

Legal Opinion

This seems the right moment for a timely reminder of the obfuscatory behaviour of National Grid as noted by many, continually, over many years, to a frustrating extent; declared in the Opinion (at Para 7) of Lord Charles Banner KC for PylonsEastAnglia on 10 April 2026 submitted at Deadline 3:

“This sustained obfuscation of such key questions should be deprecated by the Examining Authority, and if it is continued, an adverse inference should be made”

[This appears to mean that if they omit to give information, adverse inferences can be drawn that they are assumed to be in the wrong or hiding something]

My comments - on the Written Submission on behalf of PEA by Bidwells, 6 July 2026 “Note on the Applicant’s Response to PEA’s Heritage Rebuttal (REP4-369)”

As the ExA Panel themselves have stated, at the end of CAH3, on 24 June, NG needs to **“Give substantive replies, not referring to other documents/hyperlinks”**. This is a sentiment with which I entirely concur, the below follows this up.

PEA have highlighted formally our views on the Applicant’s communications over the last four years. And it fits well with the Opinion above, on obfuscation by the Applicant. For four years, NG have barely listened, nor paid much attention to feedback.

Now, through this Bidwell’s Note, NG’s lack of ability to respond adequately has come into sharp focus. I propose to keep this short and just list some of their phrases which I recognise in describing how NG responds, and with which we’ve been expected to engage, time and again:

- They do not engage with the substance of the issues
- They restate prior conclusions
- They repetitively re-assert their approach is “robust and proportionate”
- And “agree with Historic England” even though it is not confirmed
- They consistently refer the reader to other documents or hyperlinks
- This pattern repeated across every heading in the Pea response referred to above
- They regularly cite dozens of separate documents within responses

These phrases from NG, exposed by Bidwells on behalf of PEA ,are dispiritingly familiar, and we feel utterly helpless when trying to deal with and respond to them and their repetitive ineptness.

8.4.12.2 Response to ISH2 Action Point 27 – Masterplans, Appendix E: Aldham, Fordham and Fordstreet

The lack of appropriate Masterplans, as discussed below, is just one of many examples of National Grid’s obfuscation continuing, and failing to provide proper answers when requested to do so either by the Examiners, or by Councils, businesses, IPs, consumers et al. NG’s failure to respond appropriately around the Colne Valley landscape is yet another example.

NG has provided limited sketch Opportunity Plans, not Masterplans. Neither Parish Councils nor local landowners have been consulted. The maps are vague and superficial, and many suggestions duplicate existing ecology – **see notes below***.

The two veteran trees at 21 on the Aldham Map are wrong. They should be at the bend in Tey Rd.

I have mentioned many times before the well known importance of wildlife corridors. I now see that habitat connectivity is an established policy of the Woodland Trust with reference to corridors between Chalkney Wood, Hoe Wood Aldham, Fiddlers Wood and Fordham Hall Estate.

- * The area is already managed by the Woodland Trust for scrub and woodland
- NG proposes 'connective green infrastructure' on the Fordham Estate. The Woodland Trust already manages for habitat connectivity, meadowland, woodland, heritage, public access and recreation.
- The map fails to show the Roman River Corridor, which is shown in Colchester's Draft Local Plan as both an Essex LNRS nature opportunity and as green/blue infrastructure.
- The Local Nature Recovery Strategy also covers the Colne Valley maps, while NG employs irrelevant arrows.
- NG proposes part of Rectory Road, Aldham could see 'connective green infrastructure enhancements' but it is already a quiet country lane with mature hedgerows.
- They show that New Road, Aldham offers the same opportunity, but this road also already has mature trees and hedges all along it.
- They recommend tree planting where housing planning permission is granted.

Colne Valley

The three independent Landscape Reports discussed at the recent ISH4, all emphasise that NtoT has the **“high potential for widespread and significant harm”** in the Colne Valley. Local councils also agree. I don't understand how NG can dispute this.

It is good that the ExA requested a response from NG, by D 6, regarding the closeness to Hines Close, and Church Grove, Aldham of Pylons TB54 and 55

It seems to me that the Colne Valley shares many of the Natural England criteria for a National Landscape. This could be a combination of factors, such as:

- *landscape quality, scenic quality, relative wildness, relative tranquillity, natural heritage features and cultural heritage.*

NG's Visual Impact Provision Project (VIP) (government granted scheme) **“is to reduce visual impacts of electricity infrastructure in protected landscapes”**. So, to this end, OHLs have been removed and replaced by underground cables in Snowdonia, Peak District, Cotswolds and Dorset.

To avoid unnecessary expense and future inconvenience, it would seem sensible not to build pylons in the first place when there are better alternatives.

I would also like to endorse, among other excellent submissions, those from Pylons East Anglia and Aldham Parish Council, and the letter from our MP, Sir Bernard Jenkins, also to Deadline 6.