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Planning and Development Management
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Your ref: EN020027
My ref: 24/00001/NSIP
Telephone: [REDACTED]
Date: 10th June 2026

Dear Ms Hunt

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

Norwich to Tilbury Project - Procedural Deadline 5 Response from Chelmsford City Council (CCC) Host Authority reference [REDACTED]

Please see the attached response to Examining Authority Questions two (EXQ2).

CCC has confirmed its wish to attend the hearings held during the week commencing 22nd June 2026 so that it can respond to any questions the Examining Authority may have.

CCC notes the Applicant will be responding separately regarding the Statement of Common Ground>

If you have any queries, please contact me.

Yours sincerely,

[REDACTED]
Senior Planning Officer
Chelmsford City Council NSIP Lead



Application by National Grid Electricity Transmission for the Norwich to Tilbury project

The Examining Authority’s written questions and requests for information (ExQ2): Issued on Friday 22 May 2026

Chelmsford City Council (CCC): [REDACTED]

RESPONSE

General document references and common abbreviations

- Local Impact Report (LIR) - REP1 – 153
- Examining Authorities Written Questions and requests for information (ExQ1) - REP3 – 075
- Issue Specific Hearings 2 (ISH2) - REP4 – 326
- Chelmsford City Council (CCC)
- Essex County Council (ECC)

ExQ2	Question to:	Question:	
GEN General and cross-topic questions			
GEN 2.1	The applicant All interested parties	<p>Final deadlines and statements of common ground (SoCG)</p> <p>The scale of the proposed development and volume of documentation submitted into the examination by all parties is considerable. The applicant and all interested parties (IPs) are reminded of the four remaining deadlines in the examination timetable and are referred to the Rule 8 letter dated 17 February 2026 [PD-011] which sets out what the ExA expects to receive at each deadline.</p> <ul style="list-style-type: none"> • deadline 5: 10 June (the additional deadline 5A on 17 June is limited to certain responses only) • deadline 6: 7 July • deadline 7: 21 July • deadline 8: 4 August <p>All parties are reminded that there is no need to resubmit comments which have already been made in earlier deadlines. If an IP continues to be dissatisfied with the unchanged response from the applicant, they should set out clearly those points in summary form in their final comments at deadline 7; there is no requirement to respond at every deadline unless new information has arisen</p>	Noted.


		<p>which they wish to comment on. Cross-reference should be made to the examination library references where possible in all submissions.</p> <p>The ExA also reminds all parties of the importance of setting out matters which the parties agree on, and which they continue to disagree on. This can be set out in SoCGs or written summaries at the final deadline 8 (by 4 August 2026). The ExA expects SoCGs to be signed by both parties involved in each SoCG and urges the relevant IPs to engage in these so that their comments are accurately reflected within the documents.</p>	
<p>GEN 2.2</p>	<p>The applicant All local authorities</p>	<p>Legal Agreements</p> <p>Further to first written question (ExQ1) GEN 1.21, the applicant provided a table (appendix E [REP3-074]) outlining the legal agreements requested to date by local authorities and setting out its comments, including on whether (or not) such an agreement would meet the relevant tests.</p> <p>All local authorities are invited to provide:</p> <ul style="list-style-type: none"> • further comments on appendix E [REP3-074], or if already done this, to signpost to the ExA where in the examination library your comments on such matters can be found. In particular, the ExA seeks comments from the local authorities on how they consider each of its requests would meet the relevant policy tests (including regulation 122 of the Community Infrastructure Levy Regulations 2010). <p>The applicant is asked to provide:</p> <ul style="list-style-type: none"> • an update to the table of the requests • a summary of any ongoing agreements with local authorities which are being progressed, with expected time periods for completion • an update to the document ‘Consents and licences required under other legislation’ as necessary to include such other forms of agreement • updates to SoCG with local authorities as necessary to reflect agreement or non-agreement on the need for such agreements 	<p>Details on this are set out in CCC’s LIR REP1 – 153, response to ExQ1 REP3 – 075, with detailed reference contained within CCC’s response to ISH2 hearings, REP4 – 326.</p> <p>CCC outlined its expectations of legal agreements in answer to ExQ1 GEN1.21,</p> <p>The requests are:</p> <ul style="list-style-type: none"> • Biodiversity Net Gain • Tree Replacement Planting Programme • Skills, Training and Supply Chain • Location specific Compensatory Measures including Great and Little Waltham heritage compensation • Community Benefit <p>CCC proposes that these requests should form a bilateral or multi-party S106 agreement or S111 agreement, or other such hybrid agreement known as a Deed of Obligation.</p> <p>The Council considers that section 122(2) of the Community Infrastructure Levy Regulations 2010 and at paragraph 58 of the National Planning Policy Framework are the relevant policy tests, as below:</p> <ul style="list-style-type: none"> • necessary to make the development acceptable in planning terms; • directly related to the development; and • fairly and reasonably related in scale and kind to the development. <p>CCC understands that the Applicant has voluntarily proposed the BNG schedule (thereby necessary). This has been proposed as a Unilateral Undertaking; however, the Host Authorities believe that this should be a multi-party agreement and that approval should be sought and that mechanisms could be introduced in the agreement to avoid over-complication regarding decision-making. Recognising that BNG is not (as yet) a requirement for NSIPs to deliver, CCC considers that at least 10% BNG should be sought if achievable to compensate for the adverse impacts experienced on the environment as a direct result of the construction of the proposed</p>

			<p>development (thereby directly related). The metric of 10% BNG is an established precedent for projects of equal and lesser scale (thereby in scale and kind).</p> <p>The Tree Replacement Planting Programme has been proposed by the Applicant to replace any trees removed at a 3:1 ratio. CCC considers that vegetation removal and tree loss should follow the Mitigation Hierarchy, as identified in EN-1 (avoid, mitigate, compensate). CCC deems that the tree replacement planting programme represents mitigation compensatory measures (thereby necessary). As this schedule relates to replacing trees lost which must be removed if the proposed development is progressed, the Council considers this directly related to the proposed development (thereby directly related). The Council does not yet know how many trees will be removed and how many of those will be veteran trees /or ancient woodland, therefore any costing is subject to this confirmation, however, CCC supports the 3:1 proposal as forwarded by the Applicant with additional consideration for the loss of any veteran trees / ancient woodland to be agreed with the Applicant (thereby in scale and kind).</p> <p>CCC considers that the Applicant should endeavour to sign a legal agreement in regard to location-specific compensatory measures including Great Waltham and Little Waltham. The Council considers that these sensitive locations have experienced significant adverse in-combination and/or cumulative effects and that compensation is the next step of the Mitigation Hierarchy to explore (thereby necessary and directly related).</p> <p>The Council has been engaging with the Applicant to justify its requests and explain the potential opportunities as the Council perceives them. CCC therefore awaits further dialogue with the Applicant to finalise proposals (thereby in scale and kind).</p> <p>Similarly, engagement is ongoing regarding Skills, Training and Supply Chain</p> <p>CCC has previously made its views known regarding the lack of suitable compensation for residents. Similarly appropriate landscape mitigation / compensation remains outstanding.</p>
GEN 2.3	The applicant	<p>Cumulative Assessment – Methodology</p> <p>Environmental Statement (ES) Chapter 17 Cumulative Effects [APP-281] describes the methodology used to assess the significance of potential interproject cumulative effects, with significance criteria set out in Table 17.6. ExQ1 GEN 1.26 sought justification of this assessment methodology and the applicant replied to this [REP3-074]. However, the ExA does not consider the applicant's response to be sufficient and is seeking further clarification on the following points:</p> <ol style="list-style-type: none"> Explain the meaning of 'significant magnification' in Table 17.6 and how it has been applied to determine levels of cumulative effects. Table 17.6 of ES Chapter 17 indicates that only potentially wide-ranging effects could be Major (Significant). Is it possible that localised effects could also be Major (Significant), if the receptor or resource is particularly susceptible to change or highly valued for example? If so, identify any Major (Significant) localised effects. If not, explain why. In your response to ExQ1 GEN1.26 you refer to compliance with the methodology provided in the Scoping Report [APP-296]. The Scoping Report at 5.12 explains how the significance of effect is usually derived (combining the value of the receptor with the magnitude of the impact) but 	<p>CCC consider the localised effects within the Waltham Gap to be major significant. CCC has already extensively commented on this matter, CCC's LIR REP1 – 153, response to ExQ1 REP3 – 075, and response to ISH2 hearings, REP4 – 326.</p>

