1.25.</p>
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<p>9.5</p>	<p>Planning</p>	<p>DCO1.A2</p> <p><i>“The Applicant selected 28 days for the decision-making and deemed consent time periods following detailed consideration of the programme for delivery of the Project. In selecting 28 days, the Applicant took into account:</i></p> <ul style="list-style-type: none"> • <i>Its commitment to continued proactive and proportionate engagement with host Local Authorities and statutory consultees to support the efficient and timely determination of post-consent submissions</i> • <i>That the discharge of Development Consent Order (DCO) Requirements will build directly on the extensive pre-application engagement and the Examination process, through which the principle, scope and controls for the Project will have been thoroughly considered. By the point of consent, the intent of the Requirements, the parameters of the authorised development, and the mitigation framework secured through the DCO and Environmental Statement will be well understood and familiar to the relevant authorities</i> • <i>That the post-consent submissions will focus on the detailed implementation of agreed measures, rather than introducing new concepts or untested mitigation. The Applicant will continue to engage with authorities on draft submissions where appropriate, helping to</i> 	<p>SCC notes the applicant’s reply; however, SCC maintains its long-held position: the proposed timeframe is too short. SCC has elaborated on this point in several submissions, for example in paragraphs 14.19 to 14.26 of its LIR [REP1-178] and in its answer to this question in its response to ExQ1 [REP3-086] (pages 34 to 36 of 82). The latter response summarises the robust process SCC follows to ensure any consent / requirement application is dealt with appropriately and within a reasonable time limit. The former response makes the point – accepted by the Sea Link ExA – that owing to number of DCO applications hosted in Suffolk, it is appropriate for this volume of work to be reflected in the time for discharging documents. If the instant development were to take place where no other DCOs were demanding the determination of applications within a strict time period, there might be merit in having a determination period of shorter than 56 days / 40 business days. Here, however, SCC is already determining applications (or will shortly be determining applications) for –</p> <ol style="list-style-type: none"> i. East Anglia ONE North Offshore Wind Farm Order 2022 (SI 2022/432), ii. East Anglia TWO Offshore Wind Farm Order 2022 (SI 2022/433), iii. Sizewell C (Nuclear Generating Station) Order 2022 (SI 2022/853), iv. Sunnica Energy Farm Order 2024 (SI 2024/802), and
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		<p><i>clarify expectations and reduce the likelihood of iterative amendments</i></p> <ul style="list-style-type: none"> • <i>Recent precedent timescales for deemed consents in articles of the National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024 and the Applicant's preference for 28 days in its application for the National Grid (Bramford to Twinstead Reinforcement) Order 2024.</i> <p>[...]"</p>	<p>v. National Grid (Bramford to Twinstead Reinforcement) Order 2024 (SI 2024 / 958).</p> <p>Forthcoming DCO applications for which SCC will be a host authority include National Grid Electricity Transmission's Sea Link application and National Grid Interconnector Holdings Limited's LionLink Interconnector application. There are several others – including solar and water schemes – at pre-application stage. In this context, the applicant's position is untenable: a quart will not fit in a pint pot.</p>
9.6	Planning	<p>DCO1.A6</p> <p><i>"Please refer to the Applicant's responses to these comments on page 158 of 8.4.1 Applicant's Comments on Relevant Representations [REP2-023] and page 130 of 8.8.2 Applicant's Comments on Local Impact Reports [REP2- 030].</i></p> <p><i>The Applicant notes the concern raised, however, it would reiterate that as a transmission licence holder, the Applicant has statutory duties to maintain its apparatus in order to ensure a safe, effective and efficient electricity transmission system. Furthermore, the power for the Applicant to maintain the authorised development is, as the Council recognises, tied to those maintenance activities not giving rise to any materially new or materially different environmental effects to those identified in the environmental statement. The onus is on the Applicant to ensure that these maintenance activities do not give rise to any materially new or materially</i></p>	<p>SCC notes the applicant's reply; however, the definition of "maintain" in the latest version of the draft DCO remains unchanged and it does not seem to address the point made by Braintree DC in its LIR regarding who decides whether the maintenance would give rise to any materially new or materially different environmental effects. Since this is Braintree DC's point, SCC will consider their response to this question before, potentially, commenting further.</p>

		<p><i>different environmental effects. A failure to comply with a term of the DCO would be an offence.</i></p> <p><i>This approach to maintenance has precedent in a number of made development consent orders, including the National Grid (Bramford to Twinstead Reinforcement) Order 2024 and the National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024.”</i></p>	
<p>9.7</p>	<p>Planning</p>	<p>DCO1.A7</p> <p><i>“The definition of ‘Order land’ is ‘the land shown on the land plans and described in the book of reference’. The definition of Order land, therefore, must be understood as what is shown on those plans but also what is described in the Book of Reference. Table 2.1 of 4.3 Book of Reference [AS-018] describes:</i></p> <ul style="list-style-type: none"> • <i>The land use power sought</i> • <i>The colour of the land on the 2.2 Land Plans [AS-005 to AS-012] that is associated with the power sought</i> • <i>The principal relevant article in the 3.1 Draft Development Consent Order [Revision C]</i> • <i>A description of the powers afforded by each Class</i> • <i>A list of any subordinate powers, which can also be exercised on land to which the primary power relates.</i> <p><i>For example, Class 1 authorises the compulsory acquisition of land. The undertaker can only exercise</i></p>	<p>SCC notes that the Applicant’s response to this question is not dissimilar to that provided by SCC in its response to ExQ1 [REP3-086] (pages 37 and 38 of 82). SCC therefore has no concerns with the Applicant’s response. Should the ExA consider further clarification is required in the drafting, SCC would remind the ExA of the drafting proposed by SCC in its own response to this question.</p>

	<p><i>powers to compulsorily acquire land on the land shown brown on the 2.2 Land Plans [AS-005 to AS-012]. The powers that the undertaker can exercise on the brown land are those set out in Article 24 (compulsory acquisition of land). The fourth column of the table sets out the description of the Class (i.e. the purpose for which the land can be acquired). The final column lists any subordinate powers so, in the case of the brown land, the undertaker can also exercise Class 2 powers (compulsory acquisition of rights – overhead lines), Class 3 powers (compulsory acquisition of rights – underground cable system), Class 4 powers (compulsory acquisition of rights – overhead line and underground cabling system), Class 5 powers (compulsory acquisition of rights – access), Class 6 (compulsory acquisition of rights – drainage) and Class 7 (temporary use).</i></p> <p><i>Thus land over which a class of rights can be exercised is shaded a particular colour on the Land Plans. The entry for Class 8 is clear that the white land is ‘Land that is not subject to powers of acquisition nor temporary use’. The columns relating to the relevant article of the 3.1 Draft Development Consent Order [Revision C], the description of the Class and the subordinate classes are also blank or marked as ‘N/A’ to make it clear that no powers of compulsory acquisition of land, rights or temporary possession of land can be exercised over the white land. The Applicant does not consider there to be any reading of the 3.1 Draft Development Consent Order [Revision C] that would allow compulsory</i></p>	
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		<p><i>acquisition powers or temporary possession powers to be exercised over the Class 8 (white) land.</i></p> <p><i>The Applicant therefore does not propose to amend the definition of Order land in the 3.1 Draft Development Consent Order [Revision C]. It would not be appropriate, or necessary, to start introducing or excluding details from the 4.1 Book of Reference [AS-018] into that definition and doing so in part could create unnecessary uncertainty. This approach has precedence and the definition of the Order land is consistent with the definition contained in the National Grid (Bramford to Twinstead Reinforcement) Order 2024.</i></p>	
<p>9.8</p>		<p>DCO1.A32</p> <p><i>“Should the Secretary of State grant development consent and a legal challenge is made, the Applicant could progress the development of the Project, but it would be doing so at risk, therefore the scope of any works to be carried out or powers exercised would need to be carefully considered in line with the Applicant’s statutory duty to maintain an economic and efficient transmission network. It is, therefore, essential that the period for exercising compulsory acquisition powers extends to account for a pause or slowing down of the processes and development of the Project that occur as a result of any legal challenge.</i></p> <p><i>The inclusion of Article 34(4)(b) makes clear that the extension of time for the exercise of compulsory acquisition powers will be for a maximum of one year to provide certainty to affected landowners. The Applicant</i></p>	<p>SCC can see the merit of including this provision; however, it also considers that article 34(4)(b) is unnecessary and any extension should be based on the time lost. Paragraph (4) should therefore be amended as follows –</p> <p style="padding-left: 40px;">“(4) Under paragraph (3) the period is taken to be extended by—</p> <p style="padding-left: 40px;">(a) a period equivalent to the period beginning with the day the proceedings are filed and ending on the day they are withdrawn or finally determined, or</p> <p style="padding-left: 40px;">(b) if shorter, one year.”</p> <p>Regarding paragraph (1), SCC considers allowing the applicant seven years to issue ‘notices to treat’ or a ‘general vesting declaration’ to acquire the land or rights that is subject to the power of compulsory purchase is excessive. Five years is the usual position, and SCC considers the usual</p>

