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Lead Member of the Examining Authority
National Infrastructure Planning
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Date: 4 August 2026
Sent Via Email:
norwichtotilbury@planninginspectorate.gov.uk

Dear ██████████,

Application by National Grid Electricity Transmission (NGET) for a Development Consent Order (DCO) for the proposed Norwich to Tilbury Project (Application Reference: EN020027).

Essex County Council (ECC) Norwich to Tilbury - Rule 17 Response at Deadline 8.

- i. The purpose of this submission is to provide a response to the Rule 17 letter (27 July 2026).

1. ECC response to Rule 17 letter dated 27 July 2026

- a) *Will the funds be available for any suitable projects within the designated landscape compensation, offsetting and enhancement areas, or just within the 2 or 3km buffer areas?*

- 1.1 Notwithstanding the position of the Applicant on the need for compensatory planting, ECC has welcomed the engagement that has taken place on this issue and welcomes the publication at Deadline 7 of the plans in 8.35 Landscape, compensation, offsetting and enhancement area plans [REP7-535]. These provide greater clarity on the extent of the defined landscape compensation, offsetting and enhancement areas. In particular, the Council welcomes the confirmation that the Applicant will hopefully offer in response to this question, that funds will not be restricted to the initial 2km buffer but will be available for projects in the Parishes identified. This was previously indicated to ECC via email on 17 July 2026.

- 1.2 This will provide greater flexibility in delivery and responds to ECC's concerns about its ability to deliver projects on Council owned land which it had identified and which could be delivered at pace on the ground, for the immediate benefit of local residents.
- 1.3 ECC can also confirm it is in discussion with the Applicant regarding the wording of Schedule 20 of the dDCO and has agreed the scope of projects for which these funds would be eligible. Joint comments on the Schedule 20 have been submitted to the Applicant by SCC on behalf of the County Councils, and the Applicant will be including these in submissions at Deadline 8

b) How would such areas or projects relate to landscape character areas or visual receptors which may be affected by the proposed development?

- 1.4 ECC acknowledges that, following comments in its LIR [REP1-161], the Applicant's approach to compensation planting has focused on the areas identified by the Examining Authority as being most affected through ExQ1 LV1.28 and Action Point 27 from ISH2.
- 1.5 ECC considers that, as a minimum, compensation should address the significant residual adverse operational effects that remain unmitigated and are likely to have a long-term impact on landscape character and visual receptors across the County. Overall, ECC would have ideally welcomed a broader approach to the issues of compensation to benefit the wider county and communities affected by the development.
- 1.6 The criteria set out in Article 20 of the DCO [REP7-064], together with the spatial parameters shown on the Landscape, Compensation, Offsetting and Enhancement Area Plans [REP7-535], align with these highly affected areas while retaining sufficient flexibility to ensure that appropriate planting can be delivered.
- 1.7 ECC's approach has been informed by the Local Nature Recovery Strategy (LNRS) and ECC had entered discussions with the Applicant with a focus on land within its control, thereby facilitating delivery without reliance on agreements with third parties.
- 1.8 The flexibility provided by Article 20 and the defined enhancement areas would therefore enable ECC to bring forward projects that directly benefit the landscape character areas and visual receptors affected by the proposed development.

c) *Provide your succinct views on how the masterplans would meet (or otherwise) the relevant tests for requirements and obligations set out in paragraphs 4.1.16 to 4.1.18 of NPS EN-1 (November 2023).*

- 1.9 ECC does not agree with the Applicant's position that compensation measures to be delivered through the masterplans, are unnecessary or do not meet the tests for requirements and obligations set out in paragraphs 4.1.16 to 4.1.18 of NPS EN-1 (November 2023).
- 1.10 ECC considers the Project would result in significant adverse landscape and visual effects which need to be offset through landscape enhancement or compensation at a strategic scale. ECC would therefore wish to see a more comprehensive landscape enhancement and compensation package. ECC agrees with and endorses the submissions made by Suffolk County Council on the principle of compensation, the correct approach to it in the context of the Project and the DCO regime [REP6-166].
- 1.11 However, following discussions and acknowledging the current position of the Applicant on this issue which has arisen out of the discussions at ISH4, ECC welcomes the opportunities presented by this approach to the identified areas.
- 1.12 In terms of the relevant tests, ECC would comments as follows:
- (a) Relevant to Planning
- 1.13 ECC consider the proposed measures relate directly to the visual impact on the landscape and would deliver planting and other enhancement works that offsets the residual harm.
- 1.14 Although paragraph 4.2.25 of the 2025 NPS EN-1 states that compensation does not reduce an adverse effect arising from a development, it also confirms that applicants should set out how residual impacts will be compensated for as far as possible. In ECC's view, this is consistent with the approach set out in the 2024 NPS EN-1 and supports ECC's view that compensatory planting is material to planning.
- 1.15 As identified in paragraph 4.10.43 of ECC's LIR [REP1-161], it is considered there is a clear justification for a strategic landscape compensation package to offset harm as far as possible in accordance with the mitigation hierarchy.

(b) Necessary to make the development acceptable in planning terms

- 1.16 The 2024 NPS EN-1, against which the Project must be assessed, makes clear that applicants for Critical National Priority (CNP) infrastructure should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated, and should explain how those residual impacts will be compensated for as far as possible (paragraphs 4.2.11-4.2.12). Paragraph 4.3.4 similarly requires applicants to show how likely significant adverse effects will be avoided, reduced, mitigated or compensated for. Equivalent provisions are contained within paragraph 2.1.6 of EN-5. ECC therefore considers compensation to be an integral part of the mitigation hierarchy applicable to the Project and is therefore necessary.

(c) Directly related to the development

- 1.17 Given the scale and extent of the Project's landscape and visual effects, ECC considers there to be a clear relationship between those impacts and the proposed locations for landscape compensation, offsetting and enhancement. The eligibility criteria set out in Article 20 would enable measures to be delivered in accordance with the objectives of the Local Nature Recovery Strategy, providing benefits to identified high-value landscapes affected by the Project.

(d) Fairly and reasonably related in scale and kind to the development

- 1.18 Notwithstanding ECC's preference to have a more strategic approach to compensatory planting, it is of the opinion that the approach proposed by the Applicant to landscape compensation, offsetting and enhancement measures given the defined geographical locations, is proportionate and appropriately related in scale and kind to the development

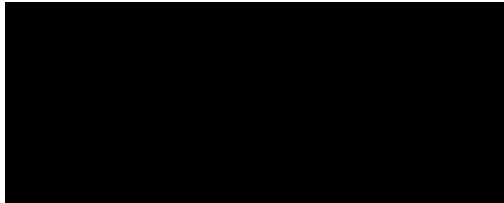
(e) Reasonable in all other respects

- 1.19 ECC is of the view that compensation planting is a material consideration and the drafting of Article 20 of the dDCO appropriately defines the locations and scope for a variety of projects which would help to offset the visual harm to the landscape in these areas. The drafting also facilitates a degree of flexibility allowing ECC to work with partners and landowners to deliver the projects in a timely manner.
- 1.20 Overall, ECC is of the view that the issue of landscape compensation would fulfil the tests set out in s122(2) of the Community Infrastructure Levy Regulations 2010, and the NPS EN-1 (November 2023) and in the context of the current offer, ECC is

supportive of any proposals for compensation which would benefit the communities and the environment being affected by the Norwich to Tilbury project.

ECC welcomes the opportunity to submit this response to the Rule 17 letter at Deadline 8. ECC will continue to engage proactively with the applicant and the Examining Authority as this application progresses.

Yours sincerely,



Head of Planning and Sustainable Development