



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

### The Examining Authority's written questions and requests for information (ExQ1): Issued on Friday 22 May 2026

#### Responses are due by deadline 5: Wednesday 10 June 2026

The following table sets out the Examining Authority's (ExA's) second round of written questions and requests for information, referred to as ExQ2.

Questions are set out using an issues-based framework derived from the initial assessment of principal issues provided as **annex C** to the [Rule 6 letter](#) dated 13 January 2026. Additional topics have been added which may have arisen from representations, and to assist in the ExA's assessment of the application against relevant policies.

The scale of the proposed development is significant both in nature and geographically, and it encompasses 13 different local authority areas. The ExA would like to stress to the applicant and all interested parties (IPs) that the ExA need comprehensive answers to its written questions because the examination period is limited to a maximum of 6 months, and time in the hearing sessions planned for the week commencing 22 June will be limited. Such hearings will be focused to those issues which the ExA seek oral contributions, so as to assist in its understanding of the application and to inform its recommendation to the Secretary of State. There will not be sufficient time within those hearings to cover the wide range of issues encountered in the ExA's review of the application documents and relating to submissions from IPs.

All parties are reminded that the examination is a primarily written process.

The majority of the questions relate to submissions up to and including deadline 4 (12 May 2026), however due to the volume of documentation received, it has not been possible for the ExA to fully evaluate all the information submitted at that deadline. It is therefore possible that deadline 4 submissions may have already provided the information requested. If that is the case, then there is no need for a party to re-submit the information. Instead, in response to the question, please signpost where the information can be found by specific reference within a document identified through its Examination Library reference.

Column 2 of the table indicates which IPs and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.



When the table states '**all local authorities**' this refers to the following: Norfolk County Council (CC), Suffolk CC, Essex CC, South Norfolk District Council (DC), Mid Suffolk DC, Babergh DC, Tendring DC, Colchester City Council, Braintree DC, Chelmsford City Council, Brentwood Borough Council (BC), Basildon BC and Thurrock Council.

Each question has a unique reference number which starts with a suffix for the topic then has an issue number and a question number. For example, the first question on air quality issues is identified as AQ 2.1. When you are answering a question, please start your answer by quoting the unique reference number.

You should respond to the questions by using the **Have your say** function on the [project page of the National Infrastructure website](#) and selecting 'Responses to Examining Authority's Second Written Questions (ExQ2)' when asked.

If you are answering a larger number of questions an editable version of this table in Microsoft Word is available on request from the case team: please contact [norwichtoilbury@planninginspectorate.gov.uk](mailto:norwichtoilbury@planninginspectorate.gov.uk) and include 'Norwich to Tilbury ExQ2' in the subject line of your email.



## Abbreviations used:

Abbreviation	Description	Abbreviation	Description
AMS	Archaeological Mitigation Strategy	GLTA	Ground Level Tree Assessment
ARU	Anglia Ruskin University	GPIP3	Historic England's Good Practice Advice in Planning
BC	Borough Council	HP3	Hornsea Project 3 (UK) Ltd
BNG	Biodiversity Net Gain	HRA	Habitats Regulations Assessment
CC	County Council	ICOMOS	International Council on Monuments and Sites
CNP	Critical National Priority	IP	Interested Party/ Parties
CoCP	Code of Construction Practice	ISH	Issue Specific Hearing
CTMP	Construction Traffic Management Plan	km	Kilometres
DC	District Council	LEMP	Landscape and Ecological Management Plan
DCO	Development Consent Order	m	Metres
EACN	East Anglia Connection Node	NE	Natural England
ES	Environmental Statement	NL	National Landscape
ExA	Examining Authority	NPSA	National Protective Security Authority
ExQ1	Examining Authority's First Written Questions	NSIP	Nationally Significant Infrastructure Project
ExQ2	Examining Authority's Second Written Questions	NSR	Noise Sensitive Receptors
GCN	Great Crested Newt	OHL	Overhead Line
GLVIA3	Guidelines for Landscape and Visual Impact Assessments (3rd Edition, 2013)	PAR	Primary Access Route



Abbreviation	Description		
PRF	Potential Roost Features	SoCG	Statement of Common Ground
PRoW	Public Right(s) of Way	SWT	Suffolk Wildlife Trust
PRoWMP	Public Rights of Way Management Plan	WaLOR	Waveney and Little Ouse Landscape Recovery
RVAA	Residential Visual Amenity Assessment	WRA	Water Resources Assessment
SF6	Sulphur Hexafluoride	WSI	Written Scheme of Investigation

## The Examination Library

References in these questions set out in square brackets (for example [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: [Norwich to Tilbury Examination Library](#)

It will be updated as the examination progresses.

## Citation of questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, for example GEN 2.1 – refers to the first question in this table.



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ExQ2	Question to:	Question:	ECC Response
<b>GEN General and cross-topic questions</b>			
GEN 2.1	The applicant All interested parties	<p><b>Final deadlines and statements of common ground (SoCG)</b></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"> <li>• deadline 5: 10 June (the additional deadline 5A on 17 June is limited to certain responses only)</li> <li>• deadline 6: 7 July</li> <li>• deadline 7: 21 July</li> <li>• deadline 8: 4 August</li> </ul> <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 which they wish to comment on. Cross-reference should be made to the <a href="#">examination library</a> 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>ECC continues to positively engage with the Applicant to progress the SoCG with recognition of the deadlines established by the ExA for finalisation and signing of the document.</p>
GEN 2.2	The applicant All local authorities	<p><b>Legal Agreements</b></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"> <li>• 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).</li> </ul> <p>The applicant is asked to provide:</p> <ul style="list-style-type: none"> <li>• an update to the table of the requests</li> <li>• a summary of any ongoing agreements with local authorities which are being progressed, with expected time periods for completion</li> <li>• an update to the document ‘Consents and licences required under other legislation’ as necessary to include such other forms of agreement</li> <li>• updates to SoCG with local authorities as necessary to reflect agreement or non-agreement on the need for such agreements</li> </ul>	<p>ECC outlined its expectations of legal agreements in answer to ExQ1 GEN1.21, in the main body of its Deadline 4 submission and in respect of various highway matters, in Appendix D of the same submission [REP4 – 328]In brief, the requests are in respect of:</p> <ol style="list-style-type: none"> <li>Biodiversity Net Gain</li> <li>Tree Replacement Planting Programme</li> <li>Framework Highways Agreement</li> <li>Abnormal Indivisible Loads</li> <li>Highway Management Contributions</li> <li>Skills, Training and Supply Chain</li> <li>Location specific Compensatory Landscape Measures including Dunton Hills Graden Village</li> <li>Community Benefit</li> </ol> <p>ECC 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"> <li>• necessary to make the development acceptable in planning terms;</li> </ul>

ExQ2	Question to:	Question:	ECC Response
			<ul style="list-style-type: none"> <li>• directly related to the development; and</li> <li>• fairly and reasonably related in scale and kind to the development.</li> </ul> <p>Concerning the BNG schedule, ECC understands that the Applicant has voluntarily proposed this 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, the Council 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 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. The Council considers that vegetation removal and tree loss should follow the Mitigation Hierarchy, as identified in EN-1 (avoid, mitigate, compensate). ECC deems that the tree replacement planting programme represents mitigation (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, therefore any costing is subject to this confirmation, however, ECC supports the 3:1 proposal as forwarded by the Applicant with additional consideration for the loss of any veteran trees to be agreed with the Applicant (thereby in scale and kind).</p> <p>ECC considers that the Applicant should endeavour to sign a legal agreement in regard to location-specific compensatory landscape measures including Essex locations identified including Dunton Hills Graden Village, Great Bromley Hall Estate Woodland, Glebe Corner Ardleigh, Partridge Green Estate Woodland and Foxborough Farm . 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). The Council has been engaging with the Applicant to justify its requests and explain the potential opportunities as the Council perceives them. ECC therefore awaits further dialogue with the Applicant to finalise proposals (thereby in scale and kind).</p> <p>ECC understands that the Applicant is seeking to agree resourcing for police escorts for Abnormal Indivisible Loads, however, the Council seeks to ensure that obligations such as to undertake Structural Surveys on proposed routes are secured (thereby necessary and directly related). This matter does not requirement financial compensation, rather protection for the Local Highway Authority (thereby in scale and kind). In addition, ECC as the local</p>

ExQ2	Question to:	Question:	ECC Response
			<p>highway authority seeks to ensure the submission of a Framework Highways Agreement for the project. This is currently being discussed with the Applicant and ECC is seeking to ensure certainty around its submission should this be agreed after the close of the examination (thereby necessary and directly related).</p> <p>Skills and Employment is also listed as ECC would like to secure a specific contribution for this issue. As set out in section 4.8 of its LIR [REP1-161], ECC feels any contribution towards Skills and Employment should be distinct from Community Benefits and therefore, subject to its own S106 obligation.</p> <p>In respect of the Community Benefit Fund, although it is recognised this is unrelated to the assessment of the DCO, ECC is of the opinion that there should be a link between Community Benefits and the DCO through a S111 agreement to secure the delivery of the benefit to the community.</p>
GEN 2.3	The applicant	<p><b>Cumulative Assessment – Methodology</b></p> <p>Environmental Statement (ES) Chapter 17 Cumulative Effects [APP-281] describes the methodology used to assess the significance of potential inter-project 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> <ul style="list-style-type: none"> <li>a) Explain the meaning of ‘significant magnification’ in Table 17.6 and how it has been applied to determine levels of cumulative effects.</li> <li>b) 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.</li> <li>c) 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 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.</li> <li>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.</li> </ul>	

ExQ2	Question to:	Question:	ECC Response
		<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>	
GEN 2.4	<p>The applicant All local authorities All IPs listed within the Report on interrelationship with other infrastructure projects</p>	<p><b>Report on interrelationship with other infrastructure projects</b> 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 <a href="#">[REP4-163]</a>, see also question GEN 2.5 below). However, the final version of the interrelationship report <a href="#">[REP4-296]</a> 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. The applicant is asked to:</p> <ul style="list-style-type: none"> <li>ensure its final interrelationship report to be submitted at deadline 7 is consistent with ES chapter 17 and <a href="#">[REP4-163]</a></li> <li>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.</li> </ul> <p>All local authorities, and IPs who are listed in the interrelationship report, are asked to:</p> <ul style="list-style-type: none"> <li>Review the interrelationship report <a href="#">[REP4-296]</a> 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.</li> </ul>	<p>The County Council has no further commentary in response to this question.</p>
GEN 2.5	<p>The applicant</p>	<p><b>Cumulative Assessment – Inter-Project Effects</b> ES Chapter 17 - Cumulative Effects - Response Update <a href="#">[REP4-163]</a> provides an update to the inter-project cumulative effects assessment including other existing and, or approved developments that have been identified since 1 April 2025 and up to and including 31 January 2026. A further update to capture other existing and, or approved developments after the 1 February 2026 is proposed for deadline 7. Confirm the cut-off date that will be used for other development considered in the deadline 7 cumulative assessment. The applicant is asked to provide a further response update at deadline 6 (or provide reasoning why this is not necessary), with the final consolidated ES including cumulative assessment (clean and tracked change versions) provided no later than deadline 7.</p>	
<b>DES Design, parameters and other details of the proposed development</b>			
DES 2.1	<p>The applicant</p>	<p><b>Independent Design Review - 1</b> The applicant's response to ExQ1 DES1.3 <a href="#">[REP3-074]</a> is noted and the detail within this answer acknowledged.</p> <ol style="list-style-type: none"> <li>Does the North Falls and Five Estuaries Joint Substations Design Guide include or provide any design guidance for the proposed EACN?</li> <li>In practice what does 'actively engaged' in the Joint Substations Design Guide process mean?</li> <li>What differences are there between the Five Estuaries onshore substation and the proposed EACN in terms of siting and landscape sensitivities?</li> </ol>	

ExQ2	Question to:	Question:	ECC Response
		d) It is noted that consent for North Falls has now been granted and that requirement 5 of the consent ensures that independent design review takes places for their proposed substation. What differences are there between this proposed substation and the EACN in terms of siting and landscape sensitivities?	
DES 2.2	The applicant	<p><b>Independent Design Review – 2</b></p> <p>North Falls and Five Estuaries both have consent, and both have independent design review within the requirements of their respective DCOs for their onshore substations, yet there is no such provision proposed within the draft DCO for the proposed development, despite the obvious interlinkages and locations of the three proposed substations. Provide further evidence as to why you consider such an independent design process is not required for the EACN or amend the draft DCO accordingly.</p>	
DES 2.3	The applicant	<p><b>Independent Design Review - 3</b></p> <p>The processes undertaken regarding routing and siting are noted within the applicant's response to ExQ1 DES1.3 [REP3-074]. However, and notwithstanding the proposed transmission lines, the proposed development includes two new substations and extensions to two existing ones. Given the nature of substations, many of these such works may not constitute 'buildings', particularly those within the AIS substations or extensions and therefore may not be controlled through requirement 12 of the draft DCO [REP4-037]. Independent design review of such works would seem to help ensure that the substations are examples of good design as far as possible. Respond to this point generally and specifically for each proposed substation and extension (the answer regarding EACN may cross refer to the answer to DES 2.2).</p>	
DES 2.4	The applicant	<p><b>Design of temporary works and compounds</b></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>	
DES 2.5	The applicant All local authorities	<p><b>Approach to scenarios</b></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"> <li>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.</li> <li>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.</li> </ul>	ECC has no further comment to make on this question and would defer to the relevant district authorities.
<b>AQ Air quality and emissions</b>			
AQ 2.1	The applicant	<p><b>Sulphur Hexafluoride (SF6)</b></p> <p>[REP2-092] raises questions concerning SF6 within the electricity transmission network. Your responses to this matter contained in your '...Response to the Oral Submissions Made at the Open Floor Hearings' [REP2-028] and '...Comments on any Further</p>	

ExQ2	Question to:	Question:	ECC Response
		<p>Information or Submissions Received by Deadline 2' <a href="#">[REP3-070]</a> are noted. Your ES Appendix 4.1 - Greenhouse Gas Assessment <a href="#">[APP-131]</a> has assumed that no SF6 equipment will be used in the Project in accordance with National Grid policy. You also refer to SF6 alternatives such as C4 or G3 having a 99% lower global warming potential than sulphur hexafluoride. However, the response falls short of actually saying you are proposing to use either.</p> <p>Confirm you will not be using SF6/ SF6 equipment and how this is to be secured within the Development Consent Order (DCO). Additionally clarify what is meant by the references to 'C4' and 'G3 and how the use of C4 or G3 will be secured within the DCO.</p>	
<b>BIO Biodiversity, ecology and natural environment</b>			
<p>BIO 2.1</p>	<p>The applicant All local authorities Norfolk Wildlife Trust Suffolk Wildlife Trust Essex Wildlife Trust</p>	<p><b>Assessment of biodiversity deficit</b></p> <p>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><b>To applicant:</b> However, the ExA notes that as indicated in image 4.1 of ES Chapter 4 <a href="#">[APP-130]</a> 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 <a href="#">[AS-026]</a> has taken into account any short term temporary effects on ecological receptors – 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><b>To all local authorities and Wildlife Trusts:</b> 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>There is a persistent assumption throughout the ES Chapter 8 <a href="#">[AS-026]</a> 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.</p> <p>ECC highlight two problems with that assumption:</p> <ol style="list-style-type: none"> <li>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 experience difficulties and setbacks. The 5-year management period proposed for the vegetation reinstatement does not leave much scope for any failures that would need correction and care to assure safe establishment of the habitat reinstatement.</li> <li>2. The impact assessments within the ES Chapter 8 are not transparent with respect to predicted residual impacts in the short and medium term. As ECC has stated before, within the ES Chapter 8, Table 8.23 (the Residual Effect column) does not clarify how long it is predicted to take for the magnitude of impact to degrade to a negligible level for the affected receptors. This could be interpreted from Table 8.23 that the application of mitigation will ultimately bring about a neutral outcome, but this does not recognise that there is a necessary period of recovery time which may be measurable in years. Providing transparency about the short to 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.</li> </ol> <p>ECC therefore considers that 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.</p> <p>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. In practice, habitats such as hedgerows and tree lines are unlikely to provide equivalent ecological function (e.g. for commuting bats,</p>

