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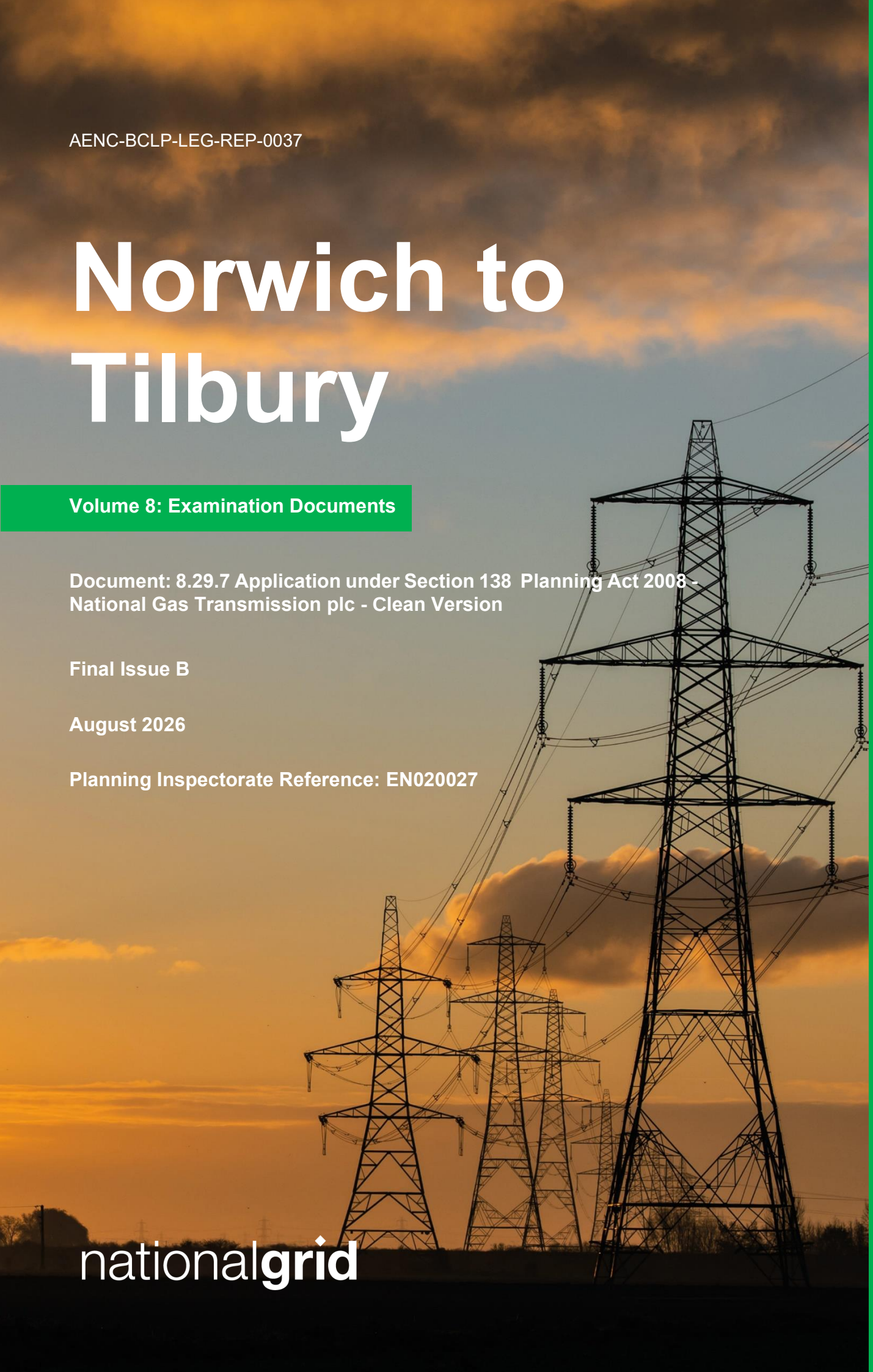

nationalgrid

Revision History

Version	Date	Submitted at
A	21 July 2026	Deadline 7
B	04 August 2026	Deadline 8

Contents

1. Application Under s138 of the Planning Act 2008 – (National Gas Transmission Plc) Statutory Undertakers' Land

1.1 Introduction

1.1.1 National Grid Electricity Transmission plc (the Applicant) submitted, on 29 August 2025, an application for development consent to the Secretary of State for the Norwich to Tilbury project (the project) (application reference EN020027). The application was accepted by the Planning Inspectorate on 26 September 2025.

