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Norwich to Tilbury

Volume 8: Examination Documents

**Document: 8.4.13.1 Applicant's Response to Pylons East Anglia's
Comments on its ExQ1 Responses**

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1. Introduction

1.1 Purpose of This Report

- 1.1.1 This document provides the Applicant's response to the comments made by Pylons East Anglia (PEA) on the **8.9.1 Applicant's Responses to First Written Questions [REP3-074]**. Responses were submitted at Deadline 3, 10 April 2026. PEA made comments on that document at Deadline 4 on 12 May 2026 in **REP4-369**.
- 1.1.2 The Applicant has also provided a response to comments submitted by other Interested Parties in **8.4.13 Applicant's Response to Comments on its ExQ1 Responses**. However, PEA submitted a number of detailed appendices with their Deadline 4 submission, which form the majority of their submission, and to which the Applicant has also responded. Given the length of that submission and the Applicant's response, a separate document is provided.
- 1.1.3 It should be noted that the Applicant provided comments on PEA's response to ExQ1 at Deadline 4 in **8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300]**, which PEA would not have had the benefit of reading prior to submitting their Deadline 4 submission. Subsequently there is some crossover or similarity between points raised and where it is most appropriate to refer back to the Applicant's Deadline 4 submission, this has been done.

2. Applicant's Response to Pylons East Anglia [REP4-369]

Table 2.1 Applicant's response to PEA Deadline 4 submission

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
<p>BIO 1.1 Criteria for ascribing importance/value to biodiversity receptors</p> <p>In Table 8.5 of ES Chapter 8 [AS-026] you have stated that the criteria for a "County/Regional" Chartered Institute of Ecology and Environmental Management (CIEEM) level of importance that has a "Medium" value includes species or habitats listed in accordance with the requirements of the Natural Environment and Rural Communities (NERC) Act 2006. However, in the criteria for "Local" CIEEM importance and a "Low" value you also refer to s41 of the NERC Act, and to Red or Amber listed Birds of Conservation Concern and Red Data Book species as examples that a receptor "... is relatively common and widespread".</p> <p>Explain your reasoning for this methodology, and justify why you consider impacts on, for example, Red and Amber listed bird species are considered to be of a low value and only of local importance.</p>	<p>A structure 180 km in length cannot qualify as a local ecological impact. IUCN NT species, which are by definition of wider (global) conservation concern - e.g. Northern lapwing, pied oystercatcher - not species are of low value and local importance.</p> <p>There is one particularly huge failing in the Applicant's assessment of breeding bird populations, which is that it has not, seemingly, (Table 8.14 in REP2-018) carried out Bird Surveys between Boxted and Tilbury North! This is most of Essex. It appears to mean that the bird-rich river valleys of the Colne, the Roman River (a designated nature corridor in Colchester's emerging Local Plan), the Blackwater (around which the North Essex Farm Cluster is focused on restoring nature, and in which the 'nature island' which is Feeringbury Manor is located right on the route of the pylons) and many other bird-rich habitats between the Blackwater and Tilbury have been ignored.</p>	<p>Impacts to ecological receptors have been assessed using industry best practice guidelines. The Project is of national importance as a Nationally Significant Infrastructure Project, but the ecological receptors and impacts to them are not necessarily of national importance or significance. Many species are of conservation concern, and in the case of birds, the Birds of Conservation Concern ¹ has been used as the primary indicator of status. This literature categorises birds into Red, Amber and Green List species as per the below criteria:</p> <ul style="list-style-type: none"> • Red List species are those which are: Globally Threatened, whose population or range has declined rapidly in recent years, or that have declined historically and not shown a substantial recent recovery • Amber List species are those which have an unfavourable conservation status in Europe, whose population or range has declined moderately in recent years or whose population has declined historically but made a substantial recent recovery. It also includes rare breeders and those for which the UK holds internationally important or localised populations • Green List species fulfil none of the above criteria and are of least conservation concern. <p>As can be seen within the above criteria, the global and European status of birds has been considered. Northern lapwing is a Red List species, and pied oystercatcher is an Amber List species. The presence of these species alone does not mean a particular location where they are recorded is of global or European significance. The local population size, behaviour (such as breeding status), distribution, and geographical context is also taken into consideration when determining significance as detailed in the Ecological Impact Assessment guidance (CIEEM 2024²).</p> <p>The ecological value of the breeding bird assemblages (as shown within Table 8.14 in 6.8 Environmental Statement Chapter 8 - Ecology and Biodiversity [AS-026]) has been determined by the population size, context, behaviour and breeding status of the assemblage as a whole, but with a particular focus on birds of conservation concern. During the breeding bird surveys, one pair of lapwing was recorded breeding at Survey Area 1 and a 'Possible' pair (only recorded on a single visit so breeding could not be confirmed) recorded at Survey Area 5. There was one possible pair of oystercatcher recorded at Survey Area 7. These are not considered to be notable numbers (in relation to breeding populations across East Anglia), despite their conservation status, but the breeding bird assemblage in these areas resulted in an assessment of District Importance for Survey Area 1 and County Importance for Survey Areas 5 and 7. As detailed in 6.8.A7 ES Appendix 8.7: Breeding Bird Report [AS-030], the breeding bird surveys were focussed on areas where the greatest impact to breeding birds due to habitat loss and disturbance were anticipated. These include areas of</p> <ul style="list-style-type: none"> • 400 kV underground cables • Cable Sealing End compounds • The new East Anglia Connection Node Substation • The new Tilbury North Substation.

¹ Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. (2021) *The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain*. British Birds 114: 723-747.

² Chartered Institute of Ecology and Environmental Management (CIEEM) (2024) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.3*.

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
		<p>The area referred to across Essex between Boxted and Tilbury North is proposed for overhead line. The habitat loss and disturbance effects in these areas will be lower than those locations listed above. The land-take is smaller, and the construction works are temporary in nature with habitats restored to their original land-use and value post-works. Therefore, the main impacts will be temporary and can be mitigated for through the measures identified in 7.2 Outline Code of Construction Practice [Revision E] and the 7.4 Outline Landscape and Ecological Management Plan [Revision E]. The completion of breeding bird surveys in these areas would not add information that would change the approach outlined within these documents. The Applicant's approach to breeding bird surveys has been informed by early and ongoing engagement with statutory and non-statutory consultees. The survey methodology was presented within the technical note "Ecology – Survey methodology for breeding birds, bats and hazel dormouse" and shared with Natural England, who confirmed that the proposed approach was acceptable. In addition, the approach and proposed survey coverage were discussed with host local authorities as part of the wider programme of technical engagement, with consultation undertaken to inform the impact assessment and survey methodology. This engagement provided an opportunity for consultees to review and comment on the scope of surveys and assessment, and no objections were raised in relation to the proposed breeding bird survey approach or its focus on areas of greatest anticipated impact. Accordingly, the Applicant considers that the survey strategy is proportionate, appropriate and aligned with stakeholder expectations.</p>
<p>BIO 1.23 Experience of delivery of mitigation and compensation at this scale. Set out your experience of delivering/ contract letting for tree planting and other ecological mitigation and compensation works on the scale that is being proposed. How has learning from previous experience of submitting/ delivering NSIPs been incorporated into your considerations for managing the ecological mitigation and compensation for the proposed development?</p>	<p>Mitigation. The Applicant states that it has extensive experience delivering mitigation and compensation works at scale on other large linear infrastructure projects - Hinkley Connection Project (HCP) (57 km); Yorkshire GREEN (38 km); Bramford to Twinstead (BTNO) (29 km) and Richborough Connection Project (RCP) (20 km)." None of these are in the order of magnitude of Norwich to Tilbury, and Bramford to Twinstead is not complete. We would like to understand the effectiveness of mitigations, offsets, etc., for these projects, in order to demonstrate performance, rather than participation. We are unable to find any research or evidence that demonstrates outcomes.</p>	<p>The Applicant notes the respondent's comments regarding the relative scale of the Project compared with previously delivered schemes. The Applicant is however not suggesting that the projects are identical in scale; the purpose of providing references to other Nationally Significant Infrastructure Projects (NSIPs) was to demonstrate the Applicant's experience in procuring, securing, implementing and managing substantial landscape and ecological measures associated with nationally significant linear infrastructure projects. The Applicant also does not consider the lack of published research or evidence demonstrates ineffectiveness of mitigation measures on those schemes. The Applicant has explained within its submissions that lessons from previous projects have informed the approach to mitigation delivery for the Project. The previous projects referenced provide relevant evidence of organisational capability and experience in delivering large-scale environmental mitigation associated with linear NSIP projects. As previously stated in our response to BIO 1.23 in the 8.9.1 Applicant's Responses to First Written Questions [REP3-074], the impacts and mitigation associated with one project will not always be the same for another. Each project has its own unique set of issues or circumstances. All projects should therefore be considered on their own individual merits and be based on the latest policy requirements. Consequently, it would be unreasonable for the Applicant to evidence the effectiveness of mitigations and offsets for these other projects that are also at various stages of delivery/ completion with those more advanced based on the specifics of the Project and the policy tests at that time, e.g. National Policy Statement – 2011 versions.</p>
<p>BIO 1.4 Application of the mitigation hierarchy Paragraph 5.4.42 of NPS EN-1 (2023) references the application of the mitigation hierarchy in regard to biodiversity and geological conservation interests. A number of IPs have referenced the need for the applicant to demonstrate that a strict adherence to the mitigation</p>	<p>Lag in restoration/habitat creation. What time frame does the Applicant envisage it would take for replacement habitats to ecologically/functionally replace those that have been destroyed or highly modified. Presumably for that lag period there will be a substantial 'biodiversity deficit'? According to Fuentes-Montemayor et al. (2022), this is a multi-decadal process in UK temperate woodland creation. We seek further information about the dismissal of lag effects, as different habitats require different offset or restoration.</p>	<p>The Applicant has provided further information on this matter within BIO 2.1 of 8.9.2 Applicant's Responses to Second Written Questions</p>

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
<p>hierarchy has been followed. In paragraph 3.1.17 of its LIR [REP1-176] South Norfolk Council, in relation to the mitigation hierarchy, states that: "Further work is required to demonstrate that avoidance and minimisation measures have been fully explored. Compensation should only be considered where no reasonable alternatives exist."</p> <p>Therefore, respond to South Norfolk Council's comments and justify how you have fully applied the mitigation hierarchy in regard to priority habitats and species listed under section 41 of the NERC Act 2006.</p>		
<p>BIO 1.45 Long-term monitoring and management of BNG Explain how you propose to manage the process and the practical application of BNG measures over a time period of 30 years? In addition, since it would appear that the proposed environmental areas would potentially contain mitigation planting, compensation habitat and BNG habitat then clarify how all those elements would be monitored and managed in practice?</p>	<p>The Landscape and Ecological Management Plan(s) (LEMP). (6.1.27) states that all hedges, shrubs, trees or dense vegetation will be retained as far as is reasonably practicable and that where vegetation loss is unavoidable, removal will be undertaken outside of the nesting bird season of March to August inclusive. However, the Applicant states <u>that where these measures are not possible and works need to be carried out within the bird breeding season</u>, all affected vegetation will be checked for evidence of nesting birds 24 hours (as standard) and no more than 48 hours prior to the removal of vegetation. We need to understand what the Applicant means by not possible and how this phrase will allow them to operate in bird nesting season unchecked.</p>	<p>Where it is necessary for the Project to remove vegetation that is suitable for use by nesting birds, the ideal scenario is for that vegetation to be removed outside the nesting bird season. It is far quicker to do this and means that there is no risk of harm to nesting birds. However, it is not practical, viable, or possible, to only complete this task in the autumn and winter months due to the sheer scale of the Project and its urgent need for delivery as critical national priority (CNP) infrastructure. It may be necessary for reasons of programming to undertake some vegetation clearance in the spring and summer. As outlined in 7.4 Outline Landscape and Ecological Management Plan [Revision E], when it is necessary to clear vegetation suitable for nesting birds in the spring and summer months then an Ecological Clerk of Works (ECoW) will undertake a nesting bird check. If the ECoW is confident that no nesting birds are present, then clearance can proceed. If the ECoW identifies that a nesting bird is present, they will advise on a suitable buffer for the nest so that the bird can safely continue to brood its nest/feed its chicks. Only when the ECoW is confident that the nest is no longer in use can the clearance proceed. The size of any buffer is species dependent; how long the buffer would need to remain in place depends on the status of the nest. This mitigation measure is standard practice on construction sites and complies with relevant legislation.</p>
<p>BIO 1.12 Assessment of bird mortalities In paragraph 8.5.57 of ES Chapter 8 [AS-026] you state that no specific surveys for wintering farmland birds have been undertaken as they are not considered to be at risk of collision. A number of IPs, including Pylons East Anglia Ltd in its attachments to [RR2973] and Suzanne Bolwell-Davies in</p>	<p>The Applicant notes its reliance on the latest CIEEM guidance, yet this guidance contains nothing about power lines. The Applicant notes its reliance on NatureScot guidelines yet appears to ignore much of what the guidelines contain. NatureScot states that there are three main risks to birds from power lines: Mortality through collisions; mortality through electrocution (less prevalent on transmission lines than distribution); and displacement such as through habitat loss; disturbance during construction; displacement if predators use the pylons as perches; barrier effects</p>	<p>As the Applicant has stated previously, the guidance used to design survey effort and assess impacts of bird collision risk is the NatureScot guidance entitled Guidance - Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds³. This guidance states '<i>The principles and methods of surveys required for assessing a power line development are broadly similar to those set out in the NatureScot Bird Survey Guidance for Onshore Wind Farms</i>' and therefore this wind farm guidance was also used. Pylons East Anglia have quoted several abstracts from the above guidance, and these have been in the main taken from the 'Potential Impacts Section' of the guidance which identifies the reasons why surveys are required and what needs to be considered when designing a survey scope and assessing impacts. These factors have been considered at the survey design stage, and the impacts have been assessed within the Environment Statement at 6.8 Environmental Statement Chapter 8 - Ecology and Biodiversity [AS-026].</p>

³ NatureScot (2025) *Guidance - Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds*

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
<p>[REP1-480], have raised concerns about the survey effort for, and impacts on farmland birds, and on birds overall due to collisions with OHLs and electrocution risk. Respond to these concerns and expand on the reasons why you consider surveys for farmland birds are not required and, in the absence of such surveys, explain in more detail how you have assessed the potential impacts on bird mortalities for all species due to electrocution risks and collisions for areas/ species that have not been surveyed. Justify your conclusion in Table 8.24 of ES Chapter 8 [AS-026] that: "...collision risk and potential mortality in the absence of mitigation is considered to be a negligible effect in the medium term which is not significant", and that therefore there would be no residual operational effect?</p>	<p>when birds are deterred from using their normal routes to feeding or roosting grounds.</p> <p>The guidance states: <i>"There is a lack of data from the UK on the effects of power lines on birds, but research globally has shown that bird interactions with overhead lines are almost all negative."</i> Our own collision data submitted to the Applicant and the ExA demonstrates that collision risk is high for all species types and is summarised in our Bird Collision Matrix submitted at Deadline 2. We also submitted numerous photos by residents of large waterfowl regularly seen along the route of the project.</p> <p>NatureScot gives a range of factors that influence bird mortality:</p> <ul style="list-style-type: none"> • Species morphology e.g. larger birds • Birds with limited visual capacity • Birds distracted while engaged in hunting/breeding behaviours • Younger and more inexperienced birds • Migrants not familiar with the landscape. <p>All may be at increased collision risk, and note that NatureScot sets out the mitigation limits of bird diverters, which do not work in many instances, such as those listed above, or in fog/darkness. (Note that the Applicant acknowledges this in its Sealink evidence). Also note that the Applicant is anyway restricting its use of bird diverters to very limited sections of the route.</p> <p>It lists other risk factors:</p> <ul style="list-style-type: none"> • Landscape and topography, e.g. siting power lines near or crossing important areas or flyways used by birds may increase collision risk. • Weather, e.g. strong winds, fog, or heavy rain may force birds to lower their normal flight heights, affect flight control and reduce visibility and therefore reduce ability to avoid collisions. • Technical aspects, e.g. spacing of conductors affect electrocution risk. Earth wires (sometimes called the static or ground wires, which protect the power line from lightning strikes) are thought to be responsible for a much higher rate of collisions than the thicker, often bundled conductor wires. This is because they are harder for birds to see and are typically positioned at the top of the wire array, putting them in the flight path of birds which have taken avoiding action to fly over the conductors. <p>There is no evidence that the Applicant has made any route adaptations to factor in the inland river corridors, such as the Colne and the Blackwater, which have rich habitats for waterfowl and other birds. There are also farmland reservoirs along the route, for example one in the Roman River Nature Corridor in Aldham.</p> <p>NatureScot sets out pre-survey considerations for power line routing as follows:</p> <p><i>"Careful routeing is critical to minimise the impact of a power line on birds, and wherever possible should avoid:</i></p>	<p>Please see the Applicant's previous responses on the noted Bird Collision Matrix and waterfowl photographs in response to BIO 1.12 in 8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300].</p> <p>The Applicant has followed the mitigation hierarchy for all ecological receptors, with the route avoiding important habitats and protected species wherever possible. This has also been completed while considering constraints from other disciplines which makes it a complex task. With regard to birds, the Order Limits have provided a wide buffer area between the designated sites of international importance to birds that are located on the coast and estuaries. A Habitat Regulations Assessment (5.3 Habitats Regulations Assessment Report [APP-082]) has been completed to determine whether there would be an effect on the integrity of sites of international importance (including those of value to birds such as Special Protection Areas and Ramsar sites). This included an assessment of 'Areas outside protected areas that are used by birds which are a qualifying interest of a connected protected area' which is known as Functionally Linked Land. This concluded the Project would not affect the integrity of these sites and this conclusion has been agreed with Natural England.</p> <p>The inland river corridors have been assessed as providing the most likely locations of regular flight paths / corridors (which is quoted from the NatureScot guidance by Pylons East Anglia). This was concluded through a comprehensive desk-based assessment of designated site consideration, habitat analysis, and mapping of existing bird records. Vantage point surveys were conducted to determine the extent of bird flights in these areas and assess collision risk. This included vantage points where the overhead line crosses the River Colne and the River Blackwater. No significant collision risk was identified in these areas, and as such, avoidance of these areas is not necessary.</p> <p>The Applicant has not ignored the points raised by Pylons East Anglia. The Applicant has continued to provide comprehensive responses to Pylons East Anglia, including all the points raised, in the following:</p> <ul style="list-style-type: none"> • Appendix Z of 8.4.1 Applicant's Comments on Relevant Representations [REP2-023] outlines the Applicant's responses to Appendix 11 and Appendix 12 of the Representation by Pylons East Anglia regarding bird collision risk • Table 4.1 in 8.4.6 Applicant's comments on submissions received at Procedural Deadline A [REP1-136] outlines the Applicant's responses to the Pylons East Anglia Procedural Deadline A submissions regarding bird collision risk and farmland birds • Table 2.1 in 8.4.8 Applicant's Comments on any Further Information or Submissions Received by Deadline 2 [REP3-070] outlines the Applicant's responses to Additional Submissions from Pylons East Anglia [REP2-054 and REP2-055] regarding bird strikes and their Bird Collision Matrix [Appendix F of REP2-054] • Table 5.1 in 8.9.1 Applicant's Responses to First Written Questions [REP3-074] outlines the Applicant's responses to Pylons East Anglia written questions regarding the assessment of bird mortalities and bird diverters (BIO 1.12 and BIO 1.13) • Table 2.1 in 8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300] outlines the Applicant's comments on Pylons East Anglia responses [REP3-131] to the written responses [REP3-074] regarding the assessment of bird mortalities, the use of bird diverters, Pylons East Anglia's submission of their Bird Collision Matrix and waterfowl photographs (BIO 1.12 and BIO 1.13). <p>With regards to the topography at Fordham / Aldham, the landscape is considered to comprise rolling hills rather than steep hills with exposed ridges. In addition, the landscape contains many woodlands, copses and lines of trees, and the overhead line in this area is not considered to be exposed. Vantage point surveys have been completed along the river corridor in this area and did not identify this as an area of collision concern. The wooded landscape is less suitable for the Target Bird Species that are of risk of collision such as geese, which prefer large, open, flat landscapes for feeding and roosting. NatureScot guidance also suggests birds react to obvious obstacles such as</p>

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
	<ul style="list-style-type: none"> Protected areas designated for their bird interest, including Special Protection Areas (SPAs), Sites of Special Scientific Interest (SSSIs) and Ramsar sites. Areas outside protected areas that are used by birds which are a qualifying interest of a connected protected area. Known roosting and feeding areas, known flight paths between these areas or any known flight paths used by migrating birds. For example, placing a power line between fields used by grazing geese and a roost loch could cause mortality of commuting birds colliding with the wires, or potentially create a barrier effect leading to reduced use of the site. <p>Consider topographical features affecting general bird movements, e.g. valleys that may be used as flight paths. Running power lines along existing linear elements of equal or greater height (e.g. cliffs or rows of trees) may reduce collision risk as birds will react earlier to fly over the more obvious obstacle. Grouping linear obstacles (e.g. other power lines, treelines, roads) may also lower overall impacts.”</p> <p>Yet the Applicant has ignored:</p> <ul style="list-style-type: none"> all of our bird collision evidence submitted, most recently the Bird Collision Matrix which demonstrates that species listed by the Applicant in the project area are involved in collisions with power lines. evidence that small, farmland birds are involved in collisions with power lines resident submitted evidence about waterfowl hotspots along the route, which are known roosting and feeding areas and flight paths such as grazing geese flying between fields and a roosting spot. NatureScot’s guidance to run power lines where they are less exposed. For example, the pylons follow the highest points of the landscape around Fordham/Aldham, Essex, where there are regularly large flocks of geese daily crossing the route. the fact that a great many of the waterfowl observed on farmland are connected with the priority waterbodies nearer the coast or the coast itself. <p>Meanwhile, one of the mitigation options recommended by NatureScot is placing the cables underground – “the only way to completely eliminate collision mortality”.</p> <p>[Applicant’s note: figure presenting communications from Yorkshire Swan & Wildlife Rescue Hospital not replicated here, see REP3-074 for original]</p> <p>Under the Planning Act 2008, 10 Sustainable development (2), the Secretary of State must, “in exercising those functions [under sections 5 and 6], do so with the objective of contributing to the achievement of sustainable development. (3) For the purposes of subsection (2) the Secretary of State must (in particular) have regard to the</p>	<p>trees early, and therefore, although the trees are not of equal or greater height than the pylons, flight heights will likely be above collision risk height or close to this, so flight adjustments to ensure avoidance are not extreme.</p> <p>The Applicant agrees that bird diverters and spacers are not a panacea and are not expected to eliminate collision risk entirely. As identified in the meta-analysis by Bernardino et al. (2019)⁴, wire marking measures typically reduce collision mortality rather than removing it altogether. In the context of the Project, bird diverters (along with coloured spacers as an additional measure) are proposed on a precautionary basis at the River Waveney and Ardleigh Reservoir to reduce a collision risk that has been assessed as low and not significant.</p> <p>While it is recognised that overhead transmission lines can pose risks to birds, these risks are context specific rather than inevitable across entire routes. A robust assessment of collision risk has been made through a comprehensive desk-study (to identify hotspots of bird activity) and targeted vantage point surveys in line with best practice guidance. This did not identify any locations of notable collision concern. The mitigation hierarchy has been followed, with important bird areas (including designated sites for birds) being avoided while bird diverters are proposed on a precautionary basis at the River Waveney and Ardleigh Reservoir despite collision risk being assessed as low and not significant. Studies have shown bird diverters do reduce collision risk and they are widely regarded as a suitable mitigation option where a risk of collision has been identified. The Applicant does not agree that the Project would result in a long-term loss of the natural environment for which no meaningful mitigation exists.</p> <p>Regarding the comment suggesting an underground alternative to the Project, the Applicant has provided its position on this matter in previous submissions and refers primarily to Section 3.4 of 8.8.2 Applicant’s Comments on Local Impact Reports [REP2-030]. It concludes (in very summary terms here – we refer to the more substantial response therein) that in accordance with National Policy Statement (NPS) EN-1 (2024) and NPS EN-5 (2024) policy, the Applicant has applied the strong presumption of overhead lines in the correct places, and reversed that presumption in the circumstances of a designated National Landscape. The Project has included undergrounding in particular locations outside the National Landscape, having applied the EN-5 policies. The Project has therefore complied with the relevant EN-5 policies on undergrounding.</p>