		<p>states that the cumulative effects assessment does not use this approach. In the absence of this approach explain how the conclusions on whether an inter-project effect is likely to be significant or not have been reached.</p> <p>d) In your response to ExQ1 GEN1.26 you indicate that the assessment undertaken is similar to inter-project cumulative effects assessments undertaken for other linear Nationally Significant Infrastructure Projects (NSIP). Provide specific examples of where this is the case and identify any similarities or differences between the projects and the approach taken. In addition, explain how the number and scale of other nearby projects that have been or are yet to be constructed at certain sites such as the proposed East Anglia Connection Node (EACN) and Tilbury North substations compares with those for other linear projects.</p> <p>e) Provide a table which summarises how best practice guidance has been applied in determining cumulative effects for each environmental topic considered in ES Chapter 17</p>	
<p>GEN 2.4</p>	<p>The applicant All local authorities All IPs listed within the Report on interrelationship with other infrastructure projects</p>	<p>Report on interrelationship with other infrastructure projects</p> <p>The ExA notes that the latest cut-off date for other existing and approved developments in the cumulative assessment is currently 31 January 2026 (Environmental Statement (ES) Chapter 17 - Cumulative Effects - Response Update [REP4-163], see also question GEN 2.5 below). However, the final version of the interrelationship report [REP4-296] should include, as far as possible, the most up-to-date position relating to the progress of other approved and pending development proposals in a summary 'at a glance' document.</p> <p>The applicant is asked to:</p> <ul style="list-style-type: none"> ensure its final interrelationship report to be submitted at deadline 7 is consistent with ES chapter 17 and [REP4-163] include an indication of the location of Tasway Energy Park (DCO 17) in table 2.1 of the next version of the report (the ExA notes that this proposal is not included in the plans due to the infancy of its design development) and, if available, an indication of its submission date to the Planning Inspectorate. <p>All local authorities, and IPs who are listed in the interrelationship report, are asked to:</p> <ul style="list-style-type: none"> Review the interrelationship report [REP4-296] and confirm if the updated position on approved and proposed developments is, to the best of your knowledge, accurate and to provide any further comments if you wish. 	<p>CCC has reviewed the inter-relationship list. CCC's comments within ExQ1 – REP3 – 075 remain, apart from the following observations:</p> <ul style="list-style-type: none"> CH3 • Strategic Growth Site North Of Woodhouse Lane Broomfield Chelmsford Essex. CCC notes there was a typo in CCC's response on the application reference. It is 20/02064/OUT not 00/02064/OUT: 20/00264/DOC/1 – Condition 5 – Phasing plan received. Under consideration. Application 26/00164/REM: - Amended plans have been received and the application remains under consideration. CH22 • 24/00695/FUL Land South East Of Banters Lane Business Park Banters Lane Great Leighs Chelmsford: Amended plans have been received, and the application remains under consideration. CH24 • 23/01751/OUT Zone 2 Chelmsford Garden Community Beaulieu Parkway Chelmsford: Amended plans have been received, and the application remains under consideration. CH26 • 23/00124/OUT Zone 3 Chelmsford Garden Community Beaulieu Parkway Chelmsford Application for Hybrid planning permission at Powers Farm, Chelmsford; The application was considered at Planning Committee on 26th May 2026 where it was agreed to extend the period for completing the Planning Framework Agreement, the CIL reinvestment Funding Agreement and the S106 Agreement by a further four months to allow Officers time to negotiate, settle and complete the agreements. <p>NSIP Longfield Solar Farm (EN010118) 3.2.21 The submission and discharge of requirements remain ongoing.</p>

			<p>On non NSIP projects 3.3.30 Essex County Council - Chelmsford North East Bypass - Land North East of Greater Beaulieu Park Beaulieu Parkway Chelmsford (CH17 & ECC11), CCC defers to Essex County Council.</p>
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DES Design, parameters and other details of the proposed development

DES 2.4	The applicant	<p>Design of temporary works and compounds</p> <p>Outline how the design of construction compounds will be controlled, particularly given the length of time that construction works will be ongoing. Are there any controls proposed on the height and stacking of site cabins and their colour, or on-site fencing for instance?</p>	<p>CCC would request that colours are limited to neutrals - grey / dark green or black. Portacabins should not be stacked higher than two storeys.</p>
DES 2.5	The applicant All local authorities	<p>Approach to scenarios</p> <p>The ExA notes the updates to the progress of a number of alternative design scenarios as noted in [REP4-310], and that a number of revised plans and documents are expected to be submitted at deadline 5, however it remains unclear when a number of the other alternative scenarios are likely to be confirmed for a number of reasons, including the progress of third party planning applications.</p> <ul style="list-style-type: none"> The applicant is asked to ensure that by deadline 7 those outstanding alternative scenarios which remain are fully reasoned and timescales given wherever possible for such matters to be resolved. The local authorities are asked to review the Approach to Scenarios document [REP4-310], clarify their understanding of the scenarios which are reliant on third party planning applications, and to make other comments on the document where relevant to their area. 	<p>There are three design scenarios relevant to CCC. These are:</p> <p>Scenario one: Table 2.6. Lions Hall Minerals Site east of the A131 and to the west of Lyonshall Wood Ancient Woodland (Section F)</p>  <p>The Limits of Deviation (LoD) and Order Limits have been widened between TB128 and TB133 to allow flexibility to change the alignment to reduce effects on the Lions Hall Minerals Site. Scenario B would realign the overhead line to route southwards from TB128 midway down the</p>

west side of Lyonshall Wood before turning to the southwest to reconnect at TB133. By doing so, this reduces the sterilisation of the mineral extraction area.

The Applicant proposes that the change to scenario B is taken forward.

As stated in its LIR, CCC is concerned that the siting of the scenario B, would bring the proposal closer to the west side of Lyonshall Wood. In the absence of details plans and drawings, it is unclear whether the Applicant will be able to comply with the 15 metre buffer zones, required to protect woodland from development.

Further, the siting of the woodland in such close proximity to the pylons, may lead to further harm to woodland as a result of pressure to prune, fell, maintain or destroy trees, woodland and hedgerow that may affect the day to day operation of the pylons. This could include matters not limited to leaf detritus, obscure branches and other such matters.

As a consequence of moving the pylons closer to the woodland, residual and harmful impacts could occur upon ecology as a result of a loss of / damage to habitat.

CCC therefore requests that scenario B is **not** taken forward.

Scenario two: Table 2.7 Chelmsford Bypass east of the A131 and to the west of Lyonshall Wood Ancient Woodland (Section F) (image/ access as above)

The Order Limits have been widened to facilitate an alternative haul road off the proposed Chelmsford Bypass new roundabout, should the Chelmsford Bypass progress, which would sever the currently proposed construction haul road that follows the overhead line alignment.

CCC defers to ECC Highways Authority regarding the practicality of this.

Scenario three: Table 2.19 The Walthams and Standard Heights to the south of the River Chelmer (Section F)



			<p>Scenario B proposes replacing low height pylons between TB140 – TB142 with standard pylons and one pylon removed. The Applicants preference for Scenario B as it moves pylon away from residential property where the change back to standard height pylons does not change the wider heritage assessment, including on Langleys Grade I listing building or the Grade II registered park and garden. Responds to feedback regarding close views from the former Windmill Pub. The Application documents will be submitted at Deadline 5.</p> <p>The proposed amendment to the south of Great Waltham indicates that TB141 could be omitted and TB140 and TB142 would move closer together and revert to full height (c.50m high) with the alignment of TB140-TB136 moving to the northwest.</p> <p>CCC identifies significant harms to designated heritage assets including Langleys Registered Park and Garden, Little and Great Waltham Conservation Areas, grade II listed buildings on Chelmsford Road. the grade II Balls Farmhouse and the grade I Church of St Mary and St Lawrence Great Waltham (as set out in Chelmsford City Councils Local Impact Report), as well as low levels of harm to other designated heritage assets in Great Waltham and Little Waltham. There are also significant harms to non-designated heritage assets (again, as set out in CCC’s Local Impact Report).</p> <p>The amendment would result a reduction in harm to the setting of Windmill House, by moving the pylons away, reducing the level harm from high to moderate, for a non-designated heritage asset of local value.</p> <p>However, all other harms would be within the ranges identified. The amendment therefore fails to notably reduce the heritage harms and address CCC’s concerns. The points raised in the City Councils Local Impact Report remain - that harm to designated and non-designated heritage assets is underestimated, and the mitigation proposed is inadequate.</p>
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BIO Biodiversity, ecology and natural environment