		<p><i>concluded in 4.1 Statement of Reasons [REP2-009], that the Project's significant public benefits would outweigh its effects on the private loss of persons who own property in the Order Limits such that there would not be a disproportionate interference with their Article 8 and Article 1 First Protocol rights under the Human Rights Act 1998. Please refer to the Applicant's response to question CA 1.13 in which the Applicant sets out further detail on the compelling case in the public interest."</i></p>	<p>position should be adopted here, especially since (per article 34(4)) that period will not be eaten into by any legal challenge to the decision to grant development consent for the project.</p> <p>SCC provided more detail on this point in SCC's LIR [REP1-178] (paragraph 14.38).</p>
<p>9.9</p>	<p>Archaeology</p>	<p>DCO1.A28</p> <p><i>"Article 23 (removal of human remains) of 3.1 Draft Development Consent Order [Revision C] is a precautionary mechanism and it is consistent with that precautionary mechanism that the application documents identify only one</i></p> <p><i>specific known cremation burial site at this stage. This is recorded as non-designated heritage asset 3293 in 6.11 Environmental Statement Chapter 11 – Historic Environment [AS-068] and 6.11.A2 Environmental Statement Appendix 11.2 – Historic Environment Assessment Tables [AS-070]. The purpose of this precautionary is to provide a consolidated, efficient and legally certain process in the event that further human remains are unexpectedly discovered during works.</i></p> <p><i>The authorised development includes sections of underground cabling, the excavation works for which carry an inherent (if low) risk of disturbing previously unidentified remains across a substantial linear route. Though low risk, discovery of human remains is a high</i></p>	<p>The wording of article 23 is suited for the removal of modern burials from known contemporary burial grounds, such as consecrated burial grounds or modern cemeteries and is not suited for the excavation, recording and study of human remains from archaeological contexts. Furthermore, to follow the process defined in article 23 would be detrimental to the archaeological investigation and appropriate treatment of human remains from archaeological contexts.</p> <p>Article 23 does not include provision for the treatment of human remains from archaeological contexts, even if they are older than 100 years. It does not grant a license to excavate the human remains for archaeological research, or to retain those remains for future archaeological and scientific analysis in a museum or archaeological archive (where required). It instead focuses on the removal, reburial/cremation of those remains. Therefore, Article 23 is an inappropriate mechanism for the treatment human remains identified through archaeological investigations.</p>

	<p><i>impact event for the purposes of construction and, thus, a delivery risk. In the absence of Article 23, if a body is discovered, the undertaker would be required to navigate a series of separate and potentially slow statutory regimes (including the Burial Act 1857, the Town and Country Planning (Churches, Places of Religious Worship and Burial Ground) regulations 1950 (the 1950 Regulations) and sections 238 and 239 of the Town and Country Planning Act 1990), each of which has its own procedural requirements.</i></p> <p><i>Article 23 disapplies section 25 of the Burial Act 1857 and the 1950 Regulations and applies sections 238 and 239 of the Town and Country Planning Act 1990. In doing so, it gives effect to the consolidated process set out in Article 23 in their place. Without Article 23, those regimes would apply in their uncoordinated, piecemeal form and compliance with those regimes could delay the delivery of this Project. Given its status as a project of critical national priority, the consequences of delay would be particularly acute, including the additional</i></p> <p><i>constraints costs identified in Annex 2 of the NESO Clean Power 2030 Report 25 as being £2.5 billion should the Applicant deliver the Project by the end of 2031 instead of by the end of 2030 – equating to £7 million for every day that the</i></p> <p><i>energisation of the Project is delayed into 2031. Any mechanism which reduces the risk of construction delay, however low the probability of the trigger event occurring</i></p>	<p>The inclusion of Article 23 could be considered in conflict with the provisions of Requirement 5 (Archaeology), as the treatment of human remains from archaeological contexts will be detailed in an approved Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation and subsequent Detailed Written Schemes of Investigation.</p> <p>Human remains will be identified during the course of the archaeological fieldwork required for this development, as has been shown with the discovery of cremation burial 3293 in trial trenching of Area 15N. This does not equate to a modern known burial ground, and article 23 would not be appropriate to apply to these human remains.</p> <p>SCCAS believe that it would be more efficient following the standard archaeological approaches to excavating and recording of human remains under a Ministry of Justice burial license and this would not add significant delays to the delivery programme, and we believe this would reduce the likelihood of delays to the project compared to the use of the article 23 approach.</p> <p>Another NSIP in Suffolk, BTNO is working under a scheme wide MoJ Burial Licence which covers removal of human remains from the development area in both Suffolk and Essex, and this is not a factor causing delays to project delivery.</p> <p>Archaeological evaluation by trial trenching should be undertaken at the earliest opportunity to help inform the</p>
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	<p><i>may be, is of particular importance in the context of this Project.</i></p> <p><i>Like many provisions in Development Consent Orders (DCOs), the inclusion of a precautionary article such as this is intended to guard against unnecessary delay, difficulty and obstruction to construction in the event that something that is an unexpected but realistic possibility occurs. There is therefore potentially significant public interest benefit from including Article 23 and no public interest harm.</i></p> <p><i>This question was raised by the Examining Authority during the examination of the Associated British Ports (Immingham Green Energy Terminal) Order 2025, who considered this point carefully at paragraphs 7.4.12–7.4.19 of its recommendation report. The Examining Authority in that case accepted that:</i></p> <ul style="list-style-type: none"> <i>• The likelihood of encountering human remains may be low based on the evidence before the examination, but could not be entirely eliminated given the nature and scale of the works</i> <i>• Whilst other legislative procedures exist for the removal of remains, their limitations (including the risk of delay arising from having to navigate multiple disparate regimes) could negatively affect delivery of the authorised development</i> <i>• The DCO article provides a consolidated process that mitigates that delivery risk and is only engaged if remains are actually encountered</i> 	<p>development for the potential of encountering human remains from archaeological contexts.</p>
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	<ul style="list-style-type: none"> • <i>On that basis, the article was proportionate and reasonable and should be retained.</i> <p><i>Article 23 does not allow the Applicant to act unilaterally. It is subject to appropriate procedural protections, public notification and oversight by the relevant county court and the Secretary of State and provides for formal reporting obligations. The article is consistent with established DCO drafting practice and the Applicant’s position is that it should remain.</i></p> <p><i>The Applicant notes that Suffolk County Council also made comments in its Local Impact Report [REP1-178-179] on Article 23 (human remains). In its Local Impact report, Suffolk County Council states that “SCCAS understands there are no records of any historic human remains or burial sites within the Order Limits in Suffolk. However, it is not uncommon for human remains to be encountered during archaeological fieldwork, and a project of this scale should anticipate the potential discovery of such remains during ongoing evaluation and mitigation.”</i></p> <p><i>However, they go on to state that “SCCAS considers article 23 conflicts with archaeological best practice for dealing with human remains in archaeological contexts as it would lead to burial features being exposed for an extended period, constituting a risk of damage or harm. For remains over 100 years old, it is usually standard archaeological practice that the terms of the Burial Act 1857 are followed; however, by article 23(17), section 25</i></p>	
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	<p><i>of the Burial Act 1857 is disapplied in respect of a removal carried out in accordance with article 23.</i></p> <p><i>SCCAS considers article 23 should be amended so that the removal of remains considered to be over 100 years old should be carried out in line with the Burial Act 1857, any issued burial license, the relevant detailed written scheme of investigation, and best practice documents. SCCAS therefore recommends that article 23 is amended as follows–</i></p> <p><i>“(17) Subject to subject to paragraph (17)A, section 25 of the Burial Act 1857 (offence of removal of body from burial grounds) does not apply to a removal carried out in accordance with this article.</i></p> <p><i>(17A) Subject to paragraph (17B), the disapplication mentioned in paragraph (17) does not apply to the removal of human remains where the undertaker is satisfied that the remains were interred more than 100 years ago.</i></p> <p><i>(17B) A removal to which paragraph (17A) applies must also be carried out in accordance with any issued burial license, any relevant detailed written scheme of investigation approved in accordance with requirement 5 (archaeology), and best practice documents”.</i></p> <p><i>The Applicant’s position is that the proposed amendment introduces uncertainty due to imprecise drafting (for example, it is unclear what is meant by “best practice documents”). Furthermore, the Applicant would question why a burial licence would be necessary given the procedure set out in Article 23 of 3.1 Draft Development</i></p>	
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	<p><i>Consent Order [Revision C] provides that the Applicant must apply to the Secretary of State for direction as to the subsequent treatment of the remains and must comply with the terms of the DCO and the Secretary of State’s direction. Failure to comply would be a breach of a term of the DCO and would be an offence.</i></p> <p><i>However, the Applicant’s appreciates Suffolk County Council’s concern about compliance with the relevant written scheme of investigation and, should the in each case in accordance with any applicable terms of a relevant written scheme of investigation approved under paragraph 5 (archaeology) of Schedule 3 (requirements), unless the Secretary of State directs otherwise.</i></p> <p><i>In question DCO 1.S8, the Examining Authority notes that Norfolk County Council sought in its Local Impact Report an amendment to the party to be notified under Article 23. The Applicant has updated the definition of relevant planning authority in Article 2(1) of 3.1 Draft Development Consent Order [Revision C] which addresses the point raised by Norfolk County Council.</i></p> <p><i>Examining Authority consider it necessary and appropriate, the Applicant would be willing to include the following wording in paragraph (13):</i></p> <p><i>“(13) In the case of remains in relation to which paragraph (12) applies, the undertaker—</i></p> <p><i>(a) may remove the remains;</i></p>	
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		<p><i>(b) must apply for direction from the Secretary of State under paragraph (15) as to their subsequent treatment; and</i></p> <p><i>(c) must deal with the remains in such manner, and subject to such conditions, as the Secretary of State directs, in each case in accordance with any applicable terms of a relevant written scheme of investigation approved under paragraph 5 (archaeology) of Schedule 3 (requirements), unless the Secretary of State directs otherwise.</i></p> <p><i>In question DCO 1.S8, the Examining Authority notes that Norfolk County Council sought in its Local Impact Report an amendment to the party to be notified under Article 23. The Applicant has updated the definition of relevant planning authority in Article 2(1) of 3.1 Draft Development Consent Order [Revision C] which addresses the point raised by Norfolk County Council.”</i></p>	
<p>9.10</p>	<p>Planning</p>	<p>DCO1.S5</p> <p><i>“Discharging authority</i></p> <p><i>The Applicant has considered the feedback received from the host authorities, including the detailed comments of Norfolk County Council in its Local Impact Report (LIR) [REP1-173], on the approach to defining the ‘relevant planning authority’ in 3.1 Draft Development Consent Order (the ‘dDCO’). The definition in the dDCO as submitted is common across a number of made development consent orders, including the National Grid (Bramford to Twinstead Reinforcement) Order 2024 and</i></p>	<p>SCC is pleased the term “discharging authority” has been omitted from the draft Order. The definitions of “relevant planning authority” and “relevant county planning authority” appear fine; however, SCC does not agree with the way the applicant proposes to apply those terms in certain of the provisions mentioned in the response. Those provisions are –</p> <p><u>Article 7(5) (consent to transfer benefit of order)</u>: SCC, and the other relevant county planning authorities should be notified of any transfer / grant of the benefit of the Order because the authorised development is taking place in their</p>