⁴ Bernardino, J., Martins, R.C., Bispo, R. & Moreira, F. (2019) *Re-assessing the effectiveness of wire-marking to mitigate bird collisions with power lines: A meta-analysis and guidelines for field studies*. Journal of Environmental Management, 252

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
	<p>desirability of— (a) mitigating, and adapting to, climate change; (b) achieving good design.”</p> <p>Overhead transmission lines carried on 50-metre-high pylons cannot credibly be described as sustainable development when they introduce a permanent, avoidable source of wildlife mortality and landscape harm. Linear infrastructure of this scale sits directly within the flight paths of many bird species, creating a well-evidenced collision risk that cannot be “designed out” once the structures are in place. The resulting deaths of birds—including protected and declining species—represent an ongoing ecological cost that continues for the entire operational life of the line. Sustainable development requires minimising irreversible environmental harm and safeguarding biodiversity, yet these pylons would do the opposite: they impose a predictable, long-term loss on the natural environment for which no meaningful mitigation exists.</p>	
<p>BIO 1.15 Presence of white-clawed crayfish At OFH3 [EV7-001] and [EV7-002] and in [REP1-432] Mr Norman Stevens states that studies by the Norfolk Rivers Trust indicate the presence of white-clawed crayfish in the River Tas. Also, in [RR-1073] the Environment Agency notes that there are records of white-clawed crayfish on the River Tas (which is within the study area) and that they may be present where there are no recent records on the River Tas system and its tributaries. The ExA is aware that in paragraph 8.5.33 of ES Chapter 8 [AS-026] you have stated that desk studies revealed no records and field surveys revealed no presence of white-clawed crayfish in the Study Area. The ExA also notes that in N5 of [REP1-132] you have not specifically addressed the Environment Agency comments on this. Therefore please respond to Mr Stevens’ and the Environment Agency’s comments, explain whether a white-clawed crayfish licence from Natural England is likely to</p>	<p>It remains of concern that the Applicant was unaware of the colony of WCC that was known to the Norfolk Rivers Trust. The Applicant says, in 8.5.33 of [REP2-018], “A viable population of native crayfish is likely absent from the Study Area and for this reason white-clawed crayfish have not been considered further” Thus, any mitigation is retrospective.</p> <p>The River Tas has several tributaries and feeder streams. The source is near Carleton Rode and the pylons cross the river near Cargate Common (RG049). There is a stream near Little Green that feeds into the Tas. This is crossed at Brocks Watering (RG042). There is the Tacolneston Tributary crossing point near RG032 and this joins the Tas near Hapton. Flordon Beck is crossed near (RG024) and joins the Tas at Tasburgh. Hempnall Beck also joins the Tas at Tasburgh. Further downstream there are streams near Saxlingham, Nethergate and Shotesham that feed into the Tas.</p> <p>The pylon route is on higher ground above the Tas valley and crosses a landscape which has a network of ditches which eventually drain into the river.</p> <p>In spite of the Applicant's talk of pollution controls construction at the crossing points particularly between the source and Tasburgh would be a serious threat of pollution.</p> <p>The Applicant states that only one tributary of the River Tas is affected by the project. Yet its own map shows that four tributaries of the TAS are crossed, each with some very significant construction work highlighted. This means that the response to the ExA’s question is not acceptable as the risk to WCC is four times greater than the Applicant states. The Applicant must set out details of exactly what construction works are taking place at each crossing of a tributary of the River Tas.</p>	<p>The Applicant has acknowledged the Interested Party’s concerns and provided responses in response to BIO 1.15 in 8.9.1 Applicant's Responses to First Written Questions [REP3-074] and 8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300].</p> <p>The Applicant’s previous response to the ExA’s question referred to one crossing on the main River Tas channel which is correct. It is however noted that there are three further crossings/oversails of tributaries of the River Tas. Full details of all four crossing locations are provided below for clarity:</p> <ul style="list-style-type: none"> • Location 1 at Flordon Beck south of pylon RG024: trees and shrubs would be coppiced and pruned for electrical clearances associated with the 400 kV overhead line and the banks would be disturbed when the 11 kV line is undergrounded beneath the beck • Location 2 at Tacolneston tributary south of pylon RG033: trees and shrubs would be coppiced and pruned for electrical clearances associated with the 400 kV overhead line. Trees and shrubs would be removed to install a single span bridge for the haul road • Location 3 at Brocks Watering south of pylon RG042: trees and shrubs would be coppiced and pruned for electrical clearances associated with the 400 kV overhead line and a single span bridge would be installed for the haul road • Location 4 south of pylon RG049: trees and shrubs would be coppiced and pruned for electrical clearances associated with the 400 kV overhead line and a single span bridge would be installed for the haul road. This location is the Main River Tas channel previously referred to. <p>The tree works required for electrical clearances described above would have no long-term effect on aquatic species as the vegetation would regrow. Where a single span bridge is required it would not directly impact the riverbanks, the riverbed, the natural water flow or substrate and would therefore have no impacts to any white-clawed crayfish that may be present within the wider area.</p> <p>As identified previously, the River Tas, its tributaries, downstream habitats and water quality would be protected from pollution during construction of the Project by the standard pollution control and management measures that are secured through inclusion of commitments within 7.2 Outline Code of Construction Practice [Revision E]. Measures include those to control runoff from worksites that may contain elevated concentrations of silt, as well as controls on potentially polluting activities such as refuelling and working with concrete, including protocols for unplanned events/spillages. In addition, due to the known presence of white-clawed crayfish within the River Tas in the wider area, specific biosecurity measures have been included within 7.4 Outline Landscape and Ecological Management Plan [Revision E] to ensure no spread of crayfish plague, as agreed with the</p>

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
<p>be required for any elements of the proposed development, and clarify how the potential presence of this species would affect the assessment conclusions you have reached in ES Chapter 8 [AS-026], including whether there are any ark sites nearby that might be affected.</p> <p>Please update Table 5.1 of the outline CoCP accordingly.</p>		<p>Environment Agency as detailed in Table 3.3 of 5.9.15 Draft Statement of Common Ground - Environment Agency [REP4-085].</p> <p>The Applicant did not receive records for white-clawed crayfish in the zone of influence for the Project from the local record centres, but this is not material. The measures that would be put in place at each of the crossing points are sufficient to ensure that water quality would be protected and there would be not significant negative effects on aquatic flora and fauna residing in the impacted watercourses and in watercourses up or downstream including white-clawed crayfish.</p>
<p>BIO 1.47</p> <p>Approach to the provision of BNG, including off-site BNG As set out in Table 7.1 of its BNG Report [APP-299] the applicant proposes 1165.95 Off-site Biodiversity Units to achieve 10% BNG in terms of Area habitat Units. The ExA understands that off-site BNG requirements would be calculated following detailed design and the biodiversity metric being re-calculated. Consequently, no specific sites have been proposed as yet, although the ExA notes that paragraphs 6.1.6 and 6.1.7 of [APP-299] refer to the Waveney and Little Ouse Landscape Recovery Project (WaLOR) scheme and Market Weston Fen in Suffolk and that Essex Wildlife Trust has confirmed its intent to assist with the requirement for approximately 400 units in Essex. Provide an update on progress on the securing of off-site BNG, including confirmation that sufficient land would be available from commercially registered providers.</p> <p>Furthermore, in an attachment to [RR2973] Pylons East Anglia Ltd raises concerns about the applicant's approach to BNG, including what it contends to be</p>	<p>We restate our concerns as these have been addressed by the Applicant in a cursory and indirect manner:</p> <p>Ecosystem services (ES) are particularly relevant to this application, as they are an (as yet) unquantified and unvalued set of public goods that are likely to be diminished in order to provide a private good. The net outcome of ecosystem services is a vital component of determining not just biodiversity (ES are inextricably linked to ecosystem type, extent, condition and function), but also in identifying which stakeholders benefit and which stakeholders don't. Given that there is likely to be a loss of ES (certainly in terms of diversity of ES) at the sites of project installation/deployment, to not include an a priori ES assessment, is both evasive and disingenuous. It also calls into question the remarks from The Applicant in their response that imply that there will be an ecosystem service gain, but without providing any basis for this whatsoever.</p> <p>It remains unaddressed from original submissions. The Applicant's own reports mention ecosystem services and natural capital as being important in the various review documents that deal with biodiversity, but there appears to be no intent to assess these in the EIA process. The Applicant responded: ""full details of the off-site solution and added environmental and societal value would be reported through the final iteration of the off-site BNG Report." What about on-site ecosystem services? The Applicant cannot know that there will be "added environmental and societal value", when this has not been assessed. Even a rudimentary understanding of ecosystem services would show that there will be likely negative impacts on a range of provisioning (e.g. food production), regulating (e.g. water quality, soil stability) and cultural (e.g. landscape amenity, mental wellbeing) services, and yet the Applicant is already claiming a gain overall - please lay out the basis and spatially explicit basis for your assertion.</p> <p>The Applicant has its own toolkit for measuring natural capital and ecosystem services ("Our natural capital tool and approach, 2020). On this basis, why does it not appear to be used for this project, and why are benefits assumed but not quantified? It is something that they use during the Ofgem RII0-T3 funding application process to burnish their credentials, and funding is partially dependent on a declared</p>	<p>The Applicant acknowledges that a detailed quantitative ecosystem services assessment has not been undertaken. The assessment has instead focussed on securing a minimum 10% BNG. BNG by its nature, is a way of making sure habitat for wildlife is in a measurably better state than it was before development, thereby providing net gains, by improvements in the extent and/or conditions of habitats. The Applicant's strategy for delivering offsite BNG, as set out in the 7.1 BNG Report [APP-299], is to deliver at least 10% BNG with wider environmental and societal benefits. The Applicant explained within the response to BIO 1.47 at Deadline 3 in 8.9.1 Applicant's Responses to First Written Questions [REP3-074] the potential types of environmental and societal benefits which are hoped to be realised through the procurement of off-site biodiversity units. So, whilst a spatially explicit ecosystem services assessment has not been presented, the Applicant considers the delivering of BNG provides a clear and evidence-based proxy for improved ecosystem service provision overall. It is also recognised that certain ecosystem services, particularly cultural services such as landscape amenity and wellbeing, are less readily quantified. These services are inherently influenced by context and individual perception, which limits the extent to which they can be assessed in a consistent or spatially explicit manner. Notwithstanding this, the proposed habitat enhancements associated with BNG, alongside wider environmental net gain commitments, could support positive outcomes in these areas.</p> <p>As previously confirmed in response to BIO 1.47 in 8.9.1 Applicant's Responses to First Written Questions [REP3-074], whilst not possible to quantify at this stage, details of the offsite solution and added environmental and societal value would be reported post consent. This approach is in line with National Policy Statement EN-1 (2024) paragraph 4.6.12 which states that '<i>when delivering biodiversity net gain off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies</i>'.</p>

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
<p>a lack of detailed plans and quantification to support the applicant's approach to BNG provision, and the absence of any meaningful assessment of ecosystem services. The applicant is requested to respond to the concerns raised by Pylons East Anglia Ltd.</p>	<p>natural capital approach, so it would be disingenuous to consumers for the Applicant not to follow through on the ground.</p> <p>Given that sources of ecosystem services will be damaged along the proposed route, leading to a concomitant loss of ecosystem services (that carry an equivalent economic cost), we seek to understand which "environmental and societal benefits" are referred to and how these will be achieved for public benefit.</p>	
<p>CA 1.17 Funding statement - 4 The funding statement [REP1-004] states that the £184.9 million estimate for CA and compensation is benchmarked and has a 10% contingency. A number of the RRs state they have been offered very low compensation or CA valuation.</p> <ul style="list-style-type: none"> • How can the ExA be certain that the applicant has included the full likely costs of CA and compensation, include mineral rights. • Taking these matters into account, how can the ExA be certain that the overall cost estimate is accurate, how does it compare with the expectations of the Treasury Green Book for estimates at this stage of design development and therefore overall, how can the ExA be certain that the total cost of the project can be met within the available funding. • The Funding Statement submitted at DL1 revised the project cost estimate to a 2025/26 baseline. The estimated cost of CA was also updated. • Please explain the basis of the updated CA costs. It is notable that the increase in costs is minimal and the ExA needs to be reassured that 	<p>This question has not been answered and the Applicant has not addressed our detailed submissions about the requirement to use the Treasury Green Book, nor our analysis of what a Treasury Green Book compliant process would mean: "Taking these matters into account, how can the ExA be certain that the overall cost estimate is accurate, how does it compare with the expectations of the Treasury Green Book estimates at this stage of design development and therefore overall, how can the ExA be certain that the total cost of the project can be met within the available funding."</p>	<p>This question has been answered. The Applicant provided a detailed response to CA 1.17 at Deadline 3 in 8.9.1 Applicant's Responses to First Written Questions [REP3-074] and therefore the Applicant directs Pylons East Anglia to that response. To be clear, there is no requirement to use the Treasury Green Book.</p> <p>The Applicant acknowledges the ongoing position of Pylons East Anglia and repeated request for HM Treasury Green Book Analysis. The Applicant has consistently reiterated its position that the Treasury Green Book is not relevant to its projects. It therefore rejects the entirety of the analysis referred to in this comment. For ease of reference, the Applicant has previously stated in page 15 of 8.5.4 Applicant's Response to the Open Floor Hearings [REP1-140]: <i>'the Treasury Green Book ... provides guidance on the interpretation by public servants of public spending, assets and resources for projects, policies and spend from the public purse. That is not relevant for National Grid Electricity Transmission. There is no requirement in the Planning Act 2008 for developers to have to submit a Treasury Green Book assessment as part of a Development Consent Order (DCO) application. National Grid Electricity Transmission is an Ofgem regulated business, with obligations to consider customer, environmental and other considerations as outlined in the Electricity Act 1989 and in its licence commitments. Consideration of the costs of a project and the funding it should receive via the regulatory settlement is the subject of a separate regulatory process, and it is not appropriate for the Planning Inspectorate, Examining Authority or the Secretary of State in their remit under the Planning Act 2008 to seek to duplicate other regimes.'</i></p> <p>The Examining Authority may also find it helpful to note the positive decisions for similar projects over the last 12 years, none of which have required consideration of the Treasury Green Book. Those projects include Hinkley C Connection Project, the Richborough Reinforcement Project, Yorkshire Green, and Bramford to Twinstead Reinforcement.</p>

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
<p>the cost of all CA matters are adequately considered and can be met, please provide this reassurance.</p>		
<p>LUS 1.2 Best and most versatile agricultural land (BMV) and soils-1 It would appear from Paragraph 6.4.7 of the ES that detailed Agricultural Land Classification (ALC) survey was undertaken on approximately 1,011 ha (representing 54% of the proposed survey areas within the Order Limits). Predictive ALC grading was then carried out where it was not possible to undertake a detailed ALC survey. Given the coverage of actual survey work how much confidence can be placed on the applicant's response on acid soils in document 8.4.6 page 22 that 'the detailed surveys did not identify the presence of jarosite in the soil and in locations where desk-based information suggested a potential for acid sulphate soils some of the soils were found to be moderately calcareous. There is no evidence to indicate the presence of actual or potential sulphate soils within the surveyed areas'. As being a representative conclusion that can be applied across the whole Order Limits as they are not all 'surveyed areas'.</p>	<p>Dr Dent's response to the Applicant's latest comments is that the response is not acceptable. Acid sulphate soils have not been tested for. This means that the environment and human health remain at an unquantified risk. He restates that the ALC classification is simply not appropriate for the necessary investigation of environmental impact of the proposed pylons. It is a qualitative assessment of the broad land use options open to farmers in different landscapes. It was devised two generations ago, not with giant pylons in mind. In short, the Applicant has not answered the question, again.</p>	<p>The approach to assessing the impacts on agricultural land, and best and most versatile land, through use of the Agricultural Land Classification (ALC) system, was agreed with Natural England as set out in 5.9.13 Draft Statement of Common Ground - Natural England [REP4-081]. As set out in 8.4.8 Applicant's Comments on any Further Information or Submissions Received by Deadline 2 [REP3-070] pages 227–230, in addition to the ALC surveys detailed surveys were undertaken in those areas where peat had been encountered in the Waveney Valley, and as such the responses have not solely relied on ALC survey information. The Project has accepted that the surveys undertaken to date do not fully rule out the potential presence of these soils and has identified measures to manage this. To add further detail to this commitment, the outline Soil Resources Plan will be updated to include more detail on the approach to managing any potential occurrences of these soils.</p>
<p>LV 1.28 Coordinated masterplans In their LIR, Babergh DC, Mid Suffolk DC and Suffolk CC [REP1-178] request that coordinated masterplans be produced covering landscape, ecology, archaeology and rights of way in highly affected areas – suggesting that plans are produced for Bramford, Burstall</p>	<p>We have briefed a landscape consultant, Simon Neesam, of the Landscape Partnership, to address the points raised by the Applicant at the hearings, because we disagree about the level of harm to the Colne Valley. This is an area long acknowledged for its beauty and heritage, with the Colne Stour Countryside Association being founded in 1980 to protect it. We contend that it is not a question of routing overhead lines across the Colne Valley to avoid harm. The valley should not be crossed by pylons at all, at any point, even the more westerly route that has been considered, which brings different harms but of equal severity.</p>	<p>The Applicant notes that the Pylons East Anglia Group have briefed a landscape consultant to undertake an additional study related to matters raised in relation to the Colne Valley and that this will be submitted at Deadline 5. The Applicant has provided a response regarding routeing in the Colne Valley in previous submissions, including in response to Action Point No. 34 of 8.5.8 Applicant's Response to Issue Specific Hearing 2 Action Points [REP4-303]. In summary this states that the Colne Valley does not comprise a location where the strong presumption for overhead lines is reversed in line with paragraph 2.9.20 of National Policy Statement (NPS) EN-5 (2024). Neither does it engage the criteria within paragraph 2.9.23 of EN-5 (2024) for widespread and significant adverse landscape and visual effects and as such the threshold for further consideration of undergrounding including the matters in paragraphs 2.9.24 and 2.9.25 of EN-5 is not met.</p>

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
<p>and the Gipping and Waveney Valleys.</p> <p>The ExA consider there is merit in this request and ask that coordinated masterplans are produced for the following areas, and that built heritage is also included in the plans:</p> <ul style="list-style-type: none"> • Gipping Valley • Waveney Valley (including Snow Street, Roydon, Roydon Fen and Wortham Ling) • Burstall & Bramford • Ardleigh & Little Bromley • Colne Valley (including Fordham, Ford Street, Aldham) • Great & Little Waltham • Ingatestone & Buttbury • Hutton/ Mountnessing/ Havering's Grove 	<p>In 2024 Pylons East Anglia appointed The Landscape Partnership to undertake an independent High-Level Landscape Susceptibility Appraisal (HLLSA), to identify sections of the Norwich to Tilbury corridor where pylons and/or associated infrastructure could have a particularly adverse influence on the character of the landscape or on views. This was submitted to the Applicant during the Statutory Consultation.</p> <p>The study identified that the Colne Valley was a sensitive section of route where further study and possible undergrounding would be merited. We have asked Mr Neesam to look in greater detail at the Colne Valley. Unfortunately, he was unable to carry out this work by Deadline 4 but the report will be ready for Deadline 5.</p>	<p>The Applicant notes that the High-Level Landscape Susceptibility Appraisal (HLLSA) prepared by The Landscape Partnership in 2024 assesses the Colne Valley River Slopes and Colne River Valley Floor and establishes high susceptibility and high sensitivity. This is in line with the landscape assessment prepared by the Applicant, which is set out in 6.13 Environmental Statement Chapter 13 - Landscape and Visual [APP-226] and accompanying appendices. The Applicant's assessment also recognises the Colne Valley Slopes Landscape Character Area (LCA) and Colne River Valley Floor LCA are of high sensitivity and susceptibility to the Project.</p> <p>With regard to ExQ1 LV 1.28, the Applicant's position in relation to the requirement for landscape compensation is set out in Section 8.2e of 8.5.7 Applicant's Written Summary of Oral Submissions to Issue Specific Hearing 2 [REP4-302]. The Applicant has however provided details of potential opportunities for landscape compensation within the locations identified in ExQ1 LV1.28 as directed by the Examining Authority in 8.4.12.2 Response to ISH2 Action Point 27 – Masterplans [Revision A]. These plans represent no commitment at this stage on the part of the Applicant or acceptance that such compensation is required by policy. The purpose of the plans is to provide information for the Examining Authority to aid their understanding of constraints and potential opportunities and meet our commitment to produce such material to the Examining Authority at Deadline 5. The position in respect of the need and justification for any proposed landscape compensation will need to be considered against the NPS policy framework and the relevant statutory tests including Regulation 122 of the CIL Regulations 2010.</p>
<p>SS 1.2</p> <p>Security risks</p> <p>A range of security issues have been highlighted as a possible risk by a number of IPs in relation to the OHLs and substations, including vulnerability to attack (for example by drones), and the resilience in areas where there is a concentration of energy infrastructure. NPS EN-1 (2023) section 4.16 recognises that there may be national security implications for critical energy infrastructure. Can the applicant respond to these points, clearly setting out the security considerations for the proposed development and which may result from the concentration of other UK energy infrastructure in the surrounding East Anglia area.</p>	<p>The Applicant has not adequately considered physical resilience. We can see no evidence of worst-case risk assessment and scenario planning, resilience design alternatives, and the respective recovery capabilities. taken security, defence and terrorism into account. Given increasing awareness at governmental level (Cabinet Office) of national resilience concerns, especially the vulnerability of Critical National Infrastructure (CNI), and the statement that it is critical that resilience is bedded in at the design stage, it is absolutely essential to this project that physical resilience is fully and completely considered and war-gamed.</p> <p>The Applicant refers to embedded mitigation measures, as reported in 6.4 Environmental Statement Chapter 4 - Project Description [APP-130], yet this document says very little except that security fences and lighting will be installed at EACN.</p> <p>There is no evidence that any of the following security considerations, which the Applicant states it has carried out, have been carried out:</p> <ul style="list-style-type: none"> • Alignment with guidance issued by the National Protective Security Authority • Engagement with relevant Counter Terrorism Advisors and other relevant stakeholders • Application of established security design principles and approved technologies • Independent assurance processes at key stages, including design and commissioning 	<p>The Applicant notes that a number of the matters raised reiterate points previously addressed in responses submitted at Deadlines 2, 3 and 4. This includes:</p> <ul style="list-style-type: none"> • Page 28 of 8.8.1 Applicant's Comments on Written Representations [REP2-029] • Pages 30 and 38 of 8.4.8 Applicant's Comments on any Further Information or Submissions Received by Deadline 2 [REP3-070] • Responses to SS 1.1 and SS 1.2 in 8.9.1 Applicant's Responses to First Written Questions [REP3-074] • In response to REP3-098 and REP3-181 in 8.4.9 Applicant's Comments on any Further Information or Submissions Received by Deadline 3 [REP4-298]. <p>The Applicant's position on these matters remains as previously set out. The comments below are provided in response to the additional points raised.</p> <p>The Applicant does not agree with the suggestion that security and resilience considerations have not been appropriately assessed as part of the Project. Security, resilience and operational continuity form part of the wider design, assessment and governance framework applied to critical national infrastructure projects and are considered throughout the development process.</p> <p>As previously stated, the Applicant does not rely solely on compliance with the Security and Quality of Supply Standard in addressing resilience considerations. The Project has been developed taking account of broader engineering, operational and security requirements, including consideration of credible outage and disruption scenarios through established industry and regulatory processes.</p> <p>The Applicant also reiterates that security planning for critical national infrastructure is undertaken in line with established government guidance and with engagement, where appropriate, with relevant security and advisory bodies, including the National Protective Security Authority and associated stakeholders. By its nature, detailed security assessment material, operational arrangements and specific scenario planning are not appropriate for disclosure within the public domain.</p>

