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1. Introduction

- 1.1.1 On the 27 July 2026, the ExA issued a Rule 17 Letter **[PD-032]** with a Request for further information relating to landscape and visual effects. This document is the Applicant's response to that letter.

2. Response to Rule 17 Letter received 27 July 2026

Table 2.1 Response to Rule 17 Letter received 27 July 2026

Question	Applicant's Response
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?	The Applicant's response to this Rule 17 letter is, as the request notes fairly, without prejudice to its position that the legal and policy framework does not in the circumstances of this case require the provision of further landscape compensation by the Applicant, as previously submitted to the Examination. Having said that, the Applicant has responded positively to the Examining Authority's (ExA's) questions on this issue during the Examination and provides the following answer to the Rule 17 request. The response must be read in the light of the Applicant's without prejudice position that the proposed Development Consent Order (DCO) commitment is not necessary in accordance with relevant policies including paragraphs 4.1.16 and 4.1.18 of NPS EN-1 (2024). The proposed DCO commitment to provide funding for compensation is secured by a mechanism in the DCO put forward on a blue pencil basis, it being the case that the local planning authorities were taking the view that the position should be imposed by requirement or s.106, but given time and other legal constraints, a blue clause DCO provision was thought by all parties to provide the same outcome. The clauses in the DCO thus directly require the Secretary of state only to give effect to the relevant provisions in the event that the provisions are necessary and pass the tests set in paragraphs 4.1.16 - 18 of NPS EN-1 (2024). For all areas except Tilbury, the funds identified would be available for eligible projects within the defined landscape compensation, offsetting and enhancement areas shown on the plans accompanying Schedule 20 in 8.35 Landscape, compensation, offsetting and enhancement area plans [REP7-535], rather than being restricted solely to land within the 2 km buffer. The areas are marked on the plans on that basis. For context, the 2 km buffer around the pylon centreline was used as a starting point to identify the relevant area of influence before applying associated administrative boundaries to establish a practical and locally meaningful area within which compensation, offsetting and enhancement measures could be delivered. The defined fund areas therefore extend beyond the buffer itself in certain locations. This area was identified following engagement with the key lead Local Planning Authorities. The Applicant considers that this approach provides flexibility for the relevant authorities to identify locally appropriate projects whilst maintaining a relationship with the areas affected by the Project. Projects would be required to satisfy the eligibility criteria specified within Schedule 20 of 3.1 Draft DCO [Revision H]. In relation to the Tilbury area, as there are no parish councils within the administrative area of Thurrock Council, the same approach could not be adopted. The Applicant therefore identified a 3 km area around the substation works following engagement with Thurrock Council, as the Council were initially concerned that the 2 km buffer would be too restrictive. It is considered that the 3 km buffer, in a similar way to the other landscape compensation, offsetting and enhancement areas, provides sufficient flexibility whilst retaining some connection to the Project (all again subject to the without prejudice position set out above).
b) How would such areas or projects relate to landscape character areas or visual receptors which may be affected by the proposed development?	The Applicant's approach has been informed by the locations identified by the ExA in ExQ1 LV 1.28 and Action Point 27 and the outputs from the Environmental Statement. 6.13 Environmental Statement Chapter 13 - Landscape and Visual [REP7-260] identifies the following significant effects following the application of mitigation: • Significant adverse landscape effects during construction are predicted for landscapes which would be directly affected by construction activity within the Order Limits of the Project, and some landscapes outside of the Order Limits, up to a distance of approximately 1.5 km • Significant adverse effects would extend to a distance of approximately 1.5 km during operation (and maintenance), with effects on Landscape Character Areas within sections of undergrounding reducing as reinstated vegetation matures • Significant adverse residual effects are anticipated on visual receptors with close to medium distance views of construction works during construction • Significant adverse residual effects on visual receptors during operation (and maintenance) extending up to approximately 2 km from the above ground 400 kV overhead line element of the Project in some locations The landscape compensation, offsetting and enhancement areas are focused on the areas identified by the ExA, in addition to Tilbury, as being of particular sensitivity. The buffer was used as a means of identifying the landscapes and communities most closely associated with those identified areas when defining the wider compensation areas. It is important to note, however, that the purpose of the proposed measures would not be to reduce or remove the residual landscape and visual effects identified within the Environmental Statement. Compensation does not achieve that. Rather, following engagement with relevant authorities, such compensation could present the opportunity for local authorities to determine local priorities within the ambit of compensation, offsetting and enhancement measures which could align with local Landscape Character Area guidance and Local Nature Recovery Strategies and their sought-after outcomes..

Question	Applicant's Response
	The relationship between projects and the affected landscape character areas and visual receptors would be secured through the eligibility criteria contained within Clause 4 of Schedule 20. These require projects to contribute towards landscape compensation, offsetting or enhancement objectives and include measures that: <i>(a) improve the landscape character of the area or areas through the establishment of new trees, woodland, hedgerows or other appropriate planting;</i> <i>(b) soften views of the authorised development where this is reasonably capable of being achieved through landscape planting;</i> <i>(c) strengthen existing landscape structure and habitats by extending, restoring, improving or connecting established woodland, hedgerows, shelterbelts and other green infrastructure;</i> <i>(d) soften the integration of the authorised development within the surrounding landscape through planting that reflects local landscape character and settlement pattern;</i> <i>(e) deliver planting using species and designs that are appropriate to local landscape character, environmental conditions and long-term resilience;</i> <i>(f) deliver planting that avoids giving rise to unacceptable adverse effects on heritage assets, known archaeological interests, ecological features, agricultural operations, flood risk or other environmental constraints;</i> <i>(g) improve public rights of way and public amenity within the area or areas (including way markers and inclusive assistive measures); or</i> <i>(h) any other measures which reasonably contribute to the objectives of landscape compensation, enhancement or offsetting in the area or areas</i> Subject to the Applicant's overarching position on the need for landscape compensation, the Applicant considers that projects delivered through the fund could maintain a clear relationship with the landscape character areas and visual receptors affected by the Project, whilst providing flexibility for relevant authorities, landowners and delivery partners to identify locally appropriate measures that contribute to landscape compensation, offsetting and enhancement objectives within the defined areas. The proposed DCO provisions in Schedule 20 will allow the relevant authorities and stakeholders to develop programmes and measures through engagement over a reasonable timescale, whilst having the certainty of the funding being provided.
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).	Without prejudice again to the Applicant's position that there is no legal or policy requirement for landscape compensation arising from the Project, and that the residual impact of the proposal is hugely outweighed by the benefits. The Applicant considers that the framework developed through the masterplans and draft DCO Schedule has been designed so that, should the Secretary of State conclude that compensation is necessary to the grant of the DCO, and passes all of the other tests for requirement set by s.120 of the Act (which are required by the terms of the DCO which imposes these requirements only on a blue pencil basis), then there is a mechanism by which such compensation can be secured and given weight in the determination. The Secretary of State would need to be satisfied that the proposed mechanism in the DCO would pass the tests mentioned in the questions, to which the Applicant states this position below: • Relevant to planning – the Applicant accepts that the measures relate to landscape and visual matters arising from the Project and seek to deliver environmental outcomes connected with those effects and to that extent are relevant to planning. • Necessary to make the development acceptable in planning terms – the Applicant maintains that such measures are self-evidently not necessary as stated in its principal submissions on this matter to the Examination (which we do not repeat here). However, if the Secretary of State reaches a different conclusion, they would have to take the view that (i) the residual harm was such that the benefits did not outweigh that harm but for the compensation, and (ii) that all of the other tests were met. The framework agreed with the authorities provides a mechanism through which compensation found to be necessary could be secured. • Directly related to the proposed development – the fund areas have been derived from locations identified by the ExA and from landscapes experiencing residual effects associated with the Project. Eligibility criteria further ensure as close a relationship as possible between funded projects and those effects. The Applicant has sought to assist by providing the eligibility criteria and identification of the compensation, offsetting and enhancement areas on the associated DCO plans, if compensation is considered to pass the necessity test, the Secretary of State would ultimately have to make their own judgement on a case-by-case basis, as to direct relevance. • Fairly and reasonably related in scale and kind to the proposed development – the location-specific approach, defined geographic areas, agreed governance arrangements and proposed fund allocations provide a framework linked to the scale and nature of the effects identified. Again, the Secretary of State will ultimately have to make their own judgment on a case-by-case basis, but the Applicant considers a proportionate response has been provided should compensation be deemed necessary. • Reasonable in all other respects - The Applicant has engaged with the ExA's requests and with the local planning authorities in a reasonable and proactive manner. The proposed approach allows the relevant authorities flexibility to identify, develop and deliver locally appropriate projects through established partnerships with landowners and other responsible organisations while maintaining accountability through the DCO mechanism. The aim has been to ensure that if the Secretary of State takes a different view to the Applicant, then the parties have done all that is reasonable to allow the Secretary of State legally to ensure that weight can be given to the landscape compensation provisions.

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