	<p><i>the National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024. However, the Applicant recognises that the circumstances of each made DCO may differ and, in this case, to limit any scope for ambiguity proposes to replace the existing definition of ‘relevant planning authority’ with a new two-limb definition as follows in Article 2 (Interpretation) of 3.1 Draft Development Consent Order [Revision C]:</i></p> <p><i>“relevant planning authority” means, in any given provision of this Order—</i></p> <p><i>(a) for an area to which the provision relates in respect of which there is both a district planning authority and a county planning authority for the purposes of Part I (Planning Authorities) of the 1990 Act, the district planning authority; and</i></p> <p><i>(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, or any successor exercising its functions as local planning authority for the purposes of that Part;’</i></p> <p><i>The Applicant also proposes to insert a new definition of ‘relevant county planning authority’ as follows:</i></p> <p><i>“relevant county planning authority” means, in any given provision of this Order, the county planning authority (which has the meaning given in Part I (Planning Authorities) of the 1990 Act) for the area to which the provision relates or any successor exercising its functions</i></p>	<p>administrative areas. SCC considers this would require negligible administrative effort on the undertaker’s behalf and does not accept doing so would be “unduly onerous and unusual”. In any event, since SCC considers it should discharge certain of the requirements mentioned below, it would be entirely appropriate for SCC to be notified).</p> <p><u>Article 23(4) and 23(11)(b) (removal of human remains):</u> A more general point: as mentioned elsewhere in this Deadline’s submission, SCC considers this article should be omitted. (Please see SCC’s comments on the applicant’s <i>Schedule of Changes to the Draft DCO [REP3-009]</i>).</p> <p><u>Requirement 5 (archaeology) of Schedule 3 (requirements):</u> In Suffolk, SCC should be the discharging authority because archaeology is a county function. This approach is precedent. For instance, requirement 3 (project wide: archaeology and peat) of the Sizewell C (Nuclear Generating Station) Order 2022 (SI 2022/853) names SCC as the approving authority for archaeological matters.</p> <p><u>Requirement 4(1), (3) and (4) (construction management plan) of Schedule 3 (requirements):</u> Under paragraph (1), the relevant planning authority must consult the relevant highway authority before approving the construction traffic management plan. SCC considers the relevant highway authority should be responsible for approving that plan. Failing that, SCC considers the relevant highway authority should be consulted before any departure to that document</p>
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		<p><i>as local planning authority for the purposes of that Part;’ [...]</i>”</p>	<p>is approved under paragraph (2) and, likewise, before any departure from the document is agreed under paragraph (3).</p> <p>Start up and slow down activities: SCC notes that the Applicant’s response to this question is not dissimilar to that provided by SCC in its response to ExQ1 [REP3-086] (page 50). SCC therefore has no concerns with the Applicant’s response.</p>
9.11	Archaeology	<p>DCO1.S8</p> <p><i>“The Applicant has prepared a discussion draft of Requirement 5 (Archaeology) as it would look if all of the proposed amendments of the host authorities and Historic England were accepted. This discussion draft is set out in tabular format, with the Applicant’s comments on each proposed change set out alongside the proposed revisions.</i></p> <p><i>The Applicant is particularly concerned about the proposed restriction on ‘intrusive site preparation works’ and considers that this has real potential to significantly impact the delivery programme by restricting what would ordinarily be standard pre-commencement works until such a time as the relevant planning authority agrees an archaeological or geoarchaeological written scheme of investigation.</i></p> <p><i>Whilst such a restriction may be appropriate and proportionate for a single site project, the Applicant’s position is that it would be wholly disproportionate for a project that spans a route of approximately 180 km and passes through 13 host authorities. The pre-</i></p>	<p>Please see SCCAS comments on Appendix A. Supplement 1 – 1.S8 Draft Development Consent Order (Table 10 below).</p>

	<p><i>commencement works have already been assessed in the Environmental Statement and the Applicant had proposed a suitable, and precedented, control by requiring all pre-commencement works to be carried out in accordance with the 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] (OAMS and OWSI).</i></p> <p><i>Evaluation trial trenching has been agreed directly with the archaeological advisors to the host authorities. For the priority/first phase of work, this comprised an overarching WSI (which set out scope and methodology), supported by site specific WSIs (which contained the relevant archaeological background, site specific methodology and trench plans). For the Phase 2 element of the evaluation archaeological trial trenching, the Applicant is seeking to agree the details and the overarching scope will be contained in a future revision of 7.5 Outline AMS-OWSI and again supported by site specific WSIs. The approach to agreement for the Phase 2 element has been discussed and agreed with the stakeholders in regular meetings.</i></p> <p><i>The Applicant further explains its position in the table below and does not repeat that here.</i></p> <p><i>Commitment H04 in 7.2 Outline Code of Construction Practice [REP2-014], issued at Deadline 2 was updated to address the comments provided in Local Impact Reports and Historic England’s Written Representation (updated text in red):</i></p>	
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		<p><i>‘Where a previously unknown heritage asset has been discovered, or a known heritage asset has proven to be more significant than foreseen at the time of application, the Project will inform the LPA and Historic England and agree a solution that protects the significance of the new discovery, through preservation or excavation and recording, whichever is practicable within the Project construction requirements. The Main Works Contractor(s) will be responsible for making sure staff are aware of what to do in the event of an unexpected heritage asset. This will include toolbox talks within site inductions.’</i></p> <p><i>Please refer to the Applicant’s response to question DCO 1.A28 in relation to any proposed amendments to Article 23 (removal of human remains).”</i></p>	
<p>9.12</p>	<p>Planning</p>	<p>DCO1.S19</p> <p><i>“A) The Applicant notes the government’s response to the Nuclear Regulatory Review 2025, published on 13 March 202631, including the clear policy intent to accelerate the delivery of low-carbon energy and electricity network infrastructure through more effective post-consent processes.</i></p> <p><i>In particular, the Applicant recognises the government’s intention, as set out in its response to Recommendation 30, to establish a new unit within the Department for Energy Security and Net Zero (DESNZ) to coordinate post-consent discharge functions for nuclear power and electricity network projects. The Applicant understands that this proposal is aimed at improving efficiency,</i></p>	<p>At this stage of the Examination, SCC considers the matter of the DESNZ unit being considered a discharging authority should be deferred. SCC expects that more information on the unit and its remit will be forthcoming during the Examination.</p> <p>SCC will maintain dialogue with the Applicant on this matter but makes the initial point that it is not content with the approach taken by the applicant on the Sea Link Examination. The Council supports the initial view expressed by the ExA on Day 2 of ISH2 in regard to seeking to avoid the Examination being presented with two alternative drafting options by the Applicant (with or without the DESNZ unit in place) but defers its position on the</p>

