NORWICH TO TILBURY

EN020027

Closing Statement

Suffolk County Council [redacted]

Deadline 8

4 August 2026

Table of Contents

Glossary of Acronyms

DCO	*Development Consent Order*
LIR	*Local Impact Report*
LPA	*Local Planning Authority*
NSIP	*Nationally Significant Infrastructure Project*

"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 Suffolk County Council to provide a closing statement for the examination of the application by National Grid Electricity Transmission ("**the Applicant**") for a Development Consent Order ("**DCO**") under the Nationally Significant Infrastructure Project ("**NSIP**") regime of the Planning Act 2008 ("**PA 2008**") for the Norwich to Tilbury project; this contains a summary of matters raised during the examination which have not been resolved to the Council's satisfaction provided in the form of a Principal Areas of Disagreement Summary Statement. Examination Library references are used throughout to assist readers.

Principal Areas of Disagreement Summary Statement

The below contains a summary statement of matters in the signed Statement of Common Ground listed as either Under Discussion or Not Agreed, detailing the representations submitted during the examination where these matters were raised.

Given the nature, extent, and magnitude of these unresolved matters, it is the Council's ultimate position at the end of the Examination that a Development Consent Order should not be made for the Application in its current form, as put forward by the Applicant in the material submitted at Deadline 7, and that the Examining Authority should so recommend to the Secretary of State. Likewise, the Secretary of State should not make a Development Consent Order for the Application in its current form, and that changes would be required to the Applicant's proposals to satisfactorily address the unresolved matters, preferably during the post-Examination decision period, before it would be possible to make a Development Consent Order.

1 Project Development, Description, and Design

Project Timing

1.1 The Council originally raised in its Relevant Representation **[RR-3520]**, in paragraph 1.4, that it understands that the need case of the Project becomes necessary by 2035 (rather than 2030, as suggested by the Applicant). The Council's position has been supported by the evidence in the independent Hiorns report '*East Anglia Transmission Network Reinforcements*', which was appended to the Relevant Representation **[RR-3520]**. The Council further elaborated on its position in its Post-Hearing Submission for Issue Specific Hearing 1 **[REP1-177]** in agenda item 5.1 (Alternatives) and within Appendix 1 and 2 of that submission (which comprised a further copy of the Hiorns report and a non-technical summary of that report).

1.2 Notwithstanding the detailed evidence provided by the Council in **[REP1-177]** on the delayed progress in a large number of proposed projects that the Applicant relies on as providing the future generating sources that underpin its needs case for delivery of this project by 2030, and despite the Council's request that the Applicant update its projections to account for those delays, the Applicant has declined to do so, on the basis that it has connection agreements in place for the proposed projects and it asserts that it would be in breach of its licence requirement not to discriminate were it to comment on the realism of those other projects being in a practical position to require a connection by the dates in the connection agreements. The Council rejected these unconvincing attempts to avoid addressing the up-to-date factual position in section 9.1 of its Comments on Submissions received at Deadline 3 **[REP4-335]**. However, the Examining Authority declined to press the Applicant to further engage with this issue. The result is that the Applicant has repeatedly presented the same out-of-date information on other projects as part of its needs case, most recently reiterated in section 8.1 and Table 8.1 of the Report on Interrelationships with Other Infrastructure Projects **[REP7-477]**.

1.3 The Applicant also continues to argue, in sections 3.1 and 3.2 of the Planning Statement **[REP7-090]**, that the constraint costs that would be payable to generators of new electricity sources who could generate power where the Applicant's network has insufficient transmission capacity to accommodate that power are factors to weigh against any further assessment of alternatives (and against the imposition of controls on construction activity, such as construction working hours) that might impact on its project timetable. However, this argument also rests on out-of-date information about the delivery timetable for those generators' projects, and so greatly exaggerates any 'real life' risk of constraint payments being due. The Applicant has steadfastly refused to update the information in this regard and continues to rely on calculations of constraint costs in the NESO 'Clean Power 2030' report (2024), despite those also being demonstrably out-of-date as regards the progress (or lack of progress) on other projects.

1.4 This leaves the Examining Authority and the Secretary of State with a manifestly inadequate and out-of-date evidence base in support of the Applicant's claimed need to deliver the project by 2030. Unless this issue is addressed before any decision is made, the Council suggests that the weaknesses in the evidence inevitably reduces the weight that can be given to the Applicant's need case, especially as regards project timing, and reinforces the Council's case that there is time before the need case becomes critical (which the Hiorns report suggests is unlikely to be before 2035) to address the deficiencies of the current proposal.

Alternatives (including Waveney Valley Alternative)

1.5 SCC, alongside the other Host Local Authorities, has argued in support of the consideration of alternatives. The viable alternatives that SCC considers should have been addressed during the Examination are those contained within the Electricity System Operator's '*East Anglia Network Study'* 2024, as submitted by SCC as Appendix 2 of the Joint Local Impact Report **[REP1-179]**. SCC elaborated on this within agenda item 5.1 (Alternatives) of its Post Hearing Submission for Issue Specific Hearing 1 **[REP1-177]**. As briefly repeatedly below:

> *"The Council notes, in particular, Option 8 within the East Anglia Network Study which sets out the option of replacing the onshore network configuration with an equivalent undergrounded High Voltage Direct Current ("HVDC") route, together with other components, including Sea Link. Option 8 therefore establishes the basis for an alternative (which it is*

indicated could be delivered by 2034) to the Norwich to Tilbury proposals as they currently stand. Whilst Option 8 was considered to have a higher cost than Option 3 (which incorporated the current project), the cost comparison assumed that the current project would be delivered by 2030 and noted that the cost differential would be reduced if other options were delayed."

1.6 As stated in the above paragraphs regarding project timing, SCC considers that there is time to consider alternatives before the need case becomes critical.

1.7 Further, as the Waveney Valley Alternative has unable to be progressed (as explained further by SCC in Annex B of the Joint LIR **[REP1-178]**), SCC considers that to satisfactorily resolve the significant adverse landscape and visual impacts at this location that compensation should be provided (as proposed within Schedule 20 of the dDCO **[REP7-065]**).

Supply and connectivity around the Freeport at Gateway 14

1.8 As originally stated in SCC's Joint Local Impact Report **[REP1-178]** in paragraph 1.7(v), the Council outlined its clear preference that the Proposed Development should, in coordination with other infrastructure promoters and owners, resolve local supply and connectivity issues in the Stowmarket area for, and around, the Freeport at Gateway 14.

1.9 SCC and BMSDC have proposed solutions to achieve this outcome within the Gipping Valley **[REP1-177]** (Agenda Item 5.1, noted as Change Request 4), however, the Applicant has resisted on the basis that any such realignment and rationalisation of the electricity transmission network would require engagement with UKPN (the regional owner of the electricity distributor network). The Council's contend that this matter has been raised at numerous occasions throughout the NSIP process for Norwich to Tilbury to compensate for effects at this location. SCC and BMSDC did request for a feasibility study to be undertaken by the Applicant for the realignment and rationalisation of electricity network within the Gipping Valley, as part of the new proposed Schedule 20 of the dDCO (Landscape Compensation, Offsetting and Enhancement measures). However, the Applicant again resisted due to requirement engagement with UKPN.

