

Faulkbourne Estate [REDACTED]

IP Numbers – [REDACTED]

**Update on Objections to the Norwich to Tilbury (N2T) Scheme
under Sections 122 and 123 of the Planning Act 2008**

Introduction

1. The N2T scheme proposes a new overhead electricity transmission line between Norwich and Tilbury, including extensive new pylons, access routes, compounds, and associated infrastructure across rural landholdings. For example, the Faulkbourne Estate alone would be affected by 11 new pylons (TB97–TB113) together with significant haul roads and construction activity, in addition to the 6 from the Pelham to Rayleigh line that already cross the Estate under an Easement. In addition, National Grid propose to compulsorily purchase a block of 31 acres to create Biodiversity Net Gain credits to offset the requirements of the Scheme.
2. Our objections focus not only on the principle of the scheme but, more significantly, on its detailed alignment, the extent of land taken, and the manner in which works would be carried out. The evidence demonstrates that the impacts extend beyond land-take to include:
 - Severe disruption to farming operations
 - Safety risks arising from construction routes
 - Loss of residential amenity
 - Interference with existing infrastructure and utilities
 - Long-term landscape and environmental harm

These matters must be assessed against the strict statutory tests in sections 122 and 123.

History of the interaction with National Grid and the Public Enquiry

The Faulkbourne Estate has submitted objections and engaged with the Public Enquiry as follows

3. **1st Consultation response of 26th July 2024** – we suggested a variety of alternative routes, methodologies, (using Bradwell, HVDC underground cables) and set out detailed suggestions of moving pylons within the proposed Order

Limits on the Estate so as to minimise both the impact on the farm and the houses of Faulkbourne Village. We sought to straighten the kink in the route (between pylons TB102 and TB109) to reduce the number of pylons, whilst still retaining the line over the Estate. We received no response nor explanation as to why the suggestions were not sensible and no changes were made to the route.

4. **In 2nd Consultation response of 26th July 2025** we made detailed suggestions for a variety of alternatives routes for the haul roads and access points, whilst also producing detailed maps and precise coordinates for moving pylons within fields so as to minimise the impact on the farm and the houses of Faulkbourne Village. We drove representatives of Fisher German along the route to explain why we sought these changes and they made detailed notes on their ipads, commenting that each was very sensible but, again, we received no response or explanations as to why these proposals could not be adopted and no changes were made to the route or NG's wider requirements.
5. **On 24th February 2026** Fisher German invited us to an Accomodation works meeting. We went through the issues in the 2nd consultation response. They again made detailed notes on their ipads, again commenting each was very sensible. We received no response or explanations as to why these proposals could not be adopted and no changes were made to the route or NG's wider requirements.
6. We attended the DCO enquiry on 29th April 2026. We were informed that NG had appointed a new liaison ([REDACTED]) and that we would be contacted with a view to moving forward. NGs counsel stated she would write to us to set out their justification for including land wanted for BNG in their CPO claim. WE have yet to receive than explanation.
7. On 18th May 2026 we met with Fisher German and [REDACTED]. We again went through the issues in the 2nd consultation response and drove rund the proposed route. They again made detailed notes on their ipads and took photographs, again commenting each was sensible. We received no response.
8. On 24th June 2026 we attended at the DCO enquiry expressing out frustration at the lack of progress and response.

9. On 1st July 2026 we met with [REDACTED], Fisher German and [REDACTED], a senior designer with National Grid. We again talked through the issues and our requestes . He said he thought we could make some progress on some minor line changes and pylons placements and would write to us. We have heard nothing further despite chasing. We were told draft 4 of the heads of Terms would be issued shortly. We have heard nothing.
 10. In summary therefore we have made no progress in 3 years.
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Objections