1.2 Section 138 of the Planning Act 2008

1.2.1 The **3.1 Draft Development Consent Order (Revision H)** includes the power for the Applicant to extinguish the rights of, remove or reposition the apparatus belonging to, statutory undertakers, and as such the Applicant believes that s.138 of the 2008 Act is engaged by the **3.1 Draft Development Consent Order (Revision** H**)**.

1.2.2 Section 138 applies to land if:

- There subsists over the land a relevant right; or
- There is on, under or over the land relevant apparatus.

1.2.3 Section 138 provides that the **3.1 Draft Development Consent Order (Revision H)** may only include provision for the extinguishment of the relevant right, or the removal of the relevant apparatus, if the Secretary of State is satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the **3.1 Draft Development Consent Order (Revision H)** relates.

1.3 This Application

1.3.1 The relevant statutory undertaker for the purposes of this application is National Gas Transmission Plc (NGT). The Applicant proposes to acquire interests and rights in land, such interest in the land having been acquired by NGT (NGT Land) for the purposes of its undertaking.

1.3.2 NGT had made a representation to the Planning Inspectorate in relation to the application for development consent **(RR-2656)**. The Applicant has been in ongoing discussions with NGT regarding the application and has now reached agreement with NGT regarding the protective provisions. On that basis, NGT has now withdrawn its representation which means that section 127 of the Planning Act 2008 is no longer engaged (see section 127(1)(b)). The **3.1 Draft Development Consent Order (Revision H)** may only include provision giving the Applicant the power to extinguish rights of, remove or reposition the apparatus belonging to, statutory undertakers to the extent that the Secretary of State is satisfied that the requirements of s.138 have been met.

1.3.3 The Applicant is, therefore, making this application to the Secretary of State pursuant to s.138 of the 2008 Act.

1.3.4 The following documents were submitted as part of the application for development consent in August 2025, have been updated throughout the examination and are relied upon to support this application under s.138:

- **2.2 Land Plans – Section A-H (Revision G);**
- **2.3 Work Plans – [Sections A-H [REP7-014] [REP6-014] [REP7-016] [REP7-018] [APP-021] [REP6-016] [REP5-021] [REP6-018])**;
- **3.1 Draft Development Consent Order (Revision H);**
- **3.2 Explanatory Memorandum (Revision H);**
- **4.1 Statement of Reasons [Revision E]**;
- **4.3 Book of Reference (Revision G)**;
- **5.6 Planning Statement (Revision B REP7-090)**; and
- **6.1 Environmental Statement Chapter 1 – Introduction (Revision B REP7-152)**.

1.3.5 The **4.1 Statement of Reasons [Revision E]** sets out the justification for seeking compulsory acquisition powers within the **3.1 Draft Development Consent Order (Revision H)**.

1.4 Need Case

1.4.1 The need for the project has been established in the **5.6 Planning Statement (Revision B)** and **4.1 Statement of Reasons [Revision E]** and is underpinned by National Policy Statements EN-1 (2024) and EN-5 (2024).

1.4.2 Consistent with the Government's Net Zero target, there has been, and continues to be, growth in the volume of renewable and zero carbon generation that is seeking to connect to the electricity transmission system in the East Anglia and South East regions. UK Government policy clearly sets out the critical requirement for significant reinforcement of the transmission system to facilitate the connection of renewable energy sources and to transport electricity to where it is used. The National Energy System Operator (NESO) published Clean Power 2030: Advice on achieving clean power for Great Britain by 2030 (NESO, 2024). This report states that '*Three projects have been identified as critical to delivering a network which supports the clean power pathways, but at present have delivery dates after 2030. Support is therefore needed to bring these projects forward for 2030 delivery. These are projects in East Anglia and in the southeast that are critical for connecting offshore wind in the North Sea and supporting the flow of clean power. Our assessment suggests that without these projects, the clean power objective would not be achieved, leaving the clean power target short by around 1.6% in 2030 (assuming a typical weather year) and consumers could face extra constraint costs of around £4.2 billion in 2030*.' The project is specified as two of those three projects. The critical and urgent nature of the project is therefore also recognised in the strongest terms in a recent report in achieving Clean Power 2030 objectives. It is clear that there is a compelling case and established need for the project and that it will deliver national economic, social and

environmental benefits in line with the Government's clear objectives of delivering sustainable development.