1.10 In order to secure appropriate commitment to this objective, SCC suggests that a satisfactory resolution would be for an addition to the drafting of Schedule 20 of the DCO to provide for the permitted measures to allows for a feasibility study to be undertaken in the Gipping Valley / Gateway 14 area and to commit the Applicant to dialogue with the regulator, UKPN and other appropriate stakeholders (such as LPAs and IDNOs) on this matter, including engagement with emerging RESP.

Legal Agreements (including compensation and offsetting)

1.11 SCC has made its case for landscape compensation, offsetting and enhancement measures throughout the Examination in **[RR-3520]** 92-112, **[REP1-178]** 13.220-13.225, **[REP3-085]** 5.2-5.5, **[REP4-335]** 9.24, **[REP4-336]** 8.2-8.3, **[REP5-271]** GEN2.2 and LV2.16, and **[REP6-166]** 5.1.a in relation to ISH4. As stated in Schedule 20 of the dDCO **[REP7-064]**, "*The Applicant does not consider that the provision of compensation, offsetting or enhancement for the residual landscape and visual effects of the authorised development is required by the applicable legal and National Policy Statement ("**NPS**") policy framework*."

1.12 Notwithstanding this disagreement, the Applicant and SCC and other host authorities have worked collaboratively to identify measures that could be secured, in the event that the Secretary of State concurs with SCC (and the other host authorities) on the need for these measures. The mechanism for securing the measures is set out in Article 63 and Schedule 20 of the draft DCO **[REP7-064]**. The disagreement turns on whether the measures are necessary to make the development proposed in the Application acceptable in planning terms. It is not now in dispute that this involves a matter of planning judgment (see the final element of the Applicant's comments in item 5.1a, under the sub-heading 'Applicant's Comments on Matters Raised by IPs', in **[REP6-118]**). The Applicant makes the (unremarkable) point that such a judgment will require consideration of necessity, proportionality, direct relationship with the project and reasonableness, if it is to be secured by DCO requirement or section 106 planning obligation. Since the only issue in this case as regards satisfying those matters is on the question of necessity, this point does not really help the Applicant because it is no more than a somewhat circular statement that a planning judgment as to whether something is (or is not) necessary to make a development acceptable in planning terms requires a consideration of necessity.

1.13 The fundamental point that the Applicant repeatedly has not adequately grappled with or explained is why, as a matter of either policy or law, the environmental impact on the receiving landscape of the area that will accommodate the Proposed Development (and on visual receptors experiencing that landscape) should be treated differently to other environmental impacts, such that in the case of landscape and visual impacts (but only apparently in relation to such impacts) the mitigation hierarchy of 'the avoid, reduce, mitigate, compensate process' (as described in the glossary in EN-1) is abridged and excludes compensation. The Applicant seems to have persuaded itself that this is the position because of the absence of explicit reference to 'compensate' or 'compensation' in section 5.10 of EN-1 and in the landscape parts of section 2.9 of EN-5. However, this entails reading that guidance in isolation from both the glossary definition of what is comprised within the mitigation hierarchy and the overarching assessment principles in section 4 of EN-1, including in particular the advice at paragraphs 4.1.5, 4.2.10, 4.2.11, and 4.2.12. SCC has already covered this ground in its earlier submissions (as listed above), but it is worth highlighting the key aspects of that advice:

> "'Mitigation hierarchy' A term to **incorporate** the avoid, reduce, mitigate, **compensate** process **that applicants need to go through to protect the environment** and biodiversity" (Glossary)
>
> "In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account: [...]
>
> its potential adverse impacts, including on the environment, [...] **as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy**" (para 4.1.5)
>
> "**Applicants for CNP infrastructure must** continue to show how their application meets the requirements in this NPS [...] **applying the mitigation hierarchy**..." (para 4.2.10)
>
> "**Applicants must apply the mitigation hierarchy and demonstrate that it has been applied** [...] Applicants should demonstrate that all residual impacts are those that cannot be avoided reduced or mitigated" (para 4.2.11)
>
> "**Applicants should set out how residual impacts will be compensated for as far as possible** [...]" (para 4.2.12)

1.14 Since compensatory measures are incapable of avoiding, reducing, or mitigating (i.e. lessening or removing) an adverse impact on the environment, that impact will remain as a residual impact even if compensatory/offsetting measures have been applied in relation to it. Hence the distinction carefully drawn in paras 4.2.11 and 4.2.12 between these different limbs or tiers of the mitigation hierarchy. However, that does not remove compensation from the mitigation hierarchy. If it were the case that the mere fact that compensatory measures do not alter the nature or extent of a residual impact was a sufficient reason for regarding such measures as not necessary to make a development acceptable in planning terms, it would never be possible to secure compensatory (or offsetting) measures in any DCO, and this element of the mitigation hierarchy would become a purely voluntary matter for applicants. However, that is clearly not the effect of the guidance in EN-1 (as highlighted above).

1.15 It is a moot point as to whether, under the policies of EN-1, the mitigation hierarchy is to be applied to all adverse impacts or only to those that have been assessed to be 'likely significant effects' for the purposes of EIA. The point is moot (i.e. does not need to be decided) because in this case, the residual landscape and visual impacts in Suffolk identified by the Applicant's ES, which are to be the subject of the compensatory measures (if found to be necessary to make the development acceptable in planning terms) have been categorised by the Applicant as 'likely significant effects' (see paragraphs 13.7.4, 13.7.5, 13.7.10, 13.7.12, 13.7.18, 13.7.20 and 13.7.21 of ES Chapter 13 Landscape and Visual **[REP7-260]**).

1.16 It is therefore not necessary to resolve whether paragraph 4.3.8 of EN-1 is intending to refer only to 'likely significant effects' across the whole of EN-1 (including in paras 4.1.5, 4.2.11, and 4.2.12), whenever it refers to impacts or benefits (which seems unlikely, given that the statutory terms of s.104 PA 2008 have no such limitation and the balancing exercise it requires in s.104(7) PA 2008, which is reflected in para 4.1.5 of EN-1, could not be lawfully or satisfactorily undertaken if the decision maker confined their consideration only to 'likely significant effects').

1.17 It is also unnecessary to deal in any detail with the 'Aunt Sally' argument earlier put forward by the Applicant that the Council is claimed to be advancing an absolutist position that all residual adverse impacts must be compensated for or offset. The Council has not advanced such a position in the Examination (see the Council's comments in both section 8.2 of **[REP4-336]** and in response to LV2.16 in **[REP5-271]**, which make the Council's position very clear).