ExQ2	Question to:	Question:	ECC Response
			<p>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>ECC also notes that 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>ECC therefore considers 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 ECC acknowledges that long-term reinstatement may reduce impacts, it considers 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>
BIO 2.2	The applicant	<p><b>Efficacy of ground level tree assessment (GLTA) for bat roosts</b></p> <p>Justify your assertion, as stated in response to ExQ1 BIO 1.5 <a href="#">[REP3-074]</a>, that ground level tree assessments provide: “a detailed understanding of the natural potential roost resource” and can provide a reasonable worst-case scenario. The ExA notes that the GLTA methodology is summarised in section 3.4 of <a href="#">[AS-034]</a>. However, for the sake of clarity the applicant is requested to provide details of the number and experience of the people who undertook these surveys, the survey timings and to explain how it is possible to undertake a survey of a mature tree from the ground level that can fully assess all of that tree’s potential roost features. Also, the applicant is asked to comment on the applicability of this methodology for all bat species that roost in trees.</p>	
BIO 2.3	The applicant	<p><b>Post-consent assessment work for bats</b></p> <p>Paragraphs 4.3.7 and 4.3.8 of the Bat Roost Report <a href="#">[AS-034]</a> state that: “if all the trees assessed within the Order Limits were impacted, the following shows the further survey requirements informed by the results of the GLTA:</p> <ul style="list-style-type: none"> <li>• 1,877 would require aerial inspections by climbing and/or ladder</li> <li>• 245 would require ground inspection by torch and endoscope</li> </ul>	

ExQ2	Question to:	Question:	ECC Response
		<ul style="list-style-type: none"> <li>• 218 would require emergence surveys (where trees are unsafe to climb or where features are so numerous that emergence surveys are the safest or most effective method for assessing (potential roost features) PRFs)</li> <li>• 648 would not require further survey.”</li> </ul> <p>Also, 48 trees were identified as having suitability to support hibernation roosts for bats and further surveys on these would be required. The applicant is requested to explain whether or not the “large groups of trees” that are set out in paragraph 4.3.3 of <a href="#">[AS-034]</a> would fall within these numbers cited above or whether they would be within the individual tree numbers cited above.</p> <p>The ExA notes the comments made in response to Braintree DC (page 14 of <a href="#">[REP3-070]</a>) that any trees assessed as a potential roost feature for multiple bats and may therefore be used by a maternity colony (PRF-M) would then require 3 x aerial inspections/emergence surveys in line with Bat Conservation Trust Guidelines. Having regard to this and the other proposed further assessment measures, the applicant is requested to set out a timeline, should the Order be made, for how long it would be expected that these surveys would take in total, assuming the worst-case scenario figures stated above. In the context of the envisaged overall construction timescale for the proposed development as set out in Image 4.1 of <a href="#">[AS-030]</a>, explain how sufficient resources would be made available in order to ensure that such a potentially substantial amount of survey work would be undertaken prior to the commencement of the construction operations or of any other works that might affect bat tree roosts.</p>	
BIO 2.4	Natural England	<p><b>District level licensing approach for great crested newt (GCN)</b></p> <p>In response to the ExA’s EXQ1 BIO 1.18, the applicant in <a href="#">[REP3-074]</a> has stated that a signed Impact Assessment and Conservation Payment Certificate for GCN has been obtained from Natural England and that you have signed it, confirming that the applicant will apply for a GCN District Level Licensing. Please either provide a copy of this or confirm that you are satisfied with the applicant’s approach in relation to GCN.</p>	
BIO 2.5	The applicant	<p><b>Letters of no impediment for bats, badger, hazel dormouse and water vole</b></p> <p>The ExA notes the letters from Natural England that the applicant has provided in <a href="#">[REP4-307]</a>. Whilst these state that for all species (except bats as a licence is not yet required) Natural England sees no impediment to licenses being issued, it is also noted that a number of other matters are still not agreed by Natural England or might require further work, such as bait marking surveys for badgers and justification of a 3m buffer either side of working areas for water vole when a 5m buffer is typically required. Comment on all the outstanding matters raised by Natural England in its ‘initial draft application’ letters contained in <a href="#">[REP4-307]</a>.</p>	
BIO 2.6	The applicant	<p><b>Post-development management, monitoring and adaptive management</b></p> <p>Explain how the creation of habitat other than for individual trees, hedgerow, shrubs and woodland, for example the proposed grassland creation at Thrandeston Meadow CWS and Sproughton Park CWS, would be considered to fall within the ambit of R9 of the dDCO that refers to replacement planting? If not, then how is the post-development management, monitoring and adaptive management for these other habitats to be secured and explain how this work would be undertaken in practice?</p>	
BIO 2.7	Natural England	<p><b>Applicability of NatureScot best practice guidance</b></p> <p>In its response to ExQ1 BIO 1.12 the applicant in <a href="#">[REP3-074]</a> has cited guidance from NatureScot, 2017, updated 2025, ‘Recommended bird survey methods to inform impact assessment of onshore windfarms’, that in turn is referenced as being broadly similar in</p>	

ExQ2	Question to:	Question:	ECC Response
		terms of survey requirements and methodology in the NatureScot, 2025, guidance 'Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds', to justify its approach to not specifically surveying for, in particular, farmland bird species. Comment on the applicant's approach and the applicability of NatureScot's guidance in relation to the location and nature of this proposed development, such as an energy grid connection project in eastern England.	
BIO 2.8	All local authorities Norfolk Wildlife Trust Suffolk Wildlife Trust Essex Wildlife Trust	<b>Monitoring the effects on birds</b> In response to ExQ1 BIO 1.13 regarding the use of bird diverters the applicant in <a href="#">[REP3-074]</a> states that ES Chapter 8 <a href="#">[AS-026]</a> and the Habitat Regulations Assessment (HRA) Report <a href="#">[APP-082]</a> 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. Do you agree with the applicant's comments in this regard, if not then please explain why and set out what additional monitoring and (if necessary) adaptive management you would wish to see secured.	ECC acknowledges that the submitted ES Chapter 8 considered the issue with appropriate survey effort and reasonably concluded a negligible risk to the effect on birds. With respect to the route through Essex, ECC does not disagree with the Applicant's assessment or their conclusions.
BIO 2.9	The applicant	<b>Assessment of impacts on birds</b> The ExA notes the applicant's response in <a href="#">[REP3-070]</a> to the Bird Collision Matrix submitted at deadline 2 <a href="#">[REP2-108]</a> . Pylons East Anglia Limited in its deadline 4 submission <a href="#">[REP4-369]</a> has queried the assessment of impacts on birds and has provided evidence of the species of birds that are involved in collisions with power lines and potential other locations these species are noted as occurring. In light of the Pylons East Anglia deadline 4 submission, provide any additional comments you may wish to make on this matter.	
BIO 2.10	The applicant	<b>Additional bird diverters</b> SWT in its deadline 4 response <a href="#">[REP4-373]</a> considers that an additional area to the south of pylon RG088 should also have bird diverters installed, or that this should be monitored for bird casualties with bird diverters then installed as an adaptive management measure if required. Comment on SWT's proposal.	
BIO 2.11	The applicant	<b>Potential impacts on Wenham Grove ancient woodland</b> Suffolk CC in Table 6 of its deadline 4 submission <a href="#">[REP4-335]</a> has raised concerns that any works area or access road should be moved outside of a 15m buffer with Wenham Grove, which has now been classified as ancient woodland. In Table B.2 of the Ancient Woodland Technical Note – Part 2 <a href="#">[REP3-059]</a> the applicant states that the Wenham Grove cable sealing end would be located 12m from the woodland boundary but that there is a commitment to no physical works or breaking ground within 15m of any ancient woodland. Please clarify this.	
BIO 2.12	The applicant	<b>Length of hedgerows affected</b> As stated in Table 8.23 of ES Chapter 8 <a href="#">[AS-026]</a> there would be a temporary habitat loss of 30.14 kilometres (km) of 'native hedgerows' and a temporary habitat loss of 5.54km of 'species rich important hedgerows'. For the sake of clarity, please confirm that the overall length of temporary habitat loss for hedgerows is predicted to be 35.68km, i.e. both of these figures added together rather than the species rich important hedgerows being a subset of the native hedgerows' figure.	
BIO 2.13	The applicant	<b>Waveney and Little Ouse Landscape Recovery (WaLOR) Project</b>	

ExQ2	Question to:	Question:	ECC Response
		SWT in <a href="#">[REP4-373]</a> is concerned about potential conflicts with the WaLOR project and would wish to see a greater degree of control set out in the outline LEMP (or the draft DCO). Comment on this.	
BIO 2.14	The applicant	<p><b>Formulation of the final Biodiversity Net Gain (BNG) metric and how BNG measures are to be secured</b></p> <p>In response to EXQ1 BIO 1.20 the applicant states that “The full details of the BNG unit requirements is presented within 7.1 BNG Report <a href="#">[APP-299]</a>. It is expected that through detailed design the impacts on trees and hedgerows and other habitats will reduce overall and therefore the overall BNG requirement will also be reduced.”</p> <p>Set out the process for how the outline BNG requirements and measures as detailed in <a href="#">[APP-299]</a> would be worked up into becoming the final BNG requirements and measures that would be proposed to landowners. Justify why the need for approval of final BNG measures, for example via the mechanism of submitting a Final BNG Report for the approval of local authorities and/or NE, is not specifically secured within Schedule 3 (Requirements) of the draft DCO <a href="#">[REP4-037]</a> and why the BNG Report is not listed as a certified document in schedule 19. In answering this question explain how you intend to consult with relevant landowners, local authorities and other interests to ensure a suitable suite of BNG measures would be developed and who in your organisation would be accountable for undertaking this work, for example the Ecological Clerk of Works.</p>	
BIO 2.15	Five Estuaries and North Falls Offshore Wind Farms	<p><b>Impact of the proposed development on Five Estuaries and North Falls Offshore Wind Farms</b></p> <p>The ExA notes that the Order granting approval for the North Falls Offshore Wind Farm was made by the Secretary of State on 14 May 2026. As indicated by the applicant in Table 6.1 of the Report on Interrelationship with Other Infrastructure Projects <a href="#">[REP4-296]</a> the proposed development would potentially impact on the mitigation/enhancement/BNG measures that have been proposed for some other projects. In relation to both Five Estuaries and North Falls Offshore Wind Farms the applicant states in Table 6.1 that “The Project interacts with the ... mitigation area, but sufficient coordination is secured between the two projects to minimise any impacts.” Five Estuaries and North Falls are requested to provide comments on this.</p>	
BIO 2.16	The applicant	<p><b>Impact of proposed development on other projects’ mitigation measures.</b></p> <p>In Table 6.1 of the Report on Interrelationship with Other Infrastructure Projects <a href="#">[REP4-296]</a> a number of other projects are identified by the applicant where the proposed development has the potential to interact with the mitigation or enhancement measures being proposed for these other projects. Examples of this include planning application reference 2024/3750 for the development of a 400 megawatt energy storage system where in <a href="#">[REP4-296]</a> the applicant states that: “Pylon RG4 is proposed within the central portion of the site where wildflower planting is proposed.” For all of these potential interactions explain what negotiations have taken place with these other developers, what measures you would take to ensure that these other projects would be able to deliver their consented mitigation/ enhancement proposals and how these measures would be secured.</p>	
BIO 2.17	The applicant	<p><b>Assessment of cumulative effects on biodiversity</b></p> <p>In response to ExQ1 GEN 1.26 the applicant in <a href="#">[REP3-074]</a> has stated, in relation to other projects that are proposed to connect to the EACN substation, that : “The effects that the footprint of these (<i>other</i>) developments would have on habitats and the effect these developments would have on mobile species were reviewed to identify whether there was potential for inter-project cumulative effects.” Provide evidence of how this</p>	

ExQ2	Question to:	Question:	ECC Response
		review process was conducted and clarify whether the assessment of cumulative effects related to only the footprints of the other substations once built or to other elements of these projects including their cable corridors and potentially overlapping construction timescales with the proposed development.	
<b>CA Compulsory acquisition, temporary possession and land rights</b>			
CA 2.1	The applicant	<b>Anglia Ruskin University (ARU) Writtle</b> ARU Writtle in its submission at deadline 4 <a href="#">[REP4-348]</a> amongst other matters has raised the issue of compulsory acquisition of its land or interests. Please address the comments raised in particular whether there is a case for the compulsory acquisition of such land and interest in the context of the potential for road closures to address the need for the mitigation works.	
CA 2.1	The applicant	<b>Land Rights Tracker <a href="#">[REP4-051]</a></b> The latest version of the Land Rights Tracker submitted for the Examination Library <a href="#">[REP4-051]</a> does not include the notes and information that was provided in the previous version <a href="#">[REP3-018]</a> . At the next iteration of the Land Rights Tracker please ensure these are included and any updates included.	
<b>DCO Draft Development Consent Order</b>			
DCO 2.G1	The applicant	<b>DCO General 1</b> The ExA notes the response of the local authorities in relation to the action points from Issue Specific Hearing (ISH) 2 <a href="#">[EV9-023]</a> , action point 2. It also notes the applicant's response to ExQ1 SET 1.5 <a href="#">[REP3-074]</a> , as well as the Secretary of State's <a href="#">decision letter for The North Falls Offshore Wind Farm Project</a> dated 14 May 2026.	
DCO 2.G2	All local authorities	<b>DCO General 2</b> In light of the applicant's response to ExQ1 <a href="#">[REP3-074]</a> , question SET 1.5, and the Secretary of State's <a href="#">decision letter for The North Falls Offshore Wind Farm Project</a> 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.  Confirm where you have used the term "where practicable" or any variant of that term,  when describing mitigation measures, as set out in the outline: Code of Construction Plan (CoCP); Construction Traffic Management Plan (CTMP); Public Rights of Way Management Plan (PRoWMP); LEMP; Archaeological Mitigation Strategy (AMS); and Written Scheme of Investigation (WSI), that such mitigation has been considered in the assessed worst-case scenarios.	ECC has reviewed the Applicant's response to ExQ1 (REP3-074, SET 1.5) together with the Secretary of State's decision letter for the North Falls Offshore Wind Farm Project (14 May 2026), in particular paragraphs 4.192–4.194 and whilst acknowledging a degree of flexibility is often necessary in the detailed design and construction of nationally significant infrastructure projects, ECC does have concerns regarding the uncertainty its use creates. ECC would therefore, reiterate the following comments made at D4 REP4-328].  First, 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".  ECC considers that even 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 dDCO or in the OCoCP secures any such balancing exercise, evidences it, or makes it auditable.  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.

