

EN020027 – Norwich to Tilbury 400 kV Reinforcement

Deadline 8 Submission by Rex Webster: Interested Party [REDACTED]

Impact of the Proposed Development on Farming at Flordon Hall, Flordon, Norfolk

1. Introduction

I am an Interested Party in the Examination of the Norwich to Tilbury 400 kV Reinforcement Project. The proposed 400 kV overhead transmission line passes through the centre of my family farm, Flordon Hall, Norfolk, which is farmed by G Webster & Son Ltd and comprises approximately 520 acres of productive grade 2 agricultural land.

The scale and location of the Proposed Development mean that its effects cannot be assessed by considering individual construction compounds, work areas or parcels of land in isolation. The farm operates as a single agricultural enterprise, and the cumulative impact of the overhead line, associated infrastructure, underground diversions, permanent easements and operational restrictions must therefore be considered across the holding as a whole.

While I have a number of concerns regarding the Proposed Development, this submission demonstrates that the route selected through Flordon Hall and the Farm has not been shown to be the least harmful reasonably available option. Consequently, the Applicant has also failed to demonstrate that the extensive compulsory acquisition powers and permanent rights sought over my land are the minimum reasonably necessary, as required by national policy and the statutory tests governing compulsory acquisition.

I am also concerned that, under the arrangements proposed, National Grid seeks to exclude responsibility for losses arising from works undertaken by third parties, including UK Power Networks (UKPN). This creates uncertainty for affected landowners regarding liability for damage and compensation, particularly where agreement cannot be reached between the relevant parties or responsibility is disputed.

I have met with UKPN's agents, Dalcour Maclaren, regarding proposals to underground several existing electricity distribution lines across the farm. Although outline plans have been provided indicating the intended route of these works, no Heads of Terms, detailed engineering drawings or construction information have been made available.

We have been informed that the proposed easement payments will be calculated using a lower percentage than that offered by National Grid, yet no explanation has been provided for this difference. This is particularly concerning because, in several locations, the UKPN works have the potential to be more disruptive to the farming operation than the National Grid works themselves.

Without detailed plans identifying the location, extent and method of construction of these underground diversions, it is impossible to assess their full impact on the agricultural business, future land management or the cumulative burden of permanent rights being sought over the holding.

2. Principle of the Development

I recognise that, should development consent be granted, appropriate engineering measures will be required to ensure the safe construction and operation of the proposed transmission line. However,

my concern is not simply the principle of providing electricity infrastructure, but the route selected through Flordon Hall and the unnecessary impact that this alignment has on a long-established working farm, neighbouring residential properties and the surrounding landscape.

The chosen alignment divides the farm into separate operational areas and passes unnecessarily close to Flordon Hall, High Hopes and the farm cottages at Nos. 70, 71, 72 and 73 Flordon Road. During consultation I suggested a modest alteration to the route, moving it slightly to the north-west whilst remaining entirely within land under my ownership. This alternative would have reduced impacts on residential amenity, retained greater operational flexibility for the farm and avoided a number of existing electricity distribution lines requiring diversion.

More fundamentally, I remain of the view that alternative strategic solutions, including offshore transmission, would have avoided many of the significant environmental and agricultural impacts associated with the current proposal.

The current route creates a series of additional impacts beyond those arising directly from the proposed transmission line. In particular, the requirement to underground existing electricity distribution lines will result in the removal of mature hedgerows and trees that currently screen nearby residential properties and provide valuable wildlife habitat.

The Applicant is able to state that the Norwich to Tilbury project itself does not require the removal of certain trees and hedgerows. However, this presents only part of the picture. Those same landscape features are likely to be removed by UKPN as a direct consequence of the National Grid proposal, in order to facilitate the underground diversion of existing distribution lines. The practical consequence for affected landowners and residents is exactly the same.

The properties at Nos. 72 and 73 Flordon Road provide a clear example of this cumulative effect. Whilst responsibility for the works may formally rest with different organisations, the environmental and visual impacts arise directly because of the Proposed Development and should therefore be assessed as part of the overall scheme.