1.18 In this case, the compensatory measures proposed in Schedule 20 of the draft DCO **[REP7-064]** are directed to offsetting what the Applicant has identified in the ES as 'likely significant [residual adverse] effects', and there can be no doubt that those measures fall properly within the scope of the mitigation hierarchy. The Council has separately set out its views (in response to the Rule 17 request of 27 July 2026, submitted at this deadline – deadline 8) on why the measures shown in the Masterplans (and described in Schedule 20) meet the relevant tests for requirements (and obligations) in EN-1. On the question of whether those measures are necessary to make the proposed development acceptable in planning terms, this is inevitably a site-specific planning judgment in each case, but the Council is more than satisfied that offsetting is required for the significant adverse residual impacts in each location and that the identified measures have a sufficient geographic proximity and a sufficient nexus by way of character, nature, and extent, with those residual impacts that they can be properly regarded as meaningfully offsetting or compensating for those impacts. Having regard to the clear policy test in para 4.2.12 of EN-1 that "Applicants should set out how residual impacts will be compensated for as far as possible", the Council is clear that, in the absence of these measures, which are undoubtedly possible and deliverable, the development would not be acceptable in planning terms and so they clearly satisfy the 'necessity' test which so vexes the Applicant.

1.19 The Council therefore maintains its position that any DCO that is made should include the proposed Article 63 and the provisions in Schedule 20.

Construction Working Hours (including Start-up and Close-down activities)

1.20 SCC (Public Health) remains concerned that the construction working hours proposed by the Applicant exceed those considered appropriate to safeguard public health and residential amenity (as set out in **[REP1-178]** paragraph 17.51, **[REP2-040]** Item 5.46 and 6.4, **[REP3-085]** Item 2.1 and 2.2, **[REP4-335]** Item 1.2, **[REP5-271]** DCO2.S10, and **[REP6-166]** Item 10.2 and **[REP6-167]** Item 10.2).

1.21 The hours as currently proposed, would significantly reduce opportunities for respite from construction related noise, vibration, traffic and disturbance for affected communities and users of PROW. SCC's concern is not limited to any individual activity in isolation, but rather the prolonged and cumulative effect of repeated disturbance over the construction programme.

1.22 The Applicant maintains that the proposed hours provide necessary construction flexibility (as set out in **[REP5-211]** item 2.S10 and **[REP6-117]** paragraph 1.4.22). SCC does not consider that sufficient evidence has been provided to demonstrate that the extent of flexibility sought, represents the least harmful approach reasonably available.

1.23 SCC acknowledges that the project has CNP status but contend that development of national infrastructure should not come at a disproportionate cost to community mental health and quality of life. The CNP policy presumption is excluded by paragraph 4.2.15 of EN-1 where residual impacts "*present an unacceptable risk to, or unacceptable interference with, human health*". SCC considers that having a four-year construction period where there is no respite for local communities from seven-day working is an unacceptable interference with the human health of those communities. This is particularly important in this Application, where impacts may be experienced over a considerable duration and alongside other NSIP activity in the area.

1.24 SCC considers that the Applicant's attempts to argue that the effect of such restrictions would prejudice the delivery timetable are unconvincing, for the reasons set out in Item 10.2 of both **[REP6-167]** and **[REP7-573]**.

1.25 SCC considers that limits should be set for weekend and Bank Holiday working. SCC have previously confirmed that it would be content for ECC's drafting to be incorporated into the DCO and SCC maintains this position. This would include the core working hours of 07.00 and 19.00 Monday to Friday and 08.00 and 13.00 on Saturdays, with no routine working on Sundays, bank holidays and other public holidays unless otherwise approved by the relevant planning authority (the full ECC provision is set out in **[REP5-242]** item DCO 2.S10). SCC is confident that the ECC provision includes sufficient safeguards to allow work to take place on Sundays/public holidays where there is a sound justification, and the mere fact that this would involve applications for such working to take place is not a reason to reject the ECC approach. With competent project management, the Applicant's contractor(s) should be capable of working within such a regime.

2 Ecology and Biodiversity

The Ecology and Landscape Working Group

2.1 SCC believes that the Ecology and Landscape Working Group should have a fundamental role in ensuring the principles and practical requirements outlined within the CoCP and LEMP are implemented throughout the pre-commencement, construction and post-development periods by the applicant and also contractors. Without an option to influence decision making or provide effective objection, in cases where breaches are considered to have been made to the agreed methods, the ELWG would not be able to effectively provide the role for which it is designed. With this in mind, the ability to discuss, advise, object and if necessary, veto decisions which alter from the agreed DCO (including methods in the CoCP and LEMP) or, if additional decisions are required during works, are paramount. The power of veto on new decisions or alterations from the DCO would only be applicable in the most serious of situations which are unlikely to occur, but the power enables a group, comprising key stakeholders in the ecological and landscape welfare of Suffolk, to properly hold the Applicant to account during the works. An example of this would be a veto on site selection for BNG if required, should the decisions be made on reasons of convenience or financial preference, rather than in the best interests of the BNG for the scheme.

2.2 In addition, given the expansion of the group to include Landscape issues, SCC believes that the Landscape Clerk of Works should also be included within the group.

3 Health and Wellbeing

Monitoring

3.1 SCC (Public Health) remains of the view that comprehensive monitoring of Health and Wellbeing throughout construction and early operation, is necessary (as set out in **[REP2-040]** item 5.45, **[REP3-085]**, item 5.31**, [REP4-335]** item 3.2, **[REP5-271]** item HW 2.1, **[REP6-167]** item 10.1). Monitoring provides an evidence-based mechanism for identifying whether impacts on communities are greater than or different to, those anticipated, and a reasonable safeguard to prompt mitigation should effects emerge or exceed those predicted at assessment.

3.2 The Applicant has maintained that health and wellbeing monitoring is not required on the basis that no significant effects were identified in their assessment (as set out in **[REP5-211]** Appendix A, page A23). SCC has consistently raised concerns that the Applicants assessment may understate the scale and extent of health and wellbeing effects (as set out in **[REP1-178]** paragraphs 17.2 and 17.50 and **[REP3-085]** paragraph 5.31). Notwithstanding this, SCC does not consider that the absence of predicted significant effects, provides sufficient justification to negate monitoring. SCC considers that a precautionary approach would recognise the limitations of predictive assessment and utilise monitoring to identify and respond to issues, if and when they emerge.

3.3 SCC has particular concern regarding cumulative pressures. Communities within Suffolk are already experiencing, or are expected to experience, disruption associated with multiple infrastructure projects. Whilst the Applicant concludes that cumulative health and wellbeing effects are not significant, the absence of monitoring removes the principal mechanism through which adaptive mitigation could be informed and implemented if it proved necessary.

3.4 The Application includes general engagement processes and complaints procedures, but this is not equivalent to a structured monitoring framework. Community engagement is important; it cannot however provide the same level of assurance as a formal process through which health and wellbeing outcomes are monitored and used to trigger appropriate mitigation where impacts prove greater than those anticipated.

3.5 SCC therefore considers that comprehensive Health and Wellbeing monitoring represents a reasonable, proportionate and precautionary approach to ensuring that health and wellbeing effects associated with the project, are appropriately identified, considered and managed.

4 Historic Environment (Archaeology)

Requirement 5 (Archaeology)

4.1 SCC Archaeological Service objects to the current wording of Requirement 5 (Archaeology).

4.2 SCC Archaeological Service considers that the wording of Requirement 5 submitted at Deadline 7 in document **3.1 Draft Development Consent Order (Final Issue G) [REP7-065]**, does not provide adequate protection for the archaeological historic environment. Consequently, there is a risk that important heritage assets of archaeological interest could be lost without appropriate archaeological investigation and recording, as a result of construction or pre-commencement activities taking place.