	<p><i>consistency and timeliness in the discharge of requirements for nationally significant energy infrastructure.</i></p> <p><i>The Applicant is supportive of the overarching objectives of this approach and is keen to understand further details as they emerge from DESNZ as this proposal develops, including to understand how such a unit might operate in practice, the scope of requirements it may discharge, and how it would interface with Local Planning Authorities and other statutory bodies.</i></p> <p><i>The Applicant also considers it important to understand the views of local authorities/discharging authorities on this emerging approach and feels there is time remaining in the Examination period for those views to be considered. The Applicant intends to discuss the recommendations of the review recently published with the local authorities as it seeks to maintain effective working relationships at the local level.</i></p> <p><i>B) The Applicant considers that the current drafting of Schedule 4 of the 3.1 Draft Development Consent Order [Revision C] represents an appropriate and proportionate mechanism for the post-consent discharge of requirements at this stage of the Project based on the current approach adopted by other NSIPs.</i></p> <p><i>The proposed approach reflects established practice across Nationally Significant Infrastructure Project regimes and aligns with the engagement undertaken with host Local Planning Authorities to date whose expectation that discharge of DCO requirements will</i></p>	<p>detailed drafting until after it has engaged in further dialogue with the Applicant.</p>
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		<p><i>primarily fall to them given the largely local issue they address.</i></p> <p><i>The Applicant recognises that alternative approaches to post-consent discharge have been adopted in other made Development Consent Orders, including Schedule 2, Part 2 of The A122 (Lower Thames Crossing) Development Consent Order 2025, and accepts that this represents a potential model for schemes where a centralised discharge function is established.</i></p> <p><i>Given the evolving nature of the government’s proposals, the Applicant remains open to further consideration of this issue as the Examination progresses, government’s approach develops and through engagement with the local authorities. Should it become appropriate and beneficial to do so, the Applicant may wish to explore the submission of alternative drafting options, including the potential for two versions of Schedule 4 of the Development Consent Order to be considered.</i></p> <p><i>Any such approach would need to ensure continuity of engagement, protect programme delivery, and provide clarity and certainty for all parties involved.”</i></p>	
9.13	Archaeology	<p>HE1.43</p> <p><i>“The Applicant considers that it has provided proportionate and suitable archaeological evaluation for the Project, in accordance with paragraphs 5.9.11 and 5.9.12 of NPS</i></p> <p><i>EN-1. The fieldwork undertaken to date comprises a more comprehensive approach to evaluation than many other</i></p>	<p>SCCAS supports the ExA in requesting clarity on the extent of the archaeological work that has been undertaken and reported on to date, and the extent of the archaeological evaluation that have yet to be completed. We would strongly recommend that this is expressed in map form showing which parts of the project have been subject to archaeological evaluation (both geophysical survey and trial trenching) and remaining areas which require</p>

	<p><i>Nationally Significant Infrastructure Projects have completed and has been considered sufficient to determine consent by the Planning Inspectorate and the Secretary of State. Historic Environment walkover surveys have been undertaken across 97% of the Order Limits. Geophysical survey has been undertaken across 96% of priority areas and 30% of phase 2 areas, at the point of submission in January 2026 of the Supplementary Environmental Information [AS-068 to AS-083]. This represents a combined total of 74% of the overall geophysical survey area and the area of intrusive impact for the Project. Archaeological trial trenching had been completed for 89% of priority areas at the point of submission of Supplementary Environmental Information [AS-068 to AS-083]. For the remainder of the Project’s areas of intrusive impact, a reasonable worst-case assumption has been made regarding archaeological potential and Project impacts to inform assessment, on the basis of the extensive desk-based information and the available results of evaluation.</i></p> <p><i>The approach to the archaeological fieldwork and programme for this work was first raised with stakeholders in late 2023 and is included in the Statements of Common Ground [refs]. It is an agreed matter with Norfolk and Essex County Councils and Historic England and is under discussion with Suffolk County Council.</i></p> <p><i>The remaining 11% of the priority archaeological trial trenching is in progress and fieldwork is expected to be complete in April 2026. The work had been programmed</i></p>	<p>archaeological evaluation (both geophysical survey and trial trenching). This should be included in the OAMS-OWSI.</p> <p>Currently there is the absence of an approved 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328]. The draft document as currently submitted does not provide the clarity necessary with regards to the extent of evaluation that has been undertaken or will be undertaken to ensure the whole project is subject to appropriate archaeological evaluation to inform a programme of archaeological mitigation.</p> <p>As of 8th May 2026, the applicant has submitted plans to SCCAS for review that show proposed mitigation areas within the priority areas. These plans must be clearly marked “indicative” because mitigation areas may be revised in response to engineering design or the identification of archaeological remains. The plans are due to be submitted at Deadline 5 and SCCAS will comment on them prior to submission.</p>
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	<p><i>to be undertaken in 2025 but unfortunately land access issues prevented this. The trial trenching is being undertaken as soon as land access is available. The preliminary results of the work to date indicate that the geophysical survey and desk-based information for these areas has provided a good representation of the archaeology, which is already included in the historic environment baseline and assessment, and it is not anticipated that this element of the work would change the conclusions of assessment presented in 6.11 Environmental Statement Chapter 11 – Historic Environment [AS-070]. Final reports of this element of the archaeological trial trenching are expected in August 2026 and therefore are not expected to be available during examination. The reports will be shared directly with the Archaeological Advisors to the Local Planning Authorities for approval and in order to agree appropriate mitigation for these areas, as set out in 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] secured through Requirement 5 of 3.1 Draft Development Consent Order [Revision C].</i></p> <p><i>The phase 2 geophysical survey, as of 27 March 2026, was approximately 80% complete. Survey of all areas where land access is available, is expected to be completed in April 2026, with the final report expected six weeks from the end of survey. Therefore, this report and any associated updates to baseline and assessment will be submitted into the Examination as supplementary information, no later than Deadline 6. Phase 2 of the</i></p>	
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	<p><i>archaeological trial trenching is programmed to commence in summer 2026 and is expected to be mostly complete by the end of 2026. This programme has been agreed with the archaeological advisors to the Local Planning Authorities and Historic England (as set out in the Statements of Common Ground [Refs]) as this phase of fieldwork on comparable developments is often not undertaken until after consent has been granted. For the Project, the decision to proceed with this work as soon as possible is driven by construction programme constraints, should consent be granted. Therefore, the results of this work will not be available for the Examination but will be shared directly with the Archaeological Advisors to the Local Planning Authorities for approval and in order to agree appropriate mitigation for these areas as set out in 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] secured through Requirement 5 of 3.1 Draft Development Consent Order [Revision C].</i></p> <p><i>The archiving and dissemination of the fieldwork will be undertaken as a single phase of work on the completion of mitigation fieldwork for the Project. The evaluation archive would be transferred to the archaeological contractor(s) for the mitigation to ensure the evaluation results inform mitigation fieldwork and reporting, and to ensure the archive is deposited coherently for the different geographical areas of the Project. This approach has been requested by the archaeological advisors to the Local Planning Authorities and historic England and will be secured through the 7.5 outline archaeological</i></p>	
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		<p>mitigation strategy and outline written scheme of investigation [APP-328] once updated. Should the Project not gain consent, the evaluation archiving and dissemination would be undertaken at that point for all completed fieldwork.”</p>	
9.14	Archaeology	<p>HE1.44</p> <p><i>“The Applicant acknowledges Historic England’s comments regarding the need for further survey work and contingency for high value discoveries in the River Stour area.</i></p> <p><i>The Project design at the River Stour crossing comprises open-cut underground cable works to the north and south of the river, with a trenchless crossing technique beneath the river itself and beneath the field to the immediate south of Higham Road (in order to ensure preservation of high value non-designated archaeology within this field).</i></p> <p><i>Archaeological trial trenching has been completed to the north of the river and results are included in the historic environment baseline and assessment (6.11 Environmental Statement Chapter 11 - Historic Environment [AS-068] and 6.11.A2 Environmental Statement Appendix 11.2 - Historic Environment Assessment Tables [AS-070]). Trial trenching is in progress to the south of the river and preliminary results indicates that the geophysical survey of this area has provided a good representation of the archaeology, which is already included in the historic environment baseline and assessment. The results of geoarchaeological and</i></p>	<p>SCCAS agree with Historic England on this matter.</p> <p>Currently there is the absence of an approved 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328]. The draft document as currently submitted does not provide the clarity necessary, particularly with regards to palaeoenvironmental and geoarchaeological investigation of the Stour River Valley. SCCAS have provided detailed comments on the Draft OAMS-OWSI.</p>