<p>BIO 2.1</p>	<p>The applicant All local authorities Norfolk Wildlife Trust Suffolk Wildlife Trust Essex Wildlife Trust</p>	<p>Assessment of biodiversity deficit In response to ExQ1 BIO 1.4 the applicant has stated that replacement planting and habitat creation is identified as embedded/ standard mitigation within the outline Landscape and Ecological Management Plan (outline LEMP). The applicant considers that with this in place there would be no ‘biodiversity deficit’.</p> <p>To applicant: However, the ExA notes that as indicated in image 4.1 of ES Chapter 4 [APP-130] the overall construction programme, for example, for the Dedham Vale National Landscape the enabling works through to the initial energisation would take almost 4 years. Using this as an example and noting that up to a 120 metre (m) swathe of vegetation would need to be removed for the proposed underground cabling (and with a further 50m either side being “potentially affected”) set out the worst-case scenario in time period from vegetation being removed to when you consider the replanted vegetation would reach a similar degree of maturity. Also, the applicant is requested to further explain its statement in response to BIO 1.4 that ES Chapter 8 [AS026] has taken into account any short term temporary effects on ecological receptors –</p>	<p>Ecology</p> <p>There is a persistent assumption throughout the ES Chapter 8 that the planned reinstatement of impacted habitats will lead to an inevitable long-term negligible effect – both for the habitats and the species associated with them. Two problems with that assumption are:</p> <ol style="list-style-type: none"> 1. It assumes that there will always be successful habitat reinstatement to an equivalent (or better) type and condition of habitat. New vegetation planting, be it trees, shrubs or grass mix, can have problems and setbacks. The 5-year management period proposed for the vegetation reinstatement efforts does not leave much scope for any failures that would need correction and care to assure safe establishment. 2. The impact assessments within the ES Chapter 8 are not transparent with respect to predicted residual impacts in the short and medium term. The ES Chapter 8, Table 8.23 (the Residual Effect column), does not ever clarify how long it is predicted to take for the magnitude of impact to degrade to a negligible level for the affected receptors. It could be interpreted from Table 8.23 that the application of mitigation will ultimately bring about a
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		<p>explain this with worked through examples, such as for hedgerow species and also for bats, to demonstrate how impacts on biodiversity have been assessed for this intervening period.</p> <p>To all local authorities and Wildlife Trusts: Set out your views on the potential for there to be biodiversity deficit and whether you consider this has been properly assessed in ES Chapter 8 and mitigated for by the applicant. Explain any outstanding concerns and what (if any) additional measures you would wish to see the applicant implement.</p>	<p>neutral outcome but miss recognising that there is a necessary period of recovery time which may be measurable in years. Providing transparency about the short – medium term impacts predictable for receptor species displaced from or otherwise denied previous resources, would enable a more inference-based examination of those assessments. That further clarity of argument would enable reviewers of the ES Chapter 8 to more informatively judge whether or not certain long-term impact assessments do seem reasonable to assess as neutral</p> <p>Green Infrastructure</p> <p>Advice has been provided from the Green Infrastructure team at ECC who support the concerns set out above and add the following.</p> <p>Insufficient regard has been given to the temporal gap between habitat loss recovery and reinstatement, particularly in relation to ecological function and species use of habitats. While mitigation may deliver comparable habitats in the long term, the ES does not adequately assess the short- to medium-term deficit arising during establishment.</p> <p>In practice, habitats such as hedgerows and tree lines are unlikely to provide equivalent ecological function (e.g. for commuting bats, nesting birds, and invertebrates) for a number of years, and in some cases decades. The ES does not clearly demonstrate how these interim effects on ecological receptors have been assessed or how significance has been attributed over this period.</p> <p>It is reasonable to expect a minimum of 10+ years before hedgerows and tree lines begin to provide comparable structure and connectivity, with longer timescales required to reach mature condition.</p> <p>The linear and extensive nature of the works increases the likelihood of cumulative temporary disruption to habitat connectivity, particularly in sensitive landscapes. For example, the loss of linear features may fragment bat commuting routes and reduce foraging opportunities over multiple seasons; the ES does not clearly assess these interim effects or their significance. More widely, species reliant on habitat continuity may experience displacement, reduced resources, and increased predation during recovery.</p> <p>It is considered that a short- to medium-term biodiversity deficit is likely, and that this has not been fully or transparently assessed within ES Chapter 8. Further clarity is required on recovery timescales, interim impacts on species, and measures to reduce temporal losses such as advanced planting, retention of key features where feasible, and longer-term management commitments. The proposed mitigation and management approach does not fully address the duration or extent of these interim effects.</p> <p>While long-term reinstatement may reduce impacts, the current assessment does not fully demonstrate that a biodiversity deficit would be avoided over the lifetime of the project when temporal effects are taken into account.</p>
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BIO 2.8	All local authorities	<p>Monitoring the effects on birds</p> <p>In response to ExQ1 BIO 1.13 regarding the use of bird diverters the applicant in [REP3-074] states that ES Chapter 8 [AS-026] and the Habitat</p>	<p>The submitted ES Chapter 8 has considered the issue with appropriate survey effort and reasonably concluded a negligible risk to the effect on birds. CCC does not disagree with the NG/Arcadis assessment or their conclusions.</p>
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<p>Norfolk Wildlife Trust Suffolk Wildlife Trust</p>	<p>Regulations Assessment (HRA) Report [APP-082] predict no significant adverse effects on birds during operation of the proposed development either with</p>	
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DCO Draft Development Consent Order