4.3 In particular, SCC Archaeological Service considers that the Requirement is not enforceable because paragraphs 5(1) and 5(2) are not linked either to the commencement of the authorised development or to the carrying out of any pre-commencement activities. It is essential that archaeological evaluation of those areas affected by the project that have not previously been evaluated is secured, so that the results can inform an appropriate and proportionate programme of archaeological mitigation.

4.4 Furthermore, paragraph 5(3) does not recognise or adequately address the potential for heritage assets of archaeological interest to be damaged or destroyed during such pre-commencement activities.

4.5 SCC Archaeological Service's specific concerns are set out in **SCC's Comments on Deadline 7 Submissions**, submitted at this deadline (deadline 8).

4.6 Set out below is SCC Archaeological Service's recommended wording, based on the Applicant's draft wording for Requirement 5 submitted at Deadline 7 in document **3.1 Draft Development Consent Order (Final Issue G) [REP7-065].**

4.7 SCC Archaeological Service believe that this amended wording would secure appropriate protection for the archaeological historic environment and establish clear and enforceable stages for the submission, approval and discharge of the Requirement by the discharging authority.

5(1) No stage of the authorised development may commence, including any pre-commencement operations that involve intrusive groundworks, which for the avoidance of doubt includes vegetation removal where that removal involves intrusive groundworks, until a detailed Written Scheme of Investigation for archaeological evaluation works for that stage or relevant part of the authorised development has been submitted to and approved by the relevant planning authority, following consultation with the relevant county planning authority's archaeological or historic environment service and, if relevant, Historic England.

5(2) Before any detailed written scheme of investigation (excluding any written scheme of investigation required under paragraph (1)) is submitted for approval under paragraph (3), the undertaker must carry out archaeological evaluation works in accordance with the written scheme of investigation approved under paragraph (1), and submit the reports generated by this work to the Local Planning Authority as proof of delivery, unless otherwise agreed with the relevant planning authority following consultation with the relevant county planning authority's archaeological or historic environment service and, if relevant, Historic England.

5(3) No stage of the authorised development may commence, including any pre-commencement operations that involve intrusive groundworks which for the

avoidance of doubt, includes any vegetation removal, where this removal includes intrusive groundworks until for that stage either a preservation in situ Management Plan or a detailed written scheme of investigation, which accords with the Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation and is informed by the pre-commencement archaeological evaluation under part (1) and the works that have been completed prior to submission, has been submitted to and approved by the relevant planning authority, in consultation with the relevant county planning authority's archaeological or historic environment service and, if relevant Historic England. All archaeological works must be carried out in accordance with the approved detailed written scheme of investigation for that stage.

5(5) Each detailed written scheme of investigation must be substantially in accordance with the outline archaeological mitigation strategy and outline written scheme of investigation and must identify areas where archaeological works are required and the measures to be taken to protect, record or preserve any significant archaeological remains that may be found and must include—

(a) an assessment of significance and research questions;

(b) the programme and methodology of site investigation and reporting;

(c) the programme for post-investigation assessment;

(d) proposals for providing for the analysis of site investigation and recording;

(e) proposals for providing archive deposition of the analysis and records of the site investigation;

(f) nomination of a competent person or persons/organisation to undertake the works set out within the detailed written scheme of investigation; and

(g) an implementation timetable.

5(6) Unless otherwise agreed with the relevant planning authority—

(a) no later than one year following the completion of the fieldwork specified in each detailed written scheme of investigation, a site-specific post excavation assessment for that site must be completed in accordance with the detailed written scheme of investigation and submitted to the relevant planning authority for approval;

(b) no later than one year following the approval of the final site-specific post excavation assessment, an archaeological updated project design must be submitted to, and approved by, the relevant planning authority following consultation with the county planning authority's archaeological or historic environment service or, if relevant, Historic England and the archaeological updated project design must be in general accordance with the outline

archaeological mitigation strategy and outline written schemes of investigation and set out scope for full post-excavation analysis and publication and have regard to the site-specific research agendas set out in the detailed written schemes of investigation;

(c) post-excavation analysis and publication must be carried out in accordance with the approved archaeological updated project design;

(d) the full archaeological archive, both physical and digital, must be deposited to the relevant archaeological archive repository for the relevant county in accordance with the approved archaeological updated project design.

5(7) Any pre-commencement operations comprising archaeological mitigation must be carried out in accordance with the outline archaeological mitigation strategy and outline written scheme of investigation, and with the detailed written schemes of investigation for mitigation areas, unless otherwise agreed with the relevant planning authority following consultation with the relevant county planning authority's archaeological or historic environment service and, if relevant, Historic England.

Article 23

4.8 It is unclear why Article 23 is required for this Project. The provision appears to be directed principally towards the exhumation of burials from modern burial grounds and does not provide an appropriate mechanism for the treatment of archaeological human remains. To the best of our knowledge, there are no modern burial grounds in Suffolk that would be affected by the Norwich to Tilbury Project.

4.9 In the absence of such evidence, we recommend that Article 23 be removed from the draft DCO. Archaeological human remains would instead be managed in accordance with the Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation ("OAMS-OWSI") and the subsequent Detailed Written Schemes of Investigation ("DWSIs"), with their removal authorised under an appropriate Ministry of Justice burial licence. This represents the standard approach to the excavation, recording, analysis, storage, archiving for future research or reburial of human remains encountered in archaeological contexts.

4.10 We note that, during the examination of the Sea Link Project, the equivalent provision relating to the removal of human remains was removed from the draft DCO at Deadline 7. See Sea Link document reference [REP7-002].

7.5 The Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation ***[REP7-352]***

4.11 We welcome the significant amendments that have been made to the document that has been submitted at deadline 7, document, 7.5 The Outline Mitigation Strategy and Outline Written Scheme of Investigation **[REP7-352]**.

4.12 The main body of the document is broadly acceptable as a control document. However, we still have concerns around Appendix B and Figures 1 and 2. Which should be amended in line with advice contained within SCC's Comments on Deadline 7 Submissions, submitted at this deadline (deadline 8) to provide clarity to those figures and enable changes in the final design to be managed by DWSIs.

4.13 Appendix B identifies archaeological mitigation areas for the priority areas only. Phase 2 archaeological trial trenching, along with any additional archaeological evaluation of project impacts defined at final design, is yet to be undertaken and are not defined in Appendix B. The results of these phases of archaeological evaluation will inform subsequent archaeological mitigation of project impacts.

Detailed Written Schemes of Investigation ***[REP7-501], [REP7-503]*** *and* ***[REP7-505]***

4.14 We welcome the significant amendments the Applicant has made to these documents. However, a number of important further amendments are required before the documents can be agreed in principle.

4.15 The DWSIs should be revised in accordance with our advice at [SCC Comments on Deadline 7 submissions]. Subject to those revisions being made, the submitted DWSIs **[REP7-501]**, **[REP7-503]** and **[REP7-505]** could be agreed in principle.