	<p>archaeological monitoring of ground investigation works at the River Stour are reported in 6.11.A6 Environmental Statement Appendix 11.6 – Geoarchaeological Monitoring of Ground Investigation Works Report [APP-214] and included in 6.11 Environmental Statement Chapter 11 - Historic Environment [AS-068]. A specific commitment within the 7.2 Outline Code of Construction Practice [REP2014] secured</p> <p>Through Requirement 4 of 3.1 Draft Development Consent Order [APP-056], commitment B26, requires the Main Works Contractor(s) to prepare a trenchless crossing method statement and contingency plan for the River Stour crossing, to be submitted to the relevant Local Planning Authority and Natural England once detailed design is available.</p> <p>Where there is potential for sensitive archaeological or palaeoenvironmental deposits and known areas of deep ground impact (such as at pylon bases or trenchless crossings), further geoarchaeological and palaeoenvironmental investigations will be undertaken.</p> <p>This provision for additional work in areas of impact is included in the 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] secured through Requirement 5 of 3.1 Draft Development Consent order [APP-056]. This document is being updated in consultation with Local Planning Authority Archaeological Advisors and Historic England, taking into account detailed comments received in Written Representations and Local Impact Reports. In addition, Commitment GH11 in the 7.2 Outline Code of</p>	
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		<p>Construction Practice [REP2-014] secures the requirement for a Hydrogeological Risk Assessment to be undertaken at all trenchless crossing locations, including the River Stour crossing. This ensures that any risks to groundwater and associated deposits are identified and managed appropriately as part of the Project. These measures ensure that appropriate evaluation and mitigation of archaeological and palaeoenvironmental assets will be secured and implemented.”</p>	
<p>9.15</p>	<p>Archaeology</p>	<p>HE1.45</p> <p>“The Applicant acknowledges the comment regarding the adequacy of 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328]. An early draft of the document was shared with the historic environment stakeholders prior to submission of the DCO application, and the comments received were taken into account in the updates made for the version submitted with the DCO application. The document uses a format that has been adopted on several consented DCO projects. The Applicant has actively engaged with Local Planning Authorities and Historic England regarding this document since submission of the DCO application.</p> <p>We have discussed progress on the ongoing geophysical survey and trial trenching, the approach to phase 2 trial trenching and the programme for updates to 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] at meetings with Essex and Suffolk County Councils on 26 March 2026,</p>	<p>SCCAS stand by our comments provided on the submitted 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328]. The draft document submitted for review in April 2025 was an incomplete document with large sections absent. So SCCAS were unable to provide constructive comments on that draft submission.</p>

		<p><i>with Norfolk County Council on 27 March 2026, and with representatives from Historic England, Thurrock Council and Essex, Suffolk and Norfolk County Councils, at the Archaeological Working Group Meeting on 1 April 2026.</i></p> <p><i>The Applicant is currently preparing an updated version of 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] taking into account feedback received from stakeholders including Colchester City Council and Historic England. The updated document is scheduled for submission at Deadline 5. Prior to this, the updated document will be shared with the relevant stakeholders for their review.”</i></p>	
<p>9.16</p>	<p>Archaeology</p>	<p>HE1.46</p> <p><i>“The Applicant acknowledges Suffolk County Council’s concerns regarding the adequacy of the submitted 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] (Outline AMS/OWSI) and the protections afforded by Requirement 5 of 3.1 Draft Development Consent Order [Revision C]. An early draft of the Outline AMS/OWSI was shared with Suffolk County Council prior to submission of the DCO application, and the comments received were taken into account in the updates made for the version submitted with the DCO application. The document uses a format that has been adopted on several consented DCO projects. It is our understanding that when the Outline AMS/OWSI is updated, and providing Suffolk County Council is content with these updates, the majority of the concerns regarding Requirement 5 will</i></p>	<p>SCCAS are in ongoing discussions with the applicant, but await submission of the amended 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] before we can comment further.</p>

		<p><i>also be resolved. However, we will continue to engage to confirm this.</i></p> <p><i>The Applicant has also engaged in recent discussions with Suffolk County Council regarding progress on ongoing geophysical survey and trial trenching, the approach to Phase 2 trial trenching, and the timetable for updating the Outline AMS/OWSI. These discussions took place during meetings on 26 March and 1 April 2026. In light of these discussions as well as additional archaeological information submitted in 2026 [AS-068 to AS-083], the Applicant is preparing an updated 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328], which is planned for submission at Deadline 5. Prior to this the updated document will be shared with Suffolk County Council for review.”</i></p>	
<p>9.17</p>	<p>Archaeology</p>	<p>HE1.47</p> <p><i>“Magnetometer survey (as used for the Project) is an extremely useful, rapid, cost effective, non-invasive technique for archaeological prospection that can identify anomalies derived from geological, archaeological, or modern origins. The Chartered Institute for Archaeologists defines geophysical survey as: ‘Archaeological geophysical survey uses non-intrusive and non-destructive techniques to determine the presence or absence of anomalies likely to be caused by archaeological features, structures or deposits, as far as reasonably possible, within a specified area or site on land, in the inter-tidal zone or underwater. Geophysical</i></p>	<p>SCC Archaeological Service agrees with Essex CC concerns with regards to the reliability of geophysical survey data and recommend the implementation of a programme of archaeological trial trenching is essential to ground-truth the geophysical survey results.</p>

	<p><i>survey determines the presence of anomalies of archaeological potential through measurement of one or more physical properties of the subsurface’ 51.</i></p> <p><i>As magnetometer survey creates an image of below ground deposits by measuring the magnetic differences between the underlying superficial geological deposits and features cut into those deposits, it is well suited to detecting large features or features with sufficiently magnetic fills to be detected above the natural magnetic variability of the superficial geology. Magnetometry is also suited to identifying deposits altered</i></p> <p><i>through heating, organic decay, and containing burnt material ditches, pits, hearths and kilns. The technique does, however, have its limitations and it cannot inform the archaeological significance, function, date, depth, or state of preservation of those anomalies it does identify. Furthermore, the technique is not capable of detecting archaeological features that do not have a magnetic signature sufficiently different to the surrounding superficial geology to be distinguished by the magnetometer.</i></p> <p><i>Magnetometry, therefore, struggles to identify small, ephemeral archaeological features, such as graves which are rapidly backfilled with the same material which was dug out to create the grave, and features of pre-Iron Age date when metallurgy was much more prevalent resulting in magnetically enhanced industrial waste being incorporated into archaeological features.</i></p>	
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	<p><i>Due to these shortcomings, the lack of geophysical data has not been treated as negative evidence by the Project, and the absence of anomalies does not prove that archaeological features are absent. For this reason, and in agreement with the archaeological advisors to the Local Planning Authorities, all the geophysically surveyed areas within areas of impact within the Order Limits will be subject to a trial trenching programme that will target geophysical anomalies, cropmarks, old map features, LiDAR anomalies and also 'blank' areas in the geophysical data to test its efficacy. The assessment of the Project's effects on the archaeological resource presented in 6.11 Environmental Statement Chapter 11 – Historic Environment [AS-068] is based on all available sources comprising Historic Environment Record data (e.g. findspots and artefact scatters, cropmarks, results of previous fieldwork), Project mapped cropmarks, Project mapped LiDAR, Project mapped historic map features, a systematic walkover survey undertaken by the Applicant, and where fieldwork has been undertaken for the Project, the results of geophysical survey and archaeological trial trenching.</i></p> <p><i>The Applicant has, therefore, built up as complete a picture as possible of the archaeological resource within the Order Limits, and on the basis of the accumulated evidence, has been able to infer the potential for the presence of subsurface archaeological remains. In order to assess the impact of the Project on the potential archaeological resource, a realistic worst-case approach has been adopted when assessing the value of the</i></p>	
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	<p>archaeological baseline to ensure that the significance of effect is not underestimated. Both geophysical survey and trial trenching are ongoing but a lot of the evaluation work has been completed and the results have been submitted (6.11.A3 Environmental Statement Appendix 11.3 - EACN Substation Geophysical Survey Report [APP-211], 6.11.A4 Environmental Statement Appendix 11.4 - Geophysical Survey Results Report [APP-212], 6.11.A4 Environmental Statement Appendix 11.4 - Geophysical Survey (Priority Areas) Results Report - Part 1 [AS-072], 6.11.A4 Environmental Statement Appendix 11.4 - Geophysical Survey (Priority Areas) Results Report - Part 2 [AS-074], 6.11.A4 Environmental Statement Appendix 11.4 - Geophysical Survey (Priority Areas) Results Report - Part 3 [AS-076], and 6.11.A5 Environmental Statement Appendix 11.5 - Trial Trenching Results Report [APP-213 and AS-078]). The results of the ongoing geophysical survey and trial trenching will be made available to the archaeological advisors to the Local Planning Authorities as they become available and the combined results will inform the ongoing production of 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328], which will set out appropriate mitigation for the archaeological remains within the bounds of the Project's Order Limits. The Applicant is, therefore, confident that the archaeological resource within and potentially affected by the Project will be fully mitigated either through avoidance or full excavation.”</p>	
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<p>9.18</p>	<p>Archaeology</p>	<p>HE1.48</p> <p><i>“The Applicant’s response regarding the reliability of geophysical surveys and confidence in the assessment of residual effects is set out in response to ExQ1 HE 1.43 and HE 1.47. As outlined in HE 1.43 and HE 1.47 the reliability of geophysical survey assessment has been taken into account in the planning of trial trenching, with trenches targeting both areas of “known archaeology” and those that appear blank in geophysics results. The geophysical survey and trial trenching are now both well progressed and to date the findings of both phases of fieldwork are correlating with the assessment of residual effects as set out in section 11.7 of ES Chapter 11 the Applicant remains confident in the assessment.</i></p> <p><i>Whilst the Applicant acknowledges that preservation by record is not accepted as a direct mitigation for harm which the recorded information cannot reverse, the knowledge created by the record increases our understanding of the archaeological resource and is a relevant consideration in any overall assessment and is best practice where conservation cannot be achieved.</i></p> <p>(6.11.A2 Environmental Statement Appendix 11.2 - Historic Environment Assessment Tables [AS-070]).</p> <p><i>Archaeological assessment in the form of excavation and recording ensures that the archaeological remains are not completely lost without any knowledge of them being obtained, as set out by Historic England (GPA2)</i></p> <p><i>Preservation by record would only be applied for the Project when the mitigation hierarchy has been applied,</i></p>	<p>SCCAS broadly agree with the approach set out here by the applicant, however, we need clarity from the applicant that areas where archaeological evaluation (both geophysical survey and trial trenching) has not been completed prior to determination of this DCO, that these works will continue for all areas of development impact post-consent (should the application be granted permission).</p>
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		<i>no other reasonable options are available, and the impact prior to mitigation would not be unacceptable in terms of the provisions in NPS EN-1. The approach to archaeological excavation and recording and the cases in which it is proposed, align with the Historic England guidance 52.”</i>	
9.19	Archaeology	HE1.50 <i>“Please see response to DCO 1.A28”</i>	See SCC Archaeological Service Comment on DCO1.A28 (Table Item 9.7 above).
9.20	Archaeology	HE1.51 <i>“Requirement 5 would be fully discharged following completion of all archaeological mitigation works and post-excavations obligations secured through the approved Detailed Written Scheme(s) of Investigation prepared in accordance with 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328]. The approach set out therein, and secured through Requirement 5 within 3.1 Draft Development Consent Order [Revision C], includes provision for a range of evaluation and mitigation strategies, including the preparation and implementation of preservation in situ management plans, where highly significant remains are identified Completion of post-excavation assessment and reporting is integral to the approved Written Scheme of Investigation. 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] explicitly provides for:</i>	Please see SCCAS comments on Appendix A. Supplement 1 – 1.S8 Draft Development Consent Order (Table 10 below). The public benefit of archaeology comes from both the preservation of those heritage assets and through excavation and recording with the dissemination of the information arising from those archaeological investigations. It is therefore vital that a requirement secures the timely delivery of post-excavation analysis, publication, archiving and outreach. This is typically achieved through formal agreement of an Updated Project Design.

