

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

10 June 2026

Your Reference: EN02007
Interested Party Number: XXXXXXXXXX

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

Dear Ms Hunt,

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

Thurrock Council's Submission for Deadline 5

Following receipt of the Rule 8 letter dated 17 February 2026 Thurrock Council is writing to provide a response to the points raised as requirements of Deadline 5, as set out in the final examination timetable attached as Annex A.

- ***responses to ExQ2***

The Council's responses to ExQ2 are attached in Appendix A – Thurrock Council's response to the ExA's Second Written Questions.

- ***notification of a wish to attend hearings on the week commencing 22 June 2026***

The Council notifies you of the intention to attend and if necessary, speak at these hearings. As case officer I shall be co-ordinating this and attending, when necessary, along with any relevant officers/advisors to Thurrock Council who will require input into these hearing sessions.

- ***the applicant's updated documents and application guide***
- ***comments on any further information or submissions received by deadline 4***

The Council's response to these points is attached in Appendix B - Comment's on the Applicants Updated Documents.

Yours sincerely,



Principal Planning officer – Major Applications

Email: [Redacted]

Telephone: [Redacted]

Norwich to Tilbury DCO

784-B075408

Appendix A - Thurrock Council Response to ExA's Second Written Questions

Prepared on Behalf of Thurrock Council

June 2026



Tetra Tech Limited. Registered in England number: 01959704

Tetra Tech Birmingham, 4th floor, 1 Newhall Street, Birmingham, B3 1RP
Registered Office: 3 Sovereign Square, Sovereign Street, Leeds, United Kingdom, LS1 4ER

Document Control

Document:	Appendix A - Thurrock Council Response to ExA's Second Written Questions
Project:	Norwich to Tilbury DCO
Client:	Prepared on Behalf of Thurrock Council
Project number:	784-B075408

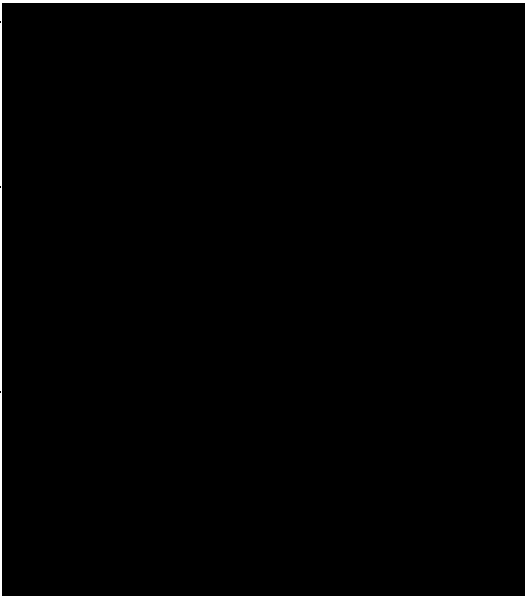
Revision:	1	Prepared by:	
Date:		Checked by:	
Status:	Final	Approved by:	
Description of document:	Appendix A - Thurrock Council Response to ExA's Second Written Questions		

Table of contents

Chapter	Content	Page
1.0	Introduction	1
2.0	Thurrock Council Responses	2
GEN 2.1	Final Deadlines and Statements of Common Ground	2
GEN 2.2	Legal Agreements	2
GEN 2.3	Cumulative Assessment – Methodology	3
GEN 2.4	Interrelationship with other Infrastructure projects	3
DES 2.5	Design, parameters and other details of the Proposed Development	4
BIO 2.1	Biodiversity – Assessment of Biodiversity Deficit	5
BIO 2.8	Biodiversity – Monitoring The Effects on Birds	5
DCO 2.G2	DCO General Order 2	5
DCO 2.S3	DCO – Schedules 3, Requirement 4 (Construction Management Plans) 1	5
DCO 2.S6	DCO – Schedules 3, Requirement 4 (Construction Management Plan) 4	6
DCO 2.S10	DCO – Schedule 3, Requirement 7 (Construction Hours)	7
DCO 2.S11	DCO – Schedule 3 – Requirements 8 (Retention and Removal of Trees, woodland and Hedgerows)	8
DCO 2.S.12	DCO – Schedule 3 – Requirements 13 (Decommissioning)	8
DCO 2.S13	DCO – Schedule 4 – (Discharge of Requirements)	8
HE 2.13	Historic Environment – Updated version of Outline AMS / outline WSI	9
LUS 2.3	Land Use and Soils – Green Belt -2	9
LUS 2.4	Green Belt - 3	10
LV 2.16	Landscape and Visual – Mitigation and Compensation -1	10
MW 2.1	Minerals and Waste – Contaminated Ground	11
MW 2.2	Minerals and Waste – Quarries and Minerals Plan Candidate Sites	11
MW 2.3	Minerals and Waste – Incidental Extraction Scheme	11
TT 2.2	Traffic and Transport – PARs 2	12
TT 2.4	Traffic and Transport – Outline CTMP 2	12

TT 2.9	Traffic and Transport – Outline CTMP 6	13
TT 2.10	Traffic and Transport – Cap of Heavy Goods Vehicles (HGVs)	13
TT 2.12	Traffic and Transport – Abnormal Indivisible Loads (AILs)	14
WE 2.1	Water Environment – Flood Risk, Hydrology and Drainage	14
WE 2.2	Water Environment – Progress with Agreement of Issues	15
WE 2.3	Water Environment – Disapplication of Section 23 of the Land Drainage Act 1991	15
3	Conclusion	17

1.0 Introduction

- 1.1 This document is Thurrock Councils' (the Council) response to the Examining Authority's Second Written Questions and requests for information (ExQ2) issued on the 22nd of May 2026.
- 1.2 Text in italics are summaries of the questions the ExA has asked as part of ExQ2.