ExQ2	Question to:	Question:	ECC Response
			<p>Second, 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> <ul style="list-style-type: none"> <li>a. "it may not be physically possible" (a technical-impossibility test);</li> <li>b. "we will look at whether it is appropriate or feasible" (an Applicant judged discretion);</li> <li>c. "the landowner may have requirements/ask for something unreasonable" (a third-party-driven exception);</li> <li>d. "key aspect is H&amp;S" (a safety override);</li> <li>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</li> <li>f. "Project critical activities needing to take place" (a programme-priority override).</li> </ul> <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>Third, 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 LPA should have a role in policing it. ECC believes the Applicant cannot have it both ways.</p> <p>A detailed analysis of the varied meanings of the term 'where practicable' was provided in Appendix C of ECC's Deadline 4 response [REP4-328]</p>
<b>Articles</b>			
DCO 2.A1	The applicant	<p><b>Articles - General</b></p> <p>In its response to ExQ1 [REP3-074] at question HE1.10, the applicant responds "where circumstances may lead to a longitudinal or lateral change in position, the project has a robust internal governance and assurance process to ensure compliance with the DCO, to ensure the change does not give rise to any materially new or materially different environmental effects, and to secure mitigation where relevant".</p> <p>Provide details of this internal governance and assurance process, how compliance with that process is secured within the DCO and how such changes in pylon position will be communicated with the relevant local authorities.</p>	
DCO 2.A2	The applicant	<p><b>Article 1 (Interpretation)</b></p> <p>Braintree DC in its response to ISH2 Action Points [REP4-323] at action point 11, which asked Local Authorities to comment on the applicant's position in response to ExA question DCO 1.A7 concerning the definition of "maintain", upholds its concern the</p>	

ExQ2	Question to:	Question:	ECC Response
		<p>applicant's current approach where activities would be permitted on the basis that they do not give rise to any materially new or materially different environmental effects from those identified in the ES. It considers this approach relies on a broad and untested assumption, without sufficient clarity as to how such effects would be assessed, controlled or enforced in practice.</p> <p>It notes you refer to precedent and consider that external oversight is neither necessary nor appropriate in determining whether effects would be materially new or different. It also notes you refer to your statutory duty to maintain a safe and efficient transmission network. However, the Council does not consider that either precedent or statutory duty addresses the core issue of how potential environmental effects arising from maintenance activities are to be transparently assessed or appropriately controlled.</p> <p>It maintains its argument the inclusion of the wording "in the opinion of the relevant planning authority" is necessary to ensure appropriate oversight in determining whether maintenance activities could give rise to materially new or materially different environmental effects. However, it recognises your concerns regarding potential delay arising from additional oversight and, on a without prejudice basis, suggests the inclusion of a deemed consent mechanism as an appropriately balance to that concern. It suggests such a mechanism would ensure decisions are made in a timely manner and no undue delay would be introduced to the delivery of the project. A suggestion of 20 working days has been provided as an example.</p> <p>In regard to Article 2 (Interpretation) and the definition of 'maintain' the applicant is asked for its considered response to the inclusion of such wording in the definition, together with the inclusion of the suggested deemed consent mechanism.</p>	
DCO 2.A3	The applicant	<p><b>Article 23</b></p> <p>The ExA notes Suffolk CC's comments in its deadline 4 submission <a href="#">[REP4-335]</a>, at table 9.9 where it states article 23 does not include provision for the treatment of human remains of archaeological context, even if they are older than 100 years. It does not grant a licence to excavate the human remains of archaeological research, or to retain those remains for archaeological and scientific analysis in a museum or archaeological archive (where required). As such they advise article 23 is an inappropriate mechanism for the treatment of human remains found through archaeological investigation. Provide your considered responds to this matter and update Article 23, if required.</p>	
DCO 2.A4	Babergh and Mid Suffolk District Councils	<p><b>Articles 48</b></p> <p>During ISH2 (Day 1, Part 4) <a href="#">[EV9-007]</a> Babergh and Mid Suffolk DCs indicated they have concerns in relation to Article 48 (Defence to proceedings in respect of statutory nuisance), but would be making those in writing at deadline 4. Please direct the ExA to where within your deadline 4 submissions you have raised these concerns or submit your concerns in response to this question.</p>	
<b>Schedules</b>			
DCO 2.S1	Anglian Water	<p><b>Schedules 3 – General</b></p> <p>The ExA has noted the applicant's response to ExQ1 <a href="#">[REP3-074]</a> at question 1.S4 where it notes Anglian Water's position where, if agreement on non-domestic water supply is not reached during the examination period, it considered a requirement for a Water Resources Assessment (WRA) should be included in the Draft DCO. In the applicant's response it stated a requirement is not necessary, giving the following reasons:</p>	

ExQ2	Question to:	Question:	ECC Response
		<ul style="list-style-type: none"> <li>The provision of non-domestic water supply is regulated through separate statutory regimes and consenting processes, including Water Connections Agreements, which would be required prior to the supply of mains water;</li> <li>The applicant Consents and Licences Required Under Other Legislation [REP4-053] already makes clear that applications for Water Connections Agreements required by the Water Industry Act 1991 would be submitted by the appointed Main Works Contractor(s) to Anglian Water, should development consent be granted and prior to relevant works; and</li> <li>Anglian Water's published Non-Domestic Water Requests Policy 26 applies independently of the DCO and, where requests exceed 20 m<sup>3</sup>/day for NSIPs, requires a WRA to be completed as part of the water supply approval process.</li> </ul> <p>The applicant points out that the inclusion of such a DCO requirement would duplicate existing regulatory processes and would not be necessary or proportionate. Furthermore, it advises it has submitted a draft WRA to Anglian Water for feedback, prior to the submission of all WRA's requested by Anglian Water for each temporary and permanent connection to proposed infrastructure where the WRA threshold is met. The applicant intends to further define the connection requirement and complete submission of all required WRAs by Deadline 6.</p> <p>The applicant considers the existing commitments in the outline CoCP [REP3-025] and seeking to secure Water Connections Agreements under other legislation provide sufficient and appropriate control.</p> <p>Would Anglia Water like to respond?</p>	
DCO 2.S2	The applicant	<p><b>Schedules 3, Requirement 1 (Interpretations)</b></p> <p>Essex CC at deadline 4 [REP4-328], 'together with a number of other local authorities responded to ISH2 Action Point 16, which requests that local authorities comment on the applicants response to ExQ1 DCO 1.S5 regarding the discharging authority and the revised wording, including in relation to local government reform as set out in the Devolution and Community Empowerment Bill 2025. Whilst generally acknowledged as a positive step forward and broadly workable in principle, Essex CC does not consider the revised wording fully addresses the implications of local government reorganisation. In particular, it considers the drafting needs to be clearer and explicitly to cater for the transition to unitary authorities and the potential for functions to pass to multiple successor bodies. As a result it considers further refinement is required, including clearer "successor or successors" provisions and a mechanism to identify the appropriate authority by area. In the absence of such revisions it considers the current wording is not sufficiently robust. Can the applicant review the current wording and provide a clear explanation of how it will be addressing these concerns within the DCO.</p>	
DCO 2.S3	The applicant All local authorities	<p><b>Schedules 3, Requirement 4 (Construction Management Plans) 1</b></p> <p><u>Complaints procedure under the Outline CoCP secured by Requirement 4</u></p> <p>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</p>	<p>ECC has raised the issue regarding complaint handling processes within its Statement of Common Ground – part 3.6.7 and the need for this process to have defined response times and escalation routes; and accessible communication options for residents experiencing digital exclusion (paper copies, community notice boards).</p> <p>ECC's position on this matter has now moved forward and has been superseded following Thurrock Council's recent meeting with National Grid on 13th May 2026 (post Deadline 4). At the time the Examining Authority received concerns regarding the complaints procedure, there was little to no</p>

ExQ2	Question to:	Question:	ECC Response
		<p>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>easily available information relating to development of a complaints procedure.</p> <p>ECC is now aware of and has reviewed Appendix E of the Outline OCoCP “Community Engagement and Public Information” which provides a section on the Complaints Procedure and outlines what the Complaints Procedure Plan will look to include once developed by the Mains Contractors. This would presumably take place either if the DCO is granted consent or as part of the final version of the OCoCP. The content of this document provides further detail on the elements ECC would expect to see including:</p> <ul style="list-style-type: none"> <li>• Where (e.g. dedicated telephone line and project website) and how to log a complaint and to whom</li> <li>• Timeframe for response to complaints</li> <li>• Potential solutions / remedies available to address complaints</li> <li>• Who to contact in the event that the complainant is not satisfied with the outcome.</li> </ul> <p>It also highlights that minor issues will be handled primarily by the Main Works Contractors and that escalations for major issues will be dealt with by National Grid.</p> <p>ECC would encourage the Applicant to mirror the complaints procedure detailed in the Lower Thames Crossing DCO.</p> <p>It is ECC’s view that this procedure has worked well. Furthermore, 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.</p> <p>Subject to the provision of the information outlined above, and provided that development, delivery, appropriate communication to residents about the Complaints Process, and ongoing monitoring of the effectiveness of this Complaints Procedure Plan are secured through the DCO processes, ECC would be satisfied with the arrangements and that there will be clear mechanisms for residents to raise concerns and have them addressed in a timely manner.</p> <p>Given the above, ECC do not propose any draft wording for the contents of a Complaints Process Plan at this time.</p> <p>ECC would also highlight the importance of securing an agreed noise protocol to investigate any complaints arising from operational noise given the concentration of infrastructure development in proximity to the proposed EACN i.e. development associated with North Falls and Five Estuaries.</p> <p>It is noted that the recent decision in respect of North Falls contained the following as part of Requirements 17</p>

ExQ2	Question to:	Question:	ECC Response
			<p>Prior to the commencement of operation of Work No. 11, a noise investigation protocol must be submitted to and approved by the discharging authority. The protocol must set out a process for the investigation of cumulative operational noise from the proposed National Grid substation and the Five Estuaries substation as and when one or both becomes operational.</p> <p>ECC would recommend this approach for Norwich to Tilbury as an additional requirement.</p>
DCO 2.S4	The applicant Suffolk Wildlife Trust	<p><b>Schedules 3, Requirement 4 – (Construction Management Plans) 2</b></p> <p><u>WaLOR Project - Embedded, standard and additional mitigation measures secured by the outline CoCP secured by Requirement 4.</u></p> <p>SWT in its deadline 4 submission <a href="#">[REP4-373]</a> states the response in Document: 8.8.1 Applicant's Comments on Written Representations, that "The Applicant's Main Works Contractor(s) would seek to engage with the WaLOR project team during detailed design development, to reduce any potential for conflicts between the two projects" is not sufficient.</p> <p>It seeks a commitment that the Main Works Contractor(s) engaging with the WaLOR project team during detailed design development, to avoid any potential for conflicts between the two projects. It seeks the strengthening of the outline LEMP to ensure communication and coordination is guaranteed and that the detailed design and implementation of works by the applicant's Main Works Contractor(s) is compatible with the WaLOR project's planned river and floodplain habitat restoration works where the location of these overlaps with the Norwich to Tilbury project.</p> <p>The applicant is asked to amend the outline LEMP accordingly or explain, in full, why you consider such an amendment is not necessary.</p> <p>SWT are asked to provide a form of wording for potential inclusion within the outline LEMP, which adequately addresses your concern, in the absence of applicant's failure to adequately satisfy the ExA in this regard.</p>	
DCO 2.S5	The applicant Suffolk Wildlife Trust	<p><b>Schedules 3, Requirement 4 (Construction Management Plans) 3</b></p> <p>The formation of an Ecology Working Group is referenced in the updated outline LEMP <a href="#">[REP3-030]</a> that is secured by Requirement 4</p> <p>SWT in its deadline 4 submission <a href="#">[REP4-373]</a> highlights the role of an Ecology Working Group. It has previously mentioned an Ecology Advisory Group in its deadline 1 submission <a href="#">[REP1-278]</a>. The deadline 4 submission states the role of such a group must be strengthened within the DCO and it seeks to ensure such a group has a formal role in advising on the development and delivery of the LEMP, including any required adaptive management, as opposed to a group which would primarily receive updates from the applicant.</p> <p>Babergh and Mid Suffolk District Councils also make reference to the Tilbury Ecological Working Group and the need for the outline CoCP and outline LEMP to be updated.</p> <p>SWT advises it has provided a draft of a document to the applicant related to a proposed DCO requirement for an Ecology Working Group, as part of its submission documents and urge this to be used as a blueprint for the group.</p> <p>The ExA seeks clarification from SWT as to where within its submissions this document can be located. Is it referring to paragraph 2.3.1 of <a href="#">[REP1-278]</a> or is referring to another</p>	

ExQ2	Question to:	Question:	ECC Response
		<p>document?</p> <p>The applicant is asked for its response to the document referred to by the SWT, along with a form of wording for inclusion within the draft DCO and/ or outline LEMP securing such a commitment to an Ecology Working Group or a detailed explanation as to why such a commitment is not required.</p> <p>SWT – Provide a form of wording for potential inclusion within the outline DCO and/ or the outline LEMP, which adequately addresses this matter, in the event the applicant fails to adequately satisfy the ExA in this regard.</p>	
DCO 2.S6	<p>The applicant All local authorities</p>	<p><b>Schedules 3, Requirement 4 (Construction Management Plan) 4</b> <u>Noise and Vibration</u></p> <p>Thurrock Council in its deadline 4 submission <a href="#">[REP4-347]</a>, 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>ECC acknowledges that 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, ECC considers that a proactive monitoring strategy is necessary in addition to any complaint-led monitoring. In conjunction with Thurrock and Essex LPA’s, ECC considers that routine noise monitoring should therefore be undertaken throughout key construction phases. 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 the Council 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>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 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 Proposed Development or arise from other external sources, such as road traffic or unrelated industrial activities. 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"> <li>i) the proposed monitoring locations;</li> <li>ii) trigger levels for further investigation;</li> <li>iii) corrective actions to be implemented where exceedances are identified; and</li> <li>iv) reporting arrangements to the relevant local authority.</li> </ul>