5 Landscape and Visual

Landscape Value

5.1 SCC considers that within the LVIA the value and sensitivity of Suffolk's landscapes were not assessed to an acceptable level of detail and with sufficient evidence. This applies to the Waveney Valley, Wortham Ling, Mellis Common, and the Gipping Valley. It is also regrettable that the assessment was not carried out to a sufficiently fine grain to provide a differentiation from the less distinct areas for landscapes which were formerly designated for their locally special landscape value (Special Landscape Areas).

Minimisation of tree and hedgerow losses

5.2 There is a general concern with the Trees and Hedgerows to be Removed and or Managed Plans - Section B **[REP7-050]** and Section C **[REP7-052]**. The trees and hedgerows to be removed remain unidentified, except for trees under Tree Preservation Orders.

5.3 No reference is provided on the drawings as to where information that would enable identification is provided, such as baseline Arboricultural and Hedgerow Surveys and their associated schedules.

5.4 Even in document 7.4 Outline Landscape and Ecological Management Plan Appendix A - Arboricultural Impacts Plan (Clean) (Final Issue C) **[REP7-344]**, not all trees and no hedges (including those that would be affected by the proposals) are identified. This lack of transparency is unacceptable and needs to be addressed prior to detailed design.

5.5 SCC further considers that stronger commitments are required in the oCoCP, oCEMP and oLEMP with regards to the minimisation of tree losses.

5.6 There is great concern that tree and hedgerow losses will occur during pre-commencement works, if not all relevant plans, including works plans, vegetation management plans, and tree protection plans are updated prior to the possession of site and the start of pre-commencement works.

5.7 SCC would also expect a commitment by the Applicant to avoid tree and vegetation losses for temporary construction infrastructure. A particularly bad example for vegetation being lost unnecessarily and without full justification from the Applicant is at the junction of the B1113 and Bullen Lane, Bramford, where the Applicant proposes a combination of road widening and the placement of a temporary works compound, which would require the removal of a group of trees, which are of high visual amenity value for the residential properties to the south and east and the wider public realm (Trees and Hedgerows to be removed or managed plans, Section B Sheet 21 of 22) **[REP4-030]**. Further west along Bullen Lane, numerous additional trees are potentially affected or earmarked to be removed. No satisfactory justification has been provided by the Applicant for the necessity of the road widening and the insensitive placement of the works compound within the footprint of the tree group, when there appears to be ample room in the adjacent arable field to the north. However, the DCO boundary in this area, if consented as drawn, will likely leave the Applicant with little room for manoeuvre to save the tree group. SCC considers that this placement is insensitive. In particular in an area which is exposed to changes at such speed, scale, magnitude and extent as Bramford, every effort should be made by the Applicant to avoid unnecessary harm.

5.8 Further areas, where SCC considers that DCO boundary should be adjusted to avoid harm to exiting trees and hedges include:

Trees and Hedgerows to be removed or managed plans, Section B Sheet 1 of 22 ***[REP5-049] and [REP7-050]***

5.9 Lion Road, east of east Cottage; there seems no justification for the proposed potential harm to this landscape feature and for the removal of trees and hedgerow.

5.10 At the A143 Old Bury Road, it should be considered to rationalise the access points and descope the access opposite Spring Cottage. South-east of Valley Farm, the existing vegetation within the DCO limits has not been mapped.

Trees and Hedgerows to be removed or managed plans, Section B Sheet 6 of 22 ***[REP5-049] and [REP7-050]***

5.11 The access via Coldham Lane should be descoped, as it is a narrow, single lane track which is well vegetated on either side

5.12 There is no justification why the hedges north-west of Starhouse Farm need to be affected by the scheme and the DCO boundary should be altered if necessary to avoid harm to the existing vegetation.

Trees and Hedgerows to be removed or managed plans, Section B Sheet 7 of 22 ***[REP5-049] and [REP7-050]***

5.13 The vegetation south of Wickham Road has not been mapped.

Trees and Hedgerows to be removed or managed plans, Section B Sheet 9 of 22 ***[REP5-049] and [REP7-050]***

5.14 The access south-east of a group of trees should be descoped, if possible, as there is concern this formalising this access will adversely affect the trees and hedges.

Trees and Hedgerows to be removed or managed plans, Section B Sheet 16 of 22 ***[REP5-049] and [REP7-050]***

5.15 Along the B1078, between Ringshall Stocks and Moat Farm, the proposed accesses should be rationalised to reduce the impact on roadside trees in the area.

5.16 The proposed access from Willisham Tye should either be descoped or the DCO boundaries moved to provide a buffer to the existing trees and hedgerows.

5.17 The access from Castle Road, Offton, along a vegetated track should be descoped or the DCO boundary changed to avoid harm to the existing vegetation.

Trees and Hedgerows to be removed or managed plans, Section B Sheet 19 of 22 ***[REP5-049] and [REP7-050]***

5.18 Tye Lane, access west of Woodlands Farm; This access should be descoped to avoid the need to punch through a tree belt under a Tree Preservation Order (TPO) in two locations and affect a length of hedgerow and potentially three trees. If access is essential here, then the DCO boundary should be amended to avoid the trees and hedgerow.

Trees and Hedgerows to be removed or managed plans, Section B Sheet 22 of 22 ***[REP5-049] and [REP7-050]***

5.19 Finningham Road roadworks should be avoiding exiting vegetation, which appears not to have been fully mapped.

Trees and Hedgerows to be removed or managed plans, Section C Sheet 1 of 18 ***[REP5-050] and [REP7-052]***

5.20 If the access from Thorpe's Hill/ A1071 is used, which requires the removal of one tree, the SCC considers that additional justification is required for the extensions of the DCO limits along Pigeon's Lanes resulting in the removal of at least two more mature oaks that could otherwise be retained.

Trees and Hedgerows to be removed or managed plans, Section C Sheet 5 of 18 ***[REP5-050] and [REP7-052]***

5.21 Along Wenham/Raydon Road the construction accesses should be rationalised with a view to reduce impacts on trees and hedgerows in connection with visibility splays.

Trees and Hedgerows to be removed or managed plans, Section C Sheet 7 of 18 ***[REP5-050] and [REP7-052]***

5.22 North-west of Sandpit's Lane clarification and justification would be welcomed regarding the incursion into woodland. SCC further considers that the accesses from Sandpit's Lane should be rationalised to reduce impacts on vegetation.

5.23 The access from the B1068 should be descoped, if possible, to avoid vegetations losses to visibility splays.

Mitigation/Compensation/Offsetting

5.24 SCC supported BSMDC in their statement: "*Where undergrounding isn't proposed, explanation is needed as to why compensation isn't being offered instead, except at substations and sealing end compounds, when the PEIR states that significant landscape and visual impacts will occur along the length of the project.*"

5.25 SCC recognises the progress that has been made in this regard. However, the Council considers that measures could go further to address the changing sense of place that the Proposed Development will cause to the landscape. Landscape and visual compensation cannot, by definition, resolve all residual impacts; however, it should seek to offset and provide betterment for the benefit of the locality which hosts the infrastructure. SCC considers that the Applicant's proposed compensation measures do not adequately provide this reassurance that all that can reasonably and proportionately be delivered has been offered.