2.0 Thurrock Council Consultation Response

2.1 GEN 2.1 – Final Deadlines and Statements of Common Ground

The Examining Authority has reminded the Applicant and all interested parties of the remaining examination deadlines and referred parties to the Rule 8 letter dated 17 February 2026 [PD-011], which sets out the information expected at each remaining deadline.

The Examining Authority have also reminded parties that there is no requirement to repeat comments previously submitted during the examination unless new information has arisen. Where Interested Parties remain dissatisfied with the Applicant's response to earlier submissions, the Examining Authority has requested that these matters are clearly identified in summary form within final submissions

The Examining Authority has further emphasised the importance of progressing Statements of Common Ground and ensuring that any outstanding matters are clearly recorded to assist its consideration of the application and the preparation of its recommendation to the Secretary of State.

Council Response

- 2.1.1 The Council notes the Examining Authority's comments regarding the remaining examination timetable and the progression of the Statements of Common Ground. The Council continues to engage constructively with the Applicant and other interested parties in relation to matters arising during the examination.
- 2.1.2 The Council will continue to seek agreement on matters where possible and will clearly identify any outstanding areas of disagreement through future examination submissions and updated Statements of Common Ground. The Council will continue to participate in the examination process in accordance with the timetable established by the Examining Authority.

2.2 GEN 2.2 – Legal Agreements

Further to ExQ1 GEN 1.21. the Applicant submitted Appendix E (REP3-074) setting out the legal agreements requested by local authorities together with the Applicant's position regarding whether those requests satisfy the relevant statutory tests.

The Examining Authority has invited local authorities to provide any further comments on Appendix E [REP3-074], including whether the examinations sought to satisfy the relevant policy and legal tests, specifically Regulation 122 of the Community Infrastructure Levy Regulations 2010.

The Examining Authority has also requested updates regarding any ongoing discussions between the Applicant and local authorities concerning legal agreements, together with any consequential updates to Statements of Common Ground.

Council Response

2.2.1 The Council has previously responded to this question in its responses to the Examining Authority's First Written Questions [REP3-088] at Deadline 3.

2.2.2 As an update to the Council's previous response at Deadline 3, National Grid have provided land plans for compulsory acquisition however engagement and communications have been limited with National Grid's lands team. This has been raised with National Grid, and the Council is awaiting further engagement.

2.3 GEN 2.4 – Report on Interrelationship with Other Infrastructure projects

The Examining Authority notes that the latest cut-off date used within the cumulative assessment is currently 31 January 2026 and referred to the Environmental Statement Chapter 17 – Cumulative Effects Response Update [REP4-163] and the interrelationship Report [REP4-296].

The Examining Authority has requested local authorities and other interested parties to review the updated interrelationship Report [REP-296] and confirm whether, to the best of their knowledge, the position relating to approved and proposed developments is accurate. The Examining Authority has also invited any further comments on the report where necessary.

Council Response

2.3.1 The Council is reviewing its response to this question and defers its submission to Deadline 6.

2.4 DES 2.5 – Design Parameters and other Details of the Proposed Development

The Examining Authority notes the updates provided by the Applicant regarding a number of alternative design scenarios within the Approach to Scenarios document [REP4-310]. However, it remains unclear when a number of the alternative scenarios will be confirmed, including those dependent upon third-party planning applications and other external factors.

The Examining Authority has requested local authorities to review the Approach to Scenarios document [REP-310], clarify their understanding of those scenarios reliant upon third-party planning applications and provide any further comments relevant to their administrative areas.

Council Response

2.4.1 The Council is reviewing its response to this question and defers its submission to Deadline 6.

2.5 BIO 2.1 – Assessment of biodiversity deficit

In response to ExQ1 BIO 1.4, the Applicant stated that replacement planting and habitat creation are identified as embedded mitigation measures within the Outline Landscape and Ecological Management Plan (LEMP) and that no biodiversity deficit would arise as a consequence of the Proposed Development.

The Examining Authority has requested comments from local authorities and Wildlife Trusts regarding the potential for biodiversity deficit, whether this matter has been appropriately assessed within the ES Chapter 8 [AS-026], and whether the proposed mitigation measures are considered sufficient. The Examining Authority has also invited comments on any outstanding concerns and any additional mitigation measures that should be secured.

Council Response

- 2.5.1 The Council agrees that the proposed development is unlikely to result in a meaningful biodiversity deficit.
- 2.5.2 The Council notes that the majority of the proposed development within Thurrock is located on arable land and modified grassland habitats which are identified as having relatively low biodiversity value within the Applicant's biodiversity metric assessment.
- 2.5.3 The Council welcomes the Applicant's commitment to reinstate woodland, hedgerows, scrub and grassland habitats following construction and notes the proposed biodiversity enhancement measures within the Environmental Areas.
- 2.5.4 The Council is satisfied that the proposed mitigation, habitat reinstatement and habitat creation measures are capable of delivering biodiversity enhancement within Thurrock and raises no objection to the Applicant's conclusions in relation to biodiversity deficit.

2.6 BIO 2.8 – Monitoring the effects on birds

In response to ExQ1 BIO 1.13 regarding the use of bird diverters the applicant in [REP-074] states that ES Chapter 8 [AS-026] and the Habitat Regulations Assessment (HRA) Report [APP-082] predict no significant adverse effects on birds during operation of the proposed development either with or without mitigation and therefore additional monitoring or adaptive management is not considered necessary or proportionate.

The Examining Authority has requested comments from local authorities and Wildlife Trusts on whether they agree with the Applicant's conclusions and, where appropriate, has invited views on any additional monitoring or adaptive management measures that should be secured.

Council Response

- 2.6.1 The Council agrees with the Applicant's conclusion that additional monitoring or adaptive management measures are not required.
- 2.6.2 The Council notes that no qualifying species associated with the Thames Estuary and Marshes Special Protection Area (SPA) were recorded within the relevant survey areas. Whilst assemblage species and a number of collision risk species were identified during surveys, these were recorded in relatively low numbers and do not alter the overall conclusions of the assessment.
- 2.6.3 The Council further notes that the sections of the Proposed Development located south of Tilbury North Substation predominantly utilise existing pylons and therefore do not materially increase the potential
-

risk of bird collisions. In addition, north of Tilbury North Substation, the proposed new pylons are generally located away from the areas where collision risk species were principally recorded.