ExQ2	Question to:	Question:	ECC Response								
			<p>It is also considered that 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>In collaboration with other Essex authorities, ECC proposes some wording below which could be added to the CoCP to address the inadequacies highlighted by Thurrock:</p> <p>Monitoring of any noise complaints and reporting to the contractor for immediate investigation. Letters should be sent to sensitive receptors prior to undertaking of works to allow a route for complaints to be made, this will allow the contractor to act as soon as a concern is raised.</p> <p>On receipt of a complaint, noise monitoring will be undertaken. Relevant noise monitoring equipment and measures will be implemented, which would be placed adjacent to the site boundary closest to the complainant's property. The action value/ threshold will be set in line with limits described in BS5228-1 Noise threshold Limits</p> <ul style="list-style-type: none"> <li>• Category A threshold LAeq,T Weekday Daytime (0700 – 1900) and Saturdays (0700 – 1300) - 65dB.</li> <li>• Category A threshold Evening and Weekends – 55dB</li> <li>• Night-time (2300 – 0700) – 45 dB</li> </ul> <p><u>Noise Trigger Levels</u></p> <p>In order to ensure the works being undertaken are not adversely affecting nearby receptors, the trigger levels set out below will be implemented to notify the site team on the potential noise limit exceedances of the works:</p> <table border="1" data-bbox="1866 1283 2881 1598"> <thead> <tr> <th data-bbox="1866 1283 2371 1346">Trigger Level</th> <th data-bbox="2371 1283 2881 1346">Actions</th> </tr> </thead> <tbody> <tr> <td data-bbox="1866 1346 2371 1388">Below threshold</td> <td data-bbox="2371 1346 2881 1388">None</td> </tr> <tr> <td data-bbox="1866 1388 2371 1493">Equals threshold level or within less than 5 dB above the threshold</td> <td data-bbox="2371 1388 2881 1493">Review BPM currently used, implement temporary mitigation measures if not already in use.</td> </tr> <tr> <td data-bbox="1866 1493 2371 1598">Greater than or equal to 5dB above threshold.</td> <td data-bbox="2371 1493 2881 1598">Stop works and review primary cause of trigger, review and adjust mitigation.</td> </tr> </tbody> </table>	Trigger Level	Actions	Below threshold	None	Equals threshold level or within less than 5 dB above the threshold	Review BPM currently used, implement temporary mitigation measures if not already in use.	Greater than or equal to 5dB above threshold.	Stop works and review primary cause of trigger, review and adjust mitigation.
Trigger Level	Actions										
Below threshold	None										
Equals threshold level or within less than 5 dB above the threshold	Review BPM currently used, implement temporary mitigation measures if not already in use.										
Greater than or equal to 5dB above threshold.	Stop works and review primary cause of trigger, review and adjust mitigation.										
DCO 2.S7	The applicant	<p><b>Schedules 3, Requirement 4 (Construction Management Plan) 5</b></p> <p>The ExA notes NV23 of the outline CoCP [REP4-164], where in relation to the construction of pylon foundations it advises non-percussive piling methods will be used, except where the results of ground investigations reveal that percussive piling is unavoidably required. Where percussive piling is to be used NV23 states a schedule of locations where percussive piling is unavoidably required will be prepared following the completion of ground investigations and shared with the local authorities prior to piling operations commencing. However, it does not provide any need for the consultation or agreement with the relevant local authority in regard to justifying its conclusions, nor</p>									

ExQ2	Question to:	Question:	ECC Response
		ability for a local authority to seek amendments/ mitigations beyond any already proposed. How does the applicant proposed to resolve this concern?	
DCO 2.S8	The applicant	<p><b>Schedules 3, Requirement 4 (Construction Management Plan) 6</b></p> <p>During ISH2, the ExA raised concerns regarding the level of adverse magnitude of impact along Primary Access Route (PAR) 30 - Bentley Road. It noted PAR has 16 Noise Sensitive Receptors (NSR) within 50 metres of the route, where the effect on these NSRs has the potential to be significant in the absence of mitigation, especially the property known as 'Jasmine Cottage'. Whilst there was a focus on Jasmine Cottage being the worst effected, it was clearly not the only property out of the 16 NSRs within 50 metres of the route where an adverse effect occurs.</p> <p>NV23 of the outline CoCP <a href="#">[REP4-164]</a>, indicates bespoke noise mitigation strategy will be prepared for Jasmine Cottage, Bentley Road, Little Bentley prior to the start of works to mitigate construction noise levels to non-significant levels, as far as practicable, both inside the dwelling and in the garden areas. It indicates in principle this may include the offer of acoustically rated glazing and ventilation to achieve suitable indoor ambient noise levels (as suggested in BS 8233:2014), and the offer of acoustic fencing (which may be subject to planning permission) to achieve suitable external amenity levels (as BS 8233:2014). However, the outline CoCP makes no reference to the other NSRs, mentioned above, other than to say a "Further review of construction traffic noise on other NSRs along Bentley Road will be undertaken prior to the start of works, and appropriate mitigation may be implemented to reduce construction traffic noise levels as far as practicable. This may include the offer of sound insulation and alternate ventilation via bespoke noise mitigation strategies if other mitigation options (such as screening) are not viable for avoiding significant adverse effects."</p> <p>The ExA is concerned this mitigation commitment, as set out in the outline CoCP <a href="#">[REP4-164]</a> does not refer to vibration effects or related mitigation and it does not go far enough, in the ExA's view, in regard to the other NSRs along PAR30, where the ES Chapter 14 - Noise and Vibration (Final Issue A) <a href="#">[APP-256]</a> states "major significant adverse effects from construction traffic noise would still be expected on Bentley Road. Review and advise how you will be addressing these concerns.</p>	
DCO 2.S9	The applicant	<p><b>Schedules 3, Requirement 5 (Archaeology)</b></p> <p>Essex CC at deadline 4 <a href="#">[REP4-328]</a>, together with a number of other County and Local Authorities continue to raise concern in regard to requirement 5 (Archaeology). In essence they consider the current drafting of the requirement to be insufficient to ensure effective archaeological control, as it relies on outline documents (the outline AMS and outline WSI), which it states remain unagreed and inadequate at this time to function as control documents. In the absence of an agreed and robust strategy, it considers intrusive pre-commencement works should not proceed until detailed, site-specific WSIs have been approved, reflecting a precautionary approach to safeguarding archaeological assets.</p> <p>The ExA notes that responding local authorities indicate this position is informed by experience on the Bramford to Twinstead project, where failure to secure agreement pre-consent resulted in delays. Can the applicant explain clearly how it will be addressing this matter within the draft DCO to address these concerns, especially those concerning ensuring effective archaeological control is provided and appropriately secured within the DCO.</p>	
DCO 2.S10	The applicant All local authorities	<b>Schedules 3, Requirement 7 (Construction Hours)</b>	ECC maintains its position that the current proposed construction hours are overly extensive and do not provide sufficient respite for local residents and

ExQ2	Question to:	Question:	ECC Response
		<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.”</p> <p>The applicant is asked to model the scenarios of removing:</p> <ul style="list-style-type: none"> <li>a) just Sundays</li> <li>b) just bank and other public holidays</li> <li>c) Sundays and bank and other public holidays</li> </ul> <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 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>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 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 “normal” construction hours as identified in BS 5228-1 (07:00–19:00 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, the Council 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>Furthermore, 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. The Council therefore 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 (see response to ExQ2 NV2.2).</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>In this regard, the Council 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>

ExQ2	Question to:	Question:	ECC Response
			<p>The Council 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, the Council 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>On this basis, the Council considers that construction hours should align with 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, ECC would suggest the following wording:</p> <p><u>Construction hours</u></p> <p>(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</p> <p>(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.</p> <p>(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 0700 to 1900 Monday to Friday and 0800 to 1300 on Saturdays.</p> <p>(4) The following operations may take place outside the core working hours—</p> <p>(a) trenchless crossing operations including at landfalls and beneath highways, railway lines, woodlands, nature reserves, Sites of Special Scientific Interest or watercourses;</p> <p>(b) the installation and removal of conductors, pilot wires and associated protective netting across highways, railway lines or watercourses;</p> <p>(c) the jointing of underground cables excluding cable cutting;</p> <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>

ExQ2	Question to:	Question:	ECC Response
			<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 <b>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);</b></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><b>(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.</b></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><u>Start UP / Close Down</u></p> <p>start-up and close down activities” <b>means general works that will not create an audible disturbance to local residents including but not restricted to—</b></p> <p>(a) arrival and departure of workforce and staff at site and movement to and from places of work;</p>

ExQ2	Question to:	Question:	ECC Response
			<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>
DCO 2.S11	All local authorities	<p><b>Schedule 3 – Requirements 8 (Retention and removal of trees, woodland and hedgerows)</b></p> <p>The ExA asked in ExQ1 DCO 1.S12 <a href="#">[PD-014]</a> 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 <a href="#">[REP3-074]</a> "...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>The removal and retention of trees and hedgerows as a result of this project being implemented is a sensitive issue. ECC therefore considers the Arboricultural Method Statement a critically important document providing reassurance on the detail regarding the trees and hedgerows to be removed, the trees and hedgerows to be retained and for those trees hedgerows being retained, the necessary tree / hedgerow protection measures.</p> <p>In the current draft of the dDCO, ECC acknowledges the AMS forms part of and is secured through the OLEMP. However, given the breadth of the OLEMP, ECC is of the opinion that the current drafting does not provide sufficient clarity around whether the AMS is to be discharged under Requirement 4 or Requirement 8 nor does the current approach make it easy to monitor and track progress around discharge.</p> <p>The discharge route for the AMS therefore needs to be clarified. ECC believes the AMS should be approved pursuant to Requirement 8 which relates to the retention and removal of trees, woodland and hedgerows. With this in mind, it is recommended the ExA give consideration to including reference at Part iii) of Requirement 8, to the need for the AMS to form part of any submission pursuant to Requirement 8.</p>
DCO 2.S12	All local authorities The applicant	<p><b>Schedule 3 – Requirements 13 (Decommissioning)</b></p> <p>Braintree DC, in its response to ISH2 Action Points <a href="#">[REP4-323]</a>, 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;</p> <p>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</p> <p>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>ECC 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> <p>In response to the Examining Authority's specific questions:</p> <p>i) ECC 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 therefore rest with the undertaker and be secured through a clear and enforceable obligation within the DCO [as per ECC's LIR REP1-161].</p>

ExQ2	Question to:	Question:	ECC Response
		<p>The ExA also asks the applicant to comment on this matter.</p>	<p>ii) ECC 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 in the case of the Sizewell project.</p> <p>iii) ECC 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. ECC is of the opinion that such a scheme should be submitted to the relevant planning authority for approval prior to the commencement of decommissioning works.</p> <p>More fundamentally, ECC considers 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. ECC therefore considers that an additional or revised requirement should be included within the DCO to secure the following:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• 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;</li> <li>• 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</li> <li>• 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.</li> </ul> <p>ECC also considers it 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>Overall, ECC considers that without these additional safeguards, there remains a risk that obsolete infrastructure could persist within the landscape</p>

ExQ2	Question to:	Question:	ECC Response
			for an extended period, contrary to the principles of good design, environmental protection and effective land restoration.
DCO 2.S13	All local authorities	<p><b>Schedule 4 – (Discharge of Requirements)</b>            Schedule 4(3) - Fees            The ExA notes the applicant’s responses to ExQ1 <a href="#">[REP3-074]</a>, question DCO1.S20 related to fees and asks the local authorities if they wish to raise anything in regard to this matter, especially:</p> <ul style="list-style-type: none"> <li>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</li> <li>b) the term "per request" having the same meaning as in the Town and Country Planning regime, meaning that the fee would be per application for consent (i.e. more than one consent could be sought in one application) and not for each individual discharge of requirement or consent contained in an application for approval.</li> </ul> <p>It is noted the applicant has used the term ‘per request’, which as far as the ExA can see is not used in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012. The term ‘Each Request’ is used. The ExA invites all local authorities to comment on this should they wish.</p>	<p>ECC acknowledges that the current drafting in paragraph 3(1)(a) of Schedule 4 (discharge of requirements) to the dDCO (Revision D) already provides for an application fee when applying for the discharge of requirements, to accord with that prescribed under the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012</p> <p>ECC also recognises that the drafting in paragraph 3(1)(b) provides an alternative figure or allows for an arrangement with the Applicant for a bespoke fee. Nevertheless, ECC is of the opinion that the fee for any application to discharge a requirement of the DCO must be updated annually to reflect the basic costs of the discharging authority and ensure any fee payable remains in line with aforementioned fee Regulations or the latest planning fee guidance at the time of submission.</p> <p>ECC recognises that the term ‘per request’ has been used in previous DCO examples but considers the term ‘each application’ is clearer, more precise and more consistent with the wording of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012. As such, its use would be ECC’s preference. However, ECC accepts that both terms have essentially the same meaning in that a fee would be required for each application submitted and that each application submitted could seek the discharge of multiple requirements.</p> <p>From the perspective of efficient processing of any submitted Requirement, ECC would prefer (and it is understood this is also the opinion of a number of relevant discharging authorities with a greater involvement in the discharge of requirements), if requirements were discharged singularly as this makes it easier to consider and determine efficiently. The approach is broadly consistent with the approach used on the Longfield Solar Farm DCO where for ease, the Applicant generally submits requests separately.</p> <p>If this is not the approach, ECC considers this would place even greater importance on the comments regarding annual fee increase consistent with The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2023. ECC would point to the fact the discharge of requirements involves detailed and complex submissions involving considerable technical and professional resource and fees need to be proportionate to the time and effort required and to ensure there is adequate resources available to the discharging authority.</p>

ExQ2	Question to:	Question:	ECC Response
			ECC does acknowledge the Applicant is currently engaging with councils to discuss future funding to support the post consent discharge of requirements processes but that any PPA agreed would sit outside of the DCO.
DCO 2.S14	The applicant	<p><b>Schedule 16 - Protective Provisions 1</b></p> <p>The ExA notes the applicant's response to ExQ1 GEN 1.11 [REP3-074], as well as the representation made by Hornsea Project 3 (UK) Ltd (HP3) [REP4-368], especially paragraphs 1.7 to 1.10, which is seeking bespoke protective provisions. The ExA would ask for clarification to your response stating 'no overlap' is expected with the Hornsea Three project in the light of HP3s response.</p> <p>Additionally, having reviewed the applicant's deadline 4 submission 'Statutory Undertaker Tracker (Final Issue B)' (Document 8.7) and the draft DCO [REP4-305], the ExA found no reference to protective provisions related to the Hornsea Three Offshore Wind Farm DCO, or the land referred to, where HP3 state it has an option agreement with the applicant (National Grid Electricity Transmission PLC) or adjacent land, where HP3 advise it has entered into option agreements with third party land owners.</p> <p>The applicant is asked to clarify its intentions with regard to resolving the concerns raised by HP3, including how this will be addressed in the draft DCO and a timescale for resolving this matter.</p>	
DCO 2.S15	The applicant Arqiva Ltd	<p><b>Schedule 16 - Protective Provisions 2</b></p> <p>The ExA notes the representation made by Arqiva Ltd [REP4-374] and asks how it intends to address the objection being raised, which in part appears to arise out of frustration with communication between the relevant parties as highlighted, in part, by the penultimate paragraph of its submission.</p> <p>Further to Schedule 16, Part 2 of the draft DCO, the ExA asks both the applicant and Arqiva Ltd whether that protective provision addresses the concerns being raised or whether bespoke protective provisions are being sought/ discussed between the relevant parties. In the event of the bespoke protective provisions being sought can the applicant provide a timescale for resolving this matter.</p>	
DCO 2.S16	Braintree District Council	<p><b>Schedule 19 - Certified Documents</b></p> <p>The applicant responded at ExQ1 [REP3-074] at DCO 1.S25 to Braintree DC's request to include supplemental environmental statements to the list of certified documents where it advises '...the definition of environmental statement in Article 2 (interpretation) includes any supplemental or additional information and any environmental statement submitted for the purposes of complying with and/or discharging the requirements...' As such the applicant's position is that the proposed change is not necessary.</p> <p>Braintree DC is asked to respond and advise whether it is now satisfied with regard to this matter.</p>	
<b>HE Historic environment</b>			
HE 2.1	The applicant	<p><b>Methodology</b></p> <p>The applicant's answer to ExQ1 HE1.2 [REP3-074] contains details of the assessment of conservation areas potentially affected by the proposed development. The ExA notes the response but requests further information over the categorisation of the conservation areas:</p> <p>a) It appears there is only one 'high' value conservation area, West Tilbury. What differentiates this conservation area in value terms from the other conservation</p>	