11. This report summarises the principal objections to the proposed National Grid Norwich to Tilbury (N2T) transmission scheme, with particular regard to the statutory tests governing compulsory acquisition under sections 122 and 123 of the Planning Act 2008. These provisions require that:
 - There must be a **compelling case in the public interest** for compulsory acquisition.
 - The land or rights sought must be **necessary** for the development.
 - The Secretary of State must be satisfied that the purposes for which the land is acquired justify the **interference with private rights**, including under human rights legislation.
12. Drawing upon the submitted objection materials, including landowner representations and professional advice, this report identifies key grounds upon which the scheme, as currently promoted, fails to satisfy these statutory requirements.
13. **Section 122: Necessity and Scope of Compulsory Acquisition**

3.1 Lack of Necessity for Specific Land Interests

Section 122(2) requires that land be acquired only if it is necessary for the development. While the overarching project may be justified, there is a strong argument that the extent of land and rights proposed exceeds what is reasonably required.

The objections identify that:

- National Grid may be able to justify the project in principle, but **not the specific land parcels or access arrangements proposed**.
- Certain areas appear to be included for **flexibility or convenience rather than strict necessity**.

This is especially evident in relation to,

- haul roads and access routes, where alternative alignments exist that would reduce impact without compromising deliverability, and
 - the extent of land which National Grid are seeking to acquire under the DCO for the provision of environmental mitigation and BNG. The Estate has offered to provide and manage BNG arising from the Scheme through carefully located sites across the Holding, at prevailing BNG Credit values, although equally National Grid could consider the UK BNG Bank. The need to compulsorily acquire land for this purpose has not been established or explained. **Grid have said they are minded to reduce the amount they seek but there is still no indication of the areas they now say they will not seek acquire.**
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4.1 Excessive and Disproportionate Rights

A further issue arises where the scheme seeks permanent acquisition or extensive rights where temporary or limited rights would suffice.

Key examples include:

- Permanent disruption of agricultural land where temporary access could achieve the same objective
- Overly wide or intrusive haul roads
- Interference with established access routes and farm operations

The evidence suggests that National Grid has failed to minimise land-take and rights, contrary to the requirements of proportionality embedded in section 122 and associated guidance.

15. Section 123: Compelling Case in the Public Interest

4.1 Failure to Demonstrate a Compelling Case at a Local Level

While national energy infrastructure may serve a broad public interest, section 123 requires a balanced assessment of public benefit against private harm.

Objectors argue that:

- The scheme imposes significant and concentrated burdens on specific landowners and communities

- These burdens are not adequately mitigated or justified by the chosen route
- The same strategic objectives could be achieved through less harmful alternatives

As such, the case for compulsory acquisition is weakened where less intrusive options have not been properly examined and where NG have refused to respond to the various submissions made by Landowners.

16. Inadequate Consideration of Alternatives

A critical requirement in demonstrating a compelling case is the proper evaluation of alternatives. The objections provide substantial evidence that this has not been adequately carried out.

Examples include:

- A proposed offshore cable route from North Norfolk to Tilbury or Bradwell, utilising existing infrastructure corridors
- Use of existing redundant pylon routes instead of constructing entirely new infrastructure
- Multiple alternative haul road alignments that would reduce disruption to residents and farming operations

Despite representations made during earlier consultations (2024–2025), it appears that National Grid has not sufficiently engaged with or incorporated these alternatives. They indicate that some changes cannot now be entertained because they fall outside the red lines that they have imposed when they applied for the DCO and ignored the original consultations.

This failure directly undermines the statutory justification for compulsory acquisition.

17. Disproportionate Impact on Landowners and Communities

The scheme's impacts go well beyond what might reasonably be expected for infrastructure development. Specific concerns include:

- Residential impact: properties becoming unlettable due to proximity to haul roads. Using tracks that cause huge disruption when alternatives are available.
- Safety risks: dangerous junctions and high-speed traffic conflicts created by construction access. NG assert that some suggestions are opposed by

Highways and yet Highways say they have not been consulted and the proposed haul roads follow the roads that have been used by the farms for 30 years.