1.4.3 East Anglia's 400 kV electricity transmission network was built in the 1960s. It was built to supply regional demand, centred on Norwich and Ipswich. For many years, the only significant power stations generating in the East Anglia region were the Sizewell A and the Sizewell B nuclear power stations, Spalding North and Sutton Bridge gas fired power stations, and some further smaller 132 kV connected gas fired power stations.

1.4.4 This generation capacity has recently been added to by several offshore windfarms with the existing generation totalling 6,552.4 MW of installed capacity. This is expected to grow substantially in coming years. In the East Anglia region, connection agreements have been signed for 26,919.9 MW of new generation (total generation of 33,472.3 MW minus existing generation of 6,552.4 MW). These future connection agreements comprise a large volume of offshore wind generation (including East Anglia Offshore Wind), gas-fired generation, energy storage projects, and a nuclear power station (at Sizewell C).

1.4.5 Without reinforcement, the capacity of the East Anglia and South East existing network is insufficient to accommodate the connection of the proposed new power sources. The 'Thermal Boundary Export Limit' – the physical maximum energy capacity the system can accommodate during planned system faults – would be exceeded, preventing export of power to demand centres beyond East Anglia. In these circumstances, generators connecting in the area would be required to reduce their output and would be compensated via a 'constraint' payment. These costs would be passed on to end consumers. National Grid ESO (now NESO) analysis shows that, in this case, predicted constraint costs are likely to significantly exceed those of reinforcement.

1.4.6 The planning policy support for the project is very strong. The 2008 Act requires that the application is determined in accordance with the relevant NPS unless certain exceptions apply. The identification of the project as a critical national priority (CNP) in NPS EN-1 (DESNZ, 2024a) means that in determining the application the Secretary of State will need to consider the particular circumstances of an application, but will take as a starting point for decision making where non-Habitats Regulations residual impacts remain that such infrastructure is to be treated as if it has met any test requiring a clear outweighing of harm, exceptionally, or very special circumstances within NPS EN-1 (DESNZ, 2024a), NPS EN-5 (DESNZ, 2024b) or any other planning policy. NPS EN-1 and NPS EN-5 establish the urgency of the need for electricity infrastructure.

1.4.7 In the Clean Power 2030 report, NESO lays out pathways for how Great Britain can reach a clean power system by 2030. The report identifies that offshore wind will be the bedrock of that system, providing over half of Great Britain's generation, with onshore wind and solar providing another 29%. New dispatchable low carbon technologies, such as using carbon capture and storage or hydrogen, add significant value to the system, with even relatively small levels of operational capacity materially reducing the overall challenge for the rest of the programme.

1.4.8 Associated with the new energy generation, the report identifies the need for a major network expansion, in line with published plans for the transmission network and with further strengthening at distribution level.

1.4.9 The report identifies the project as critical to delivering a network which supports the clean power pathways, but at present has a delivery date after 2030. Support is therefore needed to bring the project forward for 2030 delivery.

1.4.10 The policy position supporting the need case for the project is further supported in the updated EN-1 and EN-5 which came into force on 6 January 2026. The updated EN-1 and EN-5 set out the Government's commitment to the Clean Power Action Plan 2030, which aims for at least 95% of the UK's electricity generation to come from clean sources by 2030 and emphasises the urgency and CNP of developing low-carbon infrastructure, thereby supporting the need case established in the **6.1 Environmental Statement Chapter 1 – Introduction [REP7-152]**. Given the 2008 Act requirements set out in s.104, the clear statements in the NPS weigh strongly in favour of granting development consent for all energy projects in general and highlights the urgent need for new electricity transmission projects, and that need has been established.