The issue is therefore not simply whether underground crossings are technically necessary. The question is whether the cumulative extent of easements, permanent rights and operational restrictions imposed upon the farm has been properly minimised and justified.

3. Multiple Crossings and Underground Diversions

The proposed transmission route intersects several existing overhead electricity distribution lines serving the farm. At these locations the Applicant proposes that the existing infrastructure will be diverted underground.

Where existing overhead lines are to be undergrounded, I would reasonably expect the Applicant to have provided:

- crossing design drawings;
- easement or wayleave plans;
- engineering details of the underground cable installation;
- plans showing the precise locations of transition structures and terminal poles; and
- land ownership plans identifying the permanent rights required.

These documents determine where overhead lines transition to underground cables and therefore define the extent of permanent restrictions imposed upon the land.

It is therefore reasonable to ask:

“What engineering standard or design criteria have been used to determine the location of each overhead-to-underground transition point, and what minimum clearance requirements govern those locations”?

To date, the Applicant has not provided sufficient information to enable either the Examining Authority or myself, as the affected landowner, to understand:

- the length of each underground cable section;
- the location of each transition point;
- the extent of permanent easements required;
- the long-term restrictions associated with those easements; or
- the cumulative effect of multiple underground diversions across the farm.

This is not a matter concerning one isolated crossing. The concern is the cumulative effect of numerous permanent interventions across a single agricultural holding, each imposing additional operational restrictions and reducing the long-term flexibility of the business.

The Applicant has never demonstrated that the route through Flordon Hall is the least harmful reasonably available option. Because they have not done so, they cannot demonstrate that the compulsory acquisition and permanent rights sought over my land are the minimum reasonably necessary. They have provided 7 reasons to date as to why they can't move the route, none of which are accurate or particularly true. They are as follows:

- Holford rules prevent movement.
- Too close to Mergate Hall, because it's a Grade 2* yet so is Flordon Hall a Grade 2*.
- It would be too close to the bungalow Gable End.
- It would cost too much to move it now.
- There would be far too many bends in the line.
- We would need to cut down too many trees.
- It would be too close to a proposed, but not yet built solar farm.

4. Failure to Demonstrate that the Minimum Land Rights are Required

The Applicant seeks compulsory acquisition powers and extensive permanent rights over Flordon Hall. However, no site-specific evidence has been provided to demonstrate that the rights sought represent the minimum reasonably necessary to construct, operate and maintain the Proposed Development.

In particular, the Applicant has not demonstrated that:

- the selected route and associated works have been designed to minimise disruption to the agricultural business;
- the location of pylons, underground diversions, access routes and permanent infrastructure has been optimised for this landholding;

- reasonable alternative alignments or engineering solutions have been fully assessed and discounted; or
- the extent of permanent easements, underground cable corridors and associated operational restrictions has been reduced wherever reasonably practicable.

The Applicant appears to rely upon a standard engineering approach applied across the Project. Whilst consistency in engineering design may be appropriate, it does not remove the obligation to demonstrate that the extent of compulsory acquisition and permanent rights affecting each individual holding is proportionate and justified. For the Farm, that justification has not been provided.

5. Impact on a Working Agricultural Business

The Farm is not a collection of unrelated land parcels. It is a single, integrated agricultural enterprise extending to approximately 520 productive acres, managed as one operational unit.

The impact of the Proposed Development must therefore be assessed across the business as a whole, rather than by considering individual work areas or construction plots in isolation.

The permanent consequences of the Proposed Development include, but are not limited to:

- restrictions on future drainage installation and maintenance;
- limitations on cultivation techniques and deep soil operations;
- permanent constraints on future agricultural development and diversification;
- reduced flexibility in field layouts and cropping patterns;
- restrictions on machinery access and movement across the holding;
- long-term operational constraints arising from permanent easements and underground apparatus; and
- the loss of mature hedgerows and trees that form an integral part of the farm's biodiversity strategy and environmental management.

Individually, each of these impacts may appear manageable. Collectively, however, they represent a significant and enduring constraint on the efficient operation, resilience and future viability of the agricultural business. It is this cumulative effect that has not been adequately assessed by the Applicant.