- 2.6.4 Having regard to the information submitted, the Council is satisfied that the proposed Development is unlikely to result in a likely significant effect on the Thames Estuary and Marshes SPA. On this basis, the Council does not consider that additional bird monitoring or adaptive management measures are currently justified.

2.7 DCO 2.G2 – DCO General 2

In light of the Applicant's response to ExQ1 [REP-074], question SET 1.5, and the Secretary of State's decision letter for North Falls Offshore Wind Farm Project dated 14 May 2026, the Examining Authority has invited comments regarding the use of the term "where practicable" and any variation of that term within the draft Development Consent Order.

Council Response

- 2.7.1 The Council's position on the Applicant's use of the term "where practicable" was previously set out in its Deadline 4 submission, Appendix B – Written Post-Hearing Submission for WC 27.04 [REP4-339].
- 2.7.2 The Council considers that the term "where practicable" introduces a degree of flexibility which could weaken the effectiveness of a commitment if not supported by clear justification and evidence.
- 2.7.3 The Council's position remains that the use of "where practicable", or similar phraseology, within the draft Development Consent Order and associated control documents is unacceptable.

2.8 DCO 2.S3 – (Schedules 3, Requirement 4 (Construction Management Plans) 1

The Council together with a number of other local authorities, previously raised concerns regarding the complaints management process contained within the Outline Code of Construction Practice (Outline CoCP) [REP-025]. Concerns related to the absence of defined response times, escalation procedures, ongoing communication arrangements with complainants, identification of responsible parties and transparency in reporting complaints to local authorities.

The Examining Authority has requested that the Applicant address these concerns through revisions to the complaints management process and invited local authorities to provide draft wording where necessary.

Council Response

- 2.8.1 The Council notes that its previous concerns have been considered through subsequent discussions with the Applicant and through the information now provided with Appendix E of the Outline CoCP relating to Community Engagement and Public Information.
- 2.8.2 The Council notes that Appendix E set outs the framework for the future Complaints Procedure Plan and includes provision for the methods by which complaints may be submitted, response times, potential remedies and escalation procedures, where complainants remain dissatisfied with the outcome of the of an investigation.

- 2.8.3 The Council further notes that minor complaints would be managed by the Main Works Contractor(s), with more significant matters escalated to National Grid where appropriate.
- 2.8.4 The Council would encourage the Applicant to mirror the complaints procedure detailed in the Lower Thames Crossing DCO. It is the Council's view that this procedure has worked well within the borough. It includes the provision of a Highways England Customer Contact Centre which consists of a phone line, email and website contact facility. The Contact Centre also endeavours to provide a response to enquiries and complaints within 10 working days.
- 2.8.5 Subject to the matters identified within Appendix E being secured through the Development Consent Order process, together with appropriate communication of the complaint's procedure to local communities and ongoing monitoring of its effectiveness, the Council is satisfied with the proposed arrangements.
- 2.8.6 On this basis, the Council does not consider it necessary to propose additional draft wording for the Complaints Procedure plan at this stage.

2.9 DCO 2.S6 – Schedule 3, Requirements 4 (Construction Management Plans) – Noise and Vibration

The Council together with a number of other local authorities, previously raised concerns regarding the Applicant's approach to noise and vibration monitoring. In particular, concerns were raised regarding the absence of routine monitoring commitments, monitoring triggers, reporting requirements and a clear strategy for responding to complaints.

The Examining Authority has requested that the Applicant address these concerns through revisions to the Outline Code of Construction Practice and provide a clear structured strategy for noise and vibration monitoring. Local Authorities have also been invited to provide draft wording where appropriate.

Council Response

- 2.9.1 The Council notes that the revised Noise and Vibration Management Plan include a more detailed monitoring procedure. However, routine noise monitoring is not currently proposed, with monitoring generally identified in response to complaints or where specific requirements are secured through a Section 61 consent. Given the scale and duration of the Proposed Development, the Council considers that a proactive monitoring strategy should be implemented in addition to complaint-led monitoring.
- 2.9.2 The Council considers that further clarification is required for circumstances and activities for which Section 61 prior consent applicants are anticipated, as this remains unclear from the current documentation.
- 2.9.3 Whilst the general monitoring methodology is broadly acceptable, the Council notes that paragraph 4.6.7 states that where monitoring is undertaken in a free-field location, levels will be corrected to façade levels through the addition of 3dB. The Council considers that this approach requires clarification, as free-field measurements would not ordinarily require correction where the intention is to report free-field noise levels.

- 2.9.4 The Council considers that routine noise monitoring should be undertaken during key construction phases, both within the construction site and where reasonably practicable, at representative noise-sensitive receptors. Where monitoring at receptors is not possible due to access or other constraints, alternative arrangements should be agreed with the relevant local authority.
- 2.9.5 The Council further considers that monitoring data, exceedances and corrective actions should be recorded and retained within an auditable log and made available to the relevant local authority upon request.

2.10 DCO – 2.S10 – Schedule 3, Requirement 7 (Construction Hours)

The Examining Authority notes that local authorities have maintained concerns regarding the proposed 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.

The Examining Authority has requested the Applicant to model alternative construction scenarios and has invited local authorities to provide a single form of wording that would address their concerns whilst recognising the need for timely delivery of the Proposed Development.