<p>DCO 2.G2</p>	<p>All local authorities</p>	<p>DCO General 2 In light of the applicant’s response to ExQ1 [REP3-074], question SET 1.5, and the Secretary of State’s decision letter for The North Falls Offshore Wind Farm Project dated 14 May 2026, especially paragraphs 4.192 to 4.194 (inclusive), do you have any further comment in regard to the use of the term “where practicable” or any variant of that term.</p>	<p>CCC considers that the Applicant relies on a definition of “where practicable” accepted in the Sizewell C examination: that the action “should be done unless the degree of risk in a particular situation cannot be balanced against the time, trouble, cost and physical difficulty of taking measures to avoid the risk”, and that “it would only be acceptable not to take the relevant step if there would not be a significant impact as a result, and therefore the risk would be low”.</p> <p>Taken at face value, that test would require, before each departure from a mitigation measure, an evidenced balancing exercise tied to the risk of a significant impact, and a record of that exercise. Nothing in the draft Development Consent Order (dDCO) or in the Outline Code of Construction Practice (OCoCP) secures any such balancing exercise, evidences it, or makes it auditable.</p> <p>If the Applicant therefore wishes to rely on the Sizewell C definition, then the Sizewell C definition needs to be (a) written into Article 2 of the dDCO as a defined term, and (b) accompanied by an enforceable procedural mechanism that delivers what the definition promises.</p> <p>The Applicant's explanations show that “where practicable” is doing different work in different places, which is itself the problem. Within the same response, “where practicable” is variously said to mean:</p> <ol style="list-style-type: none"> a. “it may not be physically possible” (a technical-impossibility test); b. “we will look at whether it is appropriate or feasible” (an Applicant-judged discretion); c. “the landowner may have requirements/ask for something unreasonable” (a third party-driven exception); d. “key aspect is H&S” (a safety override); e. “detailed design has not occurred and therefore specific plant has not been identified” (an information-deficit point that should be resolved before discharge, not preserved as a permanent discretion); and f. “Project critical activities needing to take place” (a programme-priority override). <p>If a single phrase is being asked to carry six different meanings, it is by definition imprecise. Instead, a more precise phrase is needed for each situation.</p> <p>The Applicant's repeated formula “the rest of the paragraph explains what will happen if this is not possible” undermines the need for the phrase. If the surrounding text already specifies what happens when the measure is not possible, then either (i) “where practicable” is redundant (because the consequence is already secured) and should be deleted, leaving the measure as an unqualified obligation with a defined fallback, or (ii) “where practicable” is doing extra work over and above the specified fallback, in which case the Applicant should explain what that work is, and the Local Planning Authority (LPA) should have a role in policing it.</p>
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			CCC consider the Applicant cannot have it both ways.
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Schedules	
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DCO 2.S3	The applicant All local authorities	<p>Schedules 3, Requirement 4 (Construction Management Plans) 1 <u>Complaints procedure under the Outline CoCP secured by Requirement 4</u> Thurrock Council in its deadline 4 submission [REP4-339], as well as a number of other County/ Local Authorities raises concerns in regard to the complaints management process. It considers the current complaints management process, as detailed in the updated outline CoCP [REP3-025] to be "...too basic." It highlights that although it includes contact details and requires complaints to be logged, it is lacking in significant areas. These include, but are not limited to defined response times; defined escalation procedures, requirements related to ongoing communication with complainants; identifying persons/parties with clear responsibility for resolving issues; and transparency through shared recording with the local authorities.</p> <p>The ExA requests:</p> <p>i) the applicant addresses these concerns raised and updates the complaints management process by incorporating them into a revised/updated complaints management process.</p> <p>The local authorities are to provide draft wording for a complaints management process it/they would be satisfied with.</p>	<p>CCC defers to Thurrock Council regarding the wording of the complaints management process.</p> <p>It is understood Thurrock Council has been provided with the relevant assurances and do not consider it necessary to provide any draft wording for the contents of a Complaints Process Plan at this time.</p>
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DCO 2.S6	The applicant All local authorities	<p>Schedules 3, Requirement 4 (Construction Management Plan) 4 <u>Noise and Vibration</u> Thurrock Council in its deadline 4 submission [REP4-347], along with other County/ Local Authorities, raises concerns in regard to the applicant's approach to noise and vibration monitoring, alleging it is not sufficiently developed and there is no clear or structured strategy for dealing with such matters. The Council highlights: there is no commitment to routine monitoring; no use of simple baseline checks like listening tests; no clear triggers for more detailed monitoring; and no defined thresholds for action or reporting requirements.</p> <p>The ExA requests the applicant to address these concerns raised and updates the outline CoCP to set out a clear and structured strategy regarding noise and vibration monitoring and complaints procedure.</p> <p>Local authorities are asked to collaborate and provide and agreed draft wording for the outline CoCP to set out a clear and structured strategy regarding noise and vibration monitoring and complaints procedure.</p>	<p>The revised Noise and Vibration Management Plan (NVMP) includes a more detailed monitoring procedure; however, routine noise monitoring is still not proposed. Monitoring is only identified in response to complaints or where specific requirements are secured through a Section 61 consent. Given the scale and duration of the proposed works, CCC considers that a proactive monitoring strategy is necessary in addition to any complaint-led monitoring.</p> <p>Further clarification is also required regarding the circumstances and types of activities for which Section 61 prior consent applications are anticipated, as this is currently unclear.</p> <p>The general monitoring methodology is broadly acceptable. However, Section 4.6.7 states: <i>"If the location is free-field, then the levels will be corrected to façade by the addition of 3 dB."</i></p> <p>This appears to be incorrect. Free-field measurements would not normally require correction where the intention is to report free-field noise levels.</p> <p>CCC considers that routine noise monitoring should be undertaken throughout key construction phases.</p>
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			<p>As a minimum, a permanent monitoring location should be established within the construction site boundary and, where reasonably practicable, at the nearest representative noise-sensitive receptor(s). Whilst CCC recognises that installation at a receptor may not always be possible due to access, security or ownership constraints, alternative arrangements should be agreed with the relevant local authority.</p> <p>The use of both on-site and receptor-based monitoring would assist in identifying whether elevated noise levels are attributable to construction activities associated with the Project or arise from other external sources, such as road traffic or unrelated industrial activities.</p> <p>Monitoring should be undertaken and managed by a suitably qualified and competent acoustic specialist. The outline CoCP/NVMP should also specify:</p> <ul style="list-style-type: none"> • the proposed monitoring locations; • trigger levels for further investigation; • corrective actions to be implemented where exceedances are identified; and • reporting arrangements to the relevant local authority. <p>All monitoring data, exceedances, investigations, complaints, and corrective actions should be recorded and retained in an auditable log. Records should be made available to the relevant local authority upon request and periodic monitoring reports should be provided at an agreed frequency throughout the construction period.</p>
<p>DCO 2.S10</p>	<p>The applicant All local authorities</p>	<p>Schedules 3, Requirement 7 (Construction Hours)</p> <p>The local authorities are maintaining their concerns in regard to this requirement, especially in terms of 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.</p> <p>The ExA notes the applicant’s extensive response to ExQ1 [REP3-074] at question DCO 1.S10, especially at pages 210 and 211, where it states in relation to just removing Sundays or bank holidays/ other public holidays “Should these scenarios be modelled, it is anticipated that the energisation date on the baseline construction programme would remain largely unchanged.”</p> <p>The ExA has noted all the justifications put forward by the applicant, as well as the applicant’s final sentence in this question where it states “...removal of Sundays and/or bank holidays and public holidays from the core working hours would not represent a neutral change; rather, it would reduce flexibility and introduce unnecessary risk on the timely delivery of the project.” The applicant is asked to model the scenarios of removing:</p> <ol style="list-style-type: none"> a) just Sundays b) just bank and other public holidays c) Sundays and bank and other public holidays <p>and then confirm whether the energisation date on the baseline construction programme would remain largely unchanged in relation to each of those scenarios.</p> <p>The ExA asks the local authorities to collaborate and provide a single form of wording for this requirement that they consider to be a reasonable compromise that collectively satisfies the concerns being raised in regard to this requirement, so this can assist in informing a discussion at ISH3 into the draft DCO. The</p>	<p>CCC maintains its position that the proposed construction hours are overly extensive and do not provide sufficient respite for local residents and communities and any other sensitive receptors, particularly in relation to weekend and extended working.</p> <p>The proposed hours; including working on Sundays, Bank Holidays and extended Saturday periods, combined with start-up and close-down activities outside core periods, would materially increase the duration and intensity of disturbance experienced by residents. In the absence of clear and robust evidence demonstrating that noise effects outside standard construction hours would not give rise to significant adverse impacts, works including piling and deliveries should be restricted to CCC’s “normal” construction hours of (08:00–18:00 Monday to Friday, 08:00–13:00 on Saturdays, with no working on Sundays or Bank Holidays).</p> <p>These hours reflect established good practice in balancing construction activity with the protection of residential amenity and align with the application of the ABC assessment methodology. In this context, CCC considers that the position put forward represents a reasonable and proportionate approach, particularly given that more restrictive hours are often applied to other forms of development.</p> <p>BS 5228-1 identifies increased sensitivity during evenings, weekends and other non-standard working periods, which is consistent with wider health-based guidance, including that published by the World Health Organisation, emphasising the importance of reduced noise exposure during periods of rest and recuperation. CCC considers that the proposed extension of working into these more sensitive periods would be likely to increase the risk of significant adverse effects, particularly where reliance is placed on Best Practicable Means, which are not fixed or guaranteed at the DCO stage.</p>