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
	<p>We have not seen evidence that the Applicant can meet the Electricity System Restoration Standard (ESRS) for worst case scenarios, or consideration of the impact and increased risk both to this project and public safety of ‘connected’ projects, such as the Bruntfort BESS (how would an incident at one of these projects impact the functioning of this critical national infrastructure?)</p> <p>At Bramford there is no security in place (to the extent that a news team was able to fly a drone in the vicinity for several hours unchallenged). These hubs are entirely unprotected against hostile actors and, with Norwich Main, Bramford and EACN, result in very significant clusters of energy transmission and generation. Not only is there a risk to the Norwich to Tilbury transmission lines but also to the surrounding energy infrastructure, such as batteries at Bramford. In the event of an attack, a runaway fire would cause very significant harm both to the grid and to human health, and with 25-50% of the UK’s power concentrated at the Bramford Substation, a prolonged national level outage.</p> <p>EN-1 notes, in 4.1.7, that the CNP presumption does not apply to “residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence...”</p>	<p>The Applicant does not agree with the characterisation that the absence of publicly available detailed security documentation indicates that such matters have not been considered. Equally, the Applicant does not agree with speculative assertions presented regarding potential impacts, outage scenarios or risk levels associated with the wider transmission network and surrounding infrastructure.</p> <p>The Environmental Statement has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the agreed 6.20 Scoping Opinion [APP-297]. The Applicant remains satisfied that the information provided is appropriate and proportionate for the purposes of the Examination and that the application is in accordance with section 4.16 of NPS EN-1 on security considerations.</p>
<p>SS 1.6 ES Appendix 15.2 review of aviation impact Respond to the following queries on the review [APP-267]:</p> <ul style="list-style-type: none"> The review states that it “draws upon the findings of Alan Stratford and Associates Ltd”. Provide such findings or justification for not doing so. Provide definitions for ‘Option A’, ‘Option B’, ‘IR04’, and ‘IR05’ in Table A15.2.1 Table A15.2.4 refers in the ‘Assessment Summary’ to various paragraphs for Brook Farm, Chase Farm, Priory Farm, Raydon Wings, Thurrock, and Tibenham. However, these paragraph references appear incorrect. Please check and confirm. 	<p>At the Issue Specific Hearing 28 April, Russel Harris, KC, stated that there is no public safety implication associated with CNP infrastructure for aerodromes because if an aerodrome operator takes the view that an aerodrome is not safe to operate, then it will close.</p> <p>The policy paragraph in question is 4.2.28 of EN-1, “The exception to this presumption of consent are residual impacts onshore or offshore which present an unacceptable risk to, or unacceptable interference with, <u>human health and public safety...</u>”</p> <p>These were the exact words used: <i>00:04:49:27 - 00:05:24:17</i></p> <p><i>Now, we don't think that happens in the circumstances of this case. If it did happen, then, as we'll see from the way licensed and unlicensed airports work, there would be a loss of the operational capability, but not a public safety issue, because if you're an aerodrome operator who does not believe their airport is safe enough, you close.</i></p> <p><i>And 00:05:24:19 - 00:05:56:05</i></p> <p><i>So, the direct answer to your question is if the defence potential is engaged, but we think is likely to be resolved, the public safety issue we don't think can arise in the particular circumstances where aerodrome operators unlicensed and the airport safety is a matter for them. What the Ian one says is that they must operate to find a different way of operating safely, but if there is no safe way of operating, then they close.</i></p> <p>From transcript: https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN020027-001168-NTT_13FEB_ISH1_PT2.pdf</p>	<p>Pages 9 to 10 of 8.5.7 Applicant’s Written Summary of Oral Submissions to Issue Specific Hearing 2 [REP4-302] provide explanation of this matter. Furthermore, the Applicant’s comments on the General Aviation Awareness Council response to GEN 1.6 within 8.4.10 Applicant’s Comment on Responses to ExQ1 [REP4-299] (pages 34 to 37) recognise paragraph 4.2.15 of National Policy Statement EN-1 (2024) as relevant to the potential creation of an exception to the critical national priority (CNP) presumption with regards to residual impacts presenting unacceptable risk to, or unacceptable interference with, human health or public safety.</p> <p>8.5.7 Applicant’s Written Summary of Oral Submissions to Issue Specific Hearing 2 [REP4-302] and the Applicant’s comments within 8.4.10 Applicant’s Comment on Responses to ExQ1 [REP4-299] make clear there is only one instance (the case of Chase Farm) where the Applicant and operator agree loss of operational function would occur as a result of the Project unless major mitigation measures are implemented, and the operator is currently considering mitigation options including reasonable changes to operational procedures. The operator may decide to cease operating on safety grounds. If they did so the safety risk would not exist and the CNP presumption would not be disrupted.</p> <p>The Applicant’s position remains as stated within 8.4.10 Applicant’s Comment on Responses to ExQ1 [REP4-299] that there is no human health or public safety implication arising from impacts on General Aviation aerodromes as no unacceptable risks following mitigation are assessed or evidenced. The Applicant has not suggested any aerodrome should close, but if an operator took this decision, the loss would be considered within the planning balance, but the CNP exemption would not be invoked.</p> <p>Pylons East Anglia assumes that there is the potential for the unsafe operation of aerodromes. There is no such potential. If an operator takes the view that the relationship of an aerodrome is truly dangerous in public safety terms, then it will not operate. The 8.9.2 Applicant’s Responses to Second Written Questions (SS 2.5) provides the full clarification of this matter.</p>

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
	<p>[Applicant's note: hyperlink not replicated here, see REP3-074 for original]</p> <p>Prior to this, we had heard from three aviation experts that there is a risk to the life of pilots and passengers associated with the proposed pylons/overhead lines constructed in proximity to aerodromes. It is for the panel to determine whether to believe the Applicant or the three experts from the aviation industry. However, on the basis that the industry experts presented evidence that there is a risk to human life, it seems that there is no doubt that the CNP residual impact is, in fact, invoked.</p> <p>The Applicant cannot choose to remove the risk to human life from the planning process by suggesting that a business can choose to close down if it cannot be safely operated when the Applicant's project goes ahead! It is extraordinary to suggest this and there is no legal basis for Mr Harris's statement.</p> <p>An airfield is a lawful, existing use that must be assessed as part of the baseline.</p> <p>Any suggestion of closure is speculative and outside the developer's control.</p> <p>Planning assessment must proceed on the basis that the existing lawful use continues to exist and deserves protection. The planning framework puts responsibility on the developer to address impacts. Forcing closure would be treated as a significant adverse impact - remembering that EN-1 requires that the adverse impact for a development does not outweigh the benefits.</p> <p>As with all the impacts for this project, the risk to human life in this situation can be avoided entirely by undergrounding the cables using HVDC, laid by cable plough, all the way from Norwich to Tilbury.</p> <p>We believe that there is a risk to human life due to overhead lines near aerodromes and that therefore the CNP exception applies.</p>	
<p>Post-hearing submission EN0200027-002386 8.4.8 Applicant's responses to submissions.</p>	<p>We disagree with the Applicant's response that Green Gen Cymru is using the cable in question for 132kv and we are, of course, aware that the N2T project requires 400kv. The article we refer to specifically states that <i>"At a standard 27m tall and 5m wide, these pylons are half the size of typical 400 kV towers."</i> The ACCC technology referred to is capable of meeting a need for 400kV. Here is Green Gen's announcement: https://greengencymru.com/accc-cardiff-conductor/</p> <p>With regard to TS Conductor, we note that National Grid Partners is, strangely, far more enthusiastic about the product than NGET/the Applicant:</p> <p><i>"For Pradeep Tagare, Head of Investments at National Grid Partners, the value proposition of TS Conductor was immediately apparent.</i></p> <p><i>"After meeting with Jason and his team, it was clear this technology would be a huge deal from a grid capacity perspective, not only for National Grid but for the entire industry," Tagare said. National Grid Partners, the investment and innovation arm of National Grid, invested in TS Conductor in 2021.</i></p>	<p>The Applicant refers to its response regarding TS conductors on pages 197–205 in 8.4.8 Applicant's Comments on any Further Information or Submissions Received by Deadline 2 [REP3-070] and confirms this to be accurate.</p> <p>Green Gen Cymru as referenced upon their website is an Independent Distribution Network Operator (IDNO); this means that they hold a distribution licence. Distribution companies in Wales and England are only licensed to operate assets up to a maximum of 132 kV.</p> <p>The full statement Green Gen Cymru make on their website is as follows:</p> <p><i>'It will be deployed on L7c pylons — structures that stand approximately 27 metres tall and 5 metres wide. These are around half the size of a typical 400kV transmission tower'</i></p> <p>It is accurate to say that an L7 pylon is half the height of a typical 400 kV pylon; this is because it does not require the same clearances as a 400 kV pylon, as it is only designed to operate at 132 kV or below. To operate at higher voltages regardless of conductor type a pylon with greater clearances than an L7 is required. This is because a pylon operating at 400 kV requires greater clearances between conductors, as well as between the bottom conductor and the ground to meet flashover and relevant electrical EMF standards applicable to 400 kV operation.</p> <p>In conclusion Green Gen Cymru as referenced in the 'Get Connected' then 'Definitions' section of their website is an IDNO. IDNO only have a licence to operate at 132 kV and below; only transmission owner (TO) licence holders can operate assets above 132 kV. Green Gen Cymru are using an L7 pylon</p>

Written Question	PEA Comment on Applicant Response [REP3-074]	Applicant Response
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Replacing legacy conductors on existing towers offers a relatively quick and inexpensive way for utilities to carry more power on their networks. But TS Conductor’s design has benefits for new infrastructure builds, too.

The lightweight design means electrical cables can be suspended across greater distances without sagging, enabling utilities to construct shorter transmission towers and space them farther apart. That not only saves utility customers money, but it also reduces the impact of new towers on local communities and the environment.”

variant of an overhead line which only has clearances to operate at 132 kV in line with their Distribution licence. The comparison of the 132 kV capable L7 pylons to 400 kV transmission pylons will only provide a reference for differential in physical size, but will not reflect the large difference in power carrying capability of circuits operating at 132 kV compared to 400 kV.

132 kV circuits are normally limited to 2000 A rating, with substation equipment up to 4000 A. Below shows the different power transfer that is achieved at 132 kV and 400 kV for 2000, 4000 and 5000 A.

Current Ampre (A)	Voltage (V)	Power (MVA)	Voltage (V)	Power (MVA)
2000 A	132 kV	457 MVA	400 kV	1386 MVA
4000 A	132 kV	915 MVA	400 kV	2771 MVA
5000 A	132 kV	1143 MVA	400 kV	3464 MVA

In all cases 132 kV circuits can only carry circa 1/3 of the power of the equivalent 400 kV circuit for the same current rating, with 132 kV circuits normally operating at 2000 A and maximum substation rating of 4000 A. The Applicant has shown how its 400 kV proposal is designed to meet the 5000 A rating at 400 kV to meet the Need Case set out in Section 3: Need Case, pages 20–38, of **7.17 Strategic Options Backcheck and Review [APP-355]**.

However, the Applicant’s previous responses on this topic are accurate, remain unchanged and consistent with the use at 132 kV promoted by Green Gen Cymru. Green Gen Cymru are trying to maximise capacity on design of L7 pylon that would normally be limited to achieve maximum allowable ratings at 132 kV. This is consistent with the Applicant’s proposed use of this type of conductor on older pylons not previously capable of meeting the highest ratings for the proposed voltage.

Post-hearing submission
Green Book

*“In the thematic response provided in **8.5.4 Applicant’s Response to the Open Floor Hearings [REP1-140]** the Applicant states clearly its confidence that the Treasury Green Book is not relevant to its projects. It therefore rejects the entirety of the analysis referred to.”*

And also in **[REP3-070]**, the following comment was not addressed: failure against EN-1, which states:

“Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee’s ‘How to Do it: natural capital workbook’, the government’s guidance on Enabling a Natural Capital Approach, and other tools that aim to enable wider benefits for people and nature” Section 4.6.16 in both the 2023 and 2025 NPS’s.

The Applicant is unclear on the point being made regarding the Green Book in this statement; however, it reasserts that its position is as stated in **8.5.4 Applicant’s Response to the Open Floor Hearings [REP1-140]** and subsequent submissions.

The Applicant did respond to the Pylons East Anglia representations on page 231 and page 241 of **8.4.8 Applicant’s Comments on any Further Information or Submissions Received by Deadline 2 [REP3-070]**. The Applicant also notes that comments regarding natural capital have been raised previously by Pylons East Anglia and were initially responded to at Deadline 1 – see page 23 of **8.4.6 Applicant’s comments on submissions received at Procedural Deadline A [REP1-136]**. This confirms that *‘Natural capital and ecosystem services are not currently mandatory for Nationally Significant Infrastructure Project applications. The Applicant has committed to the delivery of 10% Biodiversity Net Gain (BNG) with wider environmental and societal benefits. The Applicant complies with NPS EN-1 on environmental net gain and BNG, and this is confirmed in **5.6 Planning Statement [APP-085]**.’*

The Applicant has no further comment to add on this matter.

3. Applicant's Response to PEA Appendix A Historic Environment [REP4-369]

Table 3.1 Applicant's Response to PEA Appendix A Historic Environment

Matter	Applicant Response
<p>Hello, [redacted], Heritage Consultant for Pylons East Anglia. As I am taking a view of the impact to the historic environment along the entire route of the Norwich to Tilbury line, I will be talking about the overall concerns of the methodology employed by the Applicant and the flaws and failings in the process that will result in considerable harm to the heritage assets – designated and non-designated, along the route, rather than individual heritage assets.</p> <p>The Applicant has concluded, after many years, that the impact to the historic built environment along the entire Norwich to Tilbury route, will equate to less than substantial harm. As they claim that the mitigation hierarchy has been followed, the Applicant need not take any further measures, in accordance with NPS EN-1</p> <p>So, everything the Applicant has been leading up to comes to this. Out of 8,846 heritage assets that were initially identified in the 5km swathe, only a handful of the total number of heritage assets will be impacted a bit, a few will be impacted slightly more, but none will be impacted enough to trigger NPS EN1. Whilst I understand that Historic England concur, based upon the information received to date, I understand that they have yet to agree a Statement of Common Ground and are still in dispute over many issues.</p> <p>National Policy Statement EN-1 confirms that, notwithstanding the strong need for energy infrastructure, harm to heritage assets and their settings must be clearly justified and lawfully weighed. Section 104 of the Planning Act 2008 provides that consent must be refused where adverse impacts outweigh benefits. These provisions require a balanced judgement, rather than automatic approval, where significant heritage or landscape harm has been identified. We have already heard that many believe that significant landscape harm will be caused to the Cone Valley and other areas, and Pylons East Anglia believe that significant harm will be caused to a substantial number of heritage assets also, when assessed against Historic England Guidance. <u>EN-1</u> Confirms that indirect and setting harm must be assessed and justified and accepts that infrastructure can alter the way heritage is experienced, not just seen.</p> <p>EN-1 also requires the assessments of heritage assets to be fit for purpose and transparent. It does not endorse formulaic matrices where this obscure professional judgement, which Pylons East Anglia believe has been the case here. Pylons East Anglia would challenge how the settings assessments have been undertaken within the ES and previous historic environment assessments and believe that significant harm is caused by the cumulative effect of the tall and linear infrastructure on numerous heritage assets which have either been inaccurately assessed and have often been scoped out of assessment altogether.</p>	<p>The Applicant has acknowledged the Interested Party's concerns and provided responses in 8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300] from page 40. In that submission, the Applicant has addressed matters relating to the methodology, assessment of setting, consideration of cumulative effects, and the classification of harm, including the identification of substantial harm. The following information signposts additional responses to matters raised by the Interested Party:</p> <ul style="list-style-type: none"> • Methodology – Please see agreement with Historic England (5.9.14 Draft Statement of Common Ground - Historic England [REP4-083] from page 10); and agreement of scoping of heritage assets with Historic England and the Local Planning Authorities, with the exception of Chelmsford City Council (Local Planning Authority responses to ExQ1 HE 1.9 and included with the Applicant's responses in 8.4.10 Applicant's Comments on Responses to ExQ1 [REP4-299]). The Applicant maintains that the assessment methodology is robust, proportionate, and gives appropriate weight to impacts on both designated and non-designated heritage assets, including setting effects. The approach and methods have been agreed and approved by Historic England • Assessment of setting – Please see the responses in 8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300] page 43 and in the 8.17 Response to Rule 17 Letter - Historic Environment [REP4-318] page 4, which highlight that the scoping of heritage assets and approach to detailed assessment was agreed with Historic England and most Local Planning Authorities through Statements of Common Ground. The assessment of setting is informed by a combination of site visits, baseline data, and supporting visualisations (used as an aid rather than a requirement), with viewpoints refined during the assessment process (6.11.A1 Environmental Statement Appendix 11.1 - Historic Environment Baseline Report [APP-209]) • Substantial harm – Please see the responses in 8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300] pages 46-47 and in the 8.17 Response to Rule 17 Letter - Historic Environment [REP4-318] pages 1-4. In these responses the Applicant maintains that levels of harm have been assessed robustly on a case-by-case basis using established methodology, considering each asset's value, significance, and setting. Substantial harm is recognised as a high threshold, and no such harm has been identified in the assessment; a position consistent with Historic England's view, with mitigation measures in place to safeguard significant archaeological remains and limit change in setting where possible. From the earliest stages of the Project's evolution the avoidance of substantial harm on elements of the historic environment contributed to the development of the initial draft Project design and helped guide it through its later iterations • Mitigation hierarchy – Please see the responses in the 8.17 Response to Rule 17 Letter - Historic Environment [REP4-318] pages 10–11 and in 8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300] pages 23–24 where the Applicant confirms that heritage considerations have been integrated into routeing and design choices in line with the mitigation hierarchy and the NPS policy framework, seeking to avoid and reduce impacts where possible. However, full avoidance is not feasible due to engineering constraints and competing environmental factors, requiring a balanced approach to minimise harm while considering broader Project needs and impacts. Compensatory measures have been considered as part of the development of the Project in relation to the mitigation hierarchy but the National

Policy Statement policy framework in relation to the mitigation hierarchy does not require that all residual effects are avoided, reduced, mitigated or compensated. Also see the Applicant's response to ExQ2 HE 2.3 submitted at Deadline 5 in **8.9.2 Applicant's Responses to Second Written Questions**.

- Cumulative effects – The Applicant has responded regarding cumulative change and harm to multiple heritage assets in **8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300]** from page 44 and **8.17 Response to Rule 17 Letter – Historic Environment [REP4-318]**, under section Methodology - 1. Previously the Applicant provided a response on this subject in ExQ1 HE 1.8 in **8.9.1 Applicant's Responses to First Written Questions [REP3-074]**. Cumulative effects on heritage assets are not assessed by simply counting or adding together individual harms – it is better for each asset or group to be evaluated rather than combined to create a superficial category of harm. Cumulative effects are considered through structured assessment methodologies.

With Regards to the Level of Harm

The Applicant states There is no direct impact of the Project on any designated heritage asset. All relevant impacts are indirect impacts. This consequently scopes out all NDHAs which are directly impacted by the project, together with buried archaeology which has not been designated. I would like to point out that EN-1 States that non-designated heritage assets of archaeological interest that are of demonstrably equivalent significance of scheduled monuments should be considered subject to the policies for designated heritage assets, The absence of designation for such heritage assets does not indicate lower significance or necessarily imply that it is not of national importance. Flordon Roman Villa, which was raised earlier, is one such site.

Within the Environmental Statement

1. Most assets have been assessed by the applicant as suffering from Lower Less than substantial harm due to slight or small changes within the setting of the designated asset (or elements of its setting that contribute to the asset's value) as these changes *would be largely screened from the asset; or because they are at the limit of the setting of the asset*. –Pylons East Anglia considers this methodology to be flawed, as setting depends on numerous factors which have not been taken into account – being screened does not divorce an asset from its setting – it is how the asset is experienced that should be assessed. We would hold that many of these assessments are therefore flawed.

2. The Applicant claims that Mid less than substantial harm is assessed where the changes within the setting of the designated asset would be noticeable with little or no screening. Pylons East Anglia argue that this may be the case from 1km + away, but the tall and linear infrastructure would be more than noticeable in all cases within 500m of the route. They would dominate the landscape, and cause high – very high levels of harm. We would hold that many of these assessments are therefore flawed.

3. The Applicant claims that Upper less than substantial harm is assessed where the changes would significantly alter a large proportion of the asset's setting. No assets have been assessed at this level. Pylons East Anglia disagree – the changes would not need to alter a large proportion of the assets setting, the changes would need to be of a scale that they impact the environment in which the asset or group of assets are experienced, by such a degree that dominates the landscape and/or views and which destroys the rural environment in which the assets are situated.