1.5 Proposed Works

1.5.1 The works which are proposed over NGT's Land in connection with the project include, in particular, the following:

- Bellmouth Junction
  - Installation of bellmouth junctions are as detailed in 2.6.3 Design and Layout Plans - Traffic & Transport [APP-043].
- Construction Laydown Area
  - The construction laydown areas would store stone and other materials to facilitate the construction of the Project (predominantly for the haul roads). Material storage would typically only be needed for the first 12 months of construction and would likely store material to a maximum of 4 m in height at any one time.
  - It is assumed that they would generally be stripped of topsoil which would be stored appropriately and typically surfaced with stone chippings over geogrid. They would be reinstated to their former condition following their use
- Crossing Protection
  - Where the new overhead line crosses a road, railway line or navigable watercourse, scaffolding would be used to protect the crossing during construction. During site set up, scaffolding would be placed on either side of the feature. Each scaffold would be designed for the individual crossing that it would protect. The work area required for scaffold protection is dictated by the angle at which the overhead line crosses the asset which it is protecting.
  - Crossing protection would be made from steel scaffolding, with a net made of steel wire bonds anchored from scaffold to scaffold. Netting would be pulled across using karabiners to connect it to the steel wire bonds. The scaffold would be capable of withstanding a conductor being dropped on it in the unlikely event that this were to occur. The working area around the scaffold would be sufficient to erect the scaffold and to install and accommodate ground anchors or kentledge blocks required to stabilise the structure and catenary wires supporting the nets.

- Haul Road
  - For overhead line construction, the haul roads would be typically 6 m wide, with passing places (widening to 8 m) provided at typical intervals of 200 m. The frequency of passing places would be determined by site-specific conditions at the detailed design stage and the forward visibility along the haul roads.
  - For the construction of underground cables, CSE compounds and substations, the haul roads would be typically 8 m wide to allow for the delivery and movement of larger equipment using Abnormal Indivisible Load vehicles.
  - The typical cross section of the haul road would be 21 m wide, to allow for topsoil and subsoil storage, drainage, and demarcation fencing. A standard detail showing the typical layout of the haul road is shown in **2.6.3 Design and Layout Plans – Traffic & Transport [APP-043]**.
  - For the assessment of haul road construction, it is assumed that topsoil (and some subsoil) would be stripped and aggregate (e.g. stone) placed on top of the subsoil, delivered to site by HGVs.
  - Within the underground cable sections, the haul roads would normally be positioned central to the alignment, i.e. with cable trenches located either side of the haul roads. Therefore, no additional vegetation clearance would be required, except in some cases where the haul road deviates from the underground cable alignment to reach a site access point onto the public highway.
- Overhead Line Crossing
  - Pilot wires would be used to pull conductors between pylons. Additional fittings, such as spacers (to prevent the conductors from touching each other) and dampers (to prevent oscillations in the overhead line), would then be fitted to the conductors. An earth wire would run along the top of the pylons and contain optical fibres to allow transmission of data around the system
- Pylon Work Area
  - The working areas around each new pylon would be cleared of vegetation and fenced appropriately. Access to each pylon location would be installed. Temporary appropriate technology / material would be required adjacent to each new pylon location, on which to place plant such as cranes and piling rigs. The stone working areas would typically be 60 m x 60 m (or 70 m x 70 m for angle/terminal/low-height suspension structures and 80 m x 80 m for low-height tension structures). Materials would be brought to site on HGVs and would include the steelwork for the pylons and the conductors (i.e. cabling) wrapped around large drums.
  - The base of the pylons would involve the excavation of the soil. Piling (which may include percussive) would be required at some pylon locations, subject to the ground conditions. A sample series of ground investigation has been completed (the remaining ground investigation would be undertaken by the Main Works Contractor(s) before detailed design) which would inform the foundation designs.