ExQ2	Question to:	Question:	ECC Response
		<p>areas along the proposed route, all of which are designated 'medium' value? Provide more evidence of reasoning or workings. b) What professional advice or guidance applies to such categorisation?</p>	
HE 2.2	The applicant	<p><b>Mitigation hierarchy – Great and Little Waltham</b> 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. 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>	
HE 2.3	The applicant	<p><b>Grouping of heritage assets</b> 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. 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]. The applicant is asked: a) Has any consideration been taken of wider groupings – for instance groups of heritage assets within Ardleigh, Ford Street or Great Waltham? 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>	
HE 2.4	The applicant	<p><b>Assessments across multiple assets</b> 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. 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. 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>	
HE 2.5	The applicant	<b>Vibration</b>	

ExQ2	Question to:	Question:	ECC Response
		The applicant's answer to points 5 and 6 of the Historic Environment Rule 17 letter <a href="#">[REP4-318]</a> 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 <a href="#">[REP4-164]</a> 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?	
HE 2.6	The applicant	<b>Limits of Deviation</b> The applicant's answer to point 7 of the Historic Environment Rule 17 letter <a href="#">[REP4-318]</a> notes that the commitment to move Pylon TB245 north to reduce heritage effects on Wyfields Farmhouse is "aspirational". Commitment GG34 in the outline code of construction practice <a href="#">[REP4-164]</a> uses the word "seek". Is the commitment actually a commitment or just an aspiration and what does 'seek' mean in practice?	
HE 2.7	The applicant	<b>Babergh and Mid Suffolk</b> In its response to your response to ExQ1 HE1.10, Babergh and Mid Suffolk <a href="#">[REP4-320]</a> notes that in Section B of the project, 12 heritage assets have been assessed to experience a mid-level of less than substantial harm to their significance arising from the operational phase but have not been included in GG34 of the outline CoCP <a href="#">[REP3-025]</a> . Equally, this comment will apply to other sections of the project, so explain why the limits of deviation have not been restricted in relation to all heritage assets that have been assessed as experiencing a mid-level of less than substantial harm, and/or include these in the next revision.	
HE 2.8	Pylons East Anglia Limited	<b>Scoped out Heritage Assets</b> The applicant responded to your ExQ1 response at <a href="#">[REP4-300]</a> . In particular, the ExA notes its response to queries you had about properties that were scoped out of assessment including, but not limited to, Grindle House, Canes Farmhouse, The Grange, Godbolts Farm. In each instance the applicant has reviewed its approach and found its assessment appropriate and proportional. Bearing in mind the agreed principles on scoping out heritage assets found in paragraphs 3.11.1 to 3.11.6 of the ES Appendix 11.1 – Historic Environment Baseline Report <a href="#">[APP-209]</a> , do you have additional comments on heritage assets that have been scoped out of the assessment?	
HE 2.9	Pylons East Anglia Limited	<b>International Council on Monuments and Sites (ICOMOS) Guidance</b> In Appendix A of your response <a href="#">[REP4-369]</a> you refer to heritage guidance as laid down by ICOMOS. The ExA are aware of ICOMOS and ICOMOS-UK guidance and consider that this has been incorporated into English planning policy through the National Planning Policy Framework and also into the Good Practice Advice in Planning (GPIP) guidance provided by Historic England. GPIP3 is particularly relevant in this case. If there is any additional ICOMOS or ICOMOS-UK guidance that you feel should be taken into consideration in relation to the setting of heritage assets, please submit it into the application.	
HE 2.10	The applicant	<b>Assessment of impacts on archaeology</b> In section 11.7 of ES Chapter 11 <a href="#">[AS-068]</a> the assessment of residual effects for non-designated heritage assets includes both those on archaeology and on non-designated historic buildings. These have been combined to provide an overall assessment of likely significant effects.	

ExQ2	Question to:	Question:	ECC Response
		Having regard to the assessment in ES Chapter 11 and the results of the geophysical survey and trial trenching that have been undertaken so far, the applicant should set out what it considers the assessment of effects would be for archaeology alone.	
HE 2.11	The applicant	<p><b>Fordham Local History Society and Brumfelda</b></p> <p>In <a href="#">[REP4-360]</a> and <a href="#">[REP4-352]</a> Fordham Local History Society and Brumfelda raise concerns about the assessment of impacts on archaeology in these locations. Comment on these representations and explain the scope for avoiding impacts on these and any other important features identified as a result of trial trenching through the potential to micro-site any pylons at the detailed design stage.</p>	
HE 2.12	The applicant	<p><b>Roman Villa and Hunting Lodge Complex, Fordham</b></p> <p>In <a href="#">[REP4-300]</a> you have responded to the deadline 3 submission from Pylons East Anglia Limited <a href="#">[REP3-136]</a> which contends the assessment of effects on the Roman Villa and Hunting Lodge, Fordham (Asset 4081). Expand on how you have concluded in <a href="#">[REP4-300]</a> that this feature would not be of schedulable quality and explain the scope for any further micro-siting of pylon TB47 should the trial trenching results indicate the presence of significant archaeology.</p>	
HE 2.13	All local authorities	<p><b>Updated version of the outline AMS/ outline WSI</b></p> <p>The ExA is aware that, as referenced by the applicant in <a href="#">[REP4-298]</a> an updated version of the outline AMS/ outline WSI <a href="#">[APP-328]</a> 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>Comments from ECC 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 presently includes the locations of completed geophysical survey and archaeological trial trenching along the whole route however; this needs to be amended or a new figure included which identifies the areas of the geophysical and archaeological trial trenching areas that need to be completed and that remain to be evaluated (post determination).</p> <p>An indicative trial trench plan should also have been provided which should also indicate areas where geoarchaeological evaluation may be required to complete the geoarchaeological and paleoenvironmental assessment of the scheme.</p> <p>ECC also considers previous comments have not been fully addressed on the sections covering geoarchaeological and paleoenvironmental assessment:</p>

ExQ2	Question to:	Question:	ECC Response
			<p><u>5.3.22 Geoarchaeological and palaeoenvironmental assessment.</u></p> <p>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 paleoenvironmental 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. However, Tendring and Colchester also contain sediments of high geoarchaeological potential. Tendring contains former Thames terrace sediments which could include Palaeolithic archaeological remains and Pleistocene floral and faunal remains of high significance due to age and rarity. In Braintree District lacustrine sediments of high geoarchaeological potential are recorded near Kelvedon/Feering. Similar deposits recorded at Marks Tey in Colchester have been identified as having high potential for containing palaeoenvironmental information. In Kelvedon these deposits have been recorded at depths of 1.2m which means they may be impacted by pylon bases.</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>
HE 2.14	The applicant	<p><b>Mitigation of impacts on archaeology in the Waveney and Stour Valleys</b></p> <p>In the latest version of the SoCG with Historic England [REP4-083] it is noted that Historic England has outstanding concerns which are classified as being “under discussion” about potential impacts on the Waveney and the Stour Valley. Reference is made in [REP4-083] to further assessment at Bush Hall. Is this survey work which the applicant is scheduled to undertake and, if so, when would the results be made available and how would any findings that might lead to this site being considered a ‘high value’ asset be incorporated into appropriate mitigation measures?</p> <p>Also, in [REP4-083] the applicant states that dewatering would be mitigated through GH07 and GH14 of the outline CoCP which was [REP2-014] at that time of writing, but which has now been superseded by [REP4-164]. Explain what, if any, monitoring and mitigation mechanism would be in place to assess any potential immediate ‘live’ effects of dewatering on any features of archaeological interest.</p> <p>In addition, reference is made in [REP4-083] to the need for provision to be made to manage high value archaeology within the Stour valley area should it become necessary. The ExA is aware of the various mitigation techniques set out in Table 2.1 of the OAMS and OWSI.</p> <p>In the event that high value archaeological features are discovered, the applicant is asked to explain how the consultation process that is set out in H04 of the outline CoCP [REP4-164] would be followed in practice in order to determine the appropriate</p>	

ExQ2	Question to:	Question:	ECC Response
		mitigation route to be followed. For example, whether there would be preservation in situ or intrusive archaeological fieldwork before archaeological remains become lost. How would any disputes between the views of the applicant and those of the local authority/ Historic England regarding the need for in situ preservation be resolved?	
<b>HW Health and wellbeing</b>			
HW 2.1	The applicant	<p><b>Communication Strategy</b></p> <p>In your response to ExQ1 HW1.9 [REP3-074] in relation to Colchester City Council's Local Impact Report (point 5 – a robust health and wellbeing monitoring framework with enforceable commitments) amongst other matters you state: <i>“It may, however, be appropriate to identify specific actions in addition to the above that could help with understanding community mental health over the pre-construction, construction and operation periods. This could include reviewing the number and type of complaints or concerns raised during construction works through the complaints procedure identified. Complaints / concerns could be categorised by theme, type of action and speed of escalation. This would help understand where further communication may be required with local communities”</i>.</p> <p>The suggestions put forward would appear to be applicable across the range of points raised on this issue by a number of local authorities.</p> <p>However, there are no commitments included in the outline CoCP [REP4-164] or commentary related to such matters in its Appendix E [REP4-168]. The ExA are of the view that appropriate commitments in the outline CoCP or commentary in Appendix E to set out such approaches would be necessary to bring the suggestions into effect and ensure there were appropriate enforceable commitments in the DCO documentation.</p> <p>The applicant is asked to update either the outline CoCP or appendix E to include suitable wording to bring into effect your suggested actions. If not explain why not.</p>	
HW 2.2	The applicant	<p><b>Electric and magnetic fields – microshocks</b></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>	
<b>LUS Land use and soils, green infrastructure</b>			
LUS 2.1	Environment Agency	<p><b>Acid Soils</b></p> <p>Natural England's response to ExQ1 LUS 1.4 [REP4-344] directs the statutory responsibility for mitigation measure GH08 contained in the outline CoCP [REP4-164] to local authorities and the Environment Agency.</p> <p>Can the Environment Agency please respond to the original question ExQ1 LUS 1.4 in [PD-014] and advise whether commitment GH08 would be sufficient to address any concerns that would arise from the discovery of unexpected acid soils.</p>	
LUS 2.2	The applicant	<p><b>Green Belt - 1</b></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.</p>	

ExQ2	Question to:	Question:	ECC Response
		<p>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".</p> <p>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>	
LUS 2.3	Thurrock Council	<p><b>Green Belt - 2</b></p> <p>In the applicant's response to Local Impact Reports <a href="#">[REP2-030]</a>, at paragraphs 3.14.23 - 3.14.25 and in its response to ExQ1 LUS1.13 <a href="#">[REP3-074]</a> it argues that the land associated with the Tilbury North Substation and the two associated cable sealing end compounds are Grey Belt land.</p> <p>Thurrock Council is asked to comment and confirm whether you consider the land to be Grey Belt, explaining your reasoning.</p>	
LUS 2.4	The applicant All local authorities	<p><b>Green Belt - 3</b></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 given the same protection as green belt in the consideration of this application. If not please explain your reasoning.</p>	ECC has no points to make in respect of green belt and defers to the comments of relevant local authorities in respect of this question.
LUS 2.5	The applicant	<p><b>Green infrastructure and open space</b></p> <p>Review and respond to the comments from the following parties in response to ExQ1 LUS1.14:</p> <ul style="list-style-type: none"> <li>a) Thurrock Council <a href="#">[REP3-088]</a></li> <li>b) Chelmsford City Council <a href="#">[REP3-075]</a></li> <li>c) Tendring District Council <a href="#">[REP3-094]</a></li> <li>d) Essex County Council <a href="#">[REP3-078]</a></li> </ul>	
<b>LV Landscape and visual</b>			
LV 2.1	The applicant	<p><b>Thorington Street, Dedham Vale Dark Skies</b></p> <p>The hamlet of Thorington Street within the Dedham Vale National Landscape has been recently designated as a dark sky community. Confirm if this designation will change the findings of the ES, in particular Chapter 13 <a href="#">[APP-226]</a>. If so, explain how and confirm if levels of significance change as a result. If not, please explain why.</p>	

ExQ2	Question to:	Question:	ECC Response
LV 2.2	The applicant	<p><b>Link pillars 1</b></p> <p>The ExA are seeking further clarity on the siting, design and appearance of the link pillars. Confirm:</p> <ol style="list-style-type: none"> <li>the maximum number of link pillars along each underground cable section based on a worst case scenario</li> <li>if the frequency of the joint bays and link pillars changes between the different installation methods (open-cut or ducting)</li> <li>the height of surrounding post and rail fence</li> <li>surface treatment within the link pillar compound</li> <li>size (maximum dimensions and square metre) of link pillar compounds, where link pillars are grouped together</li> </ol>	
LV 2.3	The applicant	<p><b>Link pillars 2</b></p> <p>The applicant is asked to:</p> <ol style="list-style-type: none"> <li>Update 2.6.1 Design and Layout Plans – Subs and Cables Drawing (AENC-MMAC-ENG-DWG-0085-06) <a href="#">[REP1-003]</a> to include elevations and layout plans for link pillar compounds where link pillars are grouped together.</li> <li>Comment whether underground alternatives to the link pillars been considered? If so, explain why they have been discounted.</li> </ol>	
LV 2.4	The applicant Suffolk County Council Essex County Council Babergh District Council Tendring District Council Dedham Vale National Landscape and Stour Valley Partnership	<p><b>Link pillars 3</b></p> <p>The ExA are considering how the siting and detailed design of the link pillars and compounds are secured and approved by the relevant discharging authority, bearing in mind requirement 12 relates only to buildings.</p> <ol style="list-style-type: none"> <li>The applicant is asked to provide an appropriate form of wording in the draft DCO and / or control documents. This should include (but not limited to) siting, colour, appearance, compound size, surface treatment, fencing appearance and dimensions, and maintenance access.</li> <li>Do the relevant discharging authorities have any views on how detailed design matters should be controlled and discharged?</li> </ol>	<p>ECC considers that the detailed design for the link pillars should be submitted to and approved by the relevant discharging authority, secured by a Requirement (as drafted below):</p> <p><b>Design of link pillars</b></p> <p><i>No stage of the authorised development may commence until the design details of the link pillars have been submitted to and approved by the relevant planning authority.</i></p> <ol style="list-style-type: none"> <li><i>In this requirement, the design details of the link pillars includes, but is not limited to, siting, colour, appearance, compound size, surface treatment, fencing appearance and dimensions, and maintenance access details.</i></li> </ol> <p><i>The authorised development must be carried out in accordance with the approved design details of the link pillars.</i></p> <p>ECC further considers that the structures should be of a receding colour which blends with the environment and that screen planting is required to embed the structures and associated fencing into the surroundings and to reduce the adverse visual effects.</p>
LV 2.5	The applicant	<p><b>Link pillars 4</b></p> <p>There is a general presumption that the link pillars would be located adjacent to field boundaries, although it is understood that the cable system design restricts the flexibility for micro-siting.</p>	