4. Pylons East Anglia would also suggest that Substantial Harm occurs in a limited number of cases – as a result to direct harm to NDHAs including Rivenhall Park and the Fordham Roman Site, and as a result of indirect harm to a **key** aspect of an assets significance. The work **KEY** is important here - This may occur where development Introduces large-scale, tall, vertical, or industrial elements into a setting whose significance depends on openness, horizontality, or calmness or where it interrupts principal or

The Applicant has acknowledged the Interested Party's concerns and provided responses in **8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300]** from page 40. In that submission, the Applicant has addressed matters relating to the methodology, assessment of setting, consideration of cumulative effects, and the classification of harm, including the identification of substantial harm. The following information signposts additional responses to matters raised by the Interested Parties (for Methodology, Substantial Harm, Assessment of Setting and Cumulative Effects please see response above):

- Scoping – The methodology for scoping of heritage assets to determine those within **6.11.A1 Environmental Statement Appendix 11.1 - Historic Environment Baseline Report [APP-209]** that would be considered in detailed assessment was agreed with historic environment stakeholders as set out in the Statements of Common Ground. The scoping of heritage assets is agreed with Historic England and the Local Planning Authorities, with the exception of Chelmsford City Council (please see Local Planning Authority responses to ExQ1 HE 1.9 and included with the Applicant's responses in **8.4.10 Applicant's Comments on Responses to ExQ1 [REP4-299]**). The sample of assets that have been identified by the Interested Party are responded to below
- Landscape and scale – The Applicant notes the Interested Party's concern that the assessment underestimates how the size, height, and linear extent of the overhead line infrastructure would dominate the surrounding landscape and heritage settings, particularly in rural contexts. Please see the response in **8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300]** pages 45–46. The National Policy Statements (NPSs) recognise that large-scale infrastructure may cause significant landscape, visual, and heritage impacts, including effects arising from its scale and visibility, but these may be outweighed by the Project's public need. The Applicant confirms that the agreed methodology considers how infrastructure influences the experience and setting of heritage assets, and that mitigation measures and design choices have been embedded to minimise impacts, including those related to dominance and scale
- EN-1 – The Applicant notes the Interested Party's concerns that in its view (not shared by the Applicant) the assessment does not accord with NPS EN-1 (2024). The Applicant has addressed this matter on several occasions and maintains that the assessment has been undertaken in accordance with the EN-1 policy framework and relevant National Planning Policy Framework⁵ guidance. This is set out, for example, in **8.4.8 Applicant's Comments on any Further Information or Submissions Received by Deadline 2 [REP3-070]** (pages 262–268) and in **8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300]** (pages 46–48), which demonstrate how the assessment of harm has been aligned with policy requirements. The approach to impacts on non-designated heritage assets has also been

⁵ Ministry of Housing, Communities and Local Government (2025) *National Planning Policy Framework*

Matter

iconic views that are central to how the asset is understood and fundamentally alters how the place is experienced.

Dominance, proximity, scale, and contrast are all critical considerations in assessing harm.

Pylons East Anglia would state that the overall assessment of “less than substantial harm” has not been undertaken in accordance with the methodology outlined in EN-1. Failures to properly assess setting, particularly through desk based, matrix driven approaches, are therefore not **just** methodological issues, but policy failures when measured against domestic policy. Professional judgement must be demonstrable, consistent, and grounded in an on-site understanding of place. Where matrices obscure rather than explain harm, the conclusions are not robust.

To be clear, The NPPF states that in addition to proximity of the project to an asset, setting harm can occur through:

- Loss of historic landscape coherence
- Introduction of modern infrastructure into historically legible land-use patterns and relationships
- Change to tranquillity, soundscape, and night-time character
- Perception of industrialisation of historic countryside

With Regards to Cumulative Harm

To assess cumulative harm, the Applicant has used methodology as defined by the Institute of Environmental Management and Assessment rather than international accepted heritage guidance as laid down by ICOMOS. This states that Incremental or corridor-wide change can degrade setting to the point of serious harm, even if individual effects appear modest.

As a result, The Applicant, considers cumulative impacts to be derived from separate developments only. Pylons East Anglia accept that there is no policy or legal mechanism that allows multiple separate “less than substantial harms” to be automatically combined into a new or higher level of harm. Whilst UK legislation and guidance does not treat harm to numerous unrelated heritage assets from a single development as *cumulative harm* in itself, Pylons East Anglia would assert that cumulative harm can arise where impacts combine in a meaningful way (for example through shared setting, intervisibility, or historic relationships).

Historic England guidance (GPA3: The Setting of Heritage Assets) explains that cumulative effects arise where changes interact over time or space, such as:

- repeated impacts on the same asset or its setting – we understand that where instances of this arise, an assessment has been undertaken
- or impacts on groups of assets that share a common setting, landscape, or historic relationship;

Applicant Response

addressed in ExQ1 HE 1.38 within **8.9.1 Applicant’s Responses to First Written Questions [REP3-074]** and in **8.4.10 Applicant’s Comments on Responses to ExQ1 [REP4-229]**, page 228. The impacts on the Fordham Roman site are further commented on in the Applicant’s response to ExQ2 HE 2.11 and 2.12 to be submitted at Deadline 5 (**8.9.2 Applicant’s Responses to Second Written Questions**).

- Underestimation of non-visual setting impacts – The Applicant acknowledges the concern but maintains that the assessment of harm appropriately considers effects on the setting of heritage assets, including how they are experienced. This was responded to in question 3 of **8.17 Response to Rule 17 Letter – Historic Environment [REP4-318]** and as set out in **8.4.8 Applicant’s Comments on any Further Information or Submissions Received by Deadline 2 [REP3-070]** (p.270), the Applicant is confident that the assessment is proportionate and robust, recognising that the Project will result in some significant impacts on a limited number of designated assets; however, these do not constitute substantial harm
- ‘Pylons East Anglia disagree – the changes would not need to alter a large proportion of the assets setting, the changes would need to be of a scale that they impact the environment in which the asset or group of assets are experienced, by such a degree that dominates the landscape and/or views and which destroys the rural environment in which the assets are situated.’ – The Applicant acknowledges the Interested Party’s concern that harm should be assessed based on the degree to which development affects the experience of heritage assets, including matters of dominance and landscape character. However, the Applicant maintains that the assessment of setting has been undertaken in accordance with established guidance and agreed methodology, which considers how heritage assets are experienced, including visual, functional and spatial relationships, informed by site visits, baseline analysis and professional judgement. As set out in **8.4.10.1 Applicant’s Comments on Pylons East Anglia Response to ExQ1 [REP4-300]** (p.43) and the **8.17 Response to Rule 17 Letter – Historic Environment [REP4-318]** (p.4), the approach to assessing setting effects does not rely solely on the proportion of setting affected, but also considers the nature and degree of change within the setting. While the Applicant recognises that the Project introduces change within rural landscapes and may be prominent in certain views, the assessment concludes that these effects do not result in substantial harm to the significance of heritage assets.

Noted. The Applicant has acknowledged the Interested Party’s concerns and provided responses in **8.4.10.1 Applicant’s Comments on Pylons East Anglia Response to ExQ1 [REP4-300]** from page 40. In that submission, the Applicant has addressed matters relating to the methodology, assessment of setting and consideration of cumulative effects. The following information signposts additional responses to matters raised by the Interested Parties (for Methodology, Substantial Harm, Assessment of Setting, Cumulative Effects, Scoping of Assets please see responses above):

- Underestimation of group and landscape-level effects – This matter has been addressed in **8.17 Response to Rule 17 Letter – Historic Environment [REP4-318]**, under section Methodology – 4, pages 4–5. The Applicant confirms that group value and relationships between heritage assets have been assessed, including functional, physical, and spatial connections and their contribution to significance. The assessment also considers the wider landscape context and shared settings, in line with Historic England guidance, and therefore maintains that group and landscape-level effects have been appropriately taken into account. Further consideration of this concern can be found in the Applicant’s response to ExQ2 HE 2.3 to be submitted at Deadline 5 (**8.9.2 Applicant’s Responses to Second Written Questions**).

- or incremental erosion of a coherent historic environment (for example an intervisible historic landscape).

In these cases, harm may properly be described as cumulative.

Furthermore, it should be noted that EN-1 states that consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment

For example: The cumulative harm to a number of assets in one location (eg. Ardleigh) should be assessed, as it is the group value that will be impacted in addition to the individual harm of each asset. Similarly, the impact to the setting between assets that have a functional or historic relationship adds to cumulative harm, as does the impact to NDHAs which contribute to an understanding of a farmstead for example, but whose significance and impact has not been assessed by the applicant.

Pylons East Anglia would therefore attest that the scale of harm to multiple assets still matters While “less than substantial” harms cannot be added together to create a fictional “substantial” harm category, the overall extent and spread of harm across many assets is a material consideration in planning balance. Decision-makers are entitled to weigh:

- how many assets are affected;
- how widespread the harm is; and
- whether it changes the character or appreciation of the historic environment as a whole

To summarise, the scoping out of vast numbers of heritage assets and the underassessment of hundreds more has provided a misleading picture of the overall harm to the historic environment along the route of the project.

Critical Infrastructure

The Applicant uses the "Critical National Priority" (CNP) status as a shield, arguing that the public benefit "*clearly and demonstrably outweighs*" any residual harm. This creates a situation where harm is acknowledged, but the necessity for the project justifies the harm identified. Pylons East Anglia believe the widescale lack of assessment and underestimation of harm has deliberately led to this conclusion.

In essence, the Applicant's position is that provided the threshold of “substantial harm” is not crossed, the public benefits of the scheme will automatically outweigh the harm identified. This is a misinterpretation of the mitigation hierarchy, which requires harm to be properly identified, avoided and reduced before any such balancing exercise can take place.

Noted. The Applicant does not agree with the assertion that the critical national priority (CNP) status has been used as a ‘shield’, nor that harm to heritage assets has been underestimated or relied upon prematurely within the planning balance. This is a mischaracterisation of the Applicant's position. The Applicant has applied the NPS policy framework to the Project and relevant legal requirements correctly and properly.

As set out in **8.17 Response to Rule 17 Letter – Historic Environment [REP4-318]**, pages 1–3, the assessment has been undertaken in accordance with statute, National Policy Statement (NPS) EN⁶1 (2024) and the National Planning Policy Framework⁶ through a robust asset-by-asset assessment of significance and harm, with harm identified prior to any balancing exercise and consideration of weight in accordance with NPS policy, including CNP policy. The Project has also followed the mitigation hierarchy, with design development informed by environmental constraints, including the historic environment, to avoid and reduce impacts where practicable, as demonstrated in the Environmental Statement and Design Development Reports.

In accordance with NPS EN-1, less than substantial harm is required to be weighed against public benefits; this is not an automatic outcome, but a policy-led judgement based on the level of harm identified. As previously set out, no designated heritage asset would experience substantial harm or loss of significance.

CNP status, as defined in NPS EN⁶1 (paragraphs 4.2.16–4.2.17), provides the decision-making context once harm has been identified, but does not remove or override the requirement to properly assess and pursuant to the mitigation hierarchy seek to avoid and reduce harm in the first instance. Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010 (as amended) requires regard be given to the desirability of preserving listed buildings, conservation areas and scheduled monuments and their settings where a development would affect these matters. These matters are addressed in the Planning Statement, ES Chapter 11: Historic Environment (document reference 6.11) and ES Appendix 11.2 Historic Environment Assessment Tables (document reference 6.11.A2).

⁶ Ministry of Housing, Communities and Local Government (2025) *National Planning Policy Framework*

With regards to routing

The Applicant has stated that *'The Project has been carefully designed to avoid, reduce or mitigate potentially significant effects on cultural heritage and archaeology assets where possible'*. And yet the route has remained fairly static since inception and has only been adjusted when objections have been received or mistakes highlighted. Route alignment must be demonstrably responsive to heritage sensitivity, and yet the line was moved closer to Bleak Hall in response to an objection from an equestrian establishment. This was undertaken because the building had failed to be identified as a heritage asset in the HEBR. The listed building will now be dominated by the project harming its significance.

Scoping Opinion

In the Scoping Opinion adopted on 14 December 2022 for *East Anglia Green Energy Enablement (GREEN)*, the Planning Inspectorate repeatedly emphasised that the Environmental Statement should be proportionate, focused, and not over-elaborate, in line with the EIA Regulations.

In particular, the Scoping Opinion:

- Warned against unnecessary complexity in methodology where this would obscure, rather than clarify, likely significant effects
- Stressed that assessment should be clearly related to likely significant effects, not exhaustive cataloguing
- Emphasised that topics such as cumulative effects should be assessed in a structured and intelligible manner, avoiding over-complicated matrices or excessive layering that could mask real impacts
- Reinforced the need for professional judgement rather than mechanistic or overly technical approaches

This guidance applies across topic areas, including the historic environment, where proportional scoping and focused assessment were explicitly expected. [nsip-docum...ate.gov.uk]

[Applicant's note: hyperlink has not been replicated here, see *REP3-074* for original]

Why this matters in the current context

The Inspectorate's concern about over-complication was not an invitation to:

- Provide endless lists of HER archaeological data of no relevance;
- scope out assets wholesale;
- under-assess harm; or

The Applicant therefore maintains that harm has been appropriately identified and assessed, the mitigation hierarchy has been applied, and the subsequent balancing exercise is in accordance with the NPS framework and relevant policy, including CNP and heritage policies. It is not a predetermined conclusion

The Applicant has acknowledged the Interested Party's concerns. The issue of route alignment in relation to heritage assets, including Bleak Hall, has already been addressed in the Applicant's response provided within **8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300]** pages 60–61, 157–160, where the approach to the identification, assessment and consideration of heritage assets within the routeing and design process is set out.

The Applicant confirms that:

- Bleak Hall (1251669) has been identified and assessed as part of the Environmental Statement process, including detailed consideration of its setting and contribution to significance. The assessment concludes that the Project would result in a **moderate change to setting**, leading to **mid less than substantial harm** during both construction and operation.

The routeing and design process has taken into account a range of environmental and technical constraints, including the historic environment, with adjustments made where practicable; however, complete avoidance of all impacts is not feasible for a project of this scale. Changes to the alignment were proposed in response to the developing environmental impact assessment as well as due to consultation feedback, pre-submission of the Development Consent Order application. Heritage constraints were a consideration from the routeing and siting stage of the Project as set out in **7.18 2022 - Corridor and Preliminary Routeing and Siting Study [APP-356]**.

The Applicant therefore maintains that Bleak Hall has been appropriately considered within both the routeing and assessment process, and that the conclusions presented regarding its level of harm are robust, proportionate and consistent with relevant guidance.

The Applicant has acknowledged the Interested Party's concerns. The Applicant confirms that the matters raised by the Interested Parties in respect of the following assets have already been considered and addressed in **8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300]**:

- Flordon Hall (GII*), and Piggery (Dower House) & Barn and estate grounds (NDHA) 1050698
- Botney Hill Farmhouse 1322862
- 'The Grindle House' (GII) (1372456) and 'Gunn Farm Farmstead' (2476) NDHA
- 'The Grange' (GII) (1194480)
- Godbolts Farmhouse', Marks Tey (GII) (1224528) and Godbolts farmstead (4215) NDHA
- 'Mott's Farmhouse' (GII) (1266736) and Motts Farmstead (4214) NDHA
- 'Little Tey House' (GII) (1266823) and 'Barn To South West Of Little Tey House' (GII*) (1266779)
- Teybrook Farmhouse' (1223156), Garden wall, stables and 2 barns, (GII) and Teybrook Farmyard (4225) NDHA
- Dunton Hall (GII) 1338380, Moat NDHA and DMV NDHA
- Church of St Mary (GII) 1122253
- 'Rivenhall Place' (GII*) (1122598) and GII bridge and farm cottages
- 'Rivenhall designed landscape'(5036) NDHA
- Heywood Manor (GII) 1049736 and Moat NDHA, and Estate Grounds NDHA
- Ardleigh CA and Listed buildings
- Great and Little Waltham CA – (Low v High) + Langleys + Listed buildings in CA

Matter

- replace judgement with thresholds or ceilings.

Rather, it was intended to prevent methodological over-engineering, not to justify systematic exclusion or dilution of impacts. In fact, the Scoping Opinion makes clear that simplification must not result in a misleading picture of effects, and that proportionality must still deliver a robust understanding of overall harm where impacts are widespread. Pylons East Anglia would suggest that the applicant has failed to adhere to the scoping opinion.

Examples of Assets incorrectly scoped out or incorrectly assessed

The following provide a snapshot of assets Pylons East Anglia believe to have been incorrectly assessed with a downgrading of harm as a result.

NGET assessment of harm is shown first in brackets, followed by PEA assessment and a Actual Visual Representation where available to demonstrate impact.

- Assets: Flordon Hall GII*, + 2 x GII + NDHAs 1050698 (**Mid v High**)

[Applicant's note: plate has not been replicated here, see *REP3-074* for original]

- Botney Hill Farmhouse GII 1322862 (**Mid v High**)

[Applicant's note: plate has not been replicated here, see *REP3-074* for original]

- 'The Grindle House' (GII) (1372456) and 'Gunn Farm Farmstead' (2476) NDHA 210m (**Scoped Out v Mid**)

- 'The Grange' (GII) (1194480) 130m (**Scoped Out v Mid**)

- Godbolts Farmhouse', Marks Tey (GII) (1224528) and *Godbolts farmstead (4215) NDHA 200m (Scoped Out v Low)*

- 'Mott's Farmhouse'(GII) (1266736) and *Motts Farmstead (4214) 80m NDHA (No Harm Due To Mature Vegetation v Mid)*

- 'Little Tey House' (GII) (1266823) and 'Barn To South West Of Little Tey House' (GII*) (1266779) 50m (**Mid v Very High**)

[Applicant's note: plate has not been replicated here, see *REP3-074* for original]

- Teybrook Farmhouse' (1223156), Garden wall, stables and 2 barns, (GII) and *Teybrook Farmyard (4225) NDHA 100m (Scoped Out v High)*

- Dunton Hall (GII) 1338380, Moat NDHA and DMV NDHA **80m (Mid v High)** – on raised ground with vies to to Marys Church

[Applicant's note: plate has not been replicated here, see *REP3-074* for original]

- St Marys Church GII 1122253 (**Mid vs Very High**)

[Applicant's note: plate has not been replicated here, see *REP3-074* for original]

- Rivenhall Place (GII*) (1122598) and GII bridge and farm cottages 340m (**Low v High**)

- Rivenhall designed landscape, (**Mid v Substantial**)

- Heywood Manor (GII) 1049736 and Moat NDHA, and Estate Grounds NDHA (**75m (Mid v Very High)**)

[Applicant's note: plate has not been replicated here, see *REP3-074* for original]

- Ardleigh CA (**Low – Substantial**) due to proximity, dominating presence, removal of peace and tranquillity, surrounded on three sides, substation, approaches to and from CA, severance of historical and functional relationship with the countryside.

- Listed buildings within CA scoped out as within settlement

- Great and Little Waltham CA – (**Low v High**) + Langleys + Listed buildings in CA – cumulative harm

[Applicant's note: plates have not been replicated here, see *REP3-074* for original]

Applicant Response

- Kenningham Hall, Mulbarton (GII) 1373056, DMV, NDHA and outbuildings NDHAs.

Additionally, the Applicant is confident in its assessment methodology and approach, which has been subject to consultation and agreement with relevant stakeholders. This includes agreement with Historic England, as set out in **5.9.14 Draft Statement of Common Ground – Historic England [REP4-083]** from page 10, and agreement on the scoping of heritage assets with Historic England and the Local Planning Authorities (with the exception of Chelmsford City Council), as reflected in responses to ExQ1 HE 1.9 and included within **8.4.10 Applicant's Comments on Responses to ExQ1 [REP4-299]**. The Applicant maintains that the assessment methodology is robust and proportionate, giving appropriate weight to impacts on both designated and non-designated heritage assets, including effects on setting. Levels of harm have been assessed on a case-by-case basis using established methodology, taking into account each asset's value, significance, and setting. Substantial harm is recognised as a high threshold and has not been identified in this assessment, a position consistent with Historic England's view. Appropriate mitigation measures are also secured to safeguard significant archaeological remains. For further detail, please see **8.4.10.1 Applicant's Comments on Pylons East Anglia Response to ExQ1 [REP4-300]** (pages 46–47) and **8.17 Response to Rule 17 Letter – Historic Environment [REP4-318]** (pages 1–4).

Matter**Applicant Response**

- Kenningham Hall (Mulbarton) (NHLE 1373056) is a Grade II listed building 100m (**Low v Substantial**) but the DOL cuts through the farmstead, and what appear to be curtilage listed (evident on 1882 OS map) rather than NDHA buildings. Furthermore, the NDHA MDV will be directly impacted and lost as a result of the project.

The Project documentation identifies a moderate adverse and significant cumulative effect on Kenningham Hall. This is due to the increase in energy infrastructure within the asset's setting when the Project is combined with other proposed developments in the area

4. Applicant's Response to HW 1.1 and GEN 1.26 Health & Wellbeing and PEA Appendix B Additional Survey Comments

4.1.1 The Applicant has extracted these comments into a standalone section to incorporate Appendix B as they are related matters and for ease of the reader. It is acknowledged that this results in the original submission being presented slightly out of order.

Table 4.1 Applicant's Response to HW 1.1 and GEN 1.26 Health & Wellbeing and PEA Appendix B Additional Survey Comments

Section	Matter	Applicant Response
Introduction / Overview	<p>The Applicant has not adequately addressed the health and wellbeing impacts associated with the Project. In HW 1.1 the Applicant states that “stress and anxiety [...] <u>would potentially</u> have an impact on mental health and wellbeing”. In GEN 1.26, the Applicant states that adverse effects on mental health and wellbeing <u>may</u> be relevant.” In fact, as we set out below, the impact is severe. Human health is considered in the NSIP process in two main ways.</p> <p>Firstly, in the National Policy Statements under the CNP Policy in EN-1, 4.1.7. This states that the CNP presumption does not apply to “residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence...” Mental health falls under human health.</p> <p>In addition, EN-1 4.4.4 (as pointed out by the Applicant in APP-192) requires that in the event of health or well-being impacts it is necessary to identify “<i>measures to avoid, reduce or compensate</i>”.</p> <p>Secondly, in the Equality Act 2010, Section 149 and the Public Sector Equality Duty. This requires a public authority (or one which exercises public functions), have due regard to the need to—</p> <p>1(a)eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</p> <p>(b)advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</p> <p>(c)foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</p> <p>This involves the need to:</p> <p>(a)remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;</p> <p>(b)take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;</p> <p>(c)encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.</p> <p>When it comes to disabled persons, this may require ‘steps to take account of disabled persons’ disabilities.’ (4)</p> <p>(6)Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.</p>	<p>It is well documented that significant infrastructure projects are likely to cause stress and anxiety amongst affected populations as a result of uncertainty, lengthy timescales and perceived environmental change. The Applicant is aware of this, drawing from its experience delivering projects around the country and also drawing on learning from other major infrastructure projects across different sectors. The Applicant continues to take proactive steps to inform and address these effects wherever possible through ongoing engagement and information sharing.</p> <p>The Applicant notes this section of the response provides an overview of health and wellbeing applied to the Critical National Priority (CNP) policy in NPS EN-1 (2024) and the Equality Act 2010. We therefore respond directly to these points setting out the full policy context to the matters outlined by the Interested Party.</p> <p>Response to Comments on CNP Policy</p> <p>Section 4.4 of National Policy Statement (NPS) EN-1 (2024) sets out NPS health policy relating to Energy Nationally Significant Infrastructure Projects.</p> <p>Paragraph 4.4.7 of NPS EN-1 states that ‘<i>Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008.</i>’</p> <p>Matters relating to pollution control are considered where appropriate throughout the Environmental Statement, including 6.7 Environmental Statement Chapter 7 - Air Quality [APP-147], 6.9 Environmental Statement Chapter 9 - Contaminated Land, Geology and Hydrogeology [APP-181] and appendices 6.9.A1 Environmental Statement Appendix 9.1 - Baseline Information and Preliminary Contaminated Land Risk Assessment [APP-182], 6.9.A3 Environmental Statement Appendix 9.3 - Groundwater Baseline and Qualitative Groundwater Risk Assessment [APP-184], and 6.16.A4 Environmental Statement Appendix 16.4 - Traffic and Transport Construction Effects [APP-275]. Management plans are submitted with the application which secure the implementation of measures during construction and operation which would seek to avoid or reduce risks relating to pollution and emissions, including 7.2 Outline Code of Construction Practice [Revision E] and accompanying appendices. The 5.4 Statement of Statutory Nuisance [APP-083] describes the matters that constitute ‘statutory nuisances’ within section 79(1) of the Environmental Protection Act 1990 (EPA 1990) and considers whether the Project has the potential to cause nuisance, concluding that, with good practice measures in place (included in the abovementioned management plans), no breach of section 79(1) of the EPA 1990 is expected as a result of the Project. As set out below, the Project has assessed the impacts on health and wellbeing in accordance with NPS EN-1 and EN-5. The Health and Wellbeing assessment presented in 6.10 Environmental Statement Chapter 10 - Health and Wellbeing [APP-192] draws heavily on the assessment outcomes from other ES</p>