In addition to the above, the following questions remain unanswered:

There is no clear confirmation that landowners can submit annual claims for crop loss and disturbance. If claims must wait until the end of the proposed 5–7-year project, this will significantly affect cash flow and will create all sorts of financial hardship, particularly given the results of this year's harvest.

Given the number of pylons we will have on our land it will become extremely difficult for us to remain viable. There has been little explanation regarding technical restrictions relating to heights of cables in relation to farm machinery. A combine harvester with a grain tank lid and auger can exceed 5.7 metres in height. HSE guidance refers to minimum line heights from the ground of around 7.3 metres. Without clear information, we cannot properly understand whether normal farming operations can continue safely beneath the lines.

Proposed restrictions include the control of vegetation within a 30m radius of a pylon base, including arable crops, which is far too restrictive and prevents us from growing any crop taller than 1m in height. The Applicant has, to date, been unable to provide adequate explanation of why this, and other restrictions, are being sought or to provide information of where these restrictions are located within the draft DCO.

6. Insufficient Engagement on Detailed Design

Despite repeated attempts at engagement throughout the Examination, I have not been provided with sufficient technical information to understand or evaluate the full impact of the Proposed Development on my landholding.

In particular, the Applicant has not provided adequate information regarding:

- the precise extent of proposed underground cable diversions;
- the engineering justification for the chosen crossing arrangements;
- the location and extent of permanent easements and land rights;
- the operational restrictions associated with those rights; or
- whether less intrusive alternatives have been considered.

Similarly, discussions with UK Power Networks' agents concerning the diversion of existing distribution infrastructure have not progressed to the stage where meaningful assessment can be undertaken. Whilst indicative plans have been shown, no detailed engineering drawings, Heads of Terms or comprehensive construction proposals have been provided.

Without this information, it is impossible to understand the cumulative impact of National Grid's works together with the associated UKPN infrastructure on the long-term operation of the farm.

No Statement of Common Ground or Heads of Terms have yet been agreed in relation to these matters. The absence of agreement reflects that significant issues remain unresolved.

7. Information Required from the Applicant

Given the outstanding uncertainties, I respectfully request that the Examining Authority requires the Applicant to provide the following information before any recommendation is made:

- a comprehensive schedule identifying every permanent and temporary work affecting the Farm at Flordon Hall;
- plans showing the precise location of all underground cable diversions, transition structures and associated easements;
- confirmation of the total area of permanent rights and restrictions sought across the holding;
- the engineering justification for each underground diversion and transition point;
- evidence demonstrating that alternative alignments and engineering solutions have been considered in order to minimise impacts upon the agricultural business;
- a cumulative assessment of the permanent operational restrictions that will affect the farm following completion of the Project; and
- clarification of how National Grid and UK Power Networks will coordinate responsibility for construction impacts, reinstatement obligations and compensation where works overlap.

Until this information is provided, neither I nor the Examining Authority can properly assess whether the compulsory acquisition powers and permanent rights sought over the Farm at Flordon Hall are proportionate, justified or limited to the minimum reasonably necessary.

8. Route Selection, Compliance with the Holford Rules and the Justification for Compulsory Acquisition

Throughout the Examination the Applicant has treated route selection, environmental effects and compulsory acquisition as separate issues. In reality they are inseparable. Every permanent easement, every underground diversion, every construction compound, every access route and every operational restriction affecting the Farm is a direct consequence of one fundamental decision: the selection of the transmission route through the farm.

Accordingly, if the Applicant has not demonstrated that this alignment represents the least harmful reasonably available option, it follows that they cannot demonstrate that the extensive permanent rights sought over my land are the minimum reasonably necessary for the construction, operation and maintenance of the Proposed Development. This is the central issue before the Examining Authority.

National Policy Statement EN-5 is clear that, so far as is reasonably possible, overhead transmission lines should comply with the Holford Rules. Those Rules are not simply guidance on landscape design. Their purpose is to ensure that transmission routes are selected in a manner that minimises unnecessary impacts on landscape, heritage, agriculture, ecology and residential amenity before compulsory acquisition powers are exercised.