Lighting and Night-time working

5.26 While SCC understands that the Applicant is willing to commit (and did so verbally on a call on 8 July 2026) to low Kelvin lighting, to date parameters for the wavelength of lighting, luminaires and Kelvin levels have not been secured in the oCoCP.

5.27 While accepting the rationale behind the potential necessity for night-time working, SCC considers that detailed justifications and programmes need to be provided for each location at detailed design stage and that nighttime working must be kept to an absolute minimum. SCC considers that this is required in addition to the ecological lighting commitments, for the benefits and mental health of local residents. SCC would welcome if LV03 was to include a commitment on how any complaints and aggrievances by local residents would be addressed and resolved.

Outline Offsite Planting Delivery Scheme (oOPDS)

5.28 SCC welcomes the commitment by the Applicant to replace individual trees and trees within groups at a ratio of 3:1 (Table 13.1 **[APP-226]**) and acknowledges the probability that not all of these trees can be planted within the DCO limits. It must be remembered, however, that these trees are fundamentally compensatory replacement planting. On their own, these trees will not be capable to offset the residual harm to landscape character and visual amenity resulting from this project. Any such offset would be incidental.

5.29 Further, SCC has promoted that a strategic Landscape Enhancement Scheme, comparable to those for National Parks and National Landscapes under the Visual Impact Provision ("**VIP**") funded by Ofgem, is required to partially compensate for the construction, operation and maintenance impacts on landscape and visual amenity resulting from this project.

Mitigation/Compensation/Offsetting for key areas of sensitivity *in Suffolk*

5.30 For three key locations in Suffolk (the Waveney Valley, Gipping Valley, and Bramford/Burstall), the Applicant has submitted masterplans **[REP5-199]** in response to Action Point 27 of ISH2. SCC welcomes these as a starting basis for discussion and has provided commentary in its Comments on D5 Submission **[REP6-167]** and its Post-Hearing Submission for ISH3/4 **[REP6-166]**.

5.31 SCC considers that these plans can, if further developed, provide adequate and proportionate landscape enhancement for the areas they include, and that they are necessary to demonstrate that all that can reasonably and proportionately be delivered has been offered. SCC therefore considers that a requirement to further develop these masterplans, in collaboration with the local authorities and host communities should form part of the DCO.

5.32 SCC considers that landscape compensation should also be provided for Mellis Common.

5.33 SCC's position on the Waveney Valley can be found in Annex B of the Suffolk Joint Local Impact Report **[REP1-178]**. The Council's position has been further elaborated in Answers to the Second Round of Examining Authority's Questions **[REP5-271]** in GEN 2.2.

Aftercare

5.34 SCC considers that the provisions made by the Applicant for aftercare remain inadequate. A strict temporal cut-off point after five years does not adequately reflect the difficulties faced in recent years in establishing new planting. In particular, trees and woodlands require longer aftercare periods. Natural regeneration of woodlands even more so. The argument that land has to be returned to landowners after five years is not convincing, as landowners could be given a choice of either having their land handed back after five years, no matter what, or whether to receive their land back once replacement planting has been successfully established. It should not be forgotten that failed reinstatement planting erodes any BNG.

5.35 SCC has provided detailed comments on aftercare in paragraphs 13.172 – 13.181 of the Joint LIR **[REP1-178]**.

6 Traffic and Transport

Protective Provisions

6.1 Whilst the Protective Provisions ("**PP**") for the Local Highways Authorities ("**LHA**") are acceptable in principle, a number of minor matters remain unresolved:

i. SCC would only enter into agreements with the Undertaker, as it is only they named in the PPs.

ii. One design iteration during approval is not realistic based on previous experience.

6.2 SCC will continue to engage with the Applicant and the other LHAs in regard to PPs for the LHAs post-examination (further comments were provided on the PPs submitted at Deadline 7 in SCC's Comments on Deadline 7 Submissions, submitted at this deadline (deadline 8)). For completeness, the LHA preferred PPs were submitted to the examination as Appendix A of SCC's Response to Rule 17 Letter dated 14 July 2026 **[REP7-572]**.

Construction Traffic Management Plan (HGV Caps)

6.3 SCC does not accept the Applicant's position that HGV movements cannot be capped. Offering a 3-month look-ahead - at which time HGV movements may be proposed at greater numbers than assessed - does not provide the authority with confidence that the assessed values will not be exceeded and hence impacts greater than forecast. In SCC's view, HGV numbers should be capped on construction routes with suitable monitoring, reporting an enforcement to ensure impacts do not exceed those assessed. Even if the assessed impacts are considered of no significance the Applicant has not provided data to show what point do they become significant.

6.4 SCC does not accept the Applicant's assessment of vehicle occupancy considering that the number of worker vehicle trips could be underestimated if the assumed values are too high.

7 Public Rights of Way (PROW)

7.1 SCC have not found any evidence that the Applicant proposes specific mitigation for loss of views from PROWs or diminished visual amenity for recreational users. The approach appears to be to assess those effects through the Landscape and Visual Impact Assessment rather than through the PROW mitigation package. There is very little, if any, specific mitigation aimed at compensating PROW users for the loss of views or loss of visual amenity.

7.2 The Outline PROW Management Plan **[REP7-355]** is focused almost entirely on maintaining legal access during construction—keeping routes open, providing diversions, signage, crossings, reinstatement, and safety measures. It does not identify mitigation for the reduction in landscape quality or changes to views experienced by users of footpaths, bridleways, promoted routes/ trails and cycle routes.

7.3 It is not clear whether the Applicant has adequately assessed the impact on the recreational value of the route and the user experience of walkers, riders and cyclists, rather than simply preserving the legal ability to pass along it. The PROW Management Plan **[REP7-355]** appears stronger on access continuity than on visual amenity and mitigation, which is disappointing considering the significant impact along the Angles Way for example, and the river Waveney. The Angles Way being a popular long distance walk often described as one of the best waterside walks in England.

7.4 SCC would request that the Examining Authority and Secretary of State consider the significance of the loss of amenity with regards to PROW as set out in SCC's Statutory Consultation response dated 26 July 2024 paragraph 13.10: *"SCC also expects mitigation measures for the impact on the popular sections of the rights* *of way to offset the disruption to local communities. Consideration needs to be given to whether temporary infrastructure can assist as legacy for PRoW access as a permanent measure once completion of the scheme, including any proposed structures. Further discussion would be welcomed on this."*

8 Development Consent Order

8.1 SCC has commented on every version of the draft DCO which has been submitted into the Examination. While certain of SCC's requested amendments have been made to the draft DCO, several concerns remain.

8.2 The table below sets out, in column (2), the remaining provisions of concern and a brief summary of that concern. Column (3) sets out the document (and paragraph number(s)) where SCC's concerns are articulated.