Section	Matter	Applicant Response
	<p>Non-compliance with the PSED has particular significance in the context of s.104 of the Planning Act 2008, which states that the duty to decide a DCO application in accordance with a NPS does not apply where it “would lead to the Secretary of State being in breach of any duty imposed on the Secretary of State by or under any enactment” (s.104(5)) and/or “<i>if the Secretary of State is satisfied that deciding the application in accordance with [the NPS] would be unlawful by virtue of any enactment.</i>”</p> <p>Below, we discuss the impact of the Norwich to Tilbury project on residents’ mental health and then on those with protected characteristics, namely disabilities and age.</p>	<p>chapters and related documents, identifying the interrelationships and cumulative effects on identified population groups.</p> <p>The Applicant notes the reference to paragraph 4.1.7 with regard to critical national priority (CNP). The Project is CNP Infrastructure. As set out in 8.4.10 Applicant’s Comments on Responses to ExQ1 [REP4-299] (Question GEN 1.6) none of the exceptions listed in paragraph 4.1.7 of NPS EN-1 apply to the Project. This includes consideration of ‘<i>residual impacts which present an unacceptable risk to, or interference with, human health</i>’. Therefore, when the non-HRA (Habitats Regulation Assessment) and non-MCZ (Marine Conservation Zone) residual effects of CNP Infrastructure after mitigation are to be weighed against the benefit/need for the Project, the benefit/need will outweigh the residual effects (and so consent should be granted) in ‘<i>all but the most exceptional cases</i>’.</p> <p>The Applicant would refer to the Relevant Representation submitted by the UK Health Security Agency [RR-3742] where they state that they are ‘<i>satisfied that the proposed development should not result in any significant adverse impact on public health.</i>’ Furthermore, the Relevant Representation from the Health and Safety Executive [RR-1365] also confirmed that the Project would not interact with any major accident hazard sites, nor are there any licensed explosive sites in the vicinity of the Project.</p> <p>Paragraphs 4.4.1 and 4.4.2 of NPS EN-1 (2024) detail energy infrastructure has the potential to impact on the health and wellbeing of the population. Paragraph 4.4.2 states that ‘<i>The direct impacts on health may include:</i></p> <ul style="list-style-type: none"> • <i>Increased traffic</i> • <i>Air or water pollution</i> • <i>Dust, odour</i> • <i>Hazardous waste and substances</i> • <i>Noise</i> • <i>Exposure to radiation, and</i> • <i>Increase in pests</i> <p>Paragraph 4.4.3 is also important, setting out that ‘<i>New energy infrastructure may also affect the composition and size of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreational and physical activity</i>’.</p> <p>Paragraph 4.4.4 of NPS EN-1 (2024) sets out that ‘<i>where the proposed project has an effect on humans, the ES should assess these effects for each element of the project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate</i>’. Paragraph 4.4.5 goes on to state that any assessment should also ‘<i>consider the cumulative impact on health within the ES where appropriate</i>’.</p> <p>Paragraph 4.4.6 states that ‘<i>Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing...</i>’ In addition, this policy wording also specifically references vulnerable groups and persons with protected characteristics under the Equality Act 2010.</p> <p>Paragraph 5.12.17 of NPS EN-1 (2024) directs the SoS to refuse consent ‘<i>unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise:</i></p> <ul style="list-style-type: none"> • <i>avoid significant adverse impacts on health and quality of life from noise</i> • <i>mitigate and minimise other adverse impacts on health and quality of life from noise</i> • <i>where possible, contribute to improvements to health and quality of life through the effective management and control of noise</i>’.

Section	Matter	Applicant Response
		<p>NPS EN-5 (2024) paragraph 2.10.11 states <i>'The Applicant should consider the following factors: [...] that optimal phasing of high voltage overhead power lines is introduced wherever possible and practicable in accordance with the Code of Practice to minimise EMFs; and any new advice emerging from the Department of Health and Social Care relating to government policy for EMF exposure guidelines.'</i></p> <p>In April 2025, the government launched a consultation on proposed changes to EN-1, EN-3 and EN-5 that ended on 29 May 2025. The updated NPSs were subsequently published in November 2025 and came into force on 6 January 2026. Paragraphs 1.6.2 and 1.6.3 of NPS EN-1 (2026) describe the transitional arrangements:</p> <p><i>'The 2024 NPSs included transitional provisions between the 2011 and 2024 NPS which remain in place. The Secretary of State has decided that similar transition provisions should apply for the 2025 NPSs, so that for any application accepted for examination before the final publication of the approved 2025 amendments, the 2024 suite of NPSs should have effect in accordance with the terms of those NPSs.'</i></p> <p>Paragraph 1.6.3 states that <i>'The 2025 amendments will therefore have effect only in relation to those applications for development consent accepted for examination after the final publication of those amendments. However, any emerging draft NPSs (or those designated but not yet having effect) are potentially capable of being important and relevant considerations in the decision-making process. The extent to which they are relevant is a matter for the relevant Secretary of State to consider within the framework of the Planning Act 2008 and with regard to the specific circumstances of each Development Consent Order application.'</i></p> <p>Notwithstanding this, there is no relevant change in policy approach to health impacts between the 2024 and 2026 versions of EN-1 and EN-5.</p> <p>The policy framework therefore requires applicants to assess the potential for likely significant effects on:</p> <ul style="list-style-type: none"> • Population • Human health • Social and economic conditions • Wellbeing. <p>The Project has assessed the impacts on health and wellbeing in accordance with NPS EN-1 and EN-5. 6.10 Environmental Statement Chapter 10 - Health and Wellbeing [APP-192] covers effects on the following:</p> <ul style="list-style-type: none"> • Health-related environmental change (for example, air quality, noise, traffic, and transport related effects), drawing on the assessments of other environmental topics as presented in the Environmental Statement (ES) • Mental health and wellbeing, including the perceptions of impacts from electric and magnetic fields (EMFs) arising from the Project. <p>The assessment presents information on the potential impacts to health and wellbeing for receptors including the general population and vulnerable groups / communities (for example those defined by characteristics such as age, ethnic diversity, economic status, disability, sex / gender) who may be disproportionately affected by such changes. The assessment also makes reference to the potential residual effects of the Project related to health inequalities, i.e. the differences in health status or the distribution of health resources across different population groups. The Health and Wellbeing assessment draws heavily on the assessment outcomes from other ES chapters and related documents, identifying the interrelationships and cumulative effects on identified population groups. This includes the following documents:</p> <ul style="list-style-type: none"> • 6.6 Environmental Statement Chapter 6 - Agriculture and Soils [APP-138] • 6.7 Environmental Statement Chapter 7 - Air Quality [APP-147]

Section	Matter	Applicant Response
		<ul style="list-style-type: none"> • 6.13 Environmental Statement Chapter 13 - Landscape and Visual [APP-226] • 6.14 Environmental Statement Chapter 14 - Noise and Vibration [APP-256] • 6.15 Environmental Statement Chapter 15 - Socio-economics, Recreation and Tourism [APP-265] • 6.16 Environmental Statement Chapter 16 - Traffic and Transport [APP-271] • 7.2 Outline Code of Construction Practice [Revision E] • 7.3 Outline Construction Traffic Management Plan [Revision D] • 7.6 Outline Public Rights of Way Management Plan [Revision C] • 7.8 Electric and Magnetic Field Compliance Report [REP3-034] • 7.11 Transport Assessment [APP-333]. <p>A technical note – 8.16 Health and Wellbeing and Socio-Economics Recreation and Tourism Technical Note [REP4-317] – was submitted at Deadline 4 summarising changes in local deprivation data over time following the release of an update to the English Indices of Deprivation by the Ministry of Housing, Communities and Local Government in October 2025.</p> <p>Response to commentary on the Equality Act 2010</p> <p>7.14 Equality Impact Assessment [APP-352] identifies potential impacts on protected characteristics specified in the Equality Act 2010. Section 149 of the Equality Act 2010 requires the Applicant to comply with the Public Sector Equality Duty, having due regard to eliminating discrimination, harassment, and victimisation related to protected characteristics; advancing equality of opportunity between people who share protected characteristics and those who do not; and fostering good relations between different groups.</p> <p>5.1 Consultation Report - Appendix E: Statement of Community Consultation (SoCC) and supporting evidence [APP-071] describes the approach taken to ensuring that members of the community were aware of Project proposals during periods of consultation. Table 5.10 of Appendix E sets out the tools used to engage hard to reach/seldom heard groups; this includes the approach taken to engaging with people with certain protected characteristics (for example older people, people with various types of impairment or disability, young people and minority ethnic groups). The approach to engagement with communities and affected persons is considered to have been inclusive and accessible, and appropriate for a project of this scale and nature. The Applicant will continue to engage with communities and affected persons, and a detailed Communication Strategy, including the approach to community liaison, will be developed as part of the final Code of Construction Practice (secured by Requirement 4 of the 3.1 Draft Development Consent Order [Revision E]).</p> <p>No significant impacts on human health have been identified in 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192]. While adverse impacts have been identified in relation to mental health and wellbeing (for example some of the impacts identified have included stress and anxiety caused by the uncertainties associated with a project of this scale and nature, anxieties about the impacts of construction activities over a long period of time, and anxieties associated with environmental change/sense of place during the operation (and maintenance) phase), these are not considered to present an unacceptable risk by virtue of mitigation and compensatory measures that can be undertaken and which are proposed.</p> <p>In appraising the Project wholly against the requirements of section 104 of the Planning Act 2008, the 5.6 Planning Statement [APP-085] has taken account of the impacts on health and wellbeing in drawing its conclusions. With the mitigation measures as proposed and secured through the Development Consent Order, the Applicant’s position is that the Project would not present an unacceptable risk to human health and public safety. They do not amount to residual effects that outweigh the urgent need for the Project under NPS policy.</p>

Section	Matter	Applicant Response
Mental Health	<p>Mental Health</p> <p>We believe that the risk to human health, in the form of mental health impact, outweighs the purported national need for the Norwich to Tilbury pylons. There are alternative transmission methods which would not bring such great harm.</p> <p>As the panel has heard at the Hearings, and seen from submissions, the Norwich to Tilbury project is the cause of enormous stress and anguish to residents and business owners along the route.</p> <p>Mental health is already known to be affected by compulsory acquisition. The Compulsory Purchase Association published a Mental Health Report in 2025. This found that:</p> <p><i>“47. Compulsory purchase goes to the root of many people’s sense of belonging, which is one of the fundamental factors governing emotional life. The basic dynamic of compulsory purchase powers are a state sanctioned order that someone no longer has a right to their home, their business premises, or (sometimes) their business or farm.</i></p> <p><i>48. Property ownership and employment lays down personal roots; the compulsory purchase process uproots them. These factors contribute to creating a place and role within a community and as such, a belonging. Compulsory purchase powers are often used to develop areas which need regenerating, but that does not mean that these areas have no community. These communities, through language, social and financial barriers, may be less able to professionally articulate their needs and may be particularly vulnerable.</i></p> <p><i>49. Psychologists and medical professionals identify five major stressors in life. The death of a loved one, divorce, moving home, major illness or injury, and job loss or insecurity. These situations generally exist for a limited period, but most have a recognised end point. Living in the shadow of a Compulsory Purchase Order (‘CPO’), or having your land safeguarded, is more protracted. Outcomes and, critically, the solutions and timings of such, are rarely in the control of the affected party, or capable of being meaningfully influenced by them.</i></p> <p><i>50. There is an inevitability to the pressures and stresses that arise from acquisition by compulsion and an imbalance of power. This can result in adverse impacts on the mental health of those involved.</i></p> <p><i>51. The years of uncertainty and the inability to make normal life decisions, such as to move for work or school, or to expand a business or farm, impact individuals in many ways and can be extremely distressing. During this time, the messaging around the planning and public interest benefits forming the justification for the use of compulsory purchase powers can be misinterpreted. The situation can be exacerbated through the use of social media, the role of lobby groups, and through local and national conventional press, sometimes by those with no local connection. Delays in the process create tension and impact the mental health of those affected.</i></p> <p><i>52. During the time of public debate and consultation, objections and redesign, affected parties can come under significant personal and financial pressure and distress, without necessarily any statutory recourse to compensation.”</i></p> <p>This, of course is a project involving compulsory purchase orders along a route 112 miles long.</p>	<p>6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192] assesses the impacts of the Project on both the physical and mental health and wellbeing of residents during construction and operation. Assessment of impacts on mental health and wellbeing uses the National Mental Health Development Unit toolkit as a basis for the assessment, considering potential impacts and mitigation / management measures against four protective factors for mental health and wellbeing. Sense of control and uncertainty is identified as a potential area that may impact mental wellbeing, particularly for interested parties and affected landowners. Other areas of impact include perceived effects on neighbourhood quality / sense of place as a result of changes in visual amenity.</p> <p>The Applicant acknowledges that mental health and wellbeing is individual and may be influenced by a wide variety of factors, many of which are beyond the Applicant's control. The Applicant has sought to reduce concern or uncertainty about the proposals through inclusive and transparent engagement with affected landowners, residents, communities and stakeholders throughout the development of the Project, as set out in 5.1 Consultation Report [APP-066].</p> <p>The Planning Act 2008 sets out the requirements for consultation and notification with those who have a legal interest in, or right to occupy, the land proposed to be acquired as a result of the Project (i.e. Affected Persons). The methodology adopted by the Applicant for this process is set out in 5.1 Consultation Report - Appendix J: Land referencing methodology [APP-076]. This includes details of the approach that has been used, including using Land Interest Questionnaires (LIQs), plans and explanatory covering letters to elicit information about persons that have a legal interest in land potentially affected by the proposed development. The LIQs are in a prescribed form which asks all persons the same standard questions and provides an opportunity for additional information to be added relating to individual circumstances.</p> <p>Every landowner is encouraged to appoint a professional representative, normally a RICS qualified land agent to advise them during the Examination and in negotiations of voluntary agreements. The Applicant meets the reasonable cost of this professional representation. As part of the Applicant’s diligence, the Applicant has continued to consider the nature of the persons with an interest in land with whom it is engaging, and has sought to implement appropriate measures (including where protected characteristics have been disclosed).</p> <p>The Project team will continue to engage with people potentially affected during progress of the Project, through regular communication including construction updates via a range of communication channels, letters, phone calls and meetings. This will ensure there is clarity for residents and communities in relation to the pre-construction and construction process through effective community liaison.</p> <p>The Applicant is committed to ensuring that all activities related to the Project are conducted with full transparency and respect for the health and concerns of local communities. A detailed Communication Strategy, including the approach to community liaison, will be developed as part of the final Code of Construction Practice (secured by Requirement 4 of the 3.1 Draft Development Consent Order [Revision E]). The approach to monitoring, reviewing and reporting on complaints received from members of the community will also be secured in 7.2 Outline Code of Construction Practice [Revision E]. Further detail about the complaint management process will be submitted to the ExA at Deadline 6.</p>

Section	Matter	Applicant Response
Mental Health Survey	<p>Mental Health Survey</p> <p>Given that we are hearing repeatedly that the Norwich to Tilbury DCO is the biggest ever, it must therefore follow that the mental health impact is the greatest seen from a DCO. We have attempted to quantify this in our Mental Health Survey, which we ran for a week from 4th May 2026. 663 people responded.</p> <p>Before we set out the results, we note that we have previously submitted surveys to the Applicant, in 2022 and 2023. These each included a question about mental health, and from the early stages of consultation people along the route were struggling with mental health due to the project. The results of this month's mental health survey are as follows: mental health survey results not replicated here, see original)</p> <p>Further comments are to be found in Appendix B submitted alongside this document.</p> <p>These results must give the Panel pause for thought. A project causing this level of harm to human health cannot be regarded as compliant with NPS EN-1.</p>	<p>Major infrastructure projects can take a long time to be developed and delivered, often bringing change to the local area, and as a result local communities may perceive them as a source of stress and anxiety. The Applicant fully recognises this well documented fact and has sought, and is continuing to seek, to reduce concern or uncertainty about the proposals through regular, inclusive and transparent communications engagement with residents, communities and stakeholders throughout the development of the Project, as set out in 5.1 Consultation Report [APP-066]. The Project team will continue to engage with people potentially affected during progress of the Project, through regular communication including letters, phone calls and meetings (ensuring there is clarity for residents and communities in relation to the pre-construction and construction process through effective community liaison; the requirement for a detailed Communications Strategy has been secured in 7.2 Outline Code of Construction Practice Appendix E [REP4-168]). The Applicant is committed to ensuring that all activities related to the Project are conducted with full transparency and respect for the health and concerns of local communities Information gathered during statutory and non-statutory consultation has highlighted these issues and this has been reported in 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192] as well as in Table 6.10 of 5.1 Consultation Report [APP-066]. The information submitted by Pylons East Anglia similarly identifies that those individuals who responded to the survey are reporting to be likely to experience anxiety, stress or reduced wellbeing arising from factors such as perceived uncertainty, construction activity, landscape change or community concern. However, the survey data does not indicate effects of such scale, extent or duration as to give rise to unacceptable harm to population health overall. Mitigation and management measures, including community engagement, construction management controls, complaint resolution mechanisms and the provision of clear and timely information, have been identified by the Applicant as areas that will help reduce any potential for adverse mental health effects and have been secured in 7.2 Outline Code of Construction Practice [Revision E]. No significant impacts have been identified in 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192] in relation to mental health and wellbeing either during construction or operation. In planning terms, and having regard to the national need for the infrastructure identified in National Policy Statement EN-1 (2024) and related policy, the residual mental health effects are considered limited and are outweighed by the substantial national, regional and local benefits of the Project.</p>
Appendix B Mental Health Survey Comments	<p><i>[Applicant's summary: Pylons East Anglia submitted a 79 page document in Appendix B outlining comments received to their Mental Health Survey which ran from 4-11 May 2026. The questions related to financial impacts, existing medical conditions and anxiety, and any additional comments the respondent had associated with the Norwich to Tilbury Project. Respondents raised a variety of mental and physical health issues, including but not limited to stress, fear, depression, sleep deprivation, migraines, and heart issues.]</i></p>	<p>The Applicant acknowledges the results of the Mental Health Survey submitted by Pylons East Anglia and notes that many of the issues and concerns raised are very similar to concerns raised during statutory and non-statutory consultation, which have been documented in 5.1 Consultation Report [APP-066] and used to inform 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192]. The Applicant reiterates that mental health and wellbeing is individual and may be influenced by factors beyond the Applicant's control. The Applicant has sought to reduce concern or uncertainty about the proposals through inclusive and transparent engagement with residents, communities and stakeholders throughout the development of the Project, as set out in 5.1 Consultation Report [APP-066]. The Project team will continue to engage with people potentially affected during the progress of the Project, through a variety of communication methods and ensuring that residents have an appropriate channel to raise issues or concerns they may have. A detailed Communication Strategy, including the approach to community liaison, will be developed as part of the final Code of Construction Practice (secured by Requirement 4 of the 3.1 Draft Development Consent Order [Revision E]).</p> <p>The Applicant maintains that the Project would not present an unacceptable risk to human health and public safety and remains committed to engaging with stakeholders through the delivery of this Critical National Priority linfastructure project.</p>

Section	Matter	Applicant Response
Protected Characteristics	<p>Protected Characteristics</p> <p>For the purposes of the Norwich to Tilbury project, the relevant protected characteristics are age and/or disability.</p> <p>According to Disability Rights UK, physical or mental impairment can include:</p> <ul style="list-style-type: none"> • “physical impairments, such as mobility difficulties • sensory impairments such as those affecting hearing or sight • learning difficulties, including people with specific learning difficulties such as dyslexia and dyspraxia • mental health conditions or illnesses which have a long-term effect such as depression and anxiety, panic attacks, phobias, eating disorders, obsessive compulsive disorders, schizophrenia and bipolar affective disorder • genetic and progressive conditions, if the condition affects your ability to carry out normal day-to-day activities such as motor neurone disease, muscular dystrophy • conditions which are characterised by several cumulative effects such as pain or fatigue • hidden impairments such as asthma or diabetes, if these have an effect on your day-to-day activities • past history of impairment - this applies if you are no longer disabled but met the definition in the past.” <p>Disability Rights UK notes that there is no need for someone to have a medically diagnosed cause for their impairment. What matters is the effect of the impairment on the person</p> <p>The rural population has a generally older demographic than average, and there are people with pre-existing disabilities whose lives will be disproportionately impacted by the project. This is acknowledged by the Applicant in its Equality Impact Assessment, although, somewhat disingenuously, it paints the project as a positive to these groups, noting that they will benefit from a reliable electricity supply. The Applicant appears oblivious to the fact that the Norwich to Tilbury upgrade has the purpose of transmitting power out of the region (we only use around 8% of what is generated).</p> <p>The Applicant has recognised generic risks to vulnerable groups such as (but not limited to):</p> <ul style="list-style-type: none"> • “the sick, the elderly and the unemployed who tend to spend large amounts of time in their homes. This includes people who suffer from mental illnesses”, and noted it could increase exposure for those living close to sources of noise [dust]; • Construction traffic poses a particular risk to some groups of disabled people, including visually impaired, deaf people, people who are hard of hearing, and people with mental disabilities. • Severance due to busy roads <p>However, while the Applicant has addressed high-level possible impacts on these protected groups, it has failed in its duty under the Act to identify individuals with protected characteristics, or to address issues raised by those with those characteristics.</p>	<p>7.14 Equality Impact Assessment [APP-352] identifies potential impacts on protected characteristics specified in the Equality Act 2010. Section 149 of the Equality Act 2010 requires the Applicant to comply with the Public Sector Equality Duty, having due regard to eliminating discrimination, harassment, and victimisation related to protected characteristics; advancing equality of opportunity between people who share protected characteristics and those who do not; and fostering good relations between different groups.</p> <p>5.1 Consultation Report - Appendix E: Statement of Community Consultation (SoCC) and supporting evidence [APP-071] describes the approach taken to ensuring that members of the community were aware of Project proposals during periods of consultation. Table 5.10 of Appendix E sets out the tools used to engage hard to reach/seldom heard groups; this includes the approach taken to engaging with people with certain protected characteristics (for example older people, people with various types of impairment or disability, young people and minority ethnic groups). The approach to engaging with affected landowners is described in 5.1 Consultation Report – Appendix J: Land Referencing Methodology [APP-076]. This includes details of the approach that has been used, including using Land Interest Questionnaires (LIQs), plans and explanatory covering letters to elicit information about persons that have a legal interest in land potentially affected by the proposed development. The LIQs are in a prescribed form which asks all persons the same standard questions and provides an opportunity for additional information to be added relating to individual circumstances. As part of the Applicant’s due diligence approach, the Applicant has continued to consider the nature of the persons with an interest in land with whom it is engaging, and has sought to implement appropriate measures (including where protected characteristics have been disclosed).</p> <p>The approach to engagement with communities and affected persons is considered to have been inclusive and accessible, and appropriate for a project of this scale and nature. The Applicant will continue to engage with communities and affected persons, and a detailed Communication Strategy, including the approach to community liaison, will be developed as part of the final Code of Construction Practice (secured by Requirement 4 of the 3.1 Draft Development Consent Order [Revision E]).</p> <p>It is inevitable that residents in communities potentially affected by the Project experience a range of pre-existing health conditions in line with the general population. Baseline information set out in 6.10.A1 Environmental Statement Appendix 10.1 - Health and Wellbeing Baseline Statistics [APP-193] illustrates general health conditions for the population within a local and wider study area. Information relating to health deprivation at Lower-layer Super Output Area (LSOA) level is referenced in paragraph 10.5.18 of 6.10 Environmental Statement Chapter 6.10 – Health and Wellbeing [APP-192] and updated with October 2025 data in 8.16 Health and Wellbeing and Socio economics, Recreation and Tourism Technical Note [REP4-317]. Overviews of current evidence and impact pathways, which reference many of the issues raised in Pylons East Anglia’s survey, are documented within each of the topic assessments of impacts on health and wellbeing set out in 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192].</p> <p>Many of the concerns raised relate to anxiety about electric and magnetic fields (EMFs). The mental health and wellbeing impacts associated with perceived impacts from EMFs has been assessed separately within 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192] and the benefits of disseminating accurate, clear and accessible information about EMFs have been identified.</p> <p>The Applicant has responded to concerns regarding the impact of the Project on implantable medical devices raised at the open floor hearing in 8.5.5 Applicant's Response to the Oral Submissions Made at the Open Floor Hearings [REP2-028] to [REP1-430] in addition to the enquiries raised during the consultation period. The applicant takes these issues seriously and will continue to engage with anyone who has concerns, to provide reassurance that there will be no EMF impact to medical devices from National Grid equipment.</p>