	<ul style="list-style-type: none"> • <i>Post-excavation assessment</i> • <i>Analysis, reporting and publication</i> • <i>Deposition of the archaeological archive.</i> <p><i>All of these form part of the scope of each Detailed Written Scheme of Investigation</i></p> <p><i>and its implementation (7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328], Sections 6.2 and 6.3).</i></p> <p><i>Requirement 5 already requires that:</i></p> <ul style="list-style-type: none"> • <i>Each Detailed Written Scheme of Investigation is approved by the relevant planning authority</i> • <i>Historic England is consulted where relevant, before works commence.</i> <p><i>This is the point at which archaeological methodology, reporting commitments and post-excavation outputs are formally agreed. 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] (Sections 5.1.1 and 5.1.11) confirms that Historic England and Local Planning Authority (LPA) archaeological advisers are engaged both at Written Scheme of Investigation preparation and during its implementation. 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328] makes clear that interim statements are prepared following completion of fieldwork and that post-excavation assessment reports are produced and agreed through the LPA</i></p>	
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		<p>archaeological advisory process (with Historic England where relevant). These obligations are embedded within the approved Written Scheme of Investigation (7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation [APP-328], Sections 6.2.1 and 6.3.2).</p> <p>Post-excavation analysis, publication and archiving can also extend beyond the physical construction programme. The chosen drafting allows:</p> <ul style="list-style-type: none"> • Full archaeological mitigation to be secured and delivered • Requirement 5 to be discharged once those obligations have been met in substance, without artificially tying discharge to a single document or date.” 	
<p>9.21</p>	<p>Health and Wellbeing</p>	<p>HW1.9</p> <p>“The Applicant’s response to each of the actions identified in Colchester City Council’s Local Impact Report [REP1-156] is as follows, providing further justification and evidence as required for each:</p> <p>5) A robust Health and Wellbeing Monitoring Framework with enforceable commitments</p> <p>As set out in 8.4.1 Applicant’s Comments on Relevant Representations [REP1- 132], no significant health and wellbeing impacts have been identified in 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192] and as such there is no requirement for monitoring measures.</p>	<p>SCC (Public Health) notes that the Applicant accepts within its responses, including HW 1.9, that individuals across the Project route are likely to experience impacts on mental health and wellbeing during both construction and operation including stress and anxiety and further acknowledges that people living closest to the Project and vulnerable groups may experience these impacts differently. In this context, SCC considers that the Applicant’s subsequent conclusion that there is therefore “no requirement for monitoring measures” is not logically consistent with the Applicant’s own assessment, or with the precautionary principles.</p> <p>SCC is concerned by the Applicant’s reliance on the notion that distinguishing project related mental health impacts</p>

	<p><i>There is typically no clear, direct causal pathway linking large infrastructure construction to diagnosable mental health conditions in the general population. Distinguishing project-related impacts from those caused by unrelated social, economic, or personal factors is methodologically very difficult. For example in relation to mental wellbeing, any monitoring is likely to capture background mental health trends rather than, or in addition to, project-specific effects, making attribution and actionable conclusions unreliable. A formal, standalone health and wellbeing monitoring plan or framework which includes thresholds for potential mitigation carries notable methodological, ethical and practical limitations, and risks being disproportionate to likely impacts anticipated for the Project. It may, however, be appropriate to identify specific actions in addition to the above that could help with understanding community mental health over the pre-construction, construction and operation periods. This could include reviewing the number and type of complaints or concerns raised during construction works through the complaints procedure identified. Complaints / concerns could be categorised by theme, type of action and speed of escalation. This would help understand where further communication may be required with local communities.</i></p>	<p>from wider social, economic or personal factors is methodologically difficult, leading to the conclusion that monitoring would not generate reliable or actionable information. SCC does not accept this position. Difficulty in attribution is not unique to mental health and wellbeing, nor is it a reason used to exclude monitoring in other environmental disciplines within the ES. Noise, vibration and air quality effects are all influenced by multiple external variables yet monitoring remain standard and accepted practice to identify deviations from expected conditions and inform responsive mitigation.</p> <p>Mental health and wellbeing monitoring is not predicated on establishing a single, linear causal pathway between a project and diagnosable mental illness. It should be intended to identify patterns, trends and differential effects over time, particularly among communities most exposed to construction activity and those with fewer coping resources or opportunities for respite, as identified in [REP1-178]. Monitoring therefore operates as an early warning and safeguarding mechanism, enabling emerging issues to be recognised and escalated before they become more acute or entrenched.</p> <p>SCC also considers that the Applicant’s proposed reliance on engagement, complaints and liaison mechanisms as a proxy for monitoring is insufficient. While SCC recognises and welcomes commitments to ongoing engagement and communication, such mechanisms are inherently reactive and unlikely to capture the experiences of those less able or willing to raise concerns formally. Vulnerable groups, including those experiencing anxiety, stress or reduced</p>
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			<p>mental wellbeing, may be those least likely to engage actively with complaints processes. Complaints based datasets cannot be considered a robust or equitable substitute for structured monitoring. Monitoring should be viewed as complementary to engagement, not a replacement for it. A proportionate mental health and wellbeing monitoring framework would provide a transparent, evidence informed foundation for targeting communication, tailoring mitigation and prioritising community support, including through any future community benefit programme. It would also enable the effectiveness of mitigation and engagement measures to be reviewed objectively rather than assumed.</p> <p>In SCC’s view, the Applicant’s characterisation of a monitoring framework as “<i>formal</i>” or “<i>standalone</i>” sets up a false tone. SCC has not requested a clinically based surveillance system or a programme reliant on diagnosing mental illness. Instead, SCC has consistently sought a proportionate approach, aligned with public health practice and with approaches adopted on comparable large scale linear infrastructure projects which draw on existing data sources where possible, focused on communities and receptors most likely to experience impacts.</p>
9.22	Health and Wellbeing	<p>HW1.13</p> <p><i>“The Applicant notes that various representations have been made in relation to potential mental health impacts as a result of the Project and associated requests for monitoring mental health outcomes over time, as a way of understanding, responding to and mitigating emerging</i></p>	<p>SCC (Public Health) has considered the Applicant’s response to HW1.13 and reasserts its position that monitoring of mental health and wellbeing impacts is a necessary and proportionate component of the Projects construction and cumulative impact management.</p>