Council Response

- 2.10.1 The Council maintains its previously stated position regarding construction hours and continues to support the approach agreed between the affected local authorities.
- 2.10.2 The Council notes that its position remains consistent with that previously submitted during the examination. The Council considers that construction hours should reflect the need to protect residential amenity and should remain consistent with the approach normally applied through the Council's powers under the Control of Pollution Act 1974.
- 2.10.3 The Council also considers that any activities undertaken outside approved core working hours should be clearly defined within the relevant management plans and subject to appropriate controls to minimise impacts on nearby residents and other sensitive receptors.
- 2.10.4 The Council notes that the Applicant has requested to model alternative construction scenarios, including the removal of Sunday and Bank Holiday working. The Council will review the outcome of the assessment and any associated draft wording as part of the ongoing examination process.
- 2.10.5 The Council will continue to work with the other affected local authorities and the Applicant in seeking agreed wording for Requirement 7 as the examination progresses.

2.11 DCO – 2.S11 – Schedule 3, Requirement 8 (Retention and Removal of Trees, Woodland and Hedgerows)

The Examining Authority previously asked in ExQ1 DCO 1.S12 [PD-014] why arboricultural protection measures, including Arboricultural Method Statements, Tree Protection Plans and Root Protection Areas, were not clearly defined and secured through this requirement prior to construction.

The Applicant responded [REP-074] that an Arboricultural Method Statement would be secured through the Outline Landscape and Ecological Management Plan (LEMP) and Requirement 4 of the draft DCO. The Examining Authority has requested comments from local authorities on the Applicant's response and whether any additional measures should be secured.

Council Response

- 2.11.1 The Council considers that sufficient arboricultural information should be secured prior to the commencement of construction works in areas where retained trees and hedgerows may be affected by the Proposed Development.
- 2.11.2 As a minimum, the Council would expect the submission of a Tree Survey identifying individual trees, groups of trees and hedgerows together with their associated Root Protection Areas. The Council would also expect an Arboricultural Impact Assessment identifying those trees and hedgerows to be removed and assessing any impacts on retained vegetation.
- 2.11.3 The Council further considers that an Arboricultural Method Statement should be prepared setting out tree protection measures, construction methodologies with Root Protection Areas, non-dig construction techniques and details of tree works required as part of the Proposed Development.
- 2.11.4 The Council considers that all arboricultural information should be prepared in accordance with BS5837:2012 and secured through the relevant DCO requirements and associated management plans.

2.12 DCO 2.S12 – Schedule 3, Requirement 13 (Decommissioning)

The Examining Authority refers to comments made by Braintree District Council regarding the need for the draft DCO to include a clear obligation on the undertaker to remove equipment and infrastructure once it becomes obsolete in order to avoid unnecessary long-term impacts on landscape, heritage assets and residential amenity.

The Examining Authority has sought comments from local authorities regarding the circumstances in which infrastructure should be considered obsolete, the timescales for its removal and whether a formal decommissioning scheme should be secured through the draft DCO.

Council Response

- 2.12.3 The Council's position on decommissioning and the removal of obsolete infrastructure has previously been set out within its response to Issue Specific Hearing 2 (ISH2) [REP4-339]. That position remains unchanged.
- 2.12.4 The Council continues to support inclusion of appropriate provisions within the Development Consent Order to ensure that infrastructure which is no longer required is removed and that any associated restoration requirements are secured where necessary.

2.13 DCO 2.S13 – Schedule 4 (Discharge of Requirements) – Fees

The Examining Authority refers to its earlier question DCO1.S20 concerning fees payable for the discharge of requirements. The Examining Authority notes the Applicant's response [REP-074] and

invites local authorities to comment, in particular regarding the drafting of paragraph 3(1)(a) of Schedule 4 and the use of the term "per request".

The Examining Authority has sought views on whether the proposed drafting appropriately reflects the Town and Country Planning fee regime and whether any amendments are required to provide clarity regarding the recovery of costs associated with the discharge of requirements.

Council Response

- 2.13.1 The Council maintains its previously stated position that fees associated with the discharge of requirements should increase annually in accordance with the Town and Country Planning fee regime and that this should be reflected in the drafting of the dDCO.
- 2.13.2 The Council remains concerned that the Applicant's proposed approach does not fully align with the established Town and Country Planning fee regime. The Council considers that local planning authorities should not be placed at a financial disadvantage when processing applications made pursuant to the DCO and that the costs of administering and determining such applications should be appropriately recovered.
- 2.13.3 The Council notes the Applicant's proposed alternative arrangement under paragraph 3(1)(b), whereby a fixed fee of £298 would apply unless a bespoke agreement has been secured with the relevant planning authority. The Council considers that fee recovery should not be contingent upon the negotiation and agreement of a separate contractual arrangement and that an appropriate fee mechanism should be secured through the DCO itself.
- 2.13.4 The Council welcomes the Examining Authority's observation regarding the use of the term "per request" and considers that the drafting should instead align with the statutory terminology of "each request" used within the relevant Town and Country Planning Regulations. The Council considers that this amendment would provide greater clarity and reduce the potential for disputes regarding the interpretation and application fees.

2.14 HE 2.13 – Updated Version of the Outline AMS/Outline WSI

The Examining Authority notes that, as referenced by the Applicant in [REP4-298], an updated version of the Outline Archaeological Mitigation Strategy (AMS) and Outline Written Scheme of Investigation (WSI) [APP-328] was anticipated to be submitted at Deadline 5.

The Examining Authority further notes that the Applicant indicated that the updated document would be shared with local authorities for review prior to submission. Local Authorities have therefore been invited to provide any initial views on the updated Outline WSI, without prejudice to any formal comments that may be submitted following review of the final document.