		<p>wording submitted should include, but not be limited to, the core construction hours specified, start and close down activities and the operations that may take place outside of those core working hours.</p>	<p>The Council also notes an inconsistency within the Applicant's justification. It is stated that the removal of Sunday and Bank Holiday working would be unlikely to materially affect the energisation date, whilst also suggesting that such restrictions would introduce a risk to delivery. In the absence of clear, quantified and robust evidence to support extended working hours, the Council considers that a precautionary approach should be adopted.</p> <p>CCC has reviewed the justification for extended construction hours in the Bramford to Twinstead DCO and notes that the acceptance of Sunday and Bank Holiday working in that instance was based on clear and specific evidence demonstrating that such working formed a necessary part of the critical path for delivery of the project. The Examining Authority identified that certain construction activities were sequential and could not reasonably be interrupted, and that removing Sunday working would result in measurable delays to the programme, with implications for network delivery and compliance requirements.</p> <p>CCC does not consider that a comparable justification has been provided for the Norwich to Tilbury project. Unlike Bramford to Twinstead, there is no clear evidence that extended working is necessary to avoid material delay, nor has the Applicant quantified the programme consequences of restricting working hours. As such, CCC considers that the approach taken in the Bramford to Twinstead DCO should be regarded as project-specific, reflecting particular construction and programme constraints, rather than establishing a general precedent for extended working hours.</p> <p>CCC considers that construction hours should align with its current construction hours, or as a minimum, the standard BS 5228-1 working periods, with any departures from these hours subject to prior approval and supported by a robust, site-specific noise assessment demonstrating that relevant thresholds would not be exceeded at sensitive receptors. This would provide an appropriate and proportionate balance between project delivery and the protection of residential amenity.</p> <p>In light of the above, CCC would suggest the following wording:</p> <p><i>Construction hours</i></p> <p><i>(1) Subject to sub-paragraphs (2) - (5) work may only take place between the hours of 07.00 and 19.00 Monday to Friday and 08.00 and 13.00 on Saturdays, and may not occur on Sundays, bank holidays and other public holidays (the core working hours), unless otherwise approved by the relevant planning authority</i></p> <p><i>(2) No piling operations may take place outside of the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturday with no piling operations taking place on Sunday and Bank Holidays.</i></p> <p><i>(3) Subject to sub-paragraph (5), unless otherwise agreed with the local highway authority, no HGV deliveries may be made to site outside of the hours of 07:00 to 19:00 Monday to Friday and 08:00 to 13:00 on Saturdays.</i></p> <p><i>(4) The following operations may take place outside the core working hours—</i></p> <p><i>(a) trenchless crossing operations including at landfalls and beneath highways, railway lines, woodlands, nature reserves, Sites of Special Scientific Interest or watercourses;</i></p> <p><i>(b) the installation and removal of conductors, pilot wires and associated protective netting across highways, railway lines or watercourses;</i></p> <p><i>(c) the jointing of underground cables excluding cable cutting;</i></p>
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			<p>(d) the continuation of any work activity commenced during the core working hours to a point where they can securely and or safely be paused;</p> <p>(e) any highway works requested by the highway authority to be undertaken on a Saturday or Sunday or outside the core working hours;</p> <p>(f) the testing or commissioning of any electrical plant installed as part of the authorised development including undertaking of any identified corrective activities;</p> <p>(g) the completion of works delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities that the undertaker and its contractor agree forms the critical path for the accepted construction programme. In such cases, the undertaker must, as soon as practicable, notify the relevant planning authority of the disruption or interruption and explain why that work could not be completed within the core working hours referred to in sub-paragraph (1);</p> <p>(h) activity necessary in the instance of an emergency where there is a risk to persons or property;</p> <p>(i) security monitoring;</p> <p>(j) non-intrusive surveys;</p> <p>(k) intrusive surveys;</p> <p>(l) oil processing of transformers or reactors in substation sites;</p> <p>(m) delivery to the transmission works of abnormal loads and any highway works requested by the highway authority to be undertaken outside the core working hours; and</p> <p>(n) mechanical and electrical installation works within buildings once erected and enclosed</p> <p>(5) Works outside core working hours are subject to a 50dBA noise limit will apply at the nearest noise-sensitive receptors for start-up and close down activities up to one hour either side of the core working hours.</p> <p>(6) The core working hours exclude:</p> <p>(a) start up and close down activities up to 1 hour either side of the core working hours</p> <p>(b) administrative and clerical activities up to 1 hours either side of the core working hours.</p> <p>(7) The severe weather conditions referred to in sub-paragraph 3(g) means any weather which prevents work from taking place during the core working hours referred to in sub-paragraph (1) by reason of physical incapacity (whether for reasons of visibility, ground conditions, power availability, site access or otherwise) or being contrary to safe working practices.</p> <p>Start UP / Close Down</p> <p>start-up and close down activities" means general works that will not create an audible disturbance to local residents including but not restricted to—</p> <p>(a) arrival and departure of workforce and staff at site and movement to and from places of work;</p> <p>(b) general refuelling of plant;</p> <p>(c) site inspections and safety checks;</p> <p>(d) site meetings inspections and walkovers;</p> <p>(e) site clean-up (site housekeeping that does not require the use of plant);</p> <p>(f) general site maintenance; and</p> <p>(g) low key maintenance and safety checking of plant and machinery.</p>
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<p>DCO 2.S11</p>	<p>All local authorities</p>	<p>Schedule 3 – Requirements 8 (Retention and removal of trees, woodland and hedgerows)</p> <p>The ExA asked in ExQ1 DCO 1.S12 [PD-014] why arboricultural protection measures, such as arboricultural method statements, tree protection plans and root protection areas are not clearly defined and being secured prior to construction as part of this requirement.</p> <p>The applicant responded [REP3-074] “...The submission of an Arboricultural Method Statement is secured through the outline LEMP and requirement 4 of the draft DCO. The outline LEMP states ‘All construction elements likely to impact on retained trees will be addressed within an Arboricultural Method Statement to be produced following detailed design and agreed with the relevant Local Planning Authorities prior to construction activity commencing. The Arboricultural Method Statement will include protection measures including tree protection fencing, as discussed in Section 7.3. and illustrated in a Tree Protection Plan’. Therefore, whilst the Arboricultural Method Statement is not secured through requirement 8, it is secured through requirement 4 and full details will be provided within the final LEMP(s) prior to the stage of works commencing.”</p> <p>The ExA seeks comments from the local authorities on the applicant’s reply or, if you have already responded to this matter, signpost where you have provided a response on this matter.</p>	<p>CCC’s full response to the quality of the arboricultural information supplied is set out within its LIR REP1-153, response to ExQ3 REP3– 075, with detailed reference contained within CCC’s response to ISH2 hearings, REP4 – 326.</p> <p>CCC consider the level of information to be inadequate.</p> <p>It is unclear how the Arboricultural Method Statements would sit within the Landscape and Ecological Management Plan (LEMP). It is presumed these would be attached as an appendix.</p> <p>The nature of Arboricultural Method Statements (AMS) is that they would likely be multi-faceted site specific documents containing bespoke information relating to trees. Given the nature of the construction and the phased time frames for implementing the Project, it is likely that individual AMS’s would need to be submitted over an extensive and rolling period requiring numerous requirement submissions.</p> <p>Given the LEMP is a multifaceted, multi-appended document, from CCC’s experience of discharging other NSIP requirements, it is expected that there would be numerous and extensive approaches to part discharge requirement 4.</p> <p>From a practical and procedure perspective, CCC consider that this process would be extremely challenging and complicated, particularly with regard to the monitoring and discharge of the requirement.</p> <p>For simplicity, CCC would request that it would be more straightforward to discharge the AMS under requirement 8.</p>
<p>DCO 2.S12</p>	<p>All local authorities The applicant</p>	<p>Schedule 3 – Requirements 13 (Decommissioning)</p> <p>Braintree DC, in its response to ISH2 Action Points [REP4-323], considers the DCO should include ‘...a clear obligation on the undertaker... to remove any equipment or infrastructure that becomes obsolete, in order to avoid unnecessary long-term impacts on landscape, heritage and residential amenity.”</p> <p>The ExA would seek clarification from Braintree DC or any local authority:</p> <p>i) how the relevant planning authority would determine equipment/ infrastructure has become obsolete; ii) whether the removal of such equipment/ infrastructure should be within a specified/ fixed period of time from it becoming obsolete, for example 6 months; and iii) whether some form of control over the decommissioning of such obsolete equipment/ infrastructure, such as a written scheme of decommissioning to be submitted to the relevant planning authority for its approval, should be included within the requirement.</p> <p>The ExA also asks the applicant to comment on this matter.</p>	<p>CCC has reviewed Requirement 13 (Decommissioning) and considers that the current drafting does not provide sufficient certainty that obsolete infrastructure will be removed in a timely or consistent manner.</p> <ul style="list-style-type: none"> i) CCC does not consider that it would be appropriate or practicable for the relevant planning authority to determine when equipment or infrastructure has become operationally obsolete. This is a matter which sits entirely within the control and knowledge of the undertaker. The responsibility for identifying obsolete infrastructure should rest with the undertaker and be secured through a clear and enforceable obligation within the DCO. ii) CCC considers that the removal of obsolete equipment should be subject to a defined timeframe, in order to ensure that redundant infrastructure does not give rise to unnecessary long-term impacts on landscape character, heritage assets and residential amenity. A fixed period is considered appropriate, and it is considered that a period of up to 12 months from the point at which the relevant part of the authorised development becomes operational, or from the point at which specific infrastructure becomes obsolete, would be reasonable and consistent with other DCO precedents such as Requirement 13 of Sizewell. iii) CCC considers that the decommissioning of obsolete infrastructure should be controlled through the submission and approval of a written scheme of decommissioning and land restoration. This should include details of the infrastructure to be removed, the timing of removal, restoration measures, and aftercare arrangements. CCC is of the opinion that such a scheme should be

			<p>submitted to the relevant planning authority for approval prior to the commencement of decommissioning works.</p> <p>CCC considers that the current drafting of Requirement 13 is reactive and discretionary, in that it provides a mechanism for decommissioning but does not impose a clear obligation to remove infrastructure which is no longer required. CCC considers that an additional or revised requirement should be included within the DCO to secure the following:</p> <ul style="list-style-type: none"> • A mandatory obligation on the undertaker to identify and remove any pre-existing equipment within the Order Limits which is not required to enable, facilitate or support the authorised development, or any other ongoing operational use by the undertaker; • A requirement for such equipment to be removed within a defined period (for example, within 12 months of completion of the relevant part of the authorised development), in accordance with an approved land restoration scheme; • A mandatory obligation on the undertaker to notify the relevant planning authority as and when any part of the authorised development or associated infrastructure becomes obsolete; and • A requirement for decommissioning and restoration of such obsolete infrastructure to be carried out in accordance with Requirement 13 (or equivalent), following approval of a written scheme. <p>CCC considers it is important that the Applicant clearly identifies, at this stage, any existing undertaker equipment within the Order Limits that is not required as part of the proposed scheme but is intended to remain, together with justification for its retention. This would assist the Examination in understanding the extent of potential residual infrastructure and ensuring that unnecessary impacts are avoided.</p> <p>Without these additional safeguards, there remains a risk that obsolete infrastructure could persist within the landscape for an extended period, contrary to the principles of good design, environmental protection and effective land restoration.</p>
<p>DCO 2.S13</p>	<p>All local authorities</p>	<p>Schedule 4 – (Discharge of Requirements)</p> <p>Schedule 4(3) - Fees</p> <p>The ExA notes the applicant’s responses to ExQ1 [REP3-074], question DCO1.S20 related to fees and asks the local authorities if they wish to raise anything in regard to this matter, especially:</p> <p>a) paragraph 3(1)(a) of Schedule 4 (discharge of requirements) to the Draft DCO already providing for the application fee for the discharge of conditions to be such fee as is prescribed under the relevant regulations and the drafting in paragraph 3(1)(b) providing for an alternative figure or arrangement that would apply in the absence of there being a prescribed fee</p>	<p>CCC disagrees with the Applicant regarding the payment of annual fee increases permitted in the Town and Country Planning (Fees for Applications, Deemed Applications).</p> <p>The Longfield Solar Farm DCO provides this provision, where part 5 of schedule 15 states:</p> <p><i>Fees</i></p> <p><i>5.—(1) Where an application is made to the relevant planning authority for written consent, agreement or approval in respect of a requirement, the fee prescribed under regulation 16(1)(b) of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012(a) (as may be amended or replaced from time to time) is to apply and must be paid to the relevant planning authority for each application.</i></p> <p>As these regulations are amended yearly to reflect fee increases, it follows that the application fee is also increased on a yearly basis.</p>