Section	Matter	Applicant Response
	<p>This has already been raised as an issue in submission EN020027-002302, “A generic response, without undertaking case-specific assessment or engagement, is not sufficient to demonstrate lawful decision-making. • No direct engagement has taken place with our clients’ household. • No evidence has been provided to justify the siting of the compound at this location. • No meaningful detail has been provided regarding operation, duration, or mitigation. This represents a significant evidential gap.”</p> <p>And, as you heard in the OFH’s, “One of my husband’s grave concerns (and mine) is around EMF’s and the possible impact on his health, in their response National Grid have invited concerned individuals to contact them. We have done this already, time after time both directly and through their land agent – with just broad-brush responses that EMFs are not an issue.” (EN020027-002097). Even when someone with a protected characteristic is handed to the Applicant (several times) on a plate, they still fail in their statutory duty!</p> <p>And we have specific examples like this, “The impact on our health of us living here, through the trauma of this pylon saga has been immense, with my mother having a recurrence of her breast cancer, my husband a heart attack and myself diagnosed and treated for breast cancer all conditions not helped by stress.” (Suffolk farmer)</p> <p>In just one week of our own small survey, we discovered that many people are suffering from pre-existing health conditions, summarised as follows (by the AI tool associated with the survey):</p> <p>Cardiovascular Issues: Multiple respondents reported conditions like high blood pressure, hypertension, irregular heartbeat, AF, cardiomyopathy, heart bypass, angina, and heart palpitations, with several attributing the worsening or development of these issues directly to the stress of the pylon proposal. Pacemakers or ICDs are an existing condition for several respondents, with worry about proximity to cables/pylons or inability to have an MRI scan.</p> <p>Mental Health & Stress-Related Conditions: A significant number of responses indicated existing or exacerbated mental health conditions, including anxiety, depression, complex PTSD, nervous breakdown, and conditions made worse by stress, such as chronic spinal pain, fibromyalgia, SIBO, psoriatic arthritis, migraines, silent reflux, and IBS.</p> <p>Cancer Concerns: Many respondents have a history of cancer (including breast, bladder, and blood cancer) or have a partner with cancer, expressing significant anxiety about the proximity of high-voltage cables/pylons and concerns about EMFs impacting their health or causing recurrence.</p> <p>Chronic Physical Illnesses: Other serious existing conditions causing additional anxiety include Parkinson’s, Multiple Sclerosis, stroke, diabetes, COPD (fear of worse symptoms due to noise/dust), limited mobility/frailty, macular degeneration (fear of being unable to drive), and autoimmune illnesses.</p> <p>Impact on Children and Family: Concerns were raised regarding the health and well-being of family members, including children growing up under pylons, autistic children who will not cope with noise/traffic, and partners/relatives with existing conditions like dementia, mobility issues, or pacemakers.</p> <p>In Bracking vs Secretary of State 2013, Stuart Bracking and four other severely disabled people made an application for judicial review on the grounds that an equality impact assessment (EIA) presented to the Minister had provided an inadequate base from which she could discharge the PSED.</p>	<p>6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192] and 8.9.1 Applicant’s Responses to First Written Questions, HW1.3 sets out the measures the Applicant has taken to provide accessible information on EMFs and the measures committed to during the constructions phase in relation to EMFs detailed in Outline Code of Construction Practice Appendix E - Community Engagement and Public Information [APP-305].</p>

Section	Matter	Applicant Response
	<p>Although their application was rejected in the Administrative Court, the Court of Appeal held:</p> <p>I. Considerations of equality of opportunity (where they arise) must be placed at the centre of formulation of policy by all public authorities, side by side with all other pressing circumstances of whatever magnitude. For this reason, advanced consideration must be given to the requirements of the PSED and they must form an integral part of the mechanisms of government. If a decision is reached without due regard to the PSED then it is an unlawful decision.</p> <p>II. There was a failure to have “due regard” to the specific requirements of the Act in reaching the decision that is under attack. Beyond one reference in the EIA to the Equality Act and one short passage in the witness evidence, there was nothing to demonstrate a focus on the requirements of the PSED.</p> <p>The witness statement referred to states:</p> <p>“However, in order to comply with our public sector equality duty any decision you take must be informed by an Equality Impact Assessment. To ensure we do not increase the likelihood of a successful claim it is important that you consider the Equality Impact Assessment and the Impact Assessment before making a decision on the future of the ILF.”</p> <p>This was not considered to be sufficient evidence of the Minister having had “due regard”</p> <p>III. There was just sufficient evidence to draw the inference that the Minister had properly appreciated the full impact of the decision on those most adversely affected. However, there was no material from which one could infer that the Minister had properly appreciated and addressed the full scope and import of the matters, which she was obliged to consider pursuant to the PSED. A vague awareness by the Minister that she owed legal duties to the disabled did not suffice; nor was it enough for her officials simply to have alerted her to the obligation to have regard to the matters identified in the EIA and the IA. They had not identified her legal obligations. It was far from obvious that she would have had a clear understanding of her legal duties under the Equality Act.”¹</p> <p>[Applicant’s note: footnote has not been replicated here, see <i>REP3-074</i> for original]</p> <p>It is therefore not sufficient for the Applicant to address PSED issues only at a generic level. The PSED means that health cannot be an afterthought in planning decisions. The Applicant must actively consider — and document — how its decisions affect people with mental health conditions as a protected group. The Secretary of State cannot approve a project in which, so little regard has been given to those with Protected Characteristics, particularly those with mental and physical disabilities, but also the elderly.</p>	
<p>The Applicant’s approach to Health & Wellbeing</p>	<p>The Applicant’s approach to Health & Wellbeing</p> <p>In APP-192 (<i>6.10 Environmental Statement Chapter 10 - Health and Wellbeing</i>), the Applicant states (10.7.131) “There is scientific evidence that identifies a link between visual change and health outcomes; there is also evidence that suggests habituation and adaptation with time.” This research has not been signposted. Our own research finds that in fact:</p>	<p>The text in 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192] reference the fact that experiences of place and how this may affect people are highly individual. There is a body of peer-reviewed research that explores the social acceptance of energy projects over time; much of this relates to windfarm projects, as similarly prominent energy infrastructure in</p>

Section	Matter	Applicant Response
	<ul style="list-style-type: none"> There is no identifiable peer-reviewed research showing that mental-health impacts from pylons decrease over time due to habituation. The only “habituation” literature relates to basic visual neuroscience, not infrastructure or wellbeing. The strongest empirical studies of people living near transmission lines show worsening, not improving, mental-health indicators with higher exposure. <p>We would like to request that the Applicant publishes the relevant evidence.</p> <p>The Applicant continues (10.7.131), “Whilst there are likely to be individuals who experience adverse mental health and wellbeing impacts associated with visual change, this is not considered to be at a significant scale or to disproportionately affect health deprived populations. The magnitude of effect for the general population and vulnerable groups is considered to be low. This reflects the fact that a small minority of the population are likely to be affected and that change in quality of life may be moderate. This results in a <u>minor adverse (not significant) health effect</u> for both the general population and vulnerable groups.”</p> <p>Miraculously, despite this being a highly contentious and very significant project, the Applicant appears to find only minor impacts...</p> <p>“10.7.147 Groups who may be categorised as being of high sensitivity may include people who have adverse feelings about the Project in general; people who consider themselves to be in close proximity to the overhead lines and associated infrastructure for long periods of time (for example people who are not only living, but also potentially working, or using social infrastructure facilities in close proximity); people who are concerned about dependants or family members who may live or work in close proximity to the overhead lines and associated infrastructure; people with more limited social support networks (for example older people) and people with poor mental health and wellbeing who may have less capacity to cope with change or additional anxiety.”</p> <p>The Applicant refers to the four protective factors for mental health and wellbeing as set out in the Mental Wellbeing Impact Assessment Toolkit.”</p> <p>Those four factors are entirely unprotective for people suffering from stress, anxiety and mental health problems due to Norwich to Tilbury. It is insulting to suggest that: Enhancing control, Increasing resilience, Facilitating Participation and Promoting social inclusion will be adequate mitigations for the levels of mental health harm to local residents that we have identified.</p> <p>The study appears to be desktop-based and at a population level. There were no attempts at public information events to capture health and wellbeing issues. There were no attempts to capture health and wellbeing issues during consultations and our own submissions were ignored.</p> <p>There appears to be no recognition by the Applicant of the traumatic experience of seeing devastating environmental and visual harm to the landscape in which one lives, let alone the financial stress. Nor is there any recognition of the very high level of stress, anxiety & mental health in the local population.</p>	<p>local landscapes. Reference in articles such as Warren et al. (2005)⁷ and Wilson and Dyke (2016)⁸ suggest that local people become more favourable towards this type of infrastructure <i>after</i> construction, although it is noted and understood that negative perceptions do also remain (hence again reiterating the point that responses to major development is likely to be highly individual depending on outlook and external factors). Indeed, Windemer (2023)⁹ notes that, for many, perceptions of their local windfarm did not change over time. It is noted in Warren et al. that factors which influence social acceptance may include visual impact, place attachment, developer–community relationships, ability to participate and have meaningful impact in the planning process, and community benefits. Le Maitre et al. (2024)¹⁰ show that experience is an important determinant of acceptance, as are an awareness of low-carbon energy initiatives and sense of community spirit. Paragraphs 10.7.21 and 10.7.22 of 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192] explain that visual amenity is critical in shaping individuals’ perceptions of their surroundings, influencing mental wellbeing, stress levels, and overall quality of life, identifying the source-pathway-receptor relationship.</p> <p>Reference is made to the use of the Mental Wellbeing Impact Assessment Toolkit and the four protective factors contained therein. The toolkit is a highly credible, evidence-based framework designed to evaluate how policies, projects, or organisational change affects people’s mental health and emotional wellbeing. It was developed in the UK by a collaboration of mental health specialists and public health organisations and is grounded in research on protective factors for mental health, including social inclusion, resilience, and meaningful activity. The toolkit provides a framework by which potential impacts can be articulated and understood, with measures identified for each protective factor accordingly.</p> <p>The Health and Wellbeing assessment is a desk-top assessment which has been informed by a range of other assessments and reports, including findings from statutory and non-statutory consultation events. The assessment has been completed in line with good practice guidance and is appropriate for a project of this nature. Health assessment is undertaken at population, rather than individual, level; this is set out in paragraph 10.4.28 of 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192] which states that ‘<i>Health effects are considered at a population, rather than an individual level. Effects may therefore be presented in relation to the general population, in relation to vulnerable groups, or at ward level where relevant for particular effects.</i>’</p> <p>Public information events held during both statutory and non-statutory consultation were designed to capture information and feedback from attendees about the Project in relation to all areas of potential environmental impact, including health and wellbeing. Headline themes arising from consultation are presented in Table 6.10 of 5.1 Consultation Report [APP-066] which include feedback concerning potential negative impacts on mental health / health and wellbeing and community / social impacts on communities including families and children. This information has helped inform the Health and Wellbeing assessment presented in 6.10 Environmental Statement Chapter 10 – Health and Wellbeing [APP-192] as described in paragraph 10.4.16 of that chapter.</p>

⁷ Warren, C.R., Lumsden, C., O'Dowd, S. and Birnie, R.V. (2005) ‘Green on green’: public perceptions of wind power in Scotland and Ireland. *Journal of environmental planning and management*, 48(6), pp.853-875

⁸ Wilson, G., Dyke S. (2016) *Pre- and post-installation community perceptions of wind farm projects: the case of Roskrow Barton (Cornwall, UK)*

⁹ Windemer, R. (2023) *Acceptance should not be assumed. How the dynamics of social acceptance changes over time, impacting onshore wind repowering*

¹⁰ Le Maitre, J., Ryan, G., Power, B. (2024) *Do concerns about wind farms blow over with time? Residents’ acceptance over phases of project development and proximity*

5. Applicant's Response to PEA Appendix C

Table 5.1 Applicant's response to PEA Appendix C

Written Question	Matter	Applicant Response
N/A [REP4-369]	<p>This Note reviews the Applicant's responses to the ExA's First Written Questions on Section 18 (Water Environment). It mirrors the Applicant's response table for question-by-question reading. The Applicant has responded to the questions, but most of the substantive flood risk and drainage points haven't been resolved. The pattern is the same across all sixteen responses with queries being deferred to later stages. This includes defer to a future Drainage Strategy iteration, defer to a Surface Water Management Plan that doesn't exist yet, or defer to detailed design at the contractor stage.</p> <p>The key issues identified are summarised below:</p> <ul style="list-style-type: none"> • Drainage Strategy hasn't addressed LLFA concerns or our 16 March review. • FSR rainfall still being used in Norfolk and Essex. FSR is an outdated methodology that doesn't capture recent rainfall datasets or methodology updates. Both LLFAs direct designers to FEH22, and the Applicant uses FEH22 for the Suffolk sections of the same Project. Sticking with FSR undersizes the ponds in two of the four LLFA areas. • No Outline Surface Water Management Plan. • Outline FWEP inconsistent and incomplete. • W07 wording in CoCP Rev C isn't what the Applicant proposed in WE 1.11. • Sequential and Exception Tests in the FRA are very thin. <p>We ask the ExA to require:</p> <ul style="list-style-type: none"> • Updated Drainage Strategy in the Examination Library by Deadline 5. • Signed (not draft) SoCGs with all four LLFAs covering Section 18 by Deadline 6. • FRA [APP-331] and updated Drainage Strategy both certified DCO documents under Schedule 3. • The missing W07 clause put back in. 	<p>A full response to the points raised is provided against the critical national priority test item below. In summary to the bullet point items:</p> <ul style="list-style-type: none"> • Drainage Strategy hasn't addressed LLFA concerns <p>Since March the Drainage Strategy has been further updated to address comments from the LLFAs, with a revised strategy submitted at Deadline 4 (8.2 Drainage Strategy DCO [REP4-186]).</p> <ul style="list-style-type: none"> • FSR rainfall still being used in Norfolk and Essex <p>The Applicant updated application document 8.2 Drainage Strategy DCO [REP1-072] to reflect that the Flood Estimation Handbook (FEH) method has been applied for Norfolk rainfall calculations. As per the guidance given in the Essex County Council engagement meeting, the FSR rainfall calculation method has been used for the design of site drainage and substations and has been applied to attenuation volumes and greenfield runoff rates. The updated Drainage Strategy (8.2 Drainage Strategy DCO [REP4-186]) clarifies that the FEH rainfall calculation method will be used for the detailed design development, completed by the Main Works Contractor(s) for Essex.</p> <ul style="list-style-type: none"> • No Outline Surface Water Management Plan <p>The Applicant considers the Drainage Strategy, revised and submitted at Deadline 4 (8.2 Drainage Strategy DCO [REP4-186]) to be appropriate for the nature and scale of the Project and has considered the requirements of all relevant statutory undertakers in developing the strategy. The outline document will form the basis of the Surface Water Management Plan, the production of which is secured under commitment GG22 of 7.2 Outline Code of Construction Practice [Revision E] which states '<i>The Main Works Contractor(s) will prepare a Surface Water Management Plan to inform discharge of the DCO Requirement. The Surface Water Management Plan will be substantially in accordance with the Drainage Strategy (document reference 8.2)...</i>' This plan will form part of the discharge of Requirement 4 (construction management plans) of 3.1 Draft Development Consent Order [Revision E].</p> <ul style="list-style-type: none"> • Outline FWEP inconsistent and incomplete <p>The submitted 7.2 Outline Code of Construction Practice Appendix G – Outline Flood Warning and Evacuation Plan [APP-307] (FWEP) is an outline plan and is a live document, taken on by the Main Works Contractor(s) to form into a full plan, which would be regularly reviewed and periodically updated throughout the construction of the Project. The information that has been omitted from some of the tables within the Outline Plan is not yet known (and nor would it be expected to be known at this stage), examples including contact telephone numbers for work site managers and insurance details, or is to be completed with signatures from the responsible person(s) to demonstrate that actions have been completed (Table 4.1). Where additional information is now available, this has been added and the FWEP will be resubmitted by the Applicant at Deadline 5 (7.2 Outline Code of Construction Practice Appendix G - Outline Flood Warning and Evacuation Plan [Revision B]).</p> <ul style="list-style-type: none"> • W07 wording in CoCP Rev C isn't what the Applicant proposed in WE 1.11: <p>The wording proposed in WE 1.11 is included in the Deadline 5 submission of the Outline Code of Construction Practice (7.2 Outline Code of Construction Practice [Revision E]).</p>

Written Question	Matter	Applicant Response
Section 1— The Critical National Priority test under NPS EN-1 4.1.7 and 4.2.28	<p>Norwich to Tilbury is electricity transmission infrastructure designated as Critical National Priority (CNP) Infrastructure under NPS EN-1 (2024). The CNP regime carries a presumption that the urgent need case for low-carbon energy infrastructure outweighs residual adverse effects in all but the most exceptional cases. That presumption doesn't apply to residual impacts that present an unacceptable risk to or interference with onshore flood. The test for this Project on flood risk is therefore not just whether the Applicant has met 5.8 of EN-1 — it's whether the residual flood risk impacts amount to an unacceptable risk to or interference with onshore flood under 4.1.7 and 4.2.28.</p> <p>The test</p> <p>EN-1 4.1.7:</p> <p><i>“Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weigh those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects not capable of being addressed by application of the mitigation hierarchy, in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, or irreplaceable habitats. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk. See paragraph 4.2.28 of this NPS for further detail.”</i></p> <p>4.2.28 carries the exception forward:</p> <p><i>“Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human</i></p>	<ul style="list-style-type: none"> • Sequential and Exception Tests in the FRA are very thin. A response is provided linked to WE 1.11 below. • The Applicant continues to engage with the Lead Local Flood Authorities (LLFAs) to progress Statements of Common Ground (SoCGs) and updates will be submitted at Deadline 6. • FRA [APP-331] and updated Drainage Strategy both certified DCO documents under Schedule 3 Please refer to the Applicant’s comments on WE 1.10 below. • The missing W07 clause put back in This has been addressed in the Deadline 5 submission of the Outline Code of Construction Practice (7.2 Outline Code of Construction Practice [Revision E]). <p>The Applicant’s position on Critical National Priority (CNP) Infrastructure is set out in 5.6 Planning Statement [APP-085], 8.8.2 Applicant’s Comments on Local Impact Reports [REP2-030] and 8.4.10 Applicant’s Comments on Responses to ExQ1 [REP4-299] (Question GEN 1.6).</p> <p>As addressed within those documents, paragraph 3.3.63 of National Policy Statement (NPS) EN-1 (2024) confirms (emphasis added):</p> <p><i>‘3.3.63 [...] the urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure, and it should be progressed as quickly as possible.’</i></p> <p>As the respondent has noted, paragraph 4.1.7 of EN-1 states that <i>‘... For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.’</i></p> <p>The Project is CNP Infrastructure. As set out in 8.4.10 Applicant’s Comments on Responses to ExQ1 [REP4-299] (Question GEN 1.6) none of the exceptions listed in paragraph 4.1.7 of NPS EN-1 apply to the Project. Therefore, when the non-HRA (Habitats Regulation Assessment) and non-MCZ (Marine Conservation Zone) residual effects of CNP Infrastructure after mitigation are to be weighed against the benefit/need for the Project, the benefit/need will outweigh the residual effects (and so consent should be granted) in <i>‘all but the most exceptional cases’</i>.</p> <p>An assessment of effects on Hydrology, Land Drainage and Flood Risk (6.12 Environmental Statement Chapter 12 - Hydrology, Land Drainage and Flood Risk [APP-221]) has been undertaken in accordance with 6.19 Scoping Report [APP-288 – APP-296] and 6.20 Scoping Opinion [APP-297] and in line with the requirements of national and local policy and guidance. Assessments have been scoped through engaging with the Environment Agency and the Lead Local Flood Authorities (LLFAs) and have been informed by a range of data sources, including outputs from Environment Agency flood models. 7.9 Flood Risk Assessment [APP-331], and 7.10 Water Framework Directive Assessment [APP-332] have been reviewed by the Environment Agency and the LLFAs prior to submission and their feedback has been incorporated into the documents. General agreement has also been reached regarding the conclusions of these assessments.</p> <p>At Deadline 4, the Applicant submitted an updated 8.2 Drainage Strategy DCO [REP4-186]. The Drainage Strategy documents the assessment and design undertaken to understand the impact the Project may have on the existing surface water flow paths and the existing field drainage</p>