- Different foundation types can be used for lattice pylons, such as pad and column, vertical tube piles or bored mini-pile foundations, depending on the local ground conditions. The type of foundation to be used is typically identified during the detailed design stage by the Main Works Contractor(s) following intrusive ground investigation surveys.
- The following works would be required to install foundations:
  - Excavations are required for each pylon leg;
  - Foundation formwork (mould) is then inserted, cast, and filled with concrete;
  - The concrete is left to harden (set);
  - The excavated hole is backfilled to ground level; and
  - The foundation formwork would be removed and any remaining sub-soil subject to its make up would be distributed on site or removed from site.
- In areas with poorer ground conditions that are unsuitable for pad and column foundations, vertical steel tube pile foundations or bored mini-pile foundations can be used. These are connected by a pile cap at or below ground level.
- Using a piling hammer supported by a piling rig, steel tube piles are driven into the ground. A maximum transportable length of up to 15 m is driven at a time, and if longer piles are required, additional sections are welded together before continuing the drive.
- Following the installation of working areas and the appropriate foundations, pylon steelwork can be assembled, and the pylons can be erected.
- Lattice pylons comprise many separate steel members. These are delivered to site in bundles by HGV. The steelwork for the pylons would be bolted together on the ground and each pylon would be assembled in sections beginning with each of the four steelwork legs being fastened to the stubs. The pylon would be erected using a mobile crane to lift the assembled steelwork into position. Overhead Line Craft persons help guide the sections into place and bolt the pylon together.

- Stringing Position
  - The conductors would typically be installed in sections between tension pylons, where the overhead line changes direction. A bowtie shaped pulling site would be established, for tension/angle pylons, at one end of the section with the conductors running out from a tensioning site at the other end of the section, to keep the wires off the ground.
- UKPN Pole Mitigation
  - Vehicles and equipment would be similar to that required for the proposed 400 kV overhead line and underground cable works but at a reduced scale relevant to the works. A terminal wood pole structure would be installed at each end of the section to be undergrounded to facilitate the transition from overhead line to underground cable. The installation of underground cable diversions is assumed to be in a single trench typically up to 1 m in width with 1.2 m depth to the cover (worst-case for deep ploughing). These would be routed either within the existing highway, highway verges or across farmland

(using existing gaps through hedgerows where practicable). An underground cable limit of deviation of 25 m has been applied.

  - It is assumed works would be completed using suitable vehicles, for example standard 4x4 or agricultural type vehicles and an excavator (size relevant to the works), which would use the public highway or existing agreed access routes (for the wood pole line), field gates and hedgerow gaps (where practicable). It is assumed there would be no requirement to create new physical temporary access tracks.

- UKPN Tower Mitigation
  - Works typically would include site set up and access requirements similar to the construction of the new 400 kV pylons and underground cables but reduced in scope due to the smaller scale of the assets to be removed, undergrounded or diverted.
  - It may be necessary to establish a temporary diversion of the overhead line while the mitigation works are undertaken to ensure security of supply to end users by keeping one of the circuits live. To maintain supply, one live circuit would be routed on temporary poles, masts or pylons around the area of work so that pylon removal can be undertaken in an electrically isolated safe area.
  - A working area with an approximate 50 m radius at pylon locations and 20 m either side of centreline along the spans to be removed/temporarily diverted would be required. Typically, this area would not be stoned, trackway would be used instead.
  - Dismantling of pylons would first involve removing the conductors, then lowering the insulators and fittings to the ground. Where a pylon is in a clear area and it is safe to do so, the pylon would be removed by ‘felling’ the whole structure. Alternatively, a mobile crane would dismantle the structure in sections which would then be lowered to the ground. Once dismantled, the pylon steelwork would typically be broken up on site and then removed. The reinforced concrete foundation would then be removed, the excavation backfilled, ground reinstated and any waste removed from site to a suitable licensed waste management facility.
  - To facilitate the underground cable, the last remaining pylon would typically be replaced with a terminal pylon supporting a CSE platform.
  - From here the 132 kV underground cable diversion would be installed as per the 400 kV underground cable alignment but reduced in scope due to the smaller scale of the assets. The installation of underground cable diversions is assumed to be in a single trench typically up to 3 m in width and 1.2 m in depth to the cover (worst-case for deep ploughing). An underground cable limit of deviation of 35 m has been applied. It is assumed that any vegetation within the limit of deviation would be removed during construction and reinstated where practicable following the works