			<p>It is considered that the approach taken on Longfield is an example of good planning practice and CCC does not consider there is any strong reason for not following this precedent.</p> <p>The current planning fee for the Longfield NSIP requirement is set this year at £309.00, By their nature, planning fees on NSIP requirements are generally low given, covering the Councils administration fees, rather than the technical and professional output required to consider and determine whether the requirement is acceptable within the content of the DCO.</p> <p>Given the low planning fee and wider context of the Applicant's persistent reluctance to provide reasonable and acceptable compensation for the proposal which is set out elsewhere within CCC's LIR and other documents, CCC find extremely disappointing that that the accepted approach to the yearly increase in planning fees is being challenged too. As a minimum fees should cover basic administration costs and uprated in accordance with standard national procedures.</p> <p>The Project is one of the biggest infrastructure projects being considered within planning in England and CCC is perplexed why the Applicant considers it is should not be subject established planning fees and regulations. Technical costing should have been factored into the budgeting and viability assessment for the Project.</p> <p>With regard to the use of the term 'per request' CCC would prefer if requirements were discharged singularly and separately as this makes it easier to process and consider them (see comments relating to DCOS 2 above). The approach is broadly consistent with the approach used on the Longfield Solar Farm DCO where the Applicant generally submits requirements separately for ease of discharge.</p>
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HE Historic environment			
HE 2.2	The applicant	<p>Mitigation hierarchy – Great and Little Waltham</p> <p>The applicant's reasoning towards the mitigation hierarchy is noted in various written and oral submissions. The proposed line between Great and Little Waltham north of the river Chelmer is currently proposed to be constructed with low height pylons. The answer to ExQ1 HE1.4 [REP3-074] states that adverse effects were reduced to a level considered acceptable by the introduction of these pylon types.</p> <p>The applicant is asked to provide justification for the reasoning for not selecting T pylons along this section of the route – what level of adverse effects required or justified the use of low height pylons but not T pylons?</p>	<p>Earlier proposals for full height pylons resulted in a moderate level of less than substantial harm to the setting Langleys grade I listed house. The low height pylons reduce the impact on views from the house and its immediate setting, resulting in a low level of less than substantial harm. A moderate level of harm remains to Langleys grade II Registered Park and Garden. This is common ground between NG and CCC.</p> <p>CCC identify a greater level of harm to Great Waltham and Little Waltham Conservation Areas and other designated and non-designated heritage assets within the vicinity (as identified in CCC's LIR), most notably the grade I listed Church of St Mary and St Lawrence, grade II listed Chatham House, Balls Farm and Lace Cottages and the non-designated WWII defences.</p>

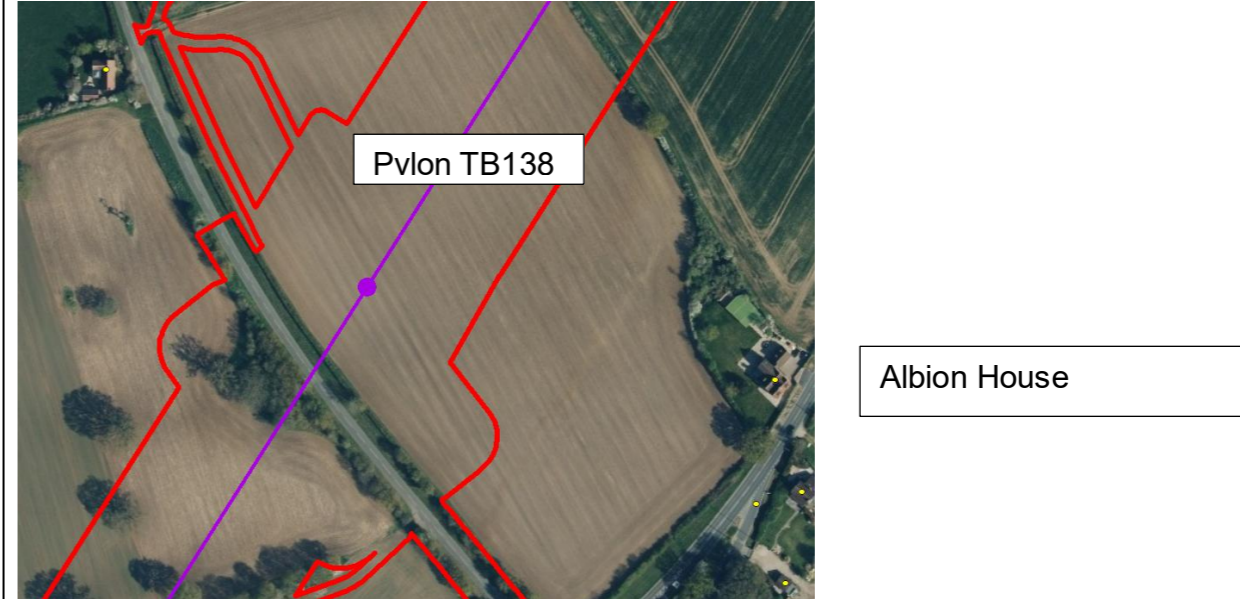
			CCC do not consider the use of T-pylons has been adequately explored by the Applicant. T-pylons have a simple and elegant form, as well as a lower height, which is considered to reduce their impacts. Whilst permanent maintenance tracks are required, overall the impact is still considered to be reduced.
HE 2.3	The applicant	<p>Grouping of heritage assets</p> <p>The applicant's answer to ExQ1 HE1.8 [REP3-074] confirms the approach taken to harm caused to heritage assets and in particular notes the approach taken where the significance of individual assets is informed by its relationship with other assets, using the example of the Roydon Hall complex.</p> <p>Comments regarding the 'density' of heritage assets in the applicant's answers to the Historic Environment Rule 17 letter points 1 and 4 are also noted [REP4-318].</p> <p>The applicant is asked:</p> <p>a) Has any consideration been taken of wider groupings – for instance groups of heritage assets within Ardleigh, Ford Street or Great Waltham?</p> <p>B)Could relationships between assets, whether functional such as the Vicarage and Church in Ardleigh, or locational through shared ages and architectural styles specific to the locality raise the importance of the whole rather above the individual level? If so, how might this be affected by the proposed development?</p>	CCC consider the groups of vernacular buildings in Great Waltham and Little Waltham set within a rural setting have a group value and the harm to their settings is therefore magnified. This is also the case for the non-designated WWII defences at Great Waltham, which are bisected by the proposed route.
HE 2.4	The applicant	<p>Assessments across multiple assets</p> <p>The applicant's answer to point 3 of Historic Environment Rule 17 letter [REP4-318] concerns the setting of heritage assets. Leaving aside the matter of construction, the ExA questions your response in relation to the operation and management phase. While visibility is an important way in which one will experience an asset, intangible elements of setting, which include historic relationships between places and harm that is compounded over a wider historic townscape or landscape area, also require proper assessment. This is referred to in 'The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)' (Historic England, 2017) (GPIP 3) in several instances, such as the mention of "qualitative issues such as the importance of quiet and tranquillity as an attribute of setting, constraints on access such as remoteness or challenging terrain, and the importance of the setting to a local community". The table on p.13 of GPIP 3 also notes possible effects of development as including the change to general character (industrialising) of a setting.</p> <p>While it is acknowledged that these elements will not be relevant to every assessment, there are groups of assets that would benefit from a deeper understanding of historic interconnections, tranquillity and remoteness and industrialisation of the general character.</p> <p>The applicant is asked to provide further detail on how these have been assessed and how this additional assessment might affect the concluded level of harm.</p>	<p>CCC consider the separation between the two historic villages of Great Waltham and Little Waltham is significant and forms part of the setting to the Conservation Areas and groups of designated and non-designated buildings. This rural isolation would be diminished, with a change to the character of the landscape with industrial scale features. As set out within GPIP3 a change to landscape character, skylines, tree cover, land use and management are all relevant.</p> <p>Similarly, the isolated rural setting of other heritage assets will be impacted upon and change how they are experienced as groups (as set out within CCC LIR), including at Goodmans Farm, Stonage Farm, Chatham Hall, Balls Farm, Southwoods Farm, Copfold Hall and St Marys Church Buttsbury.</p>