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	<p><i>health and public safety, defence, or irreplaceable habitats. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.”</i></p> <p>Three stages. Stage 1: apply the mitigation hierarchy properly. Stage 2: weigh residual impacts against the need case, with a presumption that for CNP infrastructure the need case wins. Stage 3: but for residual impacts that present an unacceptable risk to or interference with onshore flood, the Stage 2 presumption falls away and the residual flood impacts are weighed against the benefits in the ordinary way — without the urgent-need thumb on the scale.</p> <p>Where the six issues sit against EN-1 4.1.7</p> <p>Our view is that the residual flood risk impacts of the Project do engage the 4.1.7 / 4.2.28 exception. Short summary by issue below; full detail in the question-by-question review at Section 2.</p> <p>1. Drainage Strategy not addressing LLFA concerns.</p> <p>Issue A of the Drainage Strategy is in the Examination Library, but Essex hadn't seen it three weeks after issue, and Norfolk's SoCG predates it. “Mitigation as far as possible” doesn't sit comfortably with a position where the LLFAs whose statutory job is to assess the mitigation haven't seen the document said to embody it.</p> <p>2. FSR rainfall in Norfolk and Essex.</p> <p>Both LLFAs direct designers to FEH22, and the Applicant uses FEH22 for Suffolk on the same Project. Continuing with FSR undersizes the ponds in two of the four LLFA areas. “As far as possible” should mean using current methodology — particularly when the Applicant is already doing so elsewhere on the Project.</p> <p>3. No Outline SWMP.</p> <p>CoCP Rev C 6.1.16 is clear that the SWMP hasn't been prepared and that the Main Works Contractor will produce it post-consent under GG22. The 4.1.7 hierarchy looks at mitigation that's been applied — not mitigation committed for later.</p> <p>4. Outline FWEP inconsistent and incomplete.</p> <p>FWEP not updated since August 2025. Tables of key personnel, contacts and insurance are blank. Four high-risk fluvial sites have “Unknown” trigger event and 1% AEP depth. Several evacuation points are private third-party premises with no landowner agreement.</p> <p>5. Site-level gaps not closed by the WE responses.</p> <p>Tilbury North laydown culvert (Essex SoCG 3.8.3 — capacity not demonstrable on the information provided); pylons in FZ3 (foundation design under GH02 with no velocity modelling — designing for unknown scour against unknown velocities); haul road culvert blockage scenarios (50% / 100% blockage modelling</p>	<p>networks within the vicinity of the Project and provides a high-level drainage strategy to mitigate these impacts.</p> <p>To avoid increasing flood risk on-site and elsewhere, a range of control and management measures have been secured through the Development Consent Order (DCO). These are detailed in several commitments within 7.2 Outline Code of Construction Practice [Revision E] and are based on good practice, as well as bespoke measures agreed with the Environment Agency.</p> <p>The Applicant also notes that the Environment Agency and several of the other LLFAs have confirmed that, subject to implementation of these measures, there will not be a residual impact from flooding.</p> <p>The Applicant considers that the Project would not present an unacceptable risk to, or unacceptable interference to flood risk. Accordingly, the CNP policy remains engaged.</p> <p>In response to the six points raised by Pylons East Anglia, the Applicant addresses these in turn below:</p> <p>1. Drainage Strategy not addressing LLFA concerns</p> <p>The Applicant submitted an updated Drainage Strategy at Deadline 4 (8.2 Drainage Strategy DCO [REP4-186]); this has been drafted in response to continued engagement and consultation with the LLFAs. This strategy provides a narrative of the drainage design that informed the application for development consent. The Applicant considers the Drainage Strategy to be proportionate for the nature and scale of the Project and has considered the requirements of all relevant statutory undertakers in developing the strategy. The outline document will form the basis of the Surface Water Management Plan, the production of which is secured under commitment GG22 of 7.2 Outline Code of Construction Practice [Revision E] which states ‘<i>The Main Works Contractor(s) will prepare a Surface Water Management Plan to inform discharge of the DCO Requirement. The Surface Water Management Plan will be substantially in accordance with the Drainage Strategy (document reference 8.2)...</i>’ This plan will form part of the discharge of Requirement 4 (construction management plans) of 3.1 Draft Development Consent Order [Revision E].</p> <p>There has been continued engagement with the LLFAs and relevant statutory bodies throughout the development of the DCO. The Drainage Strategy summarises the engagement to date and captures the LLFAs’ requirements in a proportional document. Requests from the LLFAs for further information are being considered, where appropriate, in the context of collaboration and positive engagement; the changes incorporated in the updated document are to provide additional data to reflect the outline drainage design that has been assessed for the Project.</p> <p>2. FSR rainfall in Norfolk and Essex</p> <p>The Applicant updated application document 8.2 Drainage Strategy DCO [REP1-072] to reflect that the Flood Estimation Handbook (FEH) method has been applied for rainfall calculation for Norfolk County Council. The revised Drainage Strategy was submitted at Deadline 4 (8.2 Drainage Strategy DCO [REP4-186]). As commented on in 8.4.8 Applicant's Comments on any Further Information or Submissions Received by Deadline 2 [REP3-070], the FEH rainfall calculation method has been used in the assessment for all catchments except for one catchment near Norwich Main Substation. This basin was descoped to coordinate with the drainage strategy of another developer which has used the FEH rainfall calculation method. As is typical for a Nationally Significant Infrastructure Project, the drainage information presented within the development consent application is not a detailed design, rather an outline strategy. It is acknowledged that the drainage strategy will be developed into a detailed design at a later stage of the Project informed by additional survey information, including from ground investigations. Commitment GG22 in 7.2 Outline Code of Construction Practice [Revision E], sets out the requirement for the Main Works Contractor(s) to prepare a Surface Water Management Plan to inform discharge of the DCO Requirement. This Plan would include the required level of specific</p>

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	<p>not undertaken). Each one is an unacceptable interference with onshore flood until shown otherwise.</p> <p>6. Sequential and Exception Tests too thin.</p> <p>Six paragraphs of Sequential Test (FRA 5.1) and three of Exception Test (FRA 5.2) in a 115-page document, with no engagement with the four-step PPG 028 approach. Norfolk SoCG 3.7.13 records the LLFA's view that the FRA itself is inadequate on the sequential test. Where the foundational document is recorded as inadequate by a statutory consultee, residual risk hasn't been mitigated as far as possible.</p> <p>Conclusion</p> <p>Taken together, the six issues describe residual onshore flood risk that hasn't been mitigated as far as possible under 4.1.7. The 4.1.7 / 4.2.28 exception is engaged. The result is that the residual flood risk impacts should be weighed against the benefits in the ordinary way, without the 4.2.28 presumption that consent will be granted in all but the most exceptional cases.</p> <p>We ask the ExA to find that the residual flood risk impacts engage the 4.1.7 / 4.2.28 exception, and that the Applicant should close the issues above before close of examination.</p>	<p>design detail, informed by suitable testing of infiltration rates, land contamination and groundwater data, as applicable. As per the guidance given in the Essex County Council engagement meeting, the FSR rainfall calculation method has been used for the design of site drainage and substations and has been applied to attenuation volumes and greenfield runoff rates. The updated Drainage Strategy (8.2 Drainage Strategy DCO [REP4-186]) clarifies that the FEH rainfall calculation method will be used for the detailed design development, completed by the Main Works Contractor(s) for Essex.</p> <p>3. No Outline SWMP</p> <p>The Applicant submitted an updated Drainage Strategy at Deadline 4 (8.2 Drainage Strategy DCO [REP4-186]); this has been drafted in response to continued engagement and consultation with the LLFAs. The Applicant considers the Drainage Strategy to be appropriate for the nature and scale of the Project and has considered the requirements of all relevant statutory undertakers in developing the strategy. The outline document will form the basis of the Surface Water Management Plan, the production of which is secured under commitment GG22 of 7.2 Outline Code of Construction Practice [Revision E] which states '<i>The Main Works Contractor(s) will prepare a Surface Water Management Plan to inform discharge of the DCO Requirement. The Surface Water Management Plan will be substantially in accordance with the Drainage Strategy (document reference 8.2)...</i>' This plan will form part of the discharge of Requirement 4 (construction management plans) of 3.1 Draft Development Consent Order [Revision E].</p> <p>4. Outline FWEP inconsistent and incomplete.</p> <p>The submitted 7.2 Outline Code of Construction Practice Appendix G – Outline Flood Warning and Evacuation Plan [APP-307] (FWEP) is an outline plan and is a live document, taken on by the Main Works Contractor(s) to form into a full plan, which would be regularly reviewed and periodically updated throughout the construction of the Project. The information that has been omitted from some of the tables within the Outline Plan is not yet known, examples including contact telephone numbers for work site managers and insurance details, or the tables are to be completed with signatures from the responsible person(s) to demonstrate that actions have been completed (Table 4.1). Where additional information is now available, this has been added and the FWEP will be resubmitted by the Applicant at Deadline 5 (7.2 Outline Code of Construction Practice Appendix G - Outline Flood Warning and Evacuation Plan [Revision B]).</p> <p>5. Site-level gaps not closed by the WE responses.</p> <p>The Applicant acknowledges that, whilst detailed, site-specific, drainage solutions have not been developed at this stage, which is typical for a Project of this size and scale seeking development consent, the suite of Code of Construction Practice commitments set out to manage and control flood risk and drainage impacts, would be effective in preventing the Project exacerbating the localised, site-specific flooding issues that Interested Parties have flagged. The Applicant considers the Drainage Strategy and Flood Risk Assessment to be proportionate for the nature and scale of the Project and has considered the requirements of all relevant statutory undertakers in developing the strategy. Commitment W08 in 7.2 Outline Code of Construction Practice [Revision E], sets out the Project commitment to design and implement measures to manage surface water runoff from operational above ground infrastructure and to maintain existing overland flow routes, for example the proposed box culverts at Tilbury North Substation. Such measures will be managed in accordance with the requirements and standards of the relevant LLFA and maintained for the Project's lifetime. Surface water runoff will be captured using sustainable drainage techniques that will be designed to allow for climate change resilience and with consideration of exceedance flow routes.</p> <p>6. Sequential and Exception Tests</p> <p>With regard to the Sequential Test, the Applicant confirms that during strategic routeing and siting studies flood risk was one of many factors in the decision-making balance. It also considers that,</p>

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		<p>for a linear Project of this geographical scale it would not be practicably achievable to avoid all areas with a higher risk of flooding, particularly with regard to surface water flood zones; however it stresses that the vast majority of operational infrastructure, including all new and extended substations, have been sited on land at low risk of flooding. Where (mostly temporary) development in higher risk zones could not be practicably avoided, these sites would apply the sequential approach to managing flood risk.</p> <p>The Sequential and Exception test is addressed within 7.9 Flood Risk Assessment [APP-331], which the Environment Agency is satisfied with as documented in 5.9.15 Draft Statement of Common Ground - Environment Agency [REP4-085].</p> <p>Conclusion</p> <p>The Project has been designed in accordance with the mitigation hierarchy. Through extensive routeing and siting studies the Project has sought to place pylons so that the optimal balance of environmental and engineering factors can be achieved and this includes routeing the Project in a way which avoids Flood Zone 2 and 3 as far as possible. Mitigation is secured for the small number of pylons in Flood Zone 3, in the form of compensatory storage (commitment W17 in 7.2 Outline Code of Construction Practice [Revision E]) and this has been agreed with the Environment Agency, as detailed in 5.9.15 Draft Statement of Common Ground - Environment Agency [REP4-085].</p> <p>As noted above, mitigation to address the potential for the Project to contribute to increasing localised flood risk and drainage issues is described in 7.9 Flood Risk Assessment [APP-331] and 8.2 Drainage Strategy [REP4-186] and is secured through inclusion of a range of commitments within 7.2 Outline Code of Construction Practice [Revision E], secured by Requirement 4 of the 3.1 Draft Development Consent Order [Revision E].</p> <p>The Applicant contends that the Project would not present an unacceptable risk to, or unacceptable interference to flood risk. Accordingly, the CNP policy remains engaged.</p>
<p>WE 1.1 Norfolk CC LIR In its LIR [REP1-173] Norfolk CC note several concerns and outstanding objections to hydrology, land drainage and flood risk. In particular, it raises questions relating to the following:</p> <ul style="list-style-type: none"> • Gaps in the ES and Flood Risk Assessment (FRA) (paragraphs 10.1 and 10.2) • Construction near watercourses (paragraph 10.8) • Insufficient definition of temporary construction works (paragraph 10.9) <p>Please ensure you provide responses that directly answer these queries.</p>	<p>The response answers the question on paper but leans on documents that either pre-date Norfolk's concerns or haven't been delivered. Norfolk's LIR raised FRA gaps because [REP1-072] didn't address them — and the response points Norfolk back to the same Strategy with a promise of an update. GG24 is a dust commitment, not a sediment-pollution one; for Norfolk's 10.8 concern (silt), GG22, B03 and AS05 are the relevant ones.</p> <p>The wider concern is that the Applicant is seeking consent on the basis of mitigation commitments (GG22, B03, AS05) that are themselves ongoing processes with no guaranteed outcome. The relevant mitigation will be developed by a future contractor, in liaison with LLFAs that have outstanding concerns.</p> <p>Policy hook: NPS EN-1 5.8.21; NPPF 173, 175, 181; PPG Flood Risk 028. Norfolk SoCG items 3.7.1–3.7.13 all Under Discussion.</p> <p>CNP test engages 4.1.7 — the document said to embody the mitigation hasn't been delivered.</p> <p>Recommendation: updated Drainage Strategy by Deadline 4, with a note showing how it addresses each Norfolk LIR concern at 10.1–10.2, 10.8 and 10.9.</p>	<p>The Applicant has continued to engage with Norfolk County Council as a Lead Local Flood Authority (LLFA), as well as the other LLFAs and has provided detailed responses to detailed feedback received on the 8.2 Drainage Strategy DCO [REP1-072]. This has culminated in submission, at Deadline 4, of an updated 8.2 Drainage Strategy DCO [REP4-186].</p> <p>Whilst GG24 serves to prevent dust, it also has a dual benefit of preventing sediment pollution as it requires that earthwork mounds and stockpiled soil are covered or seeded, and without such protections could be a potential source of silted runoff to local watercourses. The Applicant agrees that commitments GG22, B03 and AS05 are also relevant, demonstrating that a robust approach to preventing the silt pollution of watercourses has been secured.</p>
<p>WE 1.2 Flood risk assessment - 1</p>	<p>Reasonable. EA SoCG 3.2.24 records EA agreement that compensation storage isn't required for temporary works and that EA is broadly satisfied with the initial compensation storage</p>	<p>The Applicant confirms that a small number of link pillars would be situated in the floodplain of the River Stour, the final number depending on the detailed system design. Avoidance of Flood Zone 3 is not possible, with no reasonably available sites for placing these in lower areas of flooding.</p>

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<p>In Appendix B of the FRA [APP-331], floodplain storage loss has been calculated for pylons located within floodplains. However, the same calculation does not appear to have been carried out for the underground trenchless crossings (north and south) of the River Stour. Please explain why this calculation has not been made or is not required.</p>	<p>details. Permanent pylon compensation storage in FZ3+CC is secured by W17.</p> <p>Policy hook: NPS EN-1 5.8.7; NPPF 181; PPG 049–053. CNP test: not engaged.</p> <p>Refinements: (a) put a number on the permanent above-ground footprint of the link boxes; (b) confirm whether the link box locations sit in FZ3 — if so, the Sequential/Exception Test reasoning at FRA 5.1–5.2 should cover them.</p>	<p>Each has a very small (circa 1 m²) ground level footprint, less than the small footprint of a pylon. With regard to the Exception Test, flood resilience would be built into the design of the link pillars, ensuring they remain operational in times of flood. Due to their size and given the context of the expansive nature of the River Stour floodplain, there would be no perceptible effect on flow conveyance or floodwater levels, satisfying the requirements of the Exception Test to ensure no increase in flood risk to other receptors. Further information regarding the siting of the link pillars is set out in Section 5.6 of 7.16 Design Approach for Site Specific Infrastructure (DASSI) [REVISION C].</p>
<p>WE 1.3 Flood risk assessment - 2 In its RR [RR-2973] Pylons East Anglia provided an independent technical examination of Flood Risk Validity and the ES chapter 12 [APP-221]. This report raised several questions, which do not appear to have been answered in your Deadline 1 documents, that relate to:</p> <ol style="list-style-type: none"> 1. Scour Assessment: Provide confirmation that pylon foundations in Flood Zone 3 have been designed to withstand local scour during the 1% AEP + CC event, given the lack of velocity modelling. 2. Haul Road Transparency: Provide a "blockage scenario" assessment for temporary culverts on ordinary watercourses to ensure haul roads do not increase flood risk to third parties if culverts become occluded. 3. Tilbury North Routing: Provide hydraulic calculations proving that the box culvert at Tilbury North Substation will not accelerate flow conveyance to the detriment of downstream receptors. 4. CoCP Tightening: Remove the phrase "where practicable" from Commitment W07 regarding the storage of materials in Flood Zone 3, replacing it with a strict prohibition on storing loose or hazardous materials in the functional floodplain. 	<p>The most contested response in Section 18, and only partly adequate.</p> <ol style="list-style-type: none"> (1) Scour: GH02 is a contractor-led pre-construction exercise undertaken once foundation solutions are known and won't be informed by velocity modelling because none is being undertaken. EA SoCG 3.2.20 (FRA scope) is Agreed — that matters for EA permitting but doesn't close the planning point under NPS EN-1 5.8.7. (2) Blockage modelling: "LLFAs haven't requested it" isn't a substantive answer. 50% / 100% blockage scenarios are industry-standard for permanent culverts. (3) Tilbury North: deferral to detailed design under W08 is reasonable in principle, but Essex SoCG 3.8.3–3.8.7 record the matter as unresolved. (4) W07: the wording adopted in CoCP Rev C isn't the wording proposed in the response. <p>(5) Tas/Wid: the response doesn't address the point. The Applicant should either commission its own modelling — standard for FRAs supporting development in FZ3 — or justify why it's disproportionate.</p> <p>Policy hook: NPS EN-1 5.8.7; NPPF 181; PPG 028.</p> <p>CNP test: the strongest single row for the 4.1.7 exception. The Tilbury North culvert and the unmodelled Tas/Wid reaches sit in the "unacceptable interference with flood" category until shown otherwise.</p>	<p>The following response to each of the five points are</p> <ol style="list-style-type: none"> 1 – This is not a design consideration unless the foundations are within a watercourse or close enough for flows to be high enough to generate scour. The requirement for hydraulic assessment (including velocity and scour potential) would be identified where relevant through appropriate specialist input (e.g. hydraulic engineering) during the design development process. Where a potential risk is identified, this would inform foundation selection and design to ensure resilience to scour. 2 – The question posed was related to temporary culverts on ordinary watercourses and made no reference to permanent culverts. As detailed in document 6.4.A2 Environmental Statement Appendix 4.2 - Watercourse Crossing Details [APP-132] the vast majority of the culverts proposed by the Project are temporary. There are approximately 10 exceptions, where culverts are required along permanent access routes. Of these 10, at five locations existing culverts will be used, upgraded as necessary, with therefore no change to existing blockage risk, or risk reduction when upgrades are made. New culverts are proposed in only five locations, on minor ditches. Commitment W14 secures that these culverts would be suitably sized, including to accommodate climate change allowances and would be maintained over the Project lifetime. Blockage modelling is not necessary. 3 – The Applicant notes this approach is considered reasonable in principle and continues to engage with Essex County Council Lead Local Flood Authority to progress matters under discussion in the Statement of Common Ground. Further updates will be submitted at Deadlines 5 and 6. 4 – This wording has been revised in the Outline Code of Construction Practice that will be submitted at Deadline 5 (7.2 Outline Code of Construction Practice [Revision E]). 5 – The lack of modelling data for the River Wid and River Tas is referred to in the 7.2 Outline Code of Construction Practice Appendix G - Outline Flood Warning and Evacuation Plan [APP-307] where temporary works are required to construct the Project (Table 2.2). This document has been updated to include flood depth and frequency data for the two watercourses, drawn from the National Flood Risk Assessment 2 dataset. The updated Plan will be submitted at Deadline 5 (7.2 Outline Code of Construction Practice Appendix G - Outline Flood Warning and Evacuation Plan [Revision B]).

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<p>5. River Tas and River Wid require detailed modelling.</p> <p>Respond to the points above, either through signposting existing submissions if this information has been provided, or updated reports.</p>		
<p>WE 1.4</p> <p>Flood risk assessment - 3</p> <p>In its LIR [REP1-161] at paragraph 4.7.21, Essex CC state that Essex has a rain fall climate change allowance of 45% and request the applicant confirm parameters with the Environment Agency. Please confirm if this allowance is part of your FRA considerations and if not, why not.</p>	<p>Fine on the climate-change point. EA upper-end allowance for the Combined Essex catchment is 45% (2050s) / 40% (2070s); the Applicant uses 45% via the exception rule, which is conservative and correct. Essex SoCG 3.8.1 confirms it.</p> <p>Policy hook: EA Climate Change Allowances guidance (May 2022); Essex SuDS Design Guide 2020. CNP test: not engaged on the 45% point itself, but the wider Essex concerns below feed into Issue 1.</p> <p>Unaddressed Essex concerns: Essex SoCG 3.8.1 also records that the FRA contains no specified discharge limits and no detail on managing surface water when control limits are exceeded. The 1-year greenfield discharge rate from permanent and temporary built-up areas (Essex SuDS Design Guide 2020) should be applied throughout (Essex SoCG 3.8.3, 3.8.10).</p>	<p>The Flood Risk Assessment does not specify discharge limits, but this information is provided in the Outline Surface Water Drainage Strategy, which was updated and submitted at Deadline 4 (8.2 Drainage Strategy DCO [REP4-186]). In paragraph 5.4.8 it is stated that flows from the developed site shall be restricted based on the estimated 1 in 1 year 'greenfield' runoff rate for Essex, limited to a maximum rate of 2 l/s/ha.</p>
<p>WE 1.5</p> <p>Flooding concerns</p> <p>A number of individual RRs from property owners highlight a concern regarding increased risk of flooding, some citing known issues that could see an increased risk of localised flooding to property. Please explain how you are addressing these individual concerns and provide a schedule of specific location-by-location responses to all RRs and consultation responders who have raised property flooding as a concern, stating the communication status and how mitigation is secured in the draft DCO.</p>	<p>The response ticks the box in areas but the same handful of generic CoCP commitments (typically GG22, AS05, W07, W09, W13, W14, sometimes B03/B26) get recycled across very different concerns at very different locations. There's no site-specific assessment of how the cited commitments would actually mitigate the risk identified at any of the named locations.</p> <p>RR-2169 (Billericay, Wid) raises cumulative soil compaction over a multi-kilometre haul road corridor — answered with GG28 (ground protection mats) and AS01 (soil handling), neither of which addresses catchment-scale runoff change. RR-1937 (Long Stratton Road, Tas tributary) identifies a specific hydrological sensitivity at a watercourse the FWEP records as "Unknown" — answered with the same generic suite.</p> <p>Policy hook: ExA Rule 17 letter [PD-012] of 3 March 2026 asked for site-specific responses where locational detail is provided, and the Applicant accepted this in WE 1.1. The Section 18 schedule doesn't meet that standard.</p> <p>CNP test: where third parties have raised specific residual flood risk to their land and the response is generic, this contributes cumulatively to the 4.1.7 picture.</p>	<p>The Applicant acknowledges that, whilst detailed, site specific, drainage solutions have not been developed at this stage, which is typical for a Project of this size and scale seeking development consent, the suite of 7.2 Code of Construction Practice [Revision E] commitments set out to manage and control flood risk and drainage impacts, would be effective in preventing the Project exacerbating localised flooding issues.</p> <p>With reference to RR-2169, soils across the construction working swathe would be managed in accordance with a soil protection strategy. An outline strategy has been provided (7.2 Outline Code of Construction Practice Appendix C - Outline Soil Resource Plan [Revision B]), and this would be fully developed based on detailed design and construction methodology information to be provided by the Main Works Contractor(s). The final version will be submitted for approval in accordance with Requirement 4 (construction management plans) of the 3.1 Draft Development Consent Order [Revision E] prior to commencement of development. Adoption of these soil protection, handling and reinstatement protocols, coupled with robust construction drainage of temporary areas of impermeable landcover, would address impacts on catchment-scale runoff change.</p> <p>Representation RR-1937 does not refer to the main channel of the River Tas (which is relevant to the Flood Warning and Evacuation Plan (FWEP)), rather a small stream which pylon RG40 sits at the head of. The Interested Party raised that heavy clay soil, and pylon footings would likely disturb natural drainage and exacerbate the flooding risk. In response, the Applicant confirms that in accordance with the Outline Drainage Strategy, and the detailed Drainage Management Plan that will be produced, discharge rates to this stream would be limited to pre-development rates and soils would be sensitively handled and re-instated. Also, where the Project has the potential to interact with any existing land drainage features, the functionality of these systems would be preserved or re-provided.</p>
<p>WE 1.6</p> <p>Surface water - 1</p> <p>In their LIRs, the Lead Local Flood Authorities (LLFA) request the</p>	<p>The response describes what GG22 does but doesn't engage with Norfolk's substantive point — that the Strategy itself (not a future Plan) should be a certified or specifically secured DCO document. GG22 is a process commitment. It commits a future</p>	<p>The Applicant has continued to engage with Norfolk County Council as a Lead Local Flood Authority (LLFA), as well as the other LLFAs and has provided detailed responses to detailed feedback received on the 8.2 Drainage Strategy DCO [REP1-072]. This has culminated in</p>

Written Question	Matter	Applicant Response
<p>production and implementation of a construction surface water drainage strategy to be secured in the draft DCO, which Norfolk CC states has precedent in DCOs. Please explain your consideration of this suggestion.</p>	<p>contractor to prepare a Plan, in accordance with a Strategy that hasn't been finalised, in liaison with LLFAs that have outstanding concerns. There's precedent for securing drainage documents directly in DCOs, and the response doesn't address why that approach isn't appropriate here.</p> <p>Policy hook: Planning Act 2008 Schedule 3 (certification); NPS EN-1 5.8.20–5.8.24 read with 5.8.36.</p> <p>CNP test engages 4.1.7 — process commitment, not mitigation that's been applied at the time of decision.</p> <p>Recommendation: updated Drainage Strategy (a) certified as a DCO document under WE 1.10, and (b) cross-referenced in Requirement 4 such that the SWMP must be substantially in accordance with the certified version.</p>	<p>submission, at Deadline 4, of an updated Drainage Strategy (8.2 Drainage Strategy DCO [REP4-186]).</p> <p>The wording of commitment GG22 states that construction drainage measures will be developed liaising with the LLFAs and statutory undertakers. The commitment, which is included in the 7.2 Outline Code of Construction Practice [Revision E], is secured by Requirement 4 of the 3.1 Draft Development Consent Order [Revision E].</p>
<p>WE 1.7 Surface water - 2 Please confirm if all surface water runoff from construction sites and permanent works will be managed in line with Sustainable Drainage Systems guidance and will be designed to ensure there is no impact on third party land and down-stream catchment. State how this is secured in the draft DCO.</p>	<p>The commitment to the Defra National Standards for SuDS (June 2025) and LLFA guidance is welcome. The 2025 Standards are a step up from the 2015 standards they replaced, with seven outcome-based standards covering runoff destination, first-5mm interception, extreme rainfall, water quality, amenity, biodiversity and lifecycle design. Committing to comply sets an appropriately high bar.</p> <p>The commitment isn't yet substantiated. The updated Drainage Strategy [doc 8.2 Final Issue A, February 2026] doesn't yet show compliance with the seven Standards — particularly Standard 1 (justification where lower-priority discharge destinations are used), Standard 2 (first-5mm interception, no calcs presented), Standards 4–6 (water quality / amenity / biodiversity tested via SuDS management trains, not via simple attenuation ponds), and Standard 7 (lifecycle maintenance regime in Table 9.1).</p> <p>“No impact on third-party land” can't be verified without catchment areas, runoff calcs and exceedance flow routes. Appendix A has pond reference numbers, catchment areas, attenuation volumes and discharge rates, but doesn't show how discharge points or exceedance routes interface with downstream third-party land at a catchment-by-catchment level.</p> <p>EA SoCG 3.2.22 sets out four specific requirements the updated Strategy should demonstrate: (a) infiltration SuDS not in contaminated ground; (b) max 2.0 m depth bgl; (c) min 1.2 m clearance between SuDS base and peak seasonal groundwater levels; (d) only roof water direct to soakaway, road/hardstanding via treatment train. The current Strategy doesn't test against (b) or (d), and the Phase 1 Contamination Assessment that would inform (a) hasn't been provided.</p> <p>Policy hook: NPPF (December 2024) 182; National Standards for SuDS (Defra, June 2025) Standards 1–7; CIRIA C753; NPS EN-1 5.8.7.</p> <p>CNP test: “No impact on third-party land” is the 4.1.7 “no unacceptable risk to onshore flood” test in different language. On the present evidence the commitment can't be verified — including by the LLFA whose statutory job it is to do so.</p>	<p>The Applicant has continued to engage with the Lead Local Flood Authorities (LLFAs) and has provided detailed responses to detailed feedback received on the 8.2 Drainage Strategy DCO [REP1-072]. This has culminated in submission, at Deadline 4, of an updated Drainage Strategy (8.2 Drainage Strategy DCO [REP4-186]). The updated document addresses the seven 2025 standards and also provides information defining catchment areas, runoff calculations and exceedance flow routes, including the addition of drainage plans (Appendix B).</p> <p>With regard to the points raised in the 5.9.15 Draft Statement of Common Ground – Environment Agency [REP4-085] at item 3.2.22, the Surface Water Management Plan, secured by commitment GG22 and Requirement 4 of the 3.1 Draft Development Consent Order [Revision E], would include the required level of specific design detail, informed by suitable testing of infiltration rates, land contamination and groundwater data, as applicable. It is noted that this matter is ‘agreed’ between the Environment Agency and the Applicant.</p>

Written Question	Matter	Applicant Response
<p>WE 1.8 Surface water - 3</p> <p>A number of LLFAs have commented that they have residual concerns about the management of surface water, for example in its LIR [REP1-161] at paragraph 4.7.25, Essex CC state that the LLFA ‘...retains certain concerns that have not been addressed from previous discussions and that have been set out in consultation responses, without feedback or discussion from the Applicant. This uncertainty gives cause for concern for the project’. Explain how the ExA can be assured that the concerns of LLFAs regarding surface water are being adequately addressed and will be resolved by the close of the examination.</p>	<p>Recommendation: next iteration of the Drainage Strategy to set out compliance against each of the seven 2025 Standards with the supporting calcs, and to be issued to all four LLFAs in time for their SoCGs to reflect their positions on it.</p> <p>Confidence isn't assurance. The state of the SoCGs is the appropriate test:</p> <ul style="list-style-type: none"> Norfolk CC SoCG — every Hydrology, Land Drainage and Flood Risk item (3.7.1 to 3.7.13) Under Discussion. Essex CC SoCG — every item in section 3.8 (3.8.1 to 3.8.13) Under Discussion. EA SoCG — most Hydrology / Flood Risk matters Agreed; four contaminated land / groundwater items (3.4.6 to 3.4.9) Under Discussion. Affinity Water SoCG — zero matters Agreed; ten Under Discussion. <p>Policy hook: NPS EN-1 5.8.36; Planning Act 2008 examination procedure (signed SoCGs as the appropriate test of LLFA agreement).</p> <p>CNP test engages 4.1.7 — at the formal SoCG record, two of the four LLFAs do not agree the residual flood risk is mitigated as far as possible.</p> <p>Recommendation: as a condition of further reliance on the Drainage Strategy, the ExA should require signed SoCGs with all four LLFAs covering Section 18 by Deadline 6.</p>	<p>The Applicant has updated Statements of Common Ground for submission at Deadline 5, which demonstrate progress towards agreeing Hydrology and Flood Risk matters. The Applicant continues to engage to progress matters still under discussion.</p>
<p>WE 1.9 Surface water - 4</p> <p>In its RR [RR-792] the Water Management Alliance note that any surface water to be discharged into watercourses they are responsible for will need consent. Please confirm how this is secured in the draft DCO and if agreement has been reached on the consenting process.</p>	<p>Reasonable. Disapplication of s23 with bespoke Protective Provisions is the standard approach on linear NSIPs.</p> <p>Policy hook: Land Drainage Act 1991 s23; Planning Act 2008 s120. CNP test: not engaged.</p> <p>Recommendation: WMA Protective Provisions tracked through SoCG updates and ideally agreed in principle before close of examination. “Agreed subject to drafting refinement” should be the target.</p>	<p>The Applicant confirms that this matter is being tracked through a Statement of Common Ground with the Water Management Alliance (5.9.16 Draft Statement of Common Ground - Combined IDBs - Water Management Alliance [REP4-087]) and is working towards the noted target.</p>
<p>WE 1.10 Certified documents</p> <p>In its LIR [REP1-161] at paragraph 4.7.26, Essex CC state they are concerned that the draft DCO, draft schedule of requirements and EM do not highlight the existing flood risk, the need for managing this risk and/ or the presence of overland flows. They continue to suggest that the FRA and the Surface Water Management</p>	<p>Partly conceded. The offer to certify the Drainage Strategy is welcome and should be accepted. Two qualifiers to push back on:</p> <p>First, certification “does not mean greater control” is misleading. Certification under Schedule 3 has direct legal weight: the certified version is the version against which compliance is measured, and departures need a non-material or material change application. The qualifier suggests parity between certified and uncertified documents that doesn't hold.</p> <p>Second, the FRA [APP-331] isn't offered for certification — only the Strategy. The FRA is the foundational document for flood risk on the Project. The argument that the FRA is “already captured” via CoCP commitments understates how much of it is policy</p>	<p>Documents that are not explicitly mentioned in a draft development consent order are not ordinarily listed as certified documents, hence the Applicant has not listed the 7.9 Flood Risk Assessment [APP-331] or the 8.2 Drainage Strategy [REP4-186] in Schedule 18 (certified documents) of 3.1 Draft Development Consent Order. In stating that “<i>the certification of documents does not mean they have any greater level of control than documents that are not certified</i>”, the Applicant means that the certification of documents simply records the correct version of a document as it stands at the time of grant of the development consent order. Even if a document is not certified, it still holds weight. Indeed, government guidance on the Content of a Development Consent Order required for Nationally Significant Infrastructure Projects (30 April 2024) states that “<i>applicants should limit those plans and documents needing certification to those which are secured under the DCO and particularly which may be different to the version submitted as part of the application</i>” (paragraph 016). Whilst the Applicant notes that the Drainage Strategy</p>

Written Question	Matter	Applicant Response
<p>Strategy documents should be listed as 'certified document' of the draft DCO and that a Construction Environmental Management Plan is drafted to control works that affect ordinary watercourses/drainage channels, surface water drainage, and the control of pollutants. Please comment on this proposal.</p>	<p>reasoning and assessment that doesn't have a corresponding CoCP commitment.</p> <p>Policy hook: Planning Act 2008 Schedule 3; NPS EN-1 5.8.21. CNP test: not directly engaged here, but a certified updated Strategy is part of the route out of the 4.1.7 exception.</p> <p>Recommendation: both the FRA [APP-331] and the updated Drainage Strategy certified as DCO documents.</p>	<p>has been updated, the version of the 7.9 Flood Risk Assessment [APP-331] being examined is still Revision A.</p> <p>The mitigation proposed by the 7.9 Flood Risk Assessment [APP-331] and the measures proposed in the 8.2 Drainage Strategy [REP4-186] ensure compliance with the relevant NPS policy. Please refer to paragraphs 7.3.213 - 7.3.236 of the 5.6 Planning Statement [APP-086] and paragraph 5.2 of the 7.9 Flood Risk Assessment [APP-331] which deal with compliance with relevant flood risk policies.</p> <p>The commitments to the mitigation proposed in the 7.9 Flood Risk Assessment [APP-331] are secured in the commitments register in the 7.2 Code of Construction Practice [REP4-164] which in turn is secured by Requirement 4 of the 3.1 Draft Development Consent Order [Revision E]. It is not necessary to certify the 7.9 Flood Risk Assessment [APP-331] given the mitigation is secured through the 7.2 Code of Construction Practice [REP4-164].</p>
<p>WE 1.11 Outline CoCP - 1 In the outline CoCP [APP-300] commitment W07 states that in flood zone 3 work will be laid out in accordance with the sequential test. The ExA and certain LLFAs believe this does not provide sufficient clarity on what is intended. Please explain what this means and provide a reworded commitment to ensure clarity.</p>	<p>The proposed W07 redraft is an improvement on the original, but the wording adopted in CoCP Rev C isn't the same wording — the substantive clause that responded to the ExA's clarity concern ("ensuring the most vulnerable components are placed in the areas at lowest risk") has been removed. That's a material discrepancy.</p> <p>Beyond W07, the Sequential Test reasoning at FRA 5.1 is very thin (six paragraphs) and doesn't engage with the four-step PPG 028 approach. A working-area-scale sequential approach via W07 is necessary but not sufficient — the project-scale Sequential Test in the FRA itself should be expanded.</p> <p>Norfolk SoCG 3.7.13 records the LLFA's view that surface water flooding is inadequately considered in the sequential test and the FRA, and that the FRA lacks site-specific modelling, detailed drainage design annexes and consistent application of stated methodologies. Under Discussion.</p> <p>Policy hook: NPPF 173–175; PPG Flood Risk 028; NPS EN-1 5.8.21.</p> <p>CNP test: engages 4.1.7 — Norfolk records the FRA itself as inadequate on the sequential test for surface water.</p> <p>Recommendation: (a) amend W07 in the next CoCP iteration to include the missing clause; (b) expand the Sequential and Exception Test reasoning at FRA 5.1–5.2 to engage with the four-step PPG approach.</p>	<p>The Applicant confirms that revisions to the wording of this commitment are included within the Deadline 5 submission of the Outline Code of Construction Practice (7.2 Outline Code of Construction Practice [Revision E]).</p> <p>The Applicant confirms that during strategic routeing and siting studies flood risk was a factor in the decision-making balance. It also considers that, for a linear Project of this geographical scale it would not be practicably achievable to avoid all areas with a higher risk of flooding, particularly with regard to surface water flood zones; however, it stresses that the vast majority of operational infrastructure, including all new and extended substations, have been sited on land at low risk of flooding.</p> <p>Progress is being made in addressing the concerns raised by Norfolk County Council Lead Local Flood Authority (LLFA) through continued engagement and exchange of information between the Applicant and the LLFA.</p>
<p>WE 1.12 Outline CoCP - 2 In the outline CoCP [APP-300] commitment W04 states that active private water supplies will be identified through landowner discussions and appropriate measure will be considered during construction to protect these. To the applicant:</p>	<p>The Applicant has missed an opportunity. The W04 wording in CoCP Rev C is materially stronger than the wording the ExA was unhappy with — it commits to a 24-hour initial response, mandatory mitigation where risk is identified, mandatory investigation, and mandatory remediation where works are shown to be the cause. That's the kind of strengthened commitment the ExA asked for. The Applicant should have led with the new W04 wording, not described the assessment process.</p> <p>Separate point not addressed: EA SoCG 3.4.6–3.4.9 (contaminated land, groundwater) record the EA's request to be a named consultee on the discharge of Requirement 4. That goes</p>	<p>The Applicant's response to First Written Questions regarding WE 1.12 (8.9.1 Applicant's Responses to First Written Questions [REP3-074], page 717) provided a direct response to each of the points in the question, which would not have been satisfactorily addressed by only referring to an existing commitment. It is noted however that W04 does provide additional robust protection for landowners with private water supplies. The latest version of the CoCP is 7.2 Outline Code of Construction practice [REP4-164].</p> <p>In relation to the 5.9.15 Draft Statement of Common Ground – Environment Agency [REP4-085], the Applicant has updated 3.1 Draft DCO (Revision D) [REP4-037] to include the Environment Agency as a named consultee in respect of the code of construction practice in Requirement 4 (construction management plans) and all matters relating to Contaminated Land, Geology and Hydrogeology have now been agreed including IDs 3.4.6 to 3.4.9.</p>

Written Question	Matter	Applicant Response
<ul style="list-style-type: none"> Do you consider that you have identified all private water supplies If not, how do you propose to do such Is there an agreed action plan for private water supplies with owners once they have been identified, and what is the process for agreement to the plan if so The ExA consider that it not sufficiently robust to state that measures will be 'considered'. Please propose a reworded commitment that gives greater assurance of intervention and protection of private water supplies. <p>To affected persons:</p> <ul style="list-style-type: none"> Please state if you have a private water supply which has not been detailed to the applicant or if you have given details but not received a response regarding this. 	<p>beyond consultation under the existing GH11 / W04 mechanism — it's a request for a substantive role that isn't in Schedule 3 of the dDCO. Under Discussion. The WE 1.12 response doesn't engage with this.</p> <p>Policy hook: NPS EN-1 5.3 and 5.8.36; Water Resources Act 1991; Private Water Supplies (England) Regulations 2016. CNP test: not directly engaged on the W04 wording, but the unaddressed EA SoCG items feed into the cumulative picture.</p> <p>Recommendation: (a) the ExA should be directed to W04 in CoCP Rev C as the answer to the wording concern; (b) the dDCO should be amended to make the EA a named consultee on the discharge of Requirement 4 for contaminated land, groundwater and private water supplies, in line with EA SoCG 3.4.6–3.4.9.</p>	
<p>WE 1.13</p> <p>Holton St Mary Parish Council comments</p> <p>In its WR, Holton St Mary PC [REP1168] notes that drainage works are planned from the haul road into a stream on the west of Sandpits Lane, just to the north of Dewlands Farm. Its notes that the area is rich in wildlife habitat and that otters have been recorded in the area and that the stream proposed for the run-off is prime otter habitat. The PC note that it has not seen any documentation of the ecological impacts of this run-off; or the impacts on river health. Provide an ecological impact analysis of the proposal for</p>	<p>Ecology not within our remit to advise.</p> <p>On the surface water treatment design, the response leans on Drainage Strategy 5.4.33 (channel drain to attenuation pond with treatment element). That's a reasonable description, but the Strategy doesn't actually demonstrate the treatment train meets the CIRIA C753 simple index water quality assessment for the receiving watercourse. For a small ordinary watercourse with otter habitat the simple index would point to a treatment train of vegetated swale + sediment forebay + wet pond, not just a settlement pond.</p> <p>Policy hook: CIRIA C753; WFD / EPR 2016; National Standards for SuDS (Defra, June 2025) Standard 4. CNP test: not directly engaged.</p> <p>Recommendation: updated Drainage Strategy to test the proposed treatment train at this location against the CIRIA C753 simple index and confirm or upgrade as appropriate.</p>	<p>Section 6.2 of 8.2 Drainage Strategy DCO [REP4-186] sets out the outline water and sediment quality controls during the construction phase, referencing the guidance from CIRIA C753 (the SuDS Manual)¹¹ and C648 (control of water pollution from linear construction projects)¹². Paragraph 6.2.3 explains that <i>'during construction, the contractor will need to ensure water quality control measures are implemented to comply with national regulations as well as any specific Project and stakeholder requirements'</i>. Commitment GG22 of 7.2 Outline Code of Construction Practice [Revision E] secures the production of a Surface Water Management Plan: <i>'The Main Works Contractor(s) will prepare a Surface Water Management Plan to inform discharge of the DCO Requirement. The Surface Water Management Plan will be substantially in accordance with the Drainage Strategy (document reference 8.2)...'</i> This plan will form part of the discharge of Requirement 4 (construction management plans) of 3.1 Draft Development Consent Order [Revision E].</p>

¹¹ Construction Industry Research and Information Association (CIRIA) (2015) C753 The SuDS Manual

¹² Construction Industry Research and Information Association (CIRIA) (2006) C648 Control of water pollution from linear construction projects

Written Question	Matter	Applicant Response
<p>this area and, if there are no reasonable alternatives, propose forms of mitigation that might be employed, such as water capture and/or filtration.</p> <p>Holton St Mary PC – Please provide evidence regarding the stream on the west of Sandpits Lane, just to the north of Dewlands Farm, and your statement that the area is rich in wildlife habitat and the stream, where the run-off is proposed, is prime otter habitat where otters have been recorded.</p>		
<p>WE 1.14 Anglian Water</p> <p>In its WR, Anglian Water [REP1-199] indicate that a Water Resource Assessment template is with the applicant for completion. Please advise if this has been completed and/or at which deadline it will be submitted.</p>	<p>Deadline 6 is reasonable provided the WRA addresses the substantive water resource concerns raised by Anglian Water and Affinity Water in their RRs and SoCGs.</p> <p>Policy hook: Water Resources Act 1991; NPS EN-1 5.18. CNP test: not engaged. To be tracked through to Deadline 6.</p>	<p>The Water Resource Assessment Template has been completed by the Applicant and returned to Anglian Water for further comment.</p>
<p>WE 1.15 Waterways and navigation</p> <p>In its RR [RR-3637] the Maritime and Coastguard Agency request the applicant confirms whether any of rivers within the order limits or affected by the proposed development fall within the jurisdiction of a statutory harbour authority or local navigation authority.</p> <p>Confirm if this is the case. If so, please provide the ExA a full response to the questions raised and statements made by the Maritime and Coastguard Agency in their RR.</p>	<p>Fine. The response is factually clear and the statement that no rivers within the Order Limits fall within the jurisdiction of an SHA or LNA is sufficient.</p> <p>Policy hook: Pilotage Act 1987; Harbours Act 1964; relevant local navigation Acts. CNP test: not engaged. No issue arising.</p>	<p>This Applicant notes this response.</p>
<p>WE 1.16 Affinity Water</p> <p>In its RR [REP1-197] Affinity Water state that they own and operate Ardleigh reservoir. What are the remaining issues which are giving rise to Affinity Water maintaining</p>	<p>The response understates the position. Affinity Water SoCG records zero matters Agreed and ten matters Under Discussion. The substantive items include:</p> <ul style="list-style-type: none"> Item 6.1 (Overhead Line Crossing of Ardleigh Reservoir) — compulsory purchase rights are sought, the site is jointly owned with Anglian Water, and as of 16 February 2026 no 	<p>The Applicant has held tri-party discussions with Anglian Water and Affinity Water to detail potential impacts to both parties' operations at Ardleigh Reservoir. It was determined these impacts are generally considered minimal; however, further confirmation of any restraints and subsequent formal sign-off is pending from the joint-operational committee of Ardleigh Reservoir. This position is reflected by Affinity Water in the latest Statement of Common Ground – 8.3.5 Draft Statement of Common Ground - Affinity Water [REP4-197].</p>

Written Question	Matter	Applicant Response
<p>their objection and what progress is being made to resolve these matters.</p>	<p>joint meeting between Affinity, Anglian Water and National Grid had taken place.</p> <ul style="list-style-type: none"> • Item 6.10 (Protective Provisions) — Affinity records that the standard set in Part 1 of Schedule 16 to the dDCO “fall short of providing it with the necessary protections” and that even the bespoke draft Protective Provisions “still do not include a number of matters which Affinity would expect to be covered for its benefit”. Unresolved. • Item 6.9 (Cost Recovery) — the cost recovery mechanism for Affinity's detailed design engagement and any necessary diversions hasn't been agreed. • Items 6.2 to 6.8 — underground cable interactions, haul road crossings, bellmouth junctions, crossing protections, UKPN wood pole dismantling, UKPN cable crossings, AC interference. All Under Discussion as of February 2026. <p>Policy hook: Planning Act 2008 ss122–123; Water Industry Act 1991. CNP test: Protective Provisions for a strategic public water supply asset (Ardleigh Reservoir) where the SoCG records zero matters Agreed engages the 4.1.7 “unacceptable risk to human health and public safety” limb as well as the onshore flood limb (drinking water resource).</p> <p>Recommendation: the ExA should require (a) the joint meeting between National Grid, Affinity Water and Anglian Water on the Ardleigh Reservoir compulsory purchase by Deadline 4 with a brief minute submitted to the Examination Library; (b) the bespoke Affinity Water Protective Provisions agreed in principle and submitted with the next dDCO iteration.</p>	

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