Table 1: 3.1 (G) Draft DCO **[REP7-065]**		
(1) No.	**(2) Provision**	**(3) Location of Comment**
1.	**Article 2(1) (interpretation) – the definition of "pre-commencement operations"** SCC wishes to ensure the Applicant will take appropriate steps to avoid vegetation loss during pre-commencement operations generally and, specifically, respect of "set up works associated with the establishment of construction compounds and temporary laydown areas" and "temporary accesses".	• LIR **[REP1-178]**: paragraphs 14.5, 14.6, and 14.9.
2.	**Article 11(1) (street works)** Absent a suitable highways side agreement or suitable protective provisions to protect SCC's highways interests, SCC considers art.11(1) should be subject to the street authority's consent. The same point applies in respect of the following articles:14(1) (power to alter layout, etc. of streets), 15(1) (permanent stopping up of streets and public rights of way), and 16(1)(a) (temporary closure of streets and public rights of way).	• LIR **[REP1-178]**: paragraphs: 14.17 and 14.18. • Responses to ExQ1 **[REP3-086]** (response to question DCO 1.A19).

3.	**Article 11(2) (street works)** Under several of the draft DCO's articles (including article 11(2)), SCC is required to grant approval for certain street works, and provision is made to say that approval must not be "unreasonably withheld or delayed" and there is also a provision that it is deemed to be given after a 25 business days (originally 28 days). The words "unreasonably withheld or delayed" should be omitted from article 11(2) and also from the following articles: 14(4) (power to alter layout, etc. of streets), 15(2)(a) and (b) (permanent stopping up of streets and public rights of way), 16(2), 16(5)(b) (temporary closure of streets and public rights of way), 17(1)(b) (access to works), 20(3), 20(4)(a) (discharge of water), 49(2) (traffic regulation), 55(1) (procedure regarding certain approvals etc.).	• LIR **[REP1-178]**: paragraphs 14.19 to 14.21. • Comments on any further information or submissions received by deadline 1 **[REP2-040]** (paragraph 5.43). • Responses to ExQ1 **[REP3-086]** (response to question DCO 1.A). • Comments on any further information **[REP4-335]**, Table 2: 3.1 (B) Schedule of Changes to the Draft DCO [REP3-009], row 2.1. • Comments on any further information or submissions received by deadline 3 **[REP4-336]**; post-hearing submission and response to action points from Issue Specific Hearing 2, rows 6.1 and 6.2. • Suffolk County Council written post-hearing submissions; summaries of and responses to oral submissions made at hearings held during week commencing 22 June 2026 **[REP6-166]**, item 5.1a.
4.	**Article 11(3) (street works)** This provision provides that if a street authority fails to respond to an application for consent within 25 business days (originally 28 days) of the application being made, that street authority is deemed to have given its consent. This period is too short and should be increased to 40 business days in this article and also in the following ones: 14(5) (power to alter layout, etc. of streets); 16(8) (temporary closure of streets and public rights of way); 17(2) (access to works); 20(9) (discharge of water); 22(8) (authority to	• LIR **[REP1-178]**: paragraphs 14.22 to 14.26.

	survey and investigate land), 49(10) (traffic regulation) and 50(5) (felling or lopping). A similar point applies in respect of paragraph 1(1) (applications made under requirements) of Schedule 4 (discharge of requirements), which is mentioned below.	
5.	**<u>(Article 14: Power to alter layout, etc. of streets)</u>** The applicant's the power, without the consent of the street authority, to permanently or temporarily alter the layout and carry out works to the streets specified in column (1) of Part 1 (streets subject to permanent alteration of layout) or 2 (streets subject to temporary alteration of layout) of Schedule 6 includes streets whether or not within the Order limits. This power to far too wide and vague to be acceptable to SCC. SCC considers the powers are in excess of what is needed as a statutory undertaker and may result in the local highway authority having to rectify the highway if it is changed to an unsafe layout or additional maintenance is required following changes. SCC considers these powers could be made acceptable if controlled in reasonable protective provisions.	• Comments on any further information or submissions received by deadline 1 **[REP2-040]** (paragraph 5.4). • Comments on any further information or submissions received by deadline 3 **[REP4-336]**; post-hearing submission and response to action points from Issue Specific Hearing 2 ROW 6.2 under the sub-heading "Article 14 (Powers to alter layouts)" (page 12 of 43).
6.	**<u>Article 16(5)(b) (temporary closure of streets and public rights of way)</u>** This provision refers to the street authority's ability to attach reasonable conditions to a certain consent. There are other provisions which state conditions may be added to a consent; however, other provisions which provide for consent are silent as to whether conditions can be added. Each provision which provides for the grant of consent or	• LIR **[REP1-178]**: paragraph 14.31. • Comments on any further information or submissions received by deadline 3 **[REP4-336]**; post-hearing submission and response to action points from Issue Specific Hearing 2 ROW 6.2, under the sub-heading "street works" (page 10 of 43 onwards).

	approval should state explicitly that conditions may be attached to such consent or approval i.e. articles: 11(2) (street works), 14(4) (power to alter layout, etc. of streets), 16(2) (temporary closure of streets and public rights of way), 17(1)(b) (access to works), 22(5) (authority to survey and investigate the land), 49(2) (traffic regulation), and 50(4) (felling or lopping).	
7.	**<u>Article 23 (removal of human remains)</u>** This article raises significant concern for SCC's Archaeological Service.	• LIR **[REP1-178]**: paragraphs 14.32 to 14.37. • Comments on any further information **[REP4-335]**, Table 2: 3.1 (B) Schedule of Changes to the Draft DCO [REP3-009], row 2.2. • Comments on any further information or submissions received by deadline 3 **[REP4-336]**; post-hearing submission and response to action points from Issue Specific Hearing 2 ROW 6.2 under the heading "Article 23 (removal of human remains)" (page 12 of 43 onwards).
8.	**<u>Article 34(1) (time limit for exercise of authority to acquire land and rights compulsorily)</u>** SCC considers allowing the applicant seven years to issue 'notices to treat' or a 'general vesting declaration' to acquire the land or rights is excessive. Five years is the usual position, and that should be adopted here.	• LIR **[REP1-178]**: paragraph 14.38. • Comments on any further information or submissions received by deadline 2 **<u>[REP3-085]</u>** table 3.25; para 5.15 shows how the Applicant's approach flies in the face of the Secretary of State's decision in East Anglia One North Offshore Wind Farm Order dated 31 March 2022). • Comments on any further information or submissions received by deadline 3 **[REP4-336]**; post-hearing submission

		and response to action points from Issue Specific Hearing 2, row 6.2 under the sub-heading "Article 34(1)" (page 13 of 43 onwards).
9.	**<u>Article 48 (defence to proceedings in respect of statutory nuisance)</u>** Amendments are needed to make the article satisfactory.	• Responses to ExQ1 **[REP3-086]** (response to DCO 1.A35).
10.	**<u>Article 50 (felling or lopping)</u>** The impact on important hedgerows.	• LIR **[REP1-178]**: paragraphs 14.40 to 14.42. • Comments on any further information **[REP4-335]**, Table 2: 3.1 (B) Schedule of Changes to the Draft DCO [REP3-009], row 2.3.
11.	**<u>Article 58 (Application, disapplication and modification of</u>** **<u>legislative provisions)</u>** SCC is dissatisfied with the proposed disapplication of sections 141, 169, 171 of the Highways Act 1980.	• Responses to ExQ1 **[REP3-086]** (response to DCO1.A42). • Comments on any further information or submissions received by deadline 3 **[REP4-336]**; post-hearing submission and response to action points from Issue Specific Hearing 2, row 6.2 under the sub-heading "Article 58 (Application, disapplication and modification of legislative provisions)" (page 11 of 43 onwards)
12.	**<u>Schedule 3 (requirements) (requirement 3(1) (stages of authorised development))</u>** SCC requests that the five business day period is increased to 20 business days. (In previous submissions, including the LIR [REP1-178], SCC sought an increase to 35 days; on reflection, SCC considers 20 business days would be satisfactory).	• LIR **[REP1-178]**: paragraph 14.46. • Responses to ExQ1 **[REP3-086]** (response to DCO 1.S7). • Comments on any further information, **[REP4-335]** Table 2: 3.1 (B) Schedule of Changes to the Draft DCO [REP3-009], row 2.5.
13.	**<u>Schedule 3 (requirements) (requirement 5(1) (archaeology)</u>**	• LIR **[REP1-178]**: paragraphs 14.48 to 14.57.

	This requirement is problematic.	• Comments on any further information or submissions received by deadline 1 **[REP2-040]** (paragraph 5.13). • Responses to ExQ1 **[REP3-086]** (response to DCO 1.S8). • Comments on any further information **[REP4-335]**, Table 2: 3.1 (B) Schedule of Changes to the Draft DCO [REP3-009], row 2.7. • Suffolk County Council written post-hearing submissions **[REP6-166]**; summaries of and responses to oral submissions made at hearings held during week commencing 22 June 2026 – item 5.2a. • Comments on any further information or submissions received by deadline 5 and 5A, including from the applicant, any interested party, and any additional affected person or additional interested party made pursuant to change requests 1 or 2 relating to the 'proposed provisions' **[REP6-167]** Table 1: 3.1 (E) Draft DCO [REP5-061] – item 1.1 (archaeology).
14.	**<u>Schedule 3 (requirements) (requirement 7 (construction hours)).</u>** This requirement, particularly in respect of the proposed construction hours, is problematic.	• LIR **[REP1-178]**: paragraphs 14.58 to 14.66. • Comments on any further information or submissions received by deadline 4 **[REP5-270]**; Table 2; item 2.1. • Suffolk County Council, Babergh District Council and Mid Suffolk District Council Responses to ExQ2 **[REP5-271]**, response to DCO 2.S10 (pages 19 of 47 25 of 47).

15.	**<u>Schedule 3 (requirements) (requirement 9(3) (reinstatement planting scheme))</u>** The requirement, in certain conditions, to replace failed trees or hedgerows within a period of five years after planting should be changed to "10 years" to provide greater ecological improvements.	• LIR **[REP1-178]**: paragraphs 14.67 to 14.68.
16.	**<u>Schedule 3 (requirements) (requirement 11 biodiversity net gain)</u>** This requirement needs to be amended.	• Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 item **[REP7-572]**, paragraph 1.1 Biodiversity Net Gain. • Comments on any further information/ submissions received by Deadline 6 **[REP7-573]**, Appendix A, paragraphs 1.15 to 1.19.
17.	**<u>Schedule 3 (requirements) (requirement 15 (employment and skills plan)</u>** While the latest version of requirement 15 requires the ESP to be approved in writing by the relevant local authorities prior to commencement, SCC's other concerns with the requirement have not been addressed.	• Any further information requested by the ExA under rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 **[REP6-165]**, paragraphs 1.19 to 1.24. • Comments on any further information or submissions received by deadline 5 and 5A, including from the applicant, any interested party, and any additional affected person or additional interested party made pursuant to change requests 1 or 2 relating to the 'proposed provisions' **[REP6-167]**, Table 2: 3.5 (D) Schedule of Changes to the Draft DCO [REP5-065] – item 2.1 (skills).

		• Comments on any further information/ submissions received by Deadline 6 **[REP7-573]**, Table 1, item 1.4. • Comments on any further information/ submissions received by Deadline 6 **[REP7-573]**, Table 12: 8.30 (A) Response to Rule 17 Letter received 30 June 2026 [REP6-132] – item 12.1 (employment and skills plan).
18.	**<u>Schedule 4 (discharge of requirements)</u>** SCC considers the DESNZ unit should have a power to "call in" applications under requirements, akin to the Secretary of State's power under the Town and Country Planning Act 1990.	• Responses to ExQ1 **[REP3-086]** (response to DCO 1.S19). • Suffolk County Council written post-hearing submissions; summaries of and responses to oral submissions made at hearings held during week commencing 22 June 2026 **[REP6-166]** – item 5.2.b.i.
19.	**<u>Schedule 4 (discharge of requirements) (paragraph 1, timescales)</u>** The timescales in Schedule 4 are too short.	• LIR **[REP1-178]**: paragraphs 14.69 to 14.72. • Suffolk County Council Comments on any further information or submissions received by deadline 2 **<u>[REP3-085]</u>**, Table 3.25 Suffolk County Council, Babergh District Council and Mid Suffolk District Council – Applicant's Response to Local Authority comments on the draft DCO 5.21 Schedule 4 (discharge of requirements) (paragraph 1, timescales): "Further detail regarding why, in practice, 28 days will not work is set out SCC's reply to ExQ1 DCO1.A2".
20.	**<u>Schedule 4 (discharge of requirements) (paragraph 2, further information)</u>**	• LIR **[REP1-178]**: paragraph 14.73.

	SCC considers the provisions for requesting further information is insufficient.	• Comments on any further information or submissions received by deadline 2 **[REP3-085],** Table 3.25 Suffolk County Council, Babergh District Council and Mid Suffolk District Council – Applicant's Response to Local Authority comments on the draft DCO (item 5.22). • Comments on any further information **[REP4-335]**, Table 2: 3.1 (B) Schedule of Changes to the Draft DCO [REP3-009], row 2.8. (This sets out the latest version of SCC's proposed drafting).
21.	**<u>Schedule 4 (discharge of requirements) (paragraph 3, fees)</u>** SCC and the Applicant are currently negotiating a PPA for the post-consent stage. In any event, column (3) cites those documents in which SCC commented on fees for discharging requirements.	• LIR **[REP1-178]**: paragraphs 14.74 to 14.80. • Comments on any further information or submissions received by deadline 2 **[REP3-085]**, Table 3.25 Suffolk County Council, Babergh District Council and Mid Suffolk District Council – Applicant's Response to Local Authority comments on the draft DCO; item 5.23 DCO Schedule 4 (discharge of requirements) (paragraph 3, fees). • Suffolk County Council, Babergh District Council and Mid Suffolk District Council Responses to ExQ2, **[REP5-271]** (response to DCO 2.S13).
22.	**<u>Schedule 16 (protective provisions)</u>** Part 4 of Schedule 16 includes provisions for the protection of highway authorities. These have not been agreed by SCC and SCC's preferred PPs (which Norfolk CC and Essex CC also	• LIR **[REP1-178]**: paragraph 14.81. • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 **[REP7-**

	subscribe to) were submitted at Deadline 7.	**572]**, Appendix A – includes PPs agreed by ECC, NCC and SCC.