- Community disruption: interference with footpaths, local routes, and daily activities
- Agricultural harm: loss of productivity due to field fragmentation and obstruction of modern farming equipment
- Large scale expensive destructive and long term costs when affected landholders seek to reorganise the hedges, trees and tracks on the farms to enable existing farming operations to continue on the land holdings

For instance, placing a haul road through the centre of a large field would prevent the use of standard 38m machinery and require a complete redesign of drainage systems.

Such impacts suggest a failure to strike a fair balance, a key requirement under both section 123 and human rights law.

18. Procedural and Consultation Deficiencies

A further significant objection concerns the adequacy of the pre-application consultation process.

Evidence indicates that:

- The consultation process fell short of statutory requirements
- There were methodological and procedural errors in key assessments, including landscape, heritage, and environmental impacts
- Professional and legal opinions (including from senior counsel) conclude that the process is insufficient to support a Development Consent Order (DCO)

If established, these deficiencies could mean that:

- The Secretary of State cannot be satisfied that all relevant considerations have been taken into account
- The statutory tests under sections 122 and 123 cannot properly be met

19. Failure to Engage and Negotiate

Guidance under the Planning Act 2008 requires that promoters make reasonable efforts to acquire land by agreement before resorting to compulsory powers.

However, the evidence suggests:

- Negotiations have been ongoing for several years without resolution
- Landowners have not been provided with final or clear terms
- NG will not engage with landowners suggestions of even minor changes/ameliorations
- The promoter continues to revise fundamental aspects such as the basis of compensation claims

This raises concerns that:

- Compulsory acquisition powers are being used prematurely
- The statutory expectation of meaningful negotiation has not been fulfilled

Such failures weigh against the existence of a compelling case in the public interest. The Faulkbourne Estate considers that several meetings where we explain our concerns and are then ignored or when NG to not respond, is not Consultation.

20. Deliverability and Design Concerns

Although not the central objection, there are also questions regarding the practical deliverability of the scheme as designed, including:

- Insufficient detail on infrastructure such as bridges across flood-prone areas
- Construction proposals that are impractical or unsafe
- Lack of clarity on how temporary works would be implemented and restored

Where a scheme is not clearly deliverable, it becomes difficult to justify the compulsory acquisition of land to facilitate it.

21. Application of Sections 122 and 123

Bringing these issues together, the objections demonstrate multiple areas where the scheme fails to meet the statutory tests:

Section 122 (Necessity)

- Land and rights are broader than required

- Alternatives exist that would reduce land-take
- The scheme has not been optimised to minimise interference

Section 123 (Compelling Case in the Public Interest)

- Impacts on landowners are severe and disproportionate
- Consultation and alternatives analysis are inadequate
- Negotiation efforts have been insufficient
- The balance between public benefit and private harm is not properly justified

22. Conclusion

In conclusion, while the strategic need for electricity transmission infrastructure may be accepted, the Norwich to Tilbury scheme—particularly in its current form—raises serious legal and planning concerns under sections 122 and 123 of the Planning Act 2008.

The evidence indicates that:

- The extent of compulsory acquisition is not fully justified
- Less intrusive alternatives have not been adequately considered
- The impacts on affected landowners and communities are excessive
- Procedural shortcomings undermine confidence in the scheme

Accordingly, there is a credible and substantive basis for objection, and a strong argument that the statutory tests for compulsory acquisition have not yet been met.

To proceed lawfully, National Grid need to:

- Demonstrate genuine optimisation of the route and access arrangements
- Provide clear evidence of alternatives being properly assessed
- Engage meaningfully with affected parties
- Ensure that land acquisition is strictly limited to what is necessary

Absent such steps, the justification for compulsory powers remains open to significant challenge.

Despite our repeated attempts to engage, NG have simply continued to threaten us with Section 172 Notices and the Development Consent Order. Despite our concerns, we have permitted entry under Licence to

National Grids' contractors to enable them to undertake both non-intrusive and intrusive surveys, including GI boreholes and land scrapes through growing crops. NG have continually refused all attempts to coordinate their work/contractors so that we limit damage to crops and the soil structure.