Council Response

- 2.14.1 The Council has reviewed the updated Outline Archaeological Mitigation Strategy (AMS) and Outline Written Scheme of Investigation (WSI) submitted by the Applicant and notes that comments have been provided to the Applicant to enable amendments to be made prior to Deadline 6.
- 2.14.2 The Council remains concerned by the inclusion of archaeological mitigation areas within the revised Outline WSI at this stage. The Council considers that agreement of mitigation areas should be informed by completion of archaeological evaluation works and review of the associated reporting. For a number of locations, only interim information is currently available, and the evidence base is therefore insufficient to support agreement of mitigation requirements.
- 2.14.3 The Council considers the details of archaeological mitigation should be secured through the Detailed Written Schemes of Investigation and agreed with the relevant local planning authority and Historic England where appropriate. The Council has also requested that the remaining areas requiring geophysical survey and archaeological trial trenching are clearly identified within the Outline WSI, together with indicative plans showing locations where further archaeological evaluation may be required.
- 2.14.4 The Council notes previous comments relating to geoarchaeological and paleoenvironmental assessment have not yet been fully addressed and therefore considers that further work remains necessary before the archaeological mitigation strategy can be finalised.

2.15 LUS 2.3 – Green Belt 2

In its response to the Local Impact Reports [REP2-030], at paragraphs 3.14.23-3.14.25, and its response to ExQ1 LUS1.13 [REP3-074], the Applicant argues that the land associated with the Tilbury North Substation and the two associated cable sealing end compounds constitutes Grey Belt land.

The Examining Authority has requested that Thurrock Council comment on this position and confirm whether it considers the land to be Grey Belt, explaining the reasons for its conclusion.

Council Response

- 2.15.1 The identification of Grey Belt land is a matter for the local planning authority and should be undertaken in accordance with the National Planning Policy Framework (NPPF) 2025 and associated Planning Practice Guidance.
- 2.15.2 The Council is currently preparing a Green Belt Assessment as part of the evidence base supporting the emerging Thurrock Local Plan. However, this work does not form part of the Council's adopted evidence base.
- 2.15.3 Under the adopted Development Plan, the land remains designated as Green Belt. Accordingly, the Council does not agree that the land should presently be treated as Grey Belt land for the purposes of the examination. Any future change to the status of the land would be subject to the statutory plan-making process and consideration of supporting evidence published through the emerging Local Plan process.

2.16 LUS 2.4 – Green Belt 3

With reference to paragraph 5.11.38 of NPS EN-1, the Examining Authority has asked the Applicant and local authorities to identify any Local Green Spaces designated within adopted or emerging Local Plans which would benefit from the same level of protection as Green Belt and to confirm whether any such areas are relevant to the consideration of the Proposed Development.

Council Response

- 2.16.1 The Council notes that the adopted Development Plan for Thurrock does not include any designated Local Green Spaces.
- 2.16.2 The emerging Thurrock Local Plan is at an advanced stage of preparation and is expected to be published in accordance with the Council's Local Development Scheme. However, no designated Local Green Spaces currently form part of the adopted Development Plan.

2.17 LV 2.16 – Mitigation and Compensation 1

Point 8.2 of [REP4-302] states that the Applicant considers sufficient mitigation has been provided and that any residual landscape and visual effects are substantially outweighed by the public benefits of the Proposed Development. The Applicant therefore considers that further landscape and visual mitigation or compensation would be disproportionate.

The Examining Authority has invited local authorities to provide their views on this matter, referring where relevant to the Bramford to Twinstead examination and other relevant evidence.

Council Response

- 2.17.1 The Council feel mitigation and compensation proposals are not clearly set out and have asked for clearer details on landscape proposals in relation to mitigation and compensation to be provided.
- 2.17.2 There is a quantity of vegetation to be removed along the route of the line and changes to the proposed ancient woodland compensation planting (required to due to the Lower Thames Crossing DCO) due to the proposed substation. The mitigation and compensation for the landscape and visual effects should be clearly set out to understand if this is sufficient.

2.18 MW 2.1 – Contaminated Ground

The Examining Authority has asked the relevant local authorities to confirm whether they accept the Applicant's assessment of contaminated land risk as presented with ES Chapter 9 [APP-181] and to provide any comments on commitment GH10 within the Outline Code of Construction Practice (oCoCP) [REP4-163].

Council Response

- 2.18.1 The Council considers that whilst the commitment to GH10 appears reasonable, the supporting technical information referred to within ES Chapter 9, including the Preliminary Risk Assessment

appendices and associated figures, have not been available for review. Consequently, the Council is not in a position to confirm whether the Applicant's assessment of contaminated land risk is acceptable.

2.18.2 The Council reserves its position pending review of the relevant supporting information and will provide further comments should additional evidence become available during the examination.

2.19 MW 2.2 – Quarries and Minerals Plan Candidate Sites

The Examining Authority has requested an update following ExQ1 regarding the consideration of design and land use matters in the vicinity of existing quarries and minerals plan candidate sites.

Council Response

2.19.1 The Council notes that the sites referred to by the Applicant are located outside the administrative area of Thurrock Council.

2.19.2 Accordingly the Council has no comments to make on this matter.

2.20 MW 2.3 – Incidental Extraction Scheme

Following comments and responses to ExQ1 [REP4-299] concerning Thurrock Council's proposal to consider an incidental extraction scheme, the Examining Authority has requested an update on the progress of discussions between the Council and the Applicant.

Council Response

2.20.1 The Council notes the Applicant's confirmation that it intends to engage further with the Council regarding the potential for an incidental extraction scheme.

2.20.2 At the time of preparing this response, discussions remain ongoing and the Council is awaiting further engagement from the Applicant. No further comments are made at this stage.

2.21 TT 2.2 – PARS 2

The Examining Authority has requested that local authorities identify any residual concerns regarding Specific PARs which they consider have not been adequately addressed by the Applicant and explain whether those concerns could be resolved during the examination process or subsequently.

Council Response

2.21.1 The Council notes that the increase in construction traffic associated with the Proposed Development are generally acceptable in principle. Whilst Health Road PAR (PAR 68) is forecast to experience increases in HGV traffic during peak periods, these impacts relate to a relatively short section of highway with comparatively low existing traffic volumes,

2.21.2 The Council's principal concern relates to locations where Walking, Cycling and Riding Routes (WCRs) would be severed, removed or otherwise adversely affected during the construction period. The Council considers that additional mitigation measures are required beyond the provision of advisory information packs, including appropriate on-site signage for both WCR users and drivers. In the case of PAR65,

vegetation clearance at the Buckingham Hill Road crossing should also be undertaken to improve visibility for both vehicles and vulnerable road users. The Council further considers that monitoring should be undertaken to assess the effectiveness of these measures.