		<p><i>adverse impacts. In the assessment of potential impacts on health and wellbeing presented in 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192], it is noted that there are likely to be individuals across the Project route who experience some degree of impact on their mental health and wellbeing (for example anxiety or stress) due to either the construction or operation phase of the Project. This may be as a result of uncertainty about programme and timescales, cumulative impacts associated with other Nationally Significant Infrastructure Projects, as a result of disruption associated with construction activities, or changes to the local environment once the Project has been developed. It is acknowledged that people living closest to the Project or particular vulnerable groups may experience effects differently. The Applicant has sought to reduce concern or uncertainty about the proposals through inclusive and transparent engagement with residents, communities and stakeholders throughout the development of the Project, as set out in 5.1 Consultation Report [APP-066]. The Project team will continue to engage with people potentially affected during progress of the Project, through regular communication including letters, phone calls and meetings. [...]</i></p>	
<p>9.23</p>	<p>Landscape and Visual</p>	<p>LV1.18 <i>[...]The five-year monitoring period for replacement planting (outside the Environmental Areas) is considered sufficient to ensure successful plant establishment. 7.4 Outline Landscape and Ecological Management Plan</i></p>	<p>SCC considers that the adaptive aftercare period needs to include a temporal element, meaning that plants should have grown successfully for 5 years prior to handover; in</p>

		<p><i>[REP2-018] states the planting will be undertaken by suitably experienced contactors in line with British Standards and follow general best practice principles outlined in Section 9.2 of 7.4 Outline Landscape and Ecological and Management Plan [REP2-018]. For example, Section 11.2 of BS 8545:2014+A1:2026 states ‘Post-planting management and maintenance is important if longevity in the landscape is to be achieved. A full young tree management programme with budgetary provision should be in place for all planting schemes. This management programme should be in place for at least 5 years.’ The Applicant’s commitment to a five-year aftercare period adheres to the recommendation set out in the British Standard. Further justification for this length of time is provided in response to written question LV 1.4.”</i></p>	<p>areas, with a high failure rate the aftercare period needs to be re-set to the time of replacement planting.</p>
<p>9.24</p>	<p>Landscape and Visual</p>	<p>LV1.28 <i>“This question raises the potential for coordinated cross-cutting masterplans covering landscape, ecology, archaeology, heritage and rights of way. There is an issue of principle to be addressed which goes to the nature, extent, scope and legality of the masterplans as sought by the relevant Local Authorities. The ExA might not be aware that the same Local Authorities raised the same in principle point at the Bramford to Twinstead Reinforcement (BTNO) Examination where it was rejected by the ExA and Secretary of State.</i></p>	<p>SCC is confused by the Applicant’s response and is hoping to further engage with the Applicant in this matter.</p> <p>With regards to compensation, SCC does not expect the Applicant, or even consider it possible, to compensate or offset any residual effect. This is not, contrary to the Applicant’s understanding, SCC’s position.</p> <p>However, SCC does consider that all residual effects should be part of the equation, and compensation should reflect the magnitude and multitude of residual effects and be of equal weight and distribution. While focussing compensation on key areas is supported, SCC does not agree that all other areas along the route can be ignored.</p>

		<i>The Local Authorities are clear that they take the view that any residual adverse impact that will not be mitigated must be compensated or offset in full by an applicant.”</i>	
9.25	Landscape and Visual	<p>LV1.29</p> <p><i>“All alternative routes necessitate a crossing of the Waveney Valley and have been considered to both the east and west of the proposed alignment. Corridors and routes diverging further west interact with Special Protection Areas and Special Areas of Conservation and would have been longer so were not progressed. The routes considered and reasons for the selection of that taken forwards are set out in detail in Section 4.6 of 5.15 Design Development Report [APP-122]. In summary, other corridors/routes to the east (either closely paralleling the existing overhead line or passing further to the east) encounter barriers to development such that the Applicant’s position is that they are not viable. Other corridors/routes further west present a different balance of effects to that of the proposed connection, and whilst community effects may be reduced this does not offset increased effects on ecological resources including peaty soils.</i></p> <p><i>The preferred corridor and route has been refined through field survey, data acquisition and informed by feedback with a series of adjustments to the east for the valley crossing and alignment to the south.</i></p> <p><i>The use of alternative pylon types or underground cable comes through application of the mitigation hierarchy and is sequentially applied if the effects arising from the</i></p>	As stated in the Joint Suffolk LIR [REP1-178] , SCC are seeking compensatory measures for the impacts on the Waveney Valley following the Applicant’s progression to date through the Mitigation Hierarchy.

	<p><i>standard lattice design are considered to be unacceptable in planning terms. It is the Applicant’s position that the appropriate decision making basis is not that there is a reduction in effects through the use of T-pylon compared with lattice pylons, but that, in line with the mitigation hierarchy, the lattice pylon effects must be unacceptable in policy terms before T-pylons are considered. The area is not subject to national landscape designation so the presumption in National Policy Statement (NPS) EN-5 (2024) for the use of overhead line is not reversed. [...]”</i></p>	
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Table 10: 8.9.1 (A) Applicant’s Response to First Written Questions – Appendix A (Answer to DCO 1.S8) [AS-090]			
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	SCC’s Comments
10.1	<u>(1) Prior to the submission of any detailed written scheme of investigation for approval, the undertaker must carry out archaeological evaluation works 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.</u>	This drafting relates to host authority relevant representations to which the Applicant responded on pages 148, 213, 230, 331, 487 and 581 of the 8.4.1 Applicant’s Responses to Relevant Representations at Deadline 1 (with a revised version issued at Deadline 2) [REP2-023] , which request explicit reference to a separate evaluation stage of archaeological work, before securing a detailed investigations stage as mitigation. For the purpose of the discussion draft, the Applicant has added a new paragraph (1) at the beginning of Requirement 5 (Archaeology). It expressly provides that the Applicant must carry out evaluation works in accordance with the OAMS and OWSI, unless otherwise agreed with the relevant authority in consultation with Historic England, where relevant. The Applicant is satisfied that this aligns with it proposed approach.	<p>Evaluation works must follow the methodology set out in an approved OAMS and OWSI. A Detailed Written Scheme of Investigation for archaeological evaluation must be submitted to, and approved in writing by, the relevant planning authority and, where applicable, Historic England.</p> <p>However, the applicant’s proposed requirement wording does not provide for the submission and approval of Detailed Written Schemes of Investigation for the post-consent evaluation stage (covering both geophysical survey and trial trenching). The OAMS and OWSI do not specify the extent or location of the evaluation or the techniques to be applied, because the final construction layout is not yet known.</p> <p>Trial trench evaluation must target the areas affected by development for both pre-commencement works and construction; those details have not been finalised. To ensure the archaeological works are proportionate and effective, we have agreed that post-consent trial trenching will focus on areas of development</p>

			<p>impact to inform a subsequent programme of archaeological mitigation.</p>
<p>10.2</p>	<p>(2) No stage of the authorised development may commence until either a preservation in situ management plan, or detailed written schemes of investigation of areas of archaeological interest relevant to that stage (if any), as identified within the outline archaeological mitigation strategy and outline written scheme of investigation or identified through evaluation work as set out in the outline archaeological mitigation strategy and outline written scheme of investigation, has been submitted to and approved by the relevant discharging planning authority in following consultation with the relevant county planning authority and, if relevant, Historic England.</p>	<p>This drafting relates to comments in host authority local impact reports to which the Applicant responded on pages 183–185 and 192 of 8.8.2 Applicant's Comments on Local Impact Reports [REP2-030]. In response at Deadline 3, the Applicant has revised its definition of ‘relevant planning authority’ and has added a definition of ‘relevant county planning authority’. The Applicant has also accepted Suffolk County Council and Babergh and Mid Suffolk’s request to make reference to the ‘written scheme of investigation’ plural and this was incorporated into the 3.1 Draft Development Consent Order [REP2-004] at Deadline 2. Requirement 5 is now drafted such that approval of details is the responsibility of ‘the relevant planning authority following consultation with the relevant county planning authority and, if relevant, Historic England’.</p>	<p>SCCAS would recommend the following amendment to the requirement wording:</p> <p>(2) No stage of the authorised development and/or pre-commencement works may commence until either a preservation in situ management plan, or detailed written schemes of investigation of areas of archaeological interest for archaeological evaluation and/or archaeological mitigation relevant to that stage (if any), as identified within produced in accordance with the outline archaeological mitigation strategy and outline written scheme of investigation or identified through evaluation work as set out in the outline archaeological mitigation strategy and outline written scheme of investigation, has been submitted to and approved by the relevant discharging planning authority in following consultation with the relevant county planning authority and, if relevant, Historic England.</p> <p>Any works that cause ground disturbance have the potential to significantly impact archaeological heritage assets, therefore, all works should be scoped within the requirement for the DWSIs. If the production of DWSIs and</p>

			<p>implementation of archaeological works, are appropriately timetabled, this should not adversely impact delivery timetables. This would also remove the need to suggested requirement (5) (see below).</p> <p>The amendment adds in pre-commencement works, so DWSIs can be submitted post-determination but prior to commencement of works, allowing the archaeological evaluation works and mitigation works to continue prior to the commencement of the authorised development. This will assist the applicant in maintaining their delivery schedules, whilst securing appropriate protections for the historic environment (archaeology).</p> <p>It also removes the need for the suggested requirement wording (1).</p> <p>For other NSIP projects in Suffolk, the ExA has requested that the SEALink requirement wording includes pre-commencement works and Sizewell C DCO is for all terrestrial works</p>
10.3	(4) Each detailed written scheme of investigation must be substantially in accordance with the outline archaeological mitigation strategy and outline written scheme of investigation and must identify areas	The Applicant has accepted Suffolk County Council and Babergh and Mid Suffolk’s request to make begin this paragraph with the word ‘Each’ instead of ‘The’. This was incorporated into the 3.1 Draft Development Consent Order [REP2-004] at Deadline 2 and	SCCAS welcome this amendment, as it provides clarity over multiple DWSIs required to deliver a programme of archaeological evaluation and archaeological mitigation.

