



NORWICH TO TILBURY

EN020027

Comments on Submissions received at Deadline 5;
Responses to Action Points from ISH3 and 4; and
Responses to Rule 17 letter dated 30th June 2026

Babergh District Council [REDACTED]

Mid Suffolk District Council [REDACTED]

Deadline 6
7 July 2026

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Glossary of Acronyms

<i>DCO</i>	<i>Development Consent Order</i>
<i>ES</i>	<i>Environmental Statement</i>
<i>NSIP</i>	<i>Nationally Significant Infrastructure Project</i>
<i>PPA</i>	<i>Planning Performance Agreement</i>

“BDC” refers to Babergh District Council; “MSDC” refers to Mid Suffolk District Council; “BMSDC” refers to BDC and MSDC jointly; “SCC” refers to Suffolk County Council; and “the Councils” refers to BDC, MSDC, and SCC jointly.

Purpose of this Submission

The document has been prepared by Babergh and Mid Suffolk District Council to respond to the Applicant’s submissions, and where appropriate representations made by other interested parties, received at Deadline 5 (“**D5**”) for Norwich to Tilbury, respond to Action Points from Issue Specific Hearing 3 and 4, and respond to the Rule 17 letter dated 30th June 2026. Examination Library references are used throughout to assist readers.

Table 1: Comments on submissions received at Deadline 5				
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	BMSDC's Comments	References
1a	Lead officer	REP5-139 Outline Code of Construction Practice (and REP4-169) 1.2.5 and 7.2 and Outline Code of Construction Practice Appendix E - Community Engagement and Public Information	1.2.5 of the oCoCP states the objective of the document to set out the approach to compliance monitoring, reporting and remediation. Section 7.2 goes on to state that monitoring will ensure compliance with the CoCP and other plans. Appendix E of the oCoCP sets out a procedure for complaints to the Applicant by communities. These proposals appear to refer to the Applicant's internal compliance monitoring process only and does not provide for reporting, liaison and agreement of resolution with the respective local planning authorities as enforcing authorities. Part 8 of the Planning Act 2008 provides for enforcement of DCO development and Government states that "enforcement is important for maintaining public confidence in the planning system" (House of Commons Library, 2024). Effective enforcement protects communities and the environment, maintaining public trust, in the planning system. Further, noting that the Applicant considers the responsibility for lawful compliance of the development to lie jointly with themselves and the respective local authorities (The Applicant's Draft Discharge of Requirements Strategy, 2026), BMSDC consider it critical for an appropriate compliance monitoring, reporting and enforcement process to be agreed by the Applicant and enforcing authorities.	

			An appropriate strategy will ensure transparency of process, build trust between stakeholders and enable timely and responsive approach to resolution of matters arising, reducing the likelihood of delay to the delivery of the project as a result of enforcement investigation and action? As a minimum, BMSDC would expect to see the strategy comprise the following: i) A commitment to submit regular compliance monitoring reporting to the enforcing authorities by the Applicant? ii) Clear details of any non-compliance identified by the Applicant to include precise nature, location, and approved vs as built plans and documents? iii) Intended steps for regularisation of the non-compliance including a timetable and process for approval / agreement of such action, to be agreed with the enforcing authorities iv) A clear audit trail of documents and plans the Applicant is relying on at any given time, to be a 'living library' allowing for updated and amended documents, as may be approved, to regularise non-compliance on an ongoing basis v) A commitment to regular dialogue with the enforcing authorities regarding the investigation and response to 3rd party reported non-compliance vi) A commitment to enable site inspection by the enforcing authorities as necessary	
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			The strategy, as may be agreed, should apply to compliance of all matters, across the whole project. The following statements in other management documents are noted: OLEMP: 11.3.24 Further detail on site checks and reporting will be provided by the Main Works Contractor(s) in the Final LEMP.	
1b	Lead officer	REP5-199 Response to ISH2 Action Point 27 – Masterplans	The Councils wish to reiterate their position that appropriate and meaningful mitigation / compensation in the area of Bramford substation would not be limited to landscape and ecological enhancements but would address issues previously raised including asset security and resilience and public safety in the event of an incident, vehicular access, recreational access and heritage. 2.5.24 Whilst acknowledging the Applicant's position that mitigation / compensation of all harm is not required and reference to the BTNO decision The Councils consider it material to have regard to the significant growth in developments connecting to Bramford substation, enabled by the Bramford to Twinstead NSIP development and the reasonable expectation of further similar development enabled by the proposal. The Councils are concerned that the cumulative effects arising from the volume and concentration of development around the substation comparative to the scale of communities and capacity of the landscape, together with the fact of no prior meaningful mitigation / compensation in this area necessitates the compensation requested by the LPAs in this instance and meets the CIL 123 tests. The Councils note the comment at 2.7.22 that the applicant's expectation is for closing submissions / matters not agreed on this	

			topic, however The Councils remain committed to constructive dialogue with the objective of reaching mutual agreement? Further to verbal commitments made at ISH4 The Councils have met with Burstall Parish Council and have reached out to other affected Parish Councils / Meetings with a view to better understand local concerns and inform ongoing negotiations with the applicant? Should a position not be settled by the close of the examination and the ExA feel a scheme of site-specific compensation is necessary, The Councils respectfully request the ExA to direct that such a scheme of additional mitigation / enhancement should be agreed with local planning authorities in consultation with affected Parish Councils?	
1c	Lead officer	REP5-166 Design Approach for Site Specific Infrastructure (DASSI)	BMSDC note and welcome the commitments at 67220, 67238 and 67240 to consult with / invite the local planning authorities to participate in the design review of relevant elements of the development? BMSDC look forward to working with the applicant to develop and implement the DASSI	

Table 2: Response to Action Points from Issue Specific Hearing 3				
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	BMSDC's Comments	References
2a	Lead officer	Action Point 9	BMSDC defer to the comments of SCC	

Table 3: Response to Action Points from Issue Specific Hearing 4				
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	BMSDC's Comments	References
3a	Lead officer	Action Point 1 Regarding the strategic mitigation of effects at Bramford substation	BMSDC and SCC (The Councils) have begun discussions with the Applicant regarding the strategic mitigation of effects in the area of Bramford substation² These discussions are at an early and conceptual stage exploring opportunities for mitigation relation to impacts on landscape, biodiversity, residential amenity, public health and safety, archaeology access and recreation² The Councils have not yet seen or had confirmation of the Applicant's intention to commit to the delivery of these mitigations by legal agreement, The Councils' preference for which is as a multilateral s106 planning obligation² The Councils welcome ongoing dialogue with The Applicant to agree the detailed design and delivery of the mitigation² The Councils acknowledge the concerns raised by Burstall PC at ISH4 regarding the mitigation and their interest in informing the mitigation, which The Councils support The Councils also refer to the comment in respect of document [REP5-199] above²	

Table 4: Responses to Rule 17 letter dated 30th June 2026				
Table Item	Service Area and/or Topic	Referenced Paragraph or Item	BMSDC's Comments	References
4a	Lead officer	Socio-economic matters deferred from issue specific hearing 4	BMSDC defer to the response of SCC and will provide further comments at deadline 7?	