2.21.3 The Council also notes concerns regarding the proposed Satellite Access Points (SAPs) at Brentwood Road and Buckingham Hill Road, the predicted volume of construction traffic at these locations would result in vehicle arrivals and departures at frequent intervals during peak periods. The Council considers that the operation of these junctions should be appropriately tested and demonstrated to ensure they can safely accommodate the anticipated level of traffic.

2.22 TT 2.4 – Outline CTMP 2

Following discussions at ISH2, the Applicant submitted an updated Outline Construction Traffic Management Plan (CTMP) [REP4-174] in relation to community engagement with councils, parish councils, developers and the public, The Examining Authority has invited comments on the updated proposal.

Council Response

2.22.1 The Council notes that Outline CTMP Revision C [REP4-174] introduces no substantive changes to the proposed construction traffic management arrangements.

2.22.2 The Council welcomes the amendments made to Section 3.3 of the Outline CTMP relating to community engagement and public communications. These amendments reinforce the Applicant's commitment to providing information to stakeholders regarding construction activities, including project updates, contact details and other communication channels.

2.22.3 The Council considers that these commitments are appropriate. The Council expects that the Main Works Contractors obligations in respect of stakeholder engagement and communication will be clearly secured and documented through subsequent versions of the CTMP.

2.23 TT 2.9 – Outline CTMP 6

In its response at ISH2 [REP4-336], Suffolk County Council proposed a quarterly reporting mechanism in relation to the Construction Traffic Management Plan (CTMP) and suggested a number of matters which should be included within such reports. The Examining Authority has asked the Applicant whether this approach is appropriate and how it would be secured through the DCO. Other highway authorities have also been invited to comment.

Council Response

2.23.1 The Council notes that Outline CTMP Revision C [REP4-174] identifies responsibilities for the Main Works Contractor and Transport Coordinators and includes commitments relating to monitoring, reporting and compliance with the CTMP. The updated CTMP also refers to the monitoring of junction performance, route adherence, speed data and site safety matters.

- 2.23.2 The Council notes that the CTMP does not specify the frequency of monitoring reports or define the information that should be included within those reports. The Council considers that a commitment to the regular preparation and publication of monitoring reports, including key transport performance indicators, would be appropriate.
- 2.23.3 The Council further considers that the scope and content of monitoring reports should be clearly defined within the CTMP and agreed with relevant highway authorities. This should include reporting on compliance with the CTMP requirements, any breaches identified, remedial actions undertaken and the effectiveness of mitigation measures.
- 2.23.4 The Council also considers that monitoring reports should be made publicly available alongside CTMP updates in the interests of transparency and stakeholder engagement.

2.24 TT 2.10 – Cap on Heavy Good Vehicles (HGVs)

The Examining Authority has asked the relevant highway authorities to confirm whether they consider a cap on Heavy Goods Vehicles (HGV) movements is required and, if so, how such a cap should be secured and monitored.

Council Response

- 2.24.1 The Council notes that Muckingford Road is subject to a prohibition on HGV movements and remains available for Light Goods Vehicles only. The Council considers that this restriction should continue to be observed throughout the construction period.
- 2.24.2 The Council considers it reasonable that construction vehicle and workforce traffic should be capped at the forecast levels assessed within the Transport Assessment and supporting Environmental Statement documentation. The Council notes the Applicant's position that the forecast traffic levels are supported by robust assessment and monitoring arrangements.
- 2.24.3 The Council further notes the monitoring and reporting procedures set out within the Outline CTMP. Where forecast traffic levels are exceeded, the Council would expect the Applicant to notify the relevant highway authorities, undertake an assessment of the causes and impacts of the exceedance, and implement appropriate mitigation measures to prevent recurrence.
- 2.24.4 The Council acknowledges that there may be circumstances outside the Applicant's control which affect traffic movements and route selection. In such circumstances, the use of agreed contingency routes may be appropriate, subject to agreement with the relevant highway authorities and appropriate monitoring to ensure that traffic levels do not exceed those assessed within the Transport Assessment.

2.25 TT 2.12 – Abnormal Indivisible Loads (AIL) 1

The Examining Authority has requested clarification regarding the remaining structural assessments required for routes proposed for Abnormal Indivisible Loads (AILs), together with details of any measures that would be secured through the draft DCO should structural assessments identify constraints or failures.

Council Response

- 2.25.1 The Council notes that the Applicant has identified two highway structures within Thurrock that may be affected by AIL movements, namely the A1014 Stanford-le-Hope Railway Bridge and the A1014 Manorway / Stanford-le-Hope Road Bridge.
- 2.25.2 The Council considers that, in addition to the principal structures identified, other highway assets such as retaining walls, embankments and culverts should be appropriately reviewed to ensure that all potentially affected are assessed prior to commencement of AIL movements.
- 2.25.3 Should any structure be found incapable of accommodating the proposed AIL movements, the Council considers that the Applicant should be responsible for identifying, funding and implementing any necessary mitigation measures to the satisfaction of the relevant highway authority.
- 2.25.4 The Council notes that suitable alternative routes for AIL movements may be limited and therefore considers it important that any structural constraints are identified and resolved at the earliest opportunity.

2.26 WE 2.1 – Drainage Strategy

The Examining Authority requests comments on the updated drainage strategy which was submitted at deadline 4 for [\[REP4-186\]](#).

Council Response

- 2.26.2 The Council notes the comments provided by the Lead Local Flood Authority (LLFA) in relation to the updated drainage strategy and has no additional observations to make at this stage. The LLFA's comments are provided in Appendix B – Comments on the Applicant's updated documents.
- 2.26.3 The Council will continue to have regard to the advice of the LLFA as discussions progress through the examination.