HE 2.5	The applicant	<p>Vibration</p> <p>The applicant's answer to points 5 and 6 of the Historic Environment Rule 17 letter [REP4-318] provides the regulatory background in terms of British Standards and vibration effects. While noting that BS 5228-2 specifies that buildings of historical value should not be assumed to be more sensitive, vibration effects in this instance have been raised by various IPs, including local councils. Given this, should Commitment H07 in the outline code of construction practice [REP4-164] be widened to specifically include the 33 listed buildings deemed to be subject to a greater than negligible magnitude of impact from vibration without mitigation?</p>	<p>CCC consider that listed buildings and non-designated heritage assets with a greater than negligible impact should be included.</p>
HE 2.13	All local authorities	<p>Updated version of the outline AMS/ outline WSI</p> <p>The ExA is aware that, as referenced by the applicant in [REP4-298] an updated version of the outline AMS/ outline WSI [APP-328] is due to be submitted at deadline 5. However, the applicant has indicated that this updated document would be shared with the local authorities for review at deadline 4. Please provide any initial views (and without prejudice to any formal comments you may wish to make on the submitted version at deadline 6) on the updated version of the outline AMS/ outline WSI that you might have.</p>	<p>ECC archaeology advise that comments on the revised OAMS/OWSI have been provided directly to the Applicant (as requested) to enable them to make the required changes before the document is submitted at deadline 6. The main issues are summarised here:</p> <p>A main point of disagreement is with the sudden inclusion of mitigation areas within the revised OWSI. The agreement of mitigation areas cannot be concluded until full reporting has been completed on all evaluation areas and the full reports reviewed by the local authority. This is not the case for many of the sites that have been listed as requiring mitigation and only interim reports are available to review, this is not sufficient evidence on which to determine mitigation. Details of archaeological mitigation areas should be provided post consent in the Detailed Written Schemes of Investigations and agreed with the local planning authority and Historic England where relevant.</p> <p>It was requested that the areas that remain to be evaluated are clearly illustrated within the OWSI as a figure. Figure 1 includes the locations of completed geophysical survey and archaeological trial trenching along the whole route. Figure 1 was requested to identify the location of the geophysical and archaeological trial trenching areas that need to be completed in order to provide a comprehensive evaluation of the areas where there may be impact on archaeological remains. An indicative trial trench plan should have been included, and it should also indicate areas where geoarchaeological evaluation may be required to complete the geoarchaeological and palaeoenvironmental assessment of the scheme.</p> <p>Previous comments have not been fully addressed on the sections covering geoarchaeological and palaeoenvironmental assessment:</p> <p>5.3.22 Geoarchaeological and palaeoenvironmental assessment. This section fails to make it clear if there is potential for any other areas of the route that have not undergone GI monitoring to have an impact on geoarchaeological or palaeoenvironmental deposits. This will not just be restricted to river valleys. The GI monitoring (Appendix 11.6) covered all river valleys and an area of Tilbury in its assessment.</p> <p>The sections covering geoarchaeological assessment still lack clear understanding of what will actually be carried out as part of the geoarchaeological assessment. A clear statement on what further evaluation will take place is required including evaluation in areas of impact that have not yet been assessed. At present the only method proposed for mitigation of geoarchaeological and palaeoenvironmental remains are boreholes. It is possible that there may be more appropriate mitigation strategies, such as test pits or trenches, specifically in areas where early prehistoric remains may also be present.</p>

HW Health and wellbeing			
HW 2.2	The applicant	<p>Electric and magnetic fields – microshocks</p> <p>ARU Writtle in its submission at deadline 4 [REP4-348] amongst other matters has raised the issue of microshocks and the potential for a requirement to protect their land. The report 7.8 Electric and Magnetic Field Compliance Report [REP3-034] contains reference to microshocks at section 2.9. This includes paragraph 2.9.6 refers to embedded measures have been applied to the design in line with the Code of Practice on Microshocks.</p> <p>The applicant should provide a detailed response to the ARU submission on this matter and also confirm what the embedded measures referred to in 2.9.6 are and how these are secured through the draft DCO.</p>	CCC defers to ARU Writtle College. CCC notes that ARU Writtle College land includes animals / horses that may be sensitive to such matters.
LUS Land use and soils, green infrastructure			
LUS 2.2	The applicant	<p>Green Belt - 1</p> <p>In response to LUS1.10 in [REP3-074] you refer to paragraph 3.9.40 of the Yorkshire Green project report (EN020024) to justify that pylons and lines are engineering works. However, you only quote the first sentence and do not reference the second sentence of that paragraph which goes on to state: “In order to benefit from the exception under NPPF para 150, development must also preserve the openness of the Green Belt and not conflict with its purposes”. Whilst the ExA for that NSIP identified the works as engineering operations, they did not accept that they benefitted from the exception in paragraph 150 of the NPPF, and indeed in subsequent paragraphs concluded there would be harm to openness and the purposes of the greenbelt and that the exclusion did not apply. The local authorities maintain their position that these works would be inappropriate development, whilst you maintain your position that even if concluded that they are inappropriate very special circumstances exist to outweigh any harm.</p> <p>This is a similar position as was arrived at in Yorkshire Green and National Grid in its final position statement, as recorded at paragraph 3.9.39 of Yorkshire Green Report which stated: “(g)iven the parties agree that elements of the development in the Green Belt would be inappropriate, albeit for differing reasons, National Grid is content for the ExA and the Secretary of State to proceed on the basis that all new development forming part of the Project in the Green Belt is inappropriate, without needing to reach any view as to why that is the case”.</p> <p>The applicant is asked whether it is in a position to reach a similar conclusion and provide this to the examination. If not please explain your reasoning.</p>	CCC maintains its position regarding inappropriateness as set out in its LIR, REP1 – 153, response to ExQ1 REP3 – 075, with detailed reference contained within CCC’s response to ISH2 hearings, REP4 – 326.
LUS 2.4	The applicant All local authorities	<p>Green Belt - 3</p> <p>With reference to paragraph 5.11.38 of NPS-EN1 can the applicant and local authorities identify any Local Green Spaces that have been designated in Local Plans that would enjoy the same protection as Green Belt through which the proposed development would pass, and confirm whether these areas should be</p>	The route does not cross through any areas of Local Green Space which benefit from the same protection as Green Belt, as defined in paragraph 5.11.38 of NPS-EN1.

		<p>given the same protection as green belt in the consideration of this application. If not please explain your reasoning.</p>	
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LV Landscape and visual

<p>LV 2.13</p>	<p>The applicant</p>	<p>Residential Visual Amenity Assessment – 2</p> <p>In the updated RVAA [REP4-148] Table A13.4.3, the following properties have been amended as not triggering Stage 4 assessment, although they have been included in the Stage 4 assessment, as per the original RVAA [APP-233].</p> <ul style="list-style-type: none"> • F5 (Albion House) • F13 (Larks Lodge and Annexe) • F32 (Inner Lodge) <p>In addition, F14 (Rievers) has been noted in Table A13.4.3 as not triggering Stage 4 assessment, whereas in the original RVAA [APP-233] it did trigger Stage 4, although it was not taken forward to this stage assessment. Explain these discrepancies and update the document.</p>	<p>CCC requests clarity on this matter.</p> <p>F5 – Albion House</p>  <p>The aerial photograph shows the siting of Albion House in relation to pylon TB138.</p> <p>CCC consider that the pylon (TB138 as shown in purple) would be visible from both ground and upper storey elevations due to its height. As shown on the below photograph, the landscape surrounding Albion House and Chatham Hall bungalow is open, with limited landscape screening, meaning that visibility would be high, with limited filtering from screening. CCC maintains a stage 4 assessment should be undertaken.</p>
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Photograph of open fields to north west of Chatham Hall Lane with Albion House to SE and Chatham Hall to NW, Pylon TB138 would be located centrally within these fields.

CCC disagrees that the Project “would not have such an unpleasant, overwhelming or unavoidable effect on the views that the effect on visual amenity would be unacceptable” and considers that the effects experienced by affected receptors would not be perceived to be acceptable.

F13 – Windmill House



The aerial photograph shows the siting of Windmill House in relation to pylon TB141.

The Applicant has not provided CCC with an accurate GIS file showing the revised placement of pylon TB141.

Although the movement of TB141 is welcomed in principle on amenity grounds, CCC maintain its position that a 45 metre high pylon would be visible from both ground and upper storey elevations due to its height.

As shown on the following photographs, the landscape surrounding Windmill House is open, with limited landscape screening, meaning that visibility would be high, with limited filtering from screening. The pylons would be visible within the streetscene and from views along the CCC Chelmsford Road. CCC maintains a stage 4 assessment should be undertaken.



View South West along Chelmsford Road towards pylon TB141.