The Applicant disagrees that the Holford Rules have not been considered or are breached. 7.18 2022 – Corridor and Preliminary Routeing and Siting Study [APP-356] published in 2022, and the Design Development Reports published as part of the 2023 non-statutory consultation (7.20 2023 Design Development Report for the Project [APP-358]), 2024 statutory consultation (7.21 2024 – Design Development Report for the Project [APP-359]) and with the application for development consent (5.15 Design Development Report [Revision B]), all set out how the Holford Rules informed decision making. I have looked at and understand, all of these reports.

Great store is placed by the Applicant on these reports and they repeatedly states that the Holford Rules informed the evolution of the route. However, demonstrating that the Rules were considered is not the same as demonstrating compliance with them.

The question for the Examining Authority is not whether the Holford Rules were referred to during the design process, but whether the alignment now before the Examination complies with them, **so far as is reasonably possible**.

In my opinion, what we have seen at Flordon Hall and the Farm demonstrates that it does not and the evidence for that is as follows:

Rule 1 – Avoid major areas of high amenity value wherever reasonably possible

The landscape surrounding Flordon Hall forms part of the River Tas valley and comprises mature hedgerows, woodland, permanent grassland, chalk stream habitat and long-established ecological corridors.

For many years the farm has worked alongside Norfolk Farming and Wildlife Advisory Group (FWAG) to improve biodiversity across the holding. That work has resulted in the creation of a County Wildlife Site which has subsequently been recognised within the Norfolk Local Nature Recovery Strategy as an Area of Particular Importance for Biodiversity (APIB). This habitat is directly connected via permanent grassland and the chalk stream to Flordon Common, a nationally and internationally protected site designated as both a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC).

Recent ecological surveys commissioned by the Applicant have identified significant populations of Desmoulin's whorl snail in the vicinity of proposed Pylon RG24. The surrounding landscape also supports water vole, barn owl and barbastelle bats, with over 10,000 bat movements recorded during surveys undertaken on behalf of the Applicant. Despite these recognised environmental sensitivities, the proposed route places pylon RG24 immediately adjacent to these habitats.

The Applicant has not demonstrated why a modest alteration to the alignment could not avoid or materially reduce these impacts. Nor has it demonstrated why the additional permanent rights and operational restrictions arising from this alignment are reasonably necessary.

Rule 2 – Avoid smaller areas of high amenity or scientific interest where practicable

Flordon Hall is a Grade II* Listed Building together with associated Grade II listed farm buildings of considerable historic significance.

The Hall forms an important part of the historic character of Flordon. The surrounding landscape has long been recognised for its cultural value, including its association with the Gaymer family orchards and the artist George Mackley, whose work *Threshing at Flordon Hall* depicts the farm.

Public rights of way provide extensive views across the Hall and surrounding farmland.

The proposed location of pylons RG21 and RG22 would introduce two approximately 50-metre-high industrial structures into the immediate setting of these heritage assets.

During consultation I suggested an alternative alignment which remained entirely within my ownership but would have reduced these impacts substantially. The Applicant has not provided a convincing explanation as to why this alternative was rejected.

Rule 3 – Choose the most direct route only where all other considerations are equal

Rule 3 begins with the important qualification "Other things being equal."

At Flordon Hall they are plainly not equal.

The chosen alignment divides a productive agricultural business, passes close to residential properties, affects the setting of listed buildings, crosses private water infrastructure, disrupts field drainage and creates numerous engineering conflicts requiring underground diversions of existing electricity infrastructure. These impacts were identified throughout consultation.

The alternative alignment proposed by me would have remained within the same land ownership while reducing impacts upon farming operations, ecology, residential amenity and heritage assets.

The Applicant has not demonstrated why these competing considerations were outweighed by the selected route.

Rules 4 and 5 – Reducing visual impact

The alternative alignment would have taken advantage of existing woodland belts and natural landform to reduce the visual prominence of the transmission line.