ExQ2	Question to:	Question:	ECC Response
		In these locations, where existing field boundary vegetation does not provide visual screening of the link pillars, what is the impact on the local landscape character and visual amenity of the Dedham Vale National Landscape and its setting? Include in the response consideration of sequential impacts on users of the public rights of way (PRoW) network and other visual receptors travelling through the National Landscape.	
LV 2.6	The applicant	<p><b>Cumulative Landscape and Visual Assessment – methodology</b></p> <p>ES Chapter 17 Cumulative Effects [APP-281] describes the methodology used to assess the significance of potential inter-project cumulative effects, with significance criteria set out in table 17.6. Explain how the significance criteria in table 17.6 has been determined, taking into account guidance set out in Guidelines for Landscape and Visual Impact Assessments (3rd Edition, 2013) (GLVIA3) with particular reference to susceptibility, value, size or scale of the effect, geographical distribution and duration.</p>	
LV 2.7	The applicant	<p><b>Cumulative Landscape and Visual Assessment – response update</b></p> <p>ES Chapter 17 17.5.59 [APP-281] states “all effects anticipated to be significant for Landscape and Visual are no worse than already identified in Chapter 11: Landscape and Visual”. Provide further explanation and confirm if this is still the case following the update [REP4-163] to the cumulative assessment.</p>	
LV 2.8	The applicant	<p><b>Cumulative Landscape and Visual Assessment - landscape</b></p> <p>The ES Chapter 17 Cumulative Effects Response Update [REP4-163] newly identifies 14 other existing and approved development that have the potential to have significant cumulative effects on landscape and visual receptors, in addition to those already identified in the ES Chapter 17 [APP-281].</p> <p>Where significant cumulative effects on landscape character have been identified, particularly where clusters of other developments are considered, are there locations where key characteristics of the landscape character change or landscape character could be transformed into a different landscape type? If so, what mitigation measures have been considered? If not, explain why. In the response provide a plan which illustrates the locations of the Landscape Character Areas (LCA) / Landscape Character Type (LCT) and Visual Receptor Areas (VRA) that would experience significant cumulative effects.</p>	
LV 2.9	The applicant	<p><b>Cumulative Landscape and Visual Assessment – Visual</b></p> <ol style="list-style-type: none"> <li>Have cumulative Zones of Theoretical Visibility been used to inform the assessment of cumulative visual impacts? If so, provide these. If not, explain how cumulative visual effects have been identified.</li> <li>How have the sequential visual effects upon visual receptors on important linear routes been considered in the cumulative assessment? Which routes will have significant cumulative effects, and which of these routes pass through the National Landscape?</li> <li>Where significant cumulative effects have been identified what mitigation measures were considered?</li> <li>Provide a ‘journey scenario’ based assessment for the important linear routes, including plans and cumulative photomontages.</li> </ol>	
LV 2.10	The applicant	<p><b>Cumulative Landscape and Visual Assessment – Photomontages</b></p> <p>At ISH2 (on Wednesday 28th April) it was confirmed that no cumulative photomontages had been prepared for the proposed development. Cumulative photomontages from other projects (Five Estuaries Offshore Wind Farm and North Falls Offshore Wind Farm)</p>	

ExQ2	Question to:	Question:	ECC Response
		<p>were provided at deadline 4 [REP4-303]. These cumulative photomontages submitted at deadline 4 are dated 2022 and 2023.</p> <ol style="list-style-type: none"> <li>Provide updated cumulative photomontages from these locations or justification for not doing so.</li> <li>Consider, assess and provide cumulative photomontages from other local locations where cumulative landscape and or visual effects are likely to occur</li> </ol>	
LV 2.11	The applicant	<p><b>Cumulative Landscape and Visual Assessment – Bramford to Twinstead Overhead Line (OHL)</b></p> <p>The Scoping Opinion [APP-297] requires that particular consideration should be given to cumulative effects with Bramford to Twinstead.</p> <p>The cumulative assessment [APP-284] identifies major adverse and significant cumulative effects on landscape and visual amenity, both during construction and operation.</p> <p>In particular, significant adverse landscape effects are identified for Dedham Vale National Landscape during construction, despite it being outside of the Zone of Influence. Explain what additional mitigation has been considered and why it has been determined that no additional mitigation is required. Are there any other instances of significant adverse landscape or visual effects in areas outside of the Zone of Influence? If yes, explain the level and type of effect. If no, explain why.</p>	
LV 2.12	The applicant	<p><b>Residential Visual Amenity Assessment – 1 (RVAA)</b></p> <p>The RVAA [REP4-148] to [REP4-157] (inclusive) considers potential screening provided by existing vegetation and/ or tree cover within the surrounding landscape. The existing vegetation will in some places be altered, managed or removed as a result of the proposed development and can also change seasonally and over time. Therefore, the level of screening provided can be transitional.</p> <ol style="list-style-type: none"> <li>How may this affect the magnitude of change of visual amenity and the judgement regarding residential amenity?</li> <li>Are there any locations where changes to existing vegetation would increase the magnitude of change to visual amenity?</li> </ol>	
LV 2.13	The applicant	<p><b>Residential Visual Amenity Assessment – 2</b></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"> <li>F5 (Albion House)</li> <li>F13 (Larks Lodge and Annexe)</li> <li>F32 (Inner Lodge)</li> </ul> <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>	
LV 2.14	The applicant	<p><b>Mitigation hierarchy</b></p> <p>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].</p>	

ExQ2	Question to:	Question:	ECC Response
		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.	
LV 2.15	The applicant	<p><b>Landscape viewpoints</b></p> <p>The applicant's response to ExQ1 LV1.6 <a href="#">[REP3-074]</a> refers to viewpoints contained within the Diss and District Neighbourhood Plan. Confirm if and where the Roydon Key View 28 (from Darrow Land and Darrow Wood Lane) has been taken account of in your reasoning and viewpoint selection process. If not, consider providing an additional visualisation from this location or provide justification for not doing so.</p>	
LV 2.16	All local authorities	<p><b>Mitigation and compensation - 1</b></p> <p>Point 8.2e <a href="#">[REP4-302]</a> 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>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>Any other IP may also respond if they wish.</p>	<p>While acknowledging the Bramford to Twinstead examination report, ECC 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 compensation is an inherent part of the mitigation hierarchy which needs to be applied to the Project.</p> <p>The Council 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 that there will be a residual impact (the acceptability of which will fall to be weighed in the overall planning balance against the public benefits of the project). However, the acceptance of significant residual effects based on public benefit does not negate the effect in itself. As set out in paragraph 4.10.43 of ECC's Local Impact Report <a href="#">[REP1-161]</a>, ECC believes 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>Guidance for Landscape and Visual Assessment 3 (GLVIA3) encourages 'enhancements' where significant residual effects cannot be mitigated (para 3.39, GLVIA3). Furthermore, GLVIA3-Notes &amp; Clarifications para 4(4) clarifies the difference between mitigation and enhancement.</p> <p>To this end, ECC on behalf of Essex authorities, 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</p>

ExQ2	Question to:	Question:	ECC Response
			mitigation planting. ECC has put forward deliverable projects to the Applicant which could form part of a compensation package. This approach is the subject of ongoing discussions with the Applicant and progress will be reflected in the Council's Statement of Common Ground.
LV 2.17	The applicant	<p><b>Mitigation and compensation – 2</b></p> <p>a) Provide a copy of the “voluntary agreement for enhancements outside of the DCO requirements, as took place on the Bramford to Twinstead DCO” (Point 8.2e, <a href="#">[REP4-302]</a>) and the process and justification that led to this agreement.</p> <p>b) Provide any update on the referred to ongoing discussions taking place on the proposed development.</p>	
LV 2.18	Villages Against Pylons	<p><b>Landscape Assessment of the Colne Valley</b></p> <p>In your representation <a href="#">[REP4-380]</a> you indicate that a landscape assessment report, commissioned by residents of the Colne Valley, may be submitted at deadline 5, or later. The ExA appreciate that this is a time-consuming exercise but remind you that deadline 6 (07 July) would be the last deadline for submission of such a document in order to give the applicant and others time to respond at deadline 7 and for the ExA to take on board their comments. Please confirm when such documentation is likely to be submitted.</p>	
LV 2.19	The applicant	<p><b>3D Visualisation Tool</b></p> <p>At deadline 4, both Villages Against Pylons <a href="#">[REP4-380]</a>, and Ardleigh and Little Bromley Parish Councils <a href="#">[REP4-319]</a> provided photographs taken from a public consultation event. These appear to have been taken from a 3D Visualisation Tool. The ExA acknowledge the response you provided to Ardleigh and Little Bromley Parish Council in Appendix B of <a href="#">[REP4-319]</a> and appreciate that these images may not have been worked up into industry-standard visualisations. However, the photographs submitted cover areas that have not been extensively covered by visualisations and, in the absence of formal visualisations, would therefore be of use to the examination.</p> <p>The applicant is asked to provide screenshots from the 3D visualisation tool from the locations identified in these two submissions.</p>	
<b>MW Minerals and Waste</b>			
MW 2.1	Essex County Council Thurrock Council Suffolk County Council Norfolk County Council	<p><b>Contaminated Ground</b></p> <p>Please confirm if you accept the applicant's assessment of contaminated ground risk as detailed in ES Chapter 9 <a href="#">[APP-181]</a> and provide any comments, if applicable, on commitment GH10 in the outline CoCP <a href="#">[REP4-163]</a>.</p>	<p>ECC considers that it is not clear if the historical landfill at Buckingham Hill Road, Linford, SS17 0PP has been considered. The site is in the joint ownership of Essex County Council and Thurrock Council and the landfill was permitted to accept Household, Commercial and Non-hazardous Industrial Waste from 1967 to 1991. The site also has a history of landfill gas migration and is still monitored.</p> <p>ECC notes that commitment GH10 suggests an appropriate methodology for further investigation of the site and mitigation if necessary.</p>
MW 2.2	The applicant Essex County Council Thurrock Council Suffolk County Council	<p><b>Quarries and Minerals Plan Candidate Sites</b></p> <p>Please provide an update from ExQ1 on consideration of design and land use considerations in the vicinity of existing quarries and candidate sites.</p>	<p>ECC would make the following comments in respect of MW 1.2 – MW 1.7 from ExQ1:</p> <p>MW 1.2 - The MWPA accepts the Applicants evidence and has no further comment.</p>