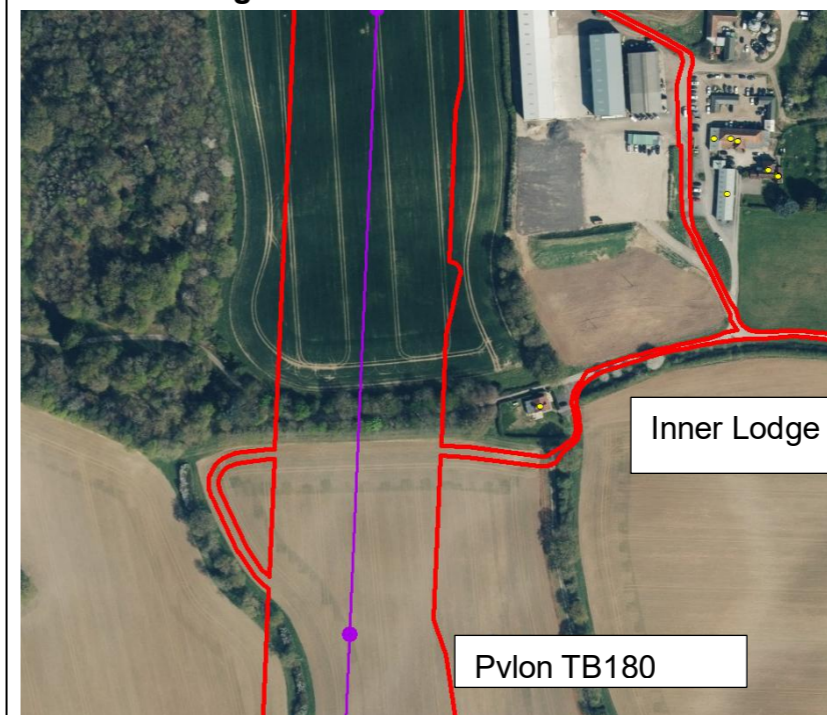


View of open fields south west of Windmill House

CCC disagrees that the Project “would not have such an unpleasant, overwhelming or unavoidable effect on the views that the effect on visual amenity would be unacceptable” and considers that the effects experienced by affected receptors would not be perceived to be acceptable.


The pylons as permanent, motionless industrial features would not be perceived by surrounding receptors to be visually permeable structures, and would be noticeable and prominent in the undeveloped, open views from Windmill House.

F32 Inner Lodge



The aerial photograph shows the siting of Inner Lodge in relation to pylon TB180.

As shown on the following photograph, the landscape is open with fields sloping downhill towards the valley. The fields are open with some bounding by trees and hedges with limited screening to pylon TB180. Open agricultural fields are bounded by trees and hedgerows, with limited landscape screening towards pylon TB180. CCC maintains a stage 4 assessment should be undertaken.

			 <p data-bbox="1620 768 2659 800"><i>View of the entrance to Cophold Hall facing west to river Vally and Inner Lodge</i></p> <p data-bbox="1620 852 2852 999">CCC disagrees that the Project “would not have such an unpleasant, overwhelming or unavoidable effect on the views that the effect on visual amenity would be unacceptable” and considers that the effects experienced by affected receptors would not be perceived to be acceptable.</p> <p data-bbox="1620 1052 2881 1157">The pylons as permanent, motionless industrial features would not be perceived by surrounding receptors to be visually permeable structures, and would be noticeable and prominent in the undeveloped, open views from Inner lodge.</p>
LV 2.14	The applicant	<p data-bbox="468 1171 753 1203">Mitigation hierarchy</p> <p data-bbox="468 1213 1590 1507">The applicant’s response to various first written questions and confirmed at ISH2 considers that low height pylons are a ‘step up’ from the standard lattice pylons in the mitigation hierarchy, despite their price being in the same cost range (ExQ1 HE1.4 [REP3-074]) because of the generally additional consequences of the broader cross-arms of the lower pylons [REP4-302]. Provide further information on the differences between the two types of pylon and what differentiates them in the mitigation hierarchy. A graphical representation of the applicant’s view of the mitigation hierarchy would also be useful in this respect.</p>	<p data-bbox="1620 1171 2881 1350">CCC considers that whilst the low height pylons at the Great Waltham/Little Waltham gap would reduce the impacts on views from Langleys and its immediate setting, the wider stance and heavier structure of the low height pylons means that they have a greater visual presence and therefore have an equal or greater impact in other respects. CCC maintains its position that the mitigation proposed for the Walthams, even with the latest amendment, is inadequate.</p>
LV 2.16	All local authorities	<p data-bbox="468 1560 961 1591">Mitigation and compensation - 1</p> <p data-bbox="468 1602 1590 1738">Point 8.2e [REP4-302] states that the applicant considers it has provided sufficient mitigation and that the residual impacts are vastly and substantially outweighed by the public benefits of the proposed development, and that consequently further compensation for landscape and visual effects would be disproportionate.</p> <p data-bbox="468 1749 1590 1843">The local authorities, particularly Suffolk County Council, are asked to provide views on this statement, referring to the Bramford to Twinstead examination report where relevant.</p> <p data-bbox="468 1854 1080 1885">Any other IP may also respond if they wish.</p>	<p data-bbox="1620 1560 2881 1633">CCC refers to LIR REP1 – 153, response to ExQ1 REP 3 – 075 and response to ISH2 hearings, REP4 – 326.and respectively disagrees with the Applicants position.</p> <p data-bbox="1620 1686 2881 1957">While acknowledging the Bramford to Twinstead examination report, CCC would refer to the 2024 version of NPS EN-1, which is the version against which this project falls to be assessed, which makes clear that Applicants for CNP infrastructure should “demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated” and that they should “set out how residual impacts will be compensated for as far as possible” (para 4.2.11-12). That is reinforced by paragraph 4.3.4 which again requires the Applicant to “show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for”. The same points are reiterated in paragraph 2.1.6 of EN-5. It is considered therefore that</p>

			<p>compensation is an inherent part of the mitigation hierarchy which needs to be applied to the Project.</p> <p>CCC acknowledges that paragraph 4.2.25 of the 2025 version of EN-1 (which is a material consideration) states that “compensation, by definition, does not reduce an adverse effect resulting from a development”, but it does still go on to confirm that “applicants should set out how residual impacts will be compensated for as far as possible”, so there is no significant shift from the position under the 2024 version of EN-1.</p> <p>It is accepted that the presence of the Projects overhead powerlines cannot be fully mitigated, and there will be a residual impact (which will fall to be weighed in the overall planning balance against the public benefits of the project). However, as set out in CCC’s Local Impact Report [REP1-153], a case exists for a strategic landscape compensation package to offset harm as far as possible in line with the mitigation hierarchy consistent with NPS-EN1.</p> <p>To this end, the Essex authorities, led by ECC, have been in discussion with the Applicant looking at ways in which this landscape and visual compensation could be linked to the adopted Local Nature Recovery Strategy and delivered at a strategic level in addition to any replacement or mitigation planting. This approach is the subject of ongoing discussions with the Applicant and progress will be reflected in the Council’s Statement of Common Ground</p> <p>CCC notes that on other proposals that have more acceptable impacts such as the Longfield Solar Farm DCO, compensation has been provided in the form of a Skills and Benefit Fund and wider Community Fund, both of which have been secured by an appropriate S106 Agreement, with additional compensatory landscaping and screening provided as standard.</p> <p>In planning terms, the Norwich to Tilbury Project is significantly more harmful than the Longfield Solar Farm proposal. Compensation was provided in line with Government guidance and effects fully mitigated.</p> <p>The Applicant states that there “can be no necessary requirement for full compensation of all inevitable residual harms and impacts. “. Whilst CCC would welcome full compensation of all residual harms and impacts, CCC observes that the ‘compensation’ offered is very little to non-existent across the Project.</p>
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NV Noise and vibration

<p>NV 2.2</p>	<p>The applicant</p>	<p>Noise & Vibration 2 Explain how you have reached your conclusions, as set out in ES Chapter 14 (Noise and Vibration) regarding construction noise and impacts on NSRs, bearing in mind the degrees of variation that would be permitted by the Limits of Deviation as currently sought in the draft DCO? For example NSRs on Old Mill Lane could in theory be 50 metres away from a pylon placed on the edge of the Order limits. How has the ES has considered the worst case scenario for construction noise impacts on these NSR and how can the ExA be certain the level of effect will not be higher than those set out in the ES.</p>	<p>CCC welcome the clarification and shares the concerns.</p>
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TT Traffic and transport			
TT 2.3	The applicant	<p>Outline CTMP 1</p> <p>Further to Royal Mail's DL4 submission [REP4-371] can you explain why paragraph 5.8.5 of the outline CTMP [REP4-174] only requires reasonable endeavours to inform stakeholders of traffic matter, especially in the light of the discussion at ISH2 regarding liaison and provision of this type of information and the changes to the outline CTMP at DL4, including a commitment at 3.3.1 to provide information to residents and stakeholders.</p>	<p>As part of the Applicants communication strategy, CCC wonders if there could be a commitment to directly inform Royal Mail of affected routes etc. It is critical that the postal service is not unnecessarily disrupted, particularly where some documents, such as hospital appointments, are not always sent remotely.</p>
TT 2.8	The applicant	<p>Outline CTMP 5</p> <p>Provide a full list of schools which will be on PARs and which are proposed to have restriction of construction traffic at certain times of the school day. For those which are not proposed to have restrictions, explain why it is considered not necessary to have such restrictions.</p>	<p>CCC considers that construction traffic should be restricted at all schools affected by the proposal, during drop off and collection times. In relation to secondary, private and other schools, parents and children may be reliant on a wider means of transport and may not live geographically close to the school, meaning there may be reliance on the wider highway network.</p> <p>As a minimum, restrictions should apply during exam season, where it is crucial that employees and students can attend school so not to miss exams.</p>