2.27 WE 2.2 – Progress with Agreement of Issues

The Applicant states that it is confident that drainage issues can be resolved by close of examination and requests local authorities to indicate whether this is an accurate reflection of progress and whether any areas of disagreement remain.

Council Response

- 2.27.1 The Council notes the Lead Local Flood Authority's advice that a number of outstanding drainage matters remain under discussion.
- 2.27.2 Accordingly, the Council does not consider it appropriate at this stage to conclude that all matters will be resolved by the close of examination and will continue to monitor progress the outstanding issues.

2.28 WE 2.3 – Disapplication of Section 23 of the Land Drainage Act 1991

The Applicant seeks confirmation as to whether local authorities agree with the proposed disapplication of Section 23 of the Land Drainage Act 1991 and the proposed protective provisions.

Council Response

- 2.28.1 The Council notes the advice of the Lead Local Flood Authority that discussion remains ongoing regarding the proposed protective provisions and the implications of the proposed disapplication of Section 23 of the Land Drainage Act 1991.
- 2.28.2 The Council therefore considers that this matter remains unresolved at this stage and reserves its position pending the outcome of those discussions.

3.0 Conclusion

- 3.1 The Council has provided responses to the Examining Authority's Second Written Questions having regard to its own assessment and the advice received from its specialist consultees.
- 3.2 The Council notes that progress has been made on a number of matters during the examination. However, several issues remain subject to ongoing discussion between the Applicant, the Council and relevant consultees.
- 3.3 Where matters remain unresolved, the Council's position is set out in the relevant sections of this response. The Council will continue to have regard to the advice of its specialist consultees and reserves the right to make further submissions should additional information be submitted during the examination.
- 3.4 The Council will continue to engage constructively with the Applicant and other relevant parties throughout the remainder of the examination process.

Appendix B – Comments on the Applicant’s Updated Documents

1. Comments on the updated Outline Code of Construction Practice (OCoCP)

1.1 The Outline CoCP has two commitments in relation to air quality. They reflect the fact that the main concerns are construction dust and onsite power generation.

1.2 The Council has the following comments regarding AQ01. Work packages are being treated as separate developments for the purpose of dust management. Outline CoCP, appendix D, Section 1.4.4 states that each package will be given an individual Dust Management Plan (DMP) that reflects the works and context of the site. Risk ratings will be calculated within each DMP, and mitigation measures will be detailed in accordance with the IAQM recommendations for that risk rating. OCoCP commitment AQ01 states that:

“Dust-emitting activities will be reduced by applying site-specific mitigation measures for high-risk sites during construction.”

1.3 The language of this commitment is ambiguous, and it is not clear whether the applicant intends only to apply mitigation to high-risk sites or whether the IAQM recommended measures for high-risk sites will be implemented at all sites. If the former is to be the case, I would not consider that to be acceptable. Packages where a DMP calculates there is a low or medium risk must implement mitigation measures recommended by the IAQM for low or medium risk sites in order to ensure impacts on sensitive receptors are not significant.

1.4 The Council has the following comments regarding AQ02. Commitment AQ02 states that:

“Where diesel generators are used and located next to sensitive sites consideration will be given to increasing the release height of emissions for sufficient dispersion, and relevant abatement technology.”

1.5 A commitment to “consider” mitigation does not require that any physical action be taken and therefore we see this commitment as ineffective. In addition, it is the Council’s opinion that in the first instance, consideration should be given to where on a given site a generator might be located so as to increase the distance between it and the nearest sensitive receptor. The Council suggests the commitment is rewritten as follows:

“Where diesel generators are used, consideration will be given to siting them as far as possible from sensitive receptors. In some cases, it may not be possible to place generators at an effective distance from sensitive receptors. In these cases, the release height of emissions will be increased in order to aid dispersion, and abatement equipment will be used where adverse effects are anticipated.”

2 Comments on the updated Noise and Vibration Management Plan (NVMP)

2.1 The revised NVMP includes a more detailed monitoring procedure; however, it still does not propose routine noise monitoring. Instead, monitoring is only proposed in response to complaints or where requirements are secured through a Section 61 consent. Further clarification is required regarding the types of activities for which Section 61 prior consent applications are anticipated, as this is currently unclear.

2.2 The general monitoring methodology is broadly acceptable. However, as noted above, monitoring is not proposed on a routine basis. In addition, Section 4.6.7 states:

"If the location is free-field, then the levels will be corrected to façade by the addition of 3dB."

2.3 This appears to be an error. A free-field measurement would not normally require correction if the objective is to report free-field levels.

3 Comments on the updated Drainage Strategy DCO and Drainage Strategy - Appendix B

Drainage strategy

3.1 The applicant has submitted an overall drainage layout of the development. However, a detailed drainage strategy is required for each temporary and permanent site demonstrating the location, type, function, connectivity and operation of all proposed drainage features. It should include the following details:

- **Infiltration test:** The strategy states that infiltration may not be suitable across parts of the site; however, no infiltration testing results have been provided. The applicant must submit infiltration testing undertaken in accordance with BRE365 together with groundwater monitoring data to justify the proposed drainage hierarchy and demonstrate the suitability of infiltration-based drainage features.
- **Design events:** All permanent drainage systems and attenuation basins shall be designed to accommodate runoff generated by rainfall events up to and including the 1 in 100-year event with a 40% climate change allowance in accordance with the National Standards for Sustainable Drainage.
- **Discharge rate:** The applicant should provide greenfield runoff calculations for each drainage catchment. The LLFA notes that some proposed discharge rates associated with the Tilbury North Substation exceed 3 l/s/ha. The applicant must demonstrate that discharge rates comply with the National Standards for Sustainable Drainage and are restricted to the equivalent greenfield runoff rate, unless otherwise agreed by the LLFA.
- **Detailed hydraulic calculation:** The applicant has provided the table showing the contributing area, attenuation volume, and discharge rate; however, they must submit the

calculations showing that there is no flooding occur during the design events, storage volumes are sufficient, and the drainage features operate within design capacity.