	<p>Norfolk County Council</p>		<p>MW 1.3 - The MWPA continues to welcome the acknowledgement of silica sand as being a nationally important resource and the additional work that has been carried out to minimise the impact upon Candidate Sites which have the potential to supply it.</p> <p>The MWPA continues to acknowledge that a Candidate Site designation currently carries little to no weight as part of any planning judgement in isolation. However, as a clearly defined area of land being actively promoted for mineral extraction, not only is the land mineral bearing, there is, without prejudice to any future Preferred Allocations in the emerging MLP, the potential that land allocated as Candidate Sites have a greater prospect of contributing to future mineral supply as they have demonstrable interest in being worked. In that sense, Candidate Sites carry the full weight of national policy protection as afforded by the NPPF (Paragraph 223c and 223d).</p> <p>That said, the MWPA accepts that very little additional weight can be attributed at the sub-national policy level, and such sites are not covered by any additional local-level safeguarding policy. As such, the MWPA maintains its position that whilst there is the requirement to ensure that impacts from the delivery of non-mineral development on finite resources are minimised, it is not appropriate for the MWPA to attempt to establish the primacy of Candidate Sites over or within the proposed route of the DCO. The MWPA therefore maintains its position that it is for site promoters and the Applicant to negotiate an appropriate way forward ahead of independent Examination.</p> <p>In previous correspondence, the MWPA noted that the Minerals Resource Assessment accompanying the planning application did not explicitly state that the Candidate Sites associated with extensions to Martells Quarry would effectively be sterilised by the proposed route.</p> <p>Prompted by the Inspector's questions of 22nd May, it is noted that the MWPA have only recently pro-actively sought to clarify the position with site promoters now that the authority will soon be able to progress its site assessment and selection work following Regulation 18 Consultation on the MLP Review. The MWPA wrote to the promoters of these Candidate Sites on 25th May seeking an up-to-date position with regards to the ongoing viability and deliverability of the sites in light of the current position with National Grid. This included a request for confirmation with regards to whether the site remains viable and whether there may be an impact on its delivery timescales, spatial extent and/ or its envisaged mineral yield. A response was received from the site promoter stating that the Candidate Sites associated with Martells Quarry will not be significantly impacted by the proposed DCO route and that they are to remain in scope of the Minerals Local Plan Review.</p> <p>Similarly, the MWPA have received no further information from either the Applicant or the SRC Group. Therefore, they are still currently considered to be within scope for potential allocation as part of the Minerals Local Plan (MLP) Review. The MWPA accepts that it is incumbent on the MWPA to establish the deliverability of sites potentially impacted by the DCO Route ahead of any promotion of any site as a Preferred Allocation to be taken forward in a future draft of the MLP.</p>
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			<p>The MWPA notes the commitment from the Applicant to continue to engage with SRC Group.</p> <p>MW 1.4 - The MWPA accepts the Applicants evidence and has no further comment.</p> <p>MW 1.5 - The MWPA accepts the Applicants evidence and has no further comment.</p> <p>MW 1.6 - The MWPA continues to acknowledge that a Candidate Site designation currently carries little to no weight as part of any planning judgement in isolation. However, as a clearly defined area of land being actively promoted for mineral extraction, not only is the land mineral bearing, there is, without prejudice to any future Preferred Allocations in the emerging MLP, the potential that land allocated as Candidate Sites have a greater prospect of contributing to future mineral supply as they have demonstrable interest in being worked. In that sense, Candidate Sites carry the full weight of national policy protection as afforded by the NPPF (Paragraph 223c and 223d).</p> <p>That said, the MWPA accepts that very little additional weight can be attributed at the sub-national policy level, and such sites are not covered by any additional local-level safeguarding policy. As such, the MWPA maintains its position that whilst there is the requirement to ensure that impacts from the delivery of non-mineral development on finite resources are minimised, it is not appropriate for the MWPA to attempt to establish the primacy of Candidate Sites over or within the proposed route of the DCO. The MWPA therefore maintains its position that it is for site promoters and the Applicant to negotiate an appropriate way forward ahead of independent Examination. However, in conformity with national policy, the MWPA would expect impacts on the most mineral-rich areas of the site to be avoided when doing so is within the operational limits of the delivery of the DCO or that sufficient evidence is submitted to demonstrate that this is not practical.</p> <p>In previous correspondence, the MWPA noted that the Minerals Resource Assessment accompanying the planning application did not explicitly state that the Candidate Sites associated with extensions to Martells Quarry would effectively be sterilised by the proposed route.</p> <p>Prompted by the Inspector's questions of 22nd May, it is noted that the MWPA have only recently pro-actively sought to clarify the position with site promoters now that the authority will soon be able to progress its site assessment and selection work following Regulation 18 Consultation on the MLP Review. The MWPA wrote to the promoters of these Candidate Sites on 25th May seeking an up-to-date position with regards to the ongoing viability and deliverability of the sites in light of the current position with National Grid. This request included updates with regards to whether the site remains viable but there may be an impact on its delivery timescales, spatial extent and/ or its envisaged mineral yield. At the time of writing (2nd June), no response has been received.</p>
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			<p>Similarly, the MWPA have received no further information from either the Applicant or Brett Aggregates Ltd. Therefore, the site is currently considered to be within scope for potential allocation as part of the Minerals Local Plan (MLP) Review. The MWPA accepts that it is incumbent on the MWPA to establish the deliverability of sites potentially impacted by the DCO Route ahead of any promotion of any site as a Preferred Allocation to be taken forward in a future draft of the MLP.</p> <p>The MWPA notes the commitment from the Applicant to continue to engage with Brett Aggregates Ltd.</p> <p>MW 1.7 - The MWPA notes that it appears that insufficient information is currently in place to comment on whether the effects arising from crushing pylon foundations have been accounted for as this will rely on bespoke site-specific assessment. The MWPA raises no concerns regarding the Applicant's commitments to implement localised screening and mitigation measures, and to ensure the adoption of best practicable means by the Main Works Contractor(s) to minimise impacts from construction noise.</p>
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ExQ2	Question to:	Question:	ECC Response
MW 2.3	The applicant Thurrock Council	<b>Incidental extraction scheme</b> Following comments and responses to ExQ1 [REP4-299] following Thurrock Council's proposal to consider an incidental extraction scheme, please update the ExA on the progress of discussions in this regard.	
<b>NV Noise and vibration</b>			
NV 2.1	The applicant	<b>Noise &amp; Vibration 1</b> The ExA notes ES Chapter 14 - Noise and Vibration [APP-256] states where movement within the limits of deviation would lead to changes in construction noise and vibration levels (increasing if movement is towards NSRs, and reducing if further away), without mitigation. However, the mitigation measures would vary accordingly to ensure that significant effects are avoided and adverse effects minimised in line with policy (NPS EN-1, Noise Policy Statement for England, the National Planning Policy Framework and Planning Practice Guidance for Noise). How can the ExA be certain the appropriate level of mitigation will be used where movement within the limits of deviation occurs?	
NV 2.2	The applicant	<b>Noise &amp; Vibration 2</b> 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.	
<b>PRoW Public Rights of Way</b>			
PRoW 2.1	The applicant	<b>PRoW 1</b> The ExA notes your response to ExQ1 [REP3-074], question PRoW 1.3. It also notes the outline PRoWMP (document 7.6) [REP4-178] and the responses set out in your 'Comments on any Further Information or Submissions Received by Deadline 2' [REP3-070], as relevant to PRoW, especially where you state: "...no PRoWs are proposed to be temporarily closed without a diversion due to there being no suitable or safe available route. A number of short PRoW sections will become temporarily redundant due to the works but these will subject to the provision of connecting diversion routes, so the PRoW network as a whole will remain connected, with continuous access maintained either along the existing alignment under managed access (identified as Temporary Closure (Managed)) or via a temporary diversion (identified as Temporary Closure With Diversion)." However, the draft DCO at Article 16 (Temporary closure of streets and public rights of way) and schedule 8 (Streets or PRoW to be temporarily closed) at Part 4 (PRoW to be temporarily closed for which no diversion is to be provided) would appear to contradict this position and allow the PRoW listed in Part 4 to be temporarily closed for which no diversion is to be provided. The applicant is requested to explain this discrepancy.	
PRoW 2.2	The applicant	<b>PRoW 2</b> Tables 7.2 and 7.3 of the outline PRoWMP (document 7.6) [REP4-178] under the column 'Indicative Duration' (Table 7.2) and 'Indicative Duration of Regime' (Table 7.3) lists the 'Duration of Works'. However that term is not defined in the document.	

ExQ2	Question to:	Question:	ECC Response
		Does it mean the duration of the works specific to that element of the overall project, does it mean the duration of the entire works (ie the entire project), or does it mean something else. Can the applicant provide clarification?	
<b>SS Safety and security</b>			
SS 2.1	The applicant	<p><b>Security and resilience</b></p> <p>Burstall Parish Council has made repeated submissions setting out its concerns relating to the security and resilience of Bramford substation, and the ExA notes such concerns could also be applicable to the other existing and proposed substations, as well as the pylons and overhead lines. A number of other representations have been received in respect of security concerns including relating to clustering of energy projects around substations.</p> <p>NPS EN-1 section 4.16 sets out that national security considerations apply across all national infrastructure sectors, and refers to consultation with relevant security experts from the National Protective Security Authority (NPSA).</p> <p>The applicant is asked to provide:</p> <ol style="list-style-type: none"> <li>a) Further detailed comments in response to Burstall Parish Council and others, particularly in relation to points made regarding network resilience and clustering of electricity infrastructure around existing and proposed substations.</li> <li>b) A high level summary of its consultation with the NPSA and any other relevant authorities. The ExA appreciates that assessments and proposals relating to security and resilience of existing and proposed electricity infrastructure are subject to public disclosure requirements. Therefore, if the applicant's submission includes matters which are subject to disclosure and therefore cannot be published publicly, the applicant is asked to provide this as a separate confidential document and to contact the Norwich to Tilbury case team regarding the Planning Inspectorate's handling of such information.</li> </ol>	
SS 2.2	East of England Ambulance Service	<p><b>East of England Ambulance Service: request for response</b></p> <p>The ExA acknowledges the signed SoCG between the applicant and the East of England Ambulance Service <a href="#">[REP4-252]</a>. However you have not responded to ExQ1 SS 1.5 regarding justification for your request for a funding as set out in your original submission <a href="#">[AS-063]</a>, which the applicant responded to at paragraph 1.1.5 of <a href="#">[REP1-135]</a>. You are also asked to review the applicant's response to ExQ1 SS 1.3 (page 607 <a href="#">[REP3-074]</a>) and provide any comments, as necessary.</p>	
SS 2.3	The applicant	<p><b>Aviation safety – Consultation and engagement</b></p> <p>It is clear that there is a substantial difference in opinion between the applicant, the General Aviation Awareness Council and various airfields over the impact of the proposed development on aviation safety, with many representations noting the history of the project and ongoing consultation issues. As stated in ISH2, the ExA request that engagement on outstanding issues between the applicant and relevant stakeholders is prioritised. Provide detail of how you intend to achieve such engagement during the time remaining in the examination, including detail such as dates of meetings and deadlines for actions.</p>	
SS 2.4	The applicant General Aviation Awareness Council	<p><b>Aviation safety resolution – Agent of change</b></p> <p>It was stated in ISH2 and is reiterated in the written summary of oral submissions <a href="#">[REP4-302]</a> that the matter of public safety is one for the aerodrome operator and that insofar as operations are alleged by an operator to be unsafe then they will not happen and the operator will cease that element of the operation. However, there is clearly a</p>	

ExQ2	Question to:	Question:	ECC Response
	Norfolk Gliding Club/Tibenham Airfield Raydon Wings Aerodrome Priory Farm And any other relevant IP	difference in opinion between the applicant and many of the relevant airfield operators between whether the proposed development will cause issues of public safety. The ExA understands the position of the applicant in this matter (in short that no harm will be caused, save to Chase Farm) but would appreciate the views of all relevant parties on the relevance of the 'agent of change' principle within the National Planning Policy Framework (paragraph 200).	
SS 2.5	The applicant	<b>Aviation and Critical National Priority (CNP)</b> Point 5.1b of the written summary of oral submissions <a href="#">[REP4-302]</a> appears to state that the applicant's view is that unlicensed aerodromes do not fall within the remit of the CNP policy within EN-1 and that therefore effectively potential matters of public safety arising from the effect of the proposed development upon unlicensed aerodromes are not relevant to the application of the CNP policy. Is this a fair summation of your view?	
SS 2.6	The applicant	<b>Aviation safety and risk</b> Point 5 (second bullet) of the applicant's response to ISH2 action points <a href="#">[REP4-303]</a> states that the likelihood of any aircraft-specific emergency is unaffected by the presence of the Project, but that the applicant recognises that obstacles in the environment can increase the complexity of decision-making and can limit options in the event that a forced landing is required, which can affect the severity of the outcome (and therefore potentially contributes to a rise in risk). While the ExA agrees that the presence of pylons and overhead lines will not affect whether an engine failure (or similar emergency) occurs, the presence of the project would seemingly present a significant obstacle and severely limit options available to pilots of aircraft in the vicinity of the overhead lines. Furthermore, the consequences arising from an accident from an interaction between an aircraft and the overhead lines and pylons would appear likely to be grave. Respond to this view.	
SS 2.7	The applicant	<b>Tibenham Airfield and low height pylons</b> Point 5 (third bullet) of the applicant's response to ISH2 action points <a href="#">[REP4-303]</a> considers the use of low height pylons in the vicinity of Tibenham Airfield and Priory Farm a) Provide further information and an assessment of the disadvantages of using low height pylons in this area b) Could the use of low height pylons be deemed as appropriate mitigation given the acknowledged risk in this location?	
SS 2.8	Norfolk Gliding Club/Tibenham Airfield Priory Farm	<b>Low height pylons and mitigation measures</b> Point 5 (third bullet) of the applicant's response to ISH2 action points <a href="#">[REP4-303]</a> considers Tibenham Airfield and Priory Farm. a) The applicant suggests that appropriate mitigation includes the use of marker balls for Priory Farm and changes to competition procedures for Tibenham. Please respond to such suggestions. b) Would low height pylons in the vicinity of the airfields serve to lower the risk of the proposed development?	
SS 2.8	Norfolk Gliding Club/Tibenham Airfield Raydon Wings Aerodrome	<b>Applicant's response to action points</b> The applicant's response to ISH2 action points <a href="#">[REP4-303]</a> considers a wide range of matters relating to aviation safety. Please respond to such points.	

ExQ2	Question to:	Question:	ECC Response
	Priory Farm And any other relevant IP		
<b>SET Socio-economics, tourism and recreation</b>			
SET 2.1	Babergh and Mid Suffolk District Councils	<p><b>Socio-economics</b></p> <p>In your 'Comments on any further information or submissions received by deadline 1' <a href="#">[REP2-113]</a> concern was raised in regard to the 'cumulative impacts of the proposed development' in relation to the applicant only considering other projects that physically interface with the order limits and the temporal interface of those projects which overlap. You considered other projects not considered by the applicant, as they fell outside of the above criteria, would also be likely to have socio-economic impacts when considered in conjunction with the applicants proposed development. These included i) pressure on the housing markets; ii) social integration; iii) loss of rental accommodation; and iv) pressure on local facilities and resources.</p> <p>The ExA would draw your attention to the applicant's response to your deadline 2 submission in its 'Comments on any Further Information or Submissions Received by Deadline 3' <a href="#">[REP4-298]</a>. We would also draw your attention to the applicants document entitled 'ES Chapter 17 Cumulative Effects - Response Update' <a href="#">[REP4-163]</a> and ask whether the applicant's responses in these documents adequately address the socio-economic concerns, as listed above, which you raised.</p> <p>Please note the applicant has indicated an Employment and Skills Plan is to be submitted at deadline 5.</p>	
<b>TT Traffic and transport</b>			
TT 2.1	The applicant	<p><b>PARs 1</b></p> <p>Provide or signpost the ExA to details showing how Ardleigh Road and Bentley Road (PAR31 and 30) will be jointly managed and maintained in association with other NSIPs.</p>	
TT 2.2	National Highways Essex County Council Thurrock Council Suffolk County Council Norfolk County Council	<p><b>PARs 2</b></p> <p>Please highlight any residual concerns you may have regarding specific PARs which you believe have not been adequately addressed by the applicant and where you may have concerns about ability to address them either during or after the examination.</p>	<p>ECC as the relevant Highway Authority has the following concerns that remain outstanding in relation to specific PARs:</p> <ul style="list-style-type: none"> <li>• PAR 32, Wick Lane – the current proposal of traffic management between two haul roads on a narrow rural lane is not acceptable to ECC. The Applicant is re-considering the design and ECC require a concept design to be agreed during the examination so it is clear what the access strategy will be prior to detailed design discussions with the Contractor.</li> <li>• PAR 31, Ardleigh Road – the current proposal includes permanent widening of a rural lane to 6m over a length of approx.1Km. The Applicant is considering an alternative option which they intend to share prior to the end of the examination in the form of a concept design. ECC want to ensure there is sufficient time to review and agree the alternative option; and there are concerns that if an alternative is not feasible then there will be a residual legacy issue relating to speeding vehicles and anti-social behaviour.</li> <li>• PAR 30, Bentley Road – ECC have concerns around how the maintenance of the footway/cycleway infrastructure is to be managed with the other NSIPs relying on Bentley Road and Ardleigh Road (as per item TT 2.1 above). ECC would like to have reassurance that</li> </ul>

ExQ2	Question to:	Question:	ECC Response
			<p>some form of collaborative agreement is in place between the windfarms and Norwich to Tilbury. This is on the basis that ECC are not adopting the infrastructure and so there must be clear accountability as to which organisation is maintaining the infrastructure at all times.</p> <ul style="list-style-type: none"> <li>• PAR 43, Spa Road – ECC has requested that the Applicant undertakes tracking analysis to determine whether HGV movements can be facilitated along this route and to better understand whether the existing highway facilities are suitable for the uplift in HGV movements. Furthermore, if mitigation is required then a concept design can be produced by the Applicant prior to the close of the examination. This concept design would then be discussed in more detail with the Contractor through the detailed design process. The reason ECC has requested this is that there are concerns with the uplift in HGVs regularly using this route in relation to maintenance at this location which in turn could lead to road safety issues for pedestrians. For example, an increase in vehicles overrunning the kerb which could lead to kerb or footway damage impacting on safety for pedestrian users.</li> </ul>
TT 2.3	The applicant	<p><b>Outline CTMP 1</b> 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>	
TT 2.4	National Highways Essex County Council Thurrock Council Suffolk County Council Norfolk County Council	<p><b>Outline CTMP 2</b> Following ISH2, at DL4 the applicant updated the outline CTMP [REP4-174] with regard to community engagement with councils, parish councils, other developers and the public. Please provide comments on this updated proposal.</p>	<p>ECC requested the following to be included in the CTMP (as set out in REP3-078):</p> <p><i>“A commitment in the Community Engagement and Public Information document (APP-305) for the website and any other media communication:</i></p> <ul style="list-style-type: none"> <li>• <i>to include clear information to the public on what AILs are, why they are needed and how they impact the local//strategic road network</i></li> <li>• <i>to include information on how people’s journeys will be impacted without people needing to consult multiple sources of information”</i></li> </ul> <p>The first point has been dealt with through the update of the CTMP but the second is only partially considered.</p> <p>The Applicant has specified that links will be included to find ‘further information’ and it is assumed this relates to ‘further information’ on how people’s journeys will be impacted. It would be useful to understand if these links would be to third party information (and if so what websites and what would they cover so we can review how useful they will be to residents in</p>