	<p>where archaeological works are required and the measures to be taken to protect, record or preserve any significant archaeological remains that may be found and must include— (a) an assessment of significance and research questions; (b) the programme and methodology of site investigation and reporting; (c) the programme for post-investigation assessment; (d) proposals for providing for the analysis of site investigation and recording; (e) proposals for providing archive deposition of the analysis and records of the site investigation; (f) nomination of a competent person or persons/organisation to undertake the works set out within the detailed written scheme of investigation; and (g) an implementation timetable.</p>	<p>no further changes to this paragraph are proposed.</p>	
<p>10.4</p>	<p><u>(5) 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</u></p>	<p>This drafting is proposed by Braintree District Council and Chelmsford City Council and also addresses a request raised by Essex County Council in its Local Impact Report [REP1-161] that the original Requirement 5(4) is replaced by wording that requires intrusive site preparation works to be carried out in</p>	<p>Any works that cause ground disturbance have the potential to significantly impact archaeological heritage assets, therefore, all works should be scoped within the requirement for the DWSIs. If the production of DWSIs and implementation of archaeological works, are</p>

	<p><u>as appropriate has been submitted to and approved by the relevant planning authority following consultation with the relevant county planning authority and, if relevant, Historic England. The archaeological or geoarchaeological written scheme(s) of investigation required under this sub-paragraph must be implemented as approved.</u></p>	<p>accordance with an archaeological or geoarchaeological written scheme of investigation to be approved by the relevant authority. The Applicant has updated references to the relevant planning authority and consultation with the relevant county planning authority and Historic England to be consistent with 3.1 Draft Development Consent Order [Revision C]. The inclusion of a provision such as this is of great concern to the Applicant. It significantly and unacceptably limits the scope of pre-commencement operations that can be carried out prior to commencement of the authorised development, despite those pre-commencement operations having been assessed in the Environmental Statement. Furthermore, the OAMS and OWSI, together with the original Requirement 5(4) (pre-commencement works to be carried out in accordance with the OWMS and OWSI), sufficiently control these works. In the context of a Project of critical national priority, the ability to carry out pre-commencement operations which include ground investigations, is imperative to ensure that specified preparatory works can be carried out in parallel to the discharge of the pre-commencement Requirements. The</p>	<p>appropriately timetabled, this should not adversely impact delivery timetables.</p> <p>For other NSIP projects in Suffolk, the ExA has requested that the SEALink requirement wording includes pre-commencement works and Sizewell C DCO is for all terrestrial works.</p>
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		<p>restriction proposed by Essex County Council risks severely delaying the carrying out of preparatory works ahead of commencement of the authorised development. As the Applicant has noted previously, Annex 2 of the NESO Clean Power 2030 Report1 identifies that if the Applicant delivers the Project by the end of 2031 instead of by the end of 2030, the consumer would be exposed to additional constraints costs in excess of £2.5 billion. This equates to £7 million for every day that the energisation of the Project is delayed into 2031.</p>	
<p>10.5</p>	<p><u>(6) Unless otherwise agreed with the local planning authority—</u> <u>(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 detailed written scheme of investigation and submitted to the local planning authority for approval.</u></p>	<p>This drafting has been proposed by Braintree District Council in its Local Impact Report [REP1-148]. As noted above, the Applicant considers that the Requirement as included in 3.1 Draft Development Consent Order [Revision C] sufficiently addresses these concerns by virtue of any detailed WSI needing to be substantially in accordance with the OAMS and OWSI.</p> <p>The Applicant notes that the existing drafting is consistent with that contained in the National Grid (Bramford to Twinstead Reinforcement) Order 2024. However, should the Examining Authority consider that further clarity is required, then the Applicant’s</p>	<p>We believe that the AMS-OWSI and DWSIs between them provide sufficient detail for the production of the PXAs, however, 6(a) provides a timepoint to secure delivery of these documents, and therefore SCCAS support this.</p> <p>However, the OAMS-OWSI and DWSIs cannot provide sufficient detail for the Updated Project Design, as this is developed in response to the archaeology that is identified and excavated during the fieldwork phase. There needs to be a requirement to submit the UPD to ensure that it meets appropriate standards and provides an adequate representation of the further works required and costs involved, including analysis, publication, outreach and archiving. This should</p>

<p><u>(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.</u></p>	<p>position is that the inclusion of paragraph (6)(a) of this discussion draft, together with paragraph (7) of this discussion draft, would be the clearest approach to adopt. The Applicant would note that the use of paragraph (6) and (7) together in their entirety would include some duplication, however, both provisions are included in this table for completeness.</p>	<p>also have a time point linked to it to ensure timely delivery. We therefore support the inclusion of 6(b).</p> <p>(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 <u>Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation</u> and Detailed Written Schemes of Investigation for each stage, <u>and must</u> include details of the scope of post-excavation analysis, <u>publication, outreach and archiving</u> and have regard to the site-specific research agendas set out in the Detailed Written Schemes of Investigation.</p> <p>SCCAS are happy for the inclusion of 6(c), however, if 6(b) can be secured as worded above, 6(c) would be surplus to requirement, as post-excavation analysis, publication and archiving should be detailed in an approved UPD.</p> <p>The approved UPD must be implemented as approved.</p>
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<p>10.6</p>	<p><u>(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.</u></p>	<p>The Applicant notes that this provision, requested by Suffolk County Council and Babergh and Mid Suffolk in their combined Local Impact Report [REP1-178] is very similar to that proposed as parts (b) and (c) of paragraph (6) of this discussion draft. The two would not need to coexist and, as noted above, the Applicant would suggest that the drafting could reasonably and appropriately include paragraph (6)(a) and paragraph (7), with the timings for compliance being brought into alignment.</p>	<p>SCCAS would agree with the proposal from the applicant that 6(a) and (7) can be combined to provide delivery of post-excavation analysis, publication, outreach and archiving.</p>
<p>10.7</p>	<p><u>(8) The full archaeological archive, both physical and digital, must be deposited to the relevant archaeological archive repository, for that County, in accordance with the approved archaeological Updated Project Design.</u></p>	<p>The Applicant is content for this amendment to be included in a future draft of the 3.1 Draft Development Consent Order as this is standard practice.</p>	<p>SCCAS support the inclusion of this requirement.</p>

<p>10.8</p>	<p>(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 discharging authority in consultation with Historic England.</p>	<p>The Applicant is greatly concerned about the potential impact the proposed replacement of this provision (Requirement 5(4) in the 3.1 Draft Development Consent Order [Revision C]) with the text at new paragraph (5) of this discussion draft would have on the delivery of the Project. As noted above, the proposed replacement wording significantly and unacceptably limits the scope of pre-commencement operations that can be carried out prior to commencement of the authorised development, despite those pre-commencement operations having been assessed in the Environmental Statement. Furthermore, the OAMS and OWSI, together with the original Requirement 5(4) (shown deleted here for the purposes of this discussion draft), sufficiently control these works. In the context of a Project of critical national priority, the ability to carry out pre-commencement operations which include ground investigations, is imperative to ensure that specified preparatory works can be carried out in parallel to the discharge of the pre-commencement Requirements. The restriction proposed by Essex County Council risks severely delaying the carrying out of preparatory works ahead of commencement</p>	<p>Any works that cause ground disturbance have the potential to significantly impact archaeological heritage assets, therefore, all works should be scoped within the requirement for the DWSIs. If the production of DWSIs and implementation of archaeological works, are appropriately timetabled, this should not adversely impact delivery timetables.</p> <p>For other NSIP projects in Suffolk, the ExA has requested that the SEALink requirement wording includes pre-commencement works and Sizewell C DCO is for all terrestrial works</p>
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		<p>of the authorised development. As the Applicant has noted previously, Annex 2 of the NESO Clean Power 2030 Report identifies that if the Applicant delivers the Project by the end of 2031 instead of by the end of 2030, the consumer would be exposed to additional constraints costs in excess of £2.5 billion. This equates to £7 million for every day that the energisation of the Project is delayed into 2031.</p>	
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