Water quality

3.2 The submitted document states that water quality treatment will be assessed using the Simple Index Approach. However, the LLFA requires quality risk assessment to be carried out based on the following:

- Low & medium polluted site – Simple index approach
- High medium polluted site – Water Quality risk assessment in accordance with Environment Agency requirements.

3.3 In addition, the applicant must submit the water quality risk assessment for each individual outfall prior to discharge into the watercourses.

Sedimentation control

3.4 The applicant must demonstrate how sediment mobilisation due to the runoff generated from the construction yard, particularly from pylon working areas and construction compounds, will be effectively managed and treated prior to discharge. The submitted information should provide sufficient evidence that appropriate sediment control measures are in place to prevent adverse impacts on the water quality of downstream watercourses and receiving waterbodies.

Overland flow route

3.5 The application must consider the overland flows generated by the upper catchments as follows:

- For haul roads – The culverts shall have enough capacity to convey the overland flows for the rainfall event up to 1 in 100 plus 25% climate change.
- For permanent access roads – The culverts shall have enough capacity to convey the overland flows for the rainfall event up to 1 in 100 plus 40% climate change.

Surface water flood risk mapping

3.6 As requested earlier, the applicant must provide a plan showing an overlay of the Environment Agency's Risk of Flooding from Surface Water mapping across all temporary and permanent works areas. This will help demonstrate how the proposed layout has considered areas potentially susceptible to surface water flooding.

Water quality monitoring

3.7 The applicant must provide the details of water quality monitoring arrangements for both the construction phase and the operational phase, outlining how potential pollution risks will be managed and monitored throughout the lifecycle of the development.

Interaction with the Lower Thames Crossing Scheme

3.8 The applicant has not provided sufficient information regarding the cumulative impacts associated with the Lower Thames Crossing project. The applicant must consider and demonstrate the potential cumulative impacts on watercourses and drainage networks, combined flood risk implications (various sources of flooding including overland flow), interactions between proposed drainage infrastructure, and potential impacts on receiving watercourses.

4 Comments on Applicant's Comments on Responses to ExQ1

4.1 The Applicant responded to the Council's comments regarding NV 1.13 EACN and Tilbury North Substations operational noise assessment in 8.4.10 Applicant's Comments on Responses to ExQ1 [REP4-299]:

"BATNEEC is not a policy of National Grid, and this terminology is not stated within 6.14 Environmental Statement Chapter 14 - Noise and Vibration [APP-256] or the associated operational noise assessment appendices [APP-259] and [APP260], for the proposed new EACN Substation and Tilbury North Substation, respectively.

The assessments are worst-case and based on highest specification noise level data for noise generating equipment (e.g. transformers). Based on this worst-case, the assessments indicate that mitigation of substation noise sources is required to avoid significant adverse effects. Standard noise mitigation for transformers is acoustic enclosures, and these are in the design principles for both proposed new substations. With enclosures, adverse and significant adverse effects can be avoided from both sites, even assuming worst-case transformer sound levels.

Specifically at the proposed new Tilbury North Substation, noise levels are predicted to be comfortably below background sound levels during both daytime and night-time periods and would therefore meet the aim stated by the local authority.

Noise mitigation at substations is committed to via commitment NV21 of 7.2 Outline Code of Construction Practice [Revision D], which has been updated at Deadline 4 to state:

'The proposed new substations will include any required noise mitigation measures by design to ensure significant adverse effects are avoided and adverse effects are mitigated and

minimised. This may include plant selection, siting, screening, and enclosures, as appropriate’.”

4.2 The applicant's response is noted.

4.3 The applicant has confirmed that the operational noise assessments are based on worst-case plant noise data and that mitigation measures, including acoustic enclosures, are incorporated within the design principles for both substations. This provides some confidence that suitable mitigation can be incorporated into the final design. The commitment contained within NV21 is also welcomed.

4.4 Whilst NV21 this establishes a general commitment to mitigation; it does not itself secure specific operational noise limits or provide a mechanism for demonstrating that the final design achieves the outcomes predicted within the Environmental Statement.

4.5 Accordingly, the Council continues to support the inclusion of:

- A requirement for a detailed operational noise assessment based on the final plant specification, layout and operational characteristics;
- Defined operational noise limits at identified noise-sensitive receptors, derived in accordance with BS 4142:2014+A1:2019
- Post-installation verification monitoring to demonstrate compliance; and
- A mechanism to secure additional mitigation should the approved limits not be achieved.
- Any such requirement should be discharged by the relevant planning authority.

5 Comments on updates to the Environmental Statement Appendixes and Figures

5.1 A number of the documents issued at Deadline 4 appear to contain corrections to previous versions although no revision has been provided to explain what these corrections are. These documents are as follows:

- 6.13.F1 Environmental Statement Figure 13.1 - LVIA Study Area and Landscape Designations Revision B [REP4-158]
- 6.13.F6 Errata Environmental Statement Figure 13.6 - Landscape Character Types and Landscape Character Areas Revision B [REP4-159]
- 6.13.F7 Errata Environmental Statement Figure 13.7 - Visual Receptors and Viewpoints Revision C [REP4-160]
- 7.4 Errata Outline Landscape and Ecological Management Plan Appendix A - Arboricultural Impacts Plan Revision B Part 1 – Part 2 [REP4-176 and REP4-177]

5.2 This is required in order to fully understand what the amendments are and why they have been carried out.

5.3 With regards to the updates to the residential visual amenity assessment in ES Chapter 6 Volume 13 [REP4-148 to REP4-157], the Council notes that field surveys for properties taken to step 4 have all been carried out from public locations only. The Council would like to understand if site visits have been conducted inside these properties to fully inform the stage 4 assessment.