ExQ2	Question to:	Question:	ECC Response
			<p>understanding impacts) or if the links would be to information produced by the Applicant.</p> <p>If the latter, this could involve an interactive map or fixed graphics showing the full routing of the AILs for people to be able to understand easily together with dates/times of the AILs). ECC's concern is that National Grid relies on external information which may be piecemeal making it difficult for people to navigate easily or not detailed enough making it difficult to understand impacts. In which case, a commitment from National Grid to produce suitable graphics showing the routing and dates/times would be required.</p> <p>ECC would also suggest that reliance on links alone is not necessarily inclusive for all members of the community. Therefore, further engagement via the local Parishes with alternative means of communication should be included as a commitment i.e. printed leaflets etc.</p>
TT 2.5	The applicant	<p><b>Outline CTMP 3</b></p> <p>The applicant's drivers' pack has explained in greater detail following ISH2 which is very helpful <a href="#">[REP4-303]</a>. The ExA would like further information on the following matters:</p> <ul style="list-style-type: none"> <li>• Regarding the question 'what does it look like' please explain if the pack is, for example, printed, electronic, via a smartphone app, on a bespoke system or another method. Depending on the answer please explain how the pack will be updated and how will there be certainty that the latest version is being used.</li> <li>• Regarding the question 'is it going to be used every day, by all drivers?' the ExA has some concern about the statement that it will not be feasible or practice to ensure all drivers will read and acknowledge the drivers' pack. This is not how the outline CTMP <a href="#">[REP4-174]</a> is written and the drivers' pack is the basis for almost all of the additional mitigation measures, having exceptions makes this mitigation have weak links. Please provide further consideration on this matter and provide substantive assurances that the mitigation seen and relied on in the drivers' pack will be for all drivers.</li> <li>• Regarding the question 'frequency of review or read/ acknowledge' the last paragraph says that 'the pack is intended to be supplemented by additional mitigation...' Please confirm that this will happen, rather than have a non-definitive statement, and that this will be reflected as such in the deadline 5 update to the outline CTMP.</li> <li>• Bullet point five states 'When there was evidence that drivers were readily failing to follow the rules...'. How will it be known when the rules are not followed?</li> </ul>	
TT 2.6	The applicant	<p><b>Outline CTMP 4</b></p> <p>It is noted that the applicant intends to provide an update to the outline CTMP at deadline 5 to give further detail of the drivers' pack, please also provide a sample of the pack to allow the ExA to understand how the commitments will translate into content.</p>	
TT 2.7	The applicant	<p><b>Outline CTMP 5</b></p>	

ExQ2	Question to:	Question:	ECC Response
		In the updated outline CTMP at paragraph 6.3.2, it is stated that sanctions for non-compliance will be included in the final CTMP. How can the ExA and highway authorities understand how robust the implementation of the measures will be if there is no indication at this stage what the result of non-compliance is?	
TT 2.8	The applicant	<p><b>Outline CTMP 5</b></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>	
TT 2.9	The applicant National Highways Essex County Council Thurrock Council Norfolk County Council	<p><b>Outline CTMP 6</b></p> <p>In their response action points at ISH2 <a href="#">[REP4-336]</a> at paragraph 11.5.d, Suffolk CC propose a quarterly report on the key transport parameters, some of which they go on to list. Does the applicant consider this appropriate and how would this be secured in the DCO. Please can the other highway authorities comment on this proposal.</p>	<p>ECC believes a quarterly report on the key transport parameters would be a good way of summarising the items to be reviewed rather than having multiple submissions of information to the relevant Local Highway Authority. It is noted that the Applicant has included a commitment in the latest CTMP to undertake a three month look ahead to understand predicted HGV deliveries and that this will be reviewed against the assumptions in the TA (document ref. 7.11) and the ES Appendix 16.4 (document ref. 6.16.A4). ECC believes this along with the other key transport parameters could be secured through the CTMP with some updated wording to confirm the quarterly report approach.</p>
TT 2.10	National Highways Essex County Council Thurrock Council Suffolk County Council Norfolk County Council	<p><b>Cap on Heavy Goods Vehicles (HGVs)</b></p> <p>Please can all highway authorities who have not done so already, provide comments on whether you consider a cap on HGVs is required or if the applicant's proposals to provide a three month forward view is acceptable. If you have commented previously, please signpost the ExA to your latest position on this matter.</p>	<p>ECC has not previously stated that a cap on HGVs is required. However, wording is proposed for inclusion in the CTMP in response to ExQ1 (REP4-174) which:</p> <ul style="list-style-type: none"> <li>• removed the justification by the Applicant that a cap on vehicle numbers was not necessary;</li> <li>• required that the movements of construction vehicles and workforce vehicles should be compared with the TA/ES to ensure no additional impact occurs beyond what has been assessed; and</li> <li>• introduced a requirement to agree corrective actions due to non-compliance with the Local Highway Authority and/or community members and set out a list of possible actions to be included in the Outline CTMP.</li> </ul> <p>ECC notes that the Applicant has updated the CTMP which :</p> <ul style="list-style-type: none"> <li>• deals with the first bullet point above in respect of the justification for the cap being removed;</li> <li>• includes for HGV deliveries to be compared with the TA/ES but does not commit to comparing total HGVs movements (i.e. it would appear that vehicles involved in the collection of excess materials, waste or recycling for example are not included) or the workforce vehicle numbers with the TA/ES. Furthermore, the Applicant has stated that National Grid's EnvCoW would be responsible for determining if any</li> </ul>

ExQ2	Question to:	Question:	ECC Response
			<p>materially new or materially different residual effects were occurring and before discussing with the Local Highway Authority suitable steps to avoid or mitigate such effects from HGV vehicles. Instead, ECC believes the information on HGV numbers should be provided regularly and at least every three months during construction to the Local Highway Authority. This regular reporting should also be linked to a commitment from the Applicant to discuss with the relevant highway authority whether there is a material impact and if so what corrective action will be taken; and</p> <ul style="list-style-type: none"> <li>• has not taken account of bullet point 3 above. The Applicant has stated that “Further detail on the sanctions which could be applied will be included within the final Construction Traffic Management Plan”. ECC does not consider this is acceptable as it does not see why potential corrective actions cannot be included now to enable discussions to progress as part of the Final CTMP produced by the Contractor. Providing potential actions would enable the Contractor to understand the types of interventions that are to be considered and shows the importance of remaining within or at the level of impact assessed.</li> </ul> <p>In response to the ExQ’s question, ECC believe a cap would be clearer and a more definite approach compared to the that taken in the CTMP which sets out the three month forecast and consideration of material change. Both are trying to achieve the same aim in terms of providing accountability on the impacts that have been assessed as part of the application but the approach in the CTMP includes flexibility on the threshold (i.e. whether the Applicant believes there to be a material change or not). The three month forecast monitoring approach proposed could work with a cap in place but as discussed above, there would need to be more consideration in how all vehicles are captured.</p> <p>It should be noted that whatever approach is taken the Applicant should include ready made solutions to mitigate the additional impact in the Outline CTMP (refer to REP3-078) should the number of vehicles be higher than assessed.</p>
TT 2.11	The applicant	<p><b>Cap on HGVs</b> Provide examples of consented NSIPs which have put a cap on HGVs and explain how these compare with the proposed development.</p>	
TT 2.12	The applicant National Highways Essex County Council Thurrock Council Norfolk County Council	<p><b>Abnormal Indivisible Loads (AIL) 1</b> Thank you for the updates on structural assessments for AIL routes provided at deadline 4. For clarification, please explain the expectation for undertaking the remaining structural assessments on AIL routes and outline what measures will be taken, and how they are secured in the draft DCO, if structural assessments fail.</p>	<p>It is understood that there are 13 assets yet to have Structural Assessments undertaken, and possibly 10 more awaiting on next steps to be agreed. ECC also understands that the Applicant’s Team have started some of the outstanding assessments, but it is not clear when they will be available.</p> <p>It is difficult to quantify how long a Technical Review of the Structural Assessment will take to complete as it depends on a number of factors including the workload of the Authority at the time, the quality of the</p>

ExQ2	Question to:	Question:	ECC Response
			<p>submission, the subsequent responses made by the Applicant, the results of the analysis, whether more information is required and if there is disagreement on the assessment.</p> <p>In our experience assessments following due process, usually take around a year to complete. On this basis, ECC believe it is highly unlikely that the assessments and any discussions on the outcomes of these assessments will be completed by the end of the examination in August 2026. However, ECC will continue to work with the Applicant to try to deal with the assessments in an efficient manner when they are submitted so as to try and achieve reasonable timescales.</p> <p>On the basis that the AIL Strategy document forms an approved document in the DCO, the following is suggested as an approach to follow when structural assessments identify a problem with an asset.</p> <ul style="list-style-type: none"> <li>• The AIL Strategy document should be updated to reflect the latest position prior to the end of the examination with a summary table/plan of all the structures identified as being required to support AIL movements and their current status, along with the current status of the specific AIL routes.</li> <li>• There should be a commitment in the AIL Strategy to complete the review of the routes beyond the Examination and a Technical Note produced setting out a summary of the final routes submitted to the Local Planning and Highway Authorities, National Highways and Network Rail.</li> <li>• Should issues be identified that affect the use of an Asset that cannot be dealt with through mitigation agreed with the Relevant Highway Authorities, National Highways and Network Rail (where appropriate) then the Applicant will need to consider an alternative routing strategy. This would need to be discussed with the Relevant Highway Authority and / or PINS to determine if the alternative routing strategy represents a material change or introduces materially different effects from those assessed as part of the DCO application and agree next steps to authorise the alternative. ECC considers an example of a material change which could result in materially different effects is if AILs could not use the A12 around Colchester due to structural issues and instead an alternative route had to be proposed through Colchester Town via the local highway network</li> <li>• In line with standard practice, the Applicant will be submitting the AIL routes they intend to use prior to construction to the Local Highway Authorities and Police. The submission will be reviewed at the time and the use of the route approved or denied. The assumption is that the routes submitted will be based on the routes included in the AIL Strategy document as part of the DCO as these have been assessed. A commitment to this assumption is required in the AIL Strategy document.</li> </ul>

ExQ2	Question to:	Question:	ECC Response
TT 2.13	The applicant Essex Police Suffolk Constabulary	<b>AILs 2</b> Since ISH2 and submissions at deadline 4, please update the ExA on engagement between the applicant and the joint forces regarding AILs and update the ExA on any further discussions that may have taken place since the deadline 4 submissions.	
TT 2.14	The applicant	<b>AILs 3</b> If AIL routes are not finalised, or structural assessments are not completed before the close of the examination, what assurances do the ExA have that they will be concluded in time to permit the 18 month lead-in period for the joint forces? Also explain what the proposal will be if the timescale is not met.	
TT 2.15	The applicant Network Rail	<b>Network Rail</b> The SoCG with Network Rail <a href="#">[REP4-099]</a> states that crossing agreements are progressing, will these be complete by the close of the examination and if not, how can the ExA be assured that they will be completed and how is this secured in the draft DCO	
<b>WE Water environment: flood risk, hydrology and drainage</b>			
WE 2.1	Water Management Alliance Essex County Council Thurrock Council Suffolk County Council Norfolk County Council	<b>Drainage Strategy</b> Please provide comments on the updated drainage strategy submitted at deadline 4 <a href="#">[REP4-186]</a> .	<p>ECC has reviewed the latest iteration of the Drainage Strategy as submitted by the Applicant at Deadline 4 and has the following comments:</p> <p>i) At 5.2.8 <i>The table shows incorrect Climate change allowances. It should be noted that while the table on the EA's Climate change allowance webpages does refer to a 40% allowance for the 2070's epoch for some locations in Essex, this should be read in conjunction with the exemption not on the previous page, which highlights that if the allowance for the 2050s epoch is greater this should be used instead. While it is noted that 45% will be applied as standard to promote consistency. The following values should be updated in the table to ensure that minimum requirements are correctly represented.</i></p> <p><i>The EACN Substation - 45% Climate change allowance. The Fairstead CSE compound - 45% Climate change allowance. Tilbury North Substation - 45% Climate change allowance. CSE compound related to modifications to the existing YYJ infrastructure - 45% Climate change allowance.</i></p> <p>li) At 5.4.27 <i>It was noted that while most features are proposed for removal on completion of temporary works this is not the case for some culverts. On this basis ECC's approach to review of culverts will assume permeance unless it is specifically highlighted that culverts will not remain post completion of temporary works.</i></p> <p>lii) 5.6.8</p>

ExQ2	Question to:	Question:	ECC Response
			<p><i>Where possible sediment forebays should be retained in attenuation features to provide improved water quality benefits to the main body of water contained in the feature.</i></p> <p><i>iv) Appendix A</i>  <i>While it is noted that appendix A contains information about discharge rates and storage volumes, there is not enough context for the LLFA to be able to comment on whether these figures are appropriate at this stage.</i></p> <p><i>v) Appendix B</i>  <i>Drainage Strategy Details lack appropriate detail to allow comment on this section for the strategy. However it is noted that detailed design for each location will be reviewed as part of the detailed design process.</i></p> <p><i>vi) Appendix C</i>  <i>Where possible attenuation feature should include sediment forebays to support maintenance of the feature and to ensure that water quality in the main body of water is improved.</i></p> <p>This matter continues to be discussed through the SoCG.</p>
WE 2.2	Water Management Alliance Essex County Council Thurrock Council Suffolk County Council Norfolk County Council	<p><b>Progress with agreement of issues</b></p> <p>The applicant states that it is confident that drainage issues can be resolved by close of the examination, please explain if you consider this an accurate reflection of progress and if there are specific matters you consider are at risk of not being agreed by the close of the examination.</p>	<p>ECC as the LLFA does not believe that there are any issues that are unresolvable as part of the drainage design.</p> <p>Following an initial meeting with the detailed design team, ECC will confirm design principles, and then review detailed design by geographic section as supplied to the LLFA.</p>
WE 2.3	Water Management Alliance Essex County Council Thurrock Council Suffolk County Council Norfolk County Council	<p><b>Disapplication of section 23 of the Land Drainage Act 1991</b></p> <p>Further to applicants reply to WE 1.9, please confirm acceptance, or otherwise, to the disapplication of section 23 of the Land Drainage Act 1991 and provide an update on your consideration of the applicants proposed protective provisions in this regard.</p>	<p>ECC can confirm that it is in discussion with the Applicant regarding the use of protective provisions which once agreed, will mean the Council has no objection to the disapplication of Section 23 of the Land Drainage Act 1991</p>