Instead, the Applicant's preferred route places the towers in open views where they will dominate the skyline when viewed from Flordon Hall, neighbouring dwellings and public rights of way.

The opportunity to reduce visual impact through route selection has therefore not been fully explored.

Rule 6 – Avoid creating a "wirescape"

This Rule appears to have been disregarded entirely.

The existing landscape already contains numerous electricity distribution lines. Rather than separating the proposed transmission line from those existing utilities, the Applicant proposes to create a second corridor of approximately 50-metre-high transmission towers immediately adjacent to them. The result is precisely the visual clutter that Rule 6 seeks to avoid.

Furthermore, because the new transmission route conflicts with the existing distribution network, substantial lengths of existing overhead lines must now be undergrounded. Those diversion works create additional permanent easements, transition structures, restrictions on cultivation, construction corridors and the removal of mature hedgerows and trees.

These are not independent impacts. They arise solely because of the route selected by the Applicant. Consequently, the extent of compulsory acquisition now sought over my holding is significantly greater than would otherwise have been necessary.

Rule 7 – Residential amenity

Although Rule 7 specifically addresses approaches to urban areas, its accompanying guidance makes clear that transmission routes should avoid residential property wherever reasonably possible.

The Applicant's alignment passes unnecessarily close to Flordon Hall and neighbouring dwellings despite the existence of a less harmful alternative. The resulting effects upon residential amenity form part of a wider pattern demonstrating that engineering convenience has taken precedence over the balanced application of the Holford Rules.

Conclusion

The central issue for Flordon Hall and the Farm is not whether electricity infrastructure is required. It is whether this particular route, and the extensive permanent rights that flow from it, have been shown to be reasonably necessary. This submission demonstrates that the route selected has not been shown to be the least harmful reasonably available option. Consequently, the Applicant has also failed to demonstrate that the extensive compulsory acquisition powers and permanent rights sought

over my land are the minimum reasonably necessary, as required by national policy and the statutory tests governing compulsory acquisition.

Flordon Hall is a single, integrated agricultural unit which has been carefully managed over many generations. The Proposed Development would divide that business, impose extensive permanent easements and operational restrictions, interfere with drainage and private water infrastructure, require multiple underground utility diversions, remove important hedgerows and wildlife habitat, and fundamentally alter the setting of a Grade II* Listed Building and surrounding homes.

These impacts should not be viewed individually. They are cumulative, interrelated and all stem from one decision: the route selected by the Applicant.

Throughout the Examination I have consistently argued that a modest alternative alignment, remaining entirely within land under my ownership, would materially reduce many of these impacts. It would lessen effects on farming operations, heritage assets, ecology, residential amenity and existing utility infrastructure whilst reducing the extent of permanent land rights required.

To date, the Applicant has not provided a robust, reasonable, site-specific justification for rejecting that alternative. This is important because compulsory acquisition is an exceptional power. It should only be granted where there is a compelling case in the public interest and where the Applicant has demonstrated that no more land, and no greater rights over land, are being acquired than are reasonably necessary.

In my respectful submission, the Applicant has failed to discharge that burden at Flordon Hall, the Farm and nearby properties. The evidence demonstrates that the chosen alignment does not comply, so far as is reasonably possible, with the Holford Rules as required by paragraph 2.11.2 of National Policy Statement EN-5. It follows that the Applicant has also failed to demonstrate that the extensive compulsory acquisition powers and permanent rights sought over my land represent the minimum reasonably necessary to deliver the Proposed Development.

I therefore respectfully invite the Examining Authority to require the Applicant to:

- provide a site-specific justification for the chosen alignment through Flordon Hall Farm and land;
- demonstrate accurately why the alternative alignment proposed during consultation was rejected;
- justify the extent of compulsory acquisition powers and permanent rights sought over the holding;
- assess the cumulative effects of National Grid's works together with the associated UKPN diversion works; and
- reconsider the route through Flordon Hall before making any recommendation to the Secretary of State.

Mr Rex Webster – Farmer & Mr Nick Cheeseman – Farm Sec

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