Table 1.1 Proposed Works and Locations

Interface type	Crossing (X-coordinates)	Crossing (Y-coordinates)	Work plan section/ sheet combined
UKPN Tower Mitigation - Overhead Line Dismantling	564208	195123	Section G Sheet 3
UKPN Tower Mitigation - Access Route	564216	194873	Section G Sheet 3
UKPN Tower Mitigation - Cable Crossing	564248	194498	Section G Sheet 3
UKPN Pole Mitigation - Cable Crossing	564253	194469	Section G Sheet 3
UKPN Tower Mitigation - Access Route	564296	195212	Section G Sheet 3
UKPN Pole Mitigation - Overhead Line Dismantling	564327	194035	Section G Sheet 3
UKPN Tower Mitigation - Cable Crossing	564334	194002	Section G Sheet 3
UKPN Tower Mitigation - Overhead Line Dismantling	564347	193220	Section G Sheet 4
UKPN Tower Mitigation - Cable Crossing	564373	193317	Section G Sheet 4
UKPN Tower Mitigation - Cable Crossing	564380	193766	Section G Sheet 3
UKPN Tower Mitigation - Overhead Line Dismantling	564399	193420	Section G Sheet 4
UKPN Tower Mitigation - Access Route	564432	195352	Section G Sheet 3
UKPN Tower Mitigation - Access Route	564480	195420	Section G Sheet 3
Stringing Position	565091	189824	Section G Sheet 6
Haul Road	565160	187493	Section H Sheet 1
Overhead Line Crossing	565161	188311	Section G Sheet 6
Haul Road	565180	188446	Section G Sheet 6
Stringing Position	565180	188446	Section G Sheet 6
Overhead Line Crossing	565198	188674	Section G Sheet 6
UKPN Tower Mitigation - Access Route	565199	188807	Section G Sheet 6
UKPN Tower Mitigation - Access Route	565199	188692	Section G Sheet 6
Haul Road	565200	188635	Section G Sheet 6
Stringing Position	565251	187987	Section G Sheet 6
UKPN Tower Mitigation - Access Route	565265	187957	Section G Sheet 6
Trackway	565273	187885	Section G Sheet 6

Interface type	Crossing (X-coordinates)	Crossing (Y-coordinates)	Work plan section/ sheet combined
UKPN Pole Mitigation - Overhead Line Dismantling	565278	183998	Section H Sheet 2
UKPN Tower Mitigation - Access Route	565318	187773	Section H Sheet 1
UKPN Tower Mitigation - Access Route	565320	187769	Section H Sheet 1
Pylon Work Area	565324	187760	Section H Sheet 1
UKPN Tower Mitigation - Access Route	565325	187755	Section H Sheet 1
UKPN Tower Mitigation - Overhead Line Dismantling	565334	187731	Section H Sheet 1
UKPN Tower Mitigation - Access Route	565340	187720	Section H Sheet 1
Haul Road	565343	196212	Section G Sheet 2
UKPN Tower Mitigation - Access Route	565357	187516	Section H Sheet 1
UKPN Tower Mitigation - Overhead Line Dismantling	565360	187472	Section H Sheet 1
UKPN Tower Mitigation - Overhead Line Dismantling	565366	187322	Section H Sheet 1
UKPN Tower Mitigation - Overhead Line Dismantling	565370	187230	Section H Sheet 1
UKPN Tower Mitigation - Overhead Line Dismantling	565383	187146	Section H Sheet 1
Overhead Line Crossing	565492	196178	Section G Sheet 2
Overhead Line Crossing	565520	183994	Section H Sheet 2
Haul Road	565559	183992	Section H Sheet 2
Stringing Position	565584	185812	Section H Sheet 1
Overhead Line Crossing	565607	185716	Section H Sheet 1
Haul Road	565623	185646	Section H Sheet 1
UKPN Pole Mitigation - Overhead Line Dismantling	565664	183990	Section H Sheet 2
UKPN Pole Mitigation - Overhead Line Dismantling	565671	196417	Section G Sheet 2
Stringing Position	565760	196927	Section G Sheet 2
Overhead Line Crossing	565776	196965	Section G Sheet 2
Haul Road	565781	197070	Section G Sheet 2
Stringing Position	565842	201018	Section F Sheet 10

Interface type	Crossing (X-coordinates)	Crossing (Y-coordinates)	Work plan section/ sheet combined
Overhead Line Crossing	565843	201052	Section F Sheet 10
Haul Road	565845	200951	Section F Sheet 10
Overhead Line Crossing	565845	200808	Section F Sheet 10
Trackway	565862	200742	Section F Sheet 10
Crossing Protection	565875	200727	Section F Sheet 10
Overhead Line Crossing	565879	206872	Section F Sheet 8
UKPN Pole Mitigation - Overhead Line Dismantling	565879	206987	Section F Sheet 8
UKPN Pole Mitigation - Access Route	565879	206931	Section F Sheet 8
Trackway	565883	206825	Section F Sheet 8
Crossing Protection	565891	206733	Section F Sheet 8
Overhead Line Crossing	565894	200704	Section F Sheet 10
Haul Road	565896	206459	Section F Sheet 8
Haul Road	565905	206365	Section F Sheet 8
Stringing Position	565919	205603	Section F Sheet 8
Overhead Line Crossing	565920	205516	Section F Sheet 8
Haul Road	565924	205485	Section F Sheet 8
Stringing Position	565926	208032	Section F Sheet 7
Construction Laydown Area	565943	200645	Section F Sheet 10
Crossing Protection	565943	200645	Section F Sheet 10
Trackway	565955	200630	Section F Sheet 10
Pylon Work Area	565967	200616	Section F Sheet 10
Stringing Position	565974	182784	Section H Sheet 3
UKPN Pole Mitigation - Overhead Line Dismantling	565974	182784	Section H Sheet 3
Haul Road	565976	208097	Section F Sheet 7
UKPN Pole Mitigation - Overhead Line Dismantling	565981	182783	Section H Sheet 3
Haul Road	565984	182751	Section H Sheet 3
Haul Road	565984	200597	Section F Sheet 10
Overhead Line Crossing	565988	182731	Section H Sheet 3

Interface type	Crossing (X-coordinates)	Crossing (Y-coordinates)	Work plan section/ sheet combined
Haul Road	565991	182745	Section H Sheet 3
Stringing Position	565991	182745	Section H Sheet 3
Overhead Line Crossing	565995	182729	Section H Sheet 3
UKPN Pole Mitigation - Overhead Line Dismantling	566005	200569	Section F Sheet 10
Trackway	566009	182684	Section H Sheet 3
UKPN Pole Mitigation - Access Route	566038	182639	Section H Sheet 3
UKPN Tower Mitigation - Cable Crossing	566043	182618	Section H Sheet 3
Bellmouth Junction	566057	208206	Section F Sheet 7
Trackway	566108	208271	Section F Sheet 7
Haul Road	566120	208289	Section F Sheet 7
Haul Road	566175	199947	Section G Sheet 1
Overhead Line Crossing	566195	200029	Section G Sheet 1
Construction Laydown Area	566318	208519	Section F Sheet 7
UKPN Tower Mitigation - Overhead Line Dismantling	566788	180502	Section H Sheet 4
UKPN Tower Mitigation - Overhead Line Dismantling	566839	180397	Section H Sheet 4
Stringing Position	566869	180652	Section H Sheet 4
UKPN Tower Mitigation - Access Route	566881	180390	Section H Sheet 4
Overhead Line Crossing	566922	180966	Section H Sheet 4
Pylon Work Area	566927	180957	Section H Sheet 4
Stringing Position	566927	180957	Section H Sheet 4
Haul Road	567013	181720	Section H Sheet 4
Stringing Position	567013	181720	Section H Sheet 4
Overhead Line Crossing	567057	181710	Section H Sheet 4
Overhead Line Crossing	608254	264546	Section B Sheet 9
Haul Road	608298	264689	Section B Sheet 9
Stringing Position	608298	264689	Section B Sheet 9
UKPN Pole Mitigation - Access Route	608362	264877	Section B Sheet 9

Interface type	Crossing (X-coordinates)	Crossing (Y-coordinates)	Work plan section/ sheet combined
UKPN Pole Mitigation - Overhead Line Dismantling	608482	265268	Section B Sheet 8
UKPN Pole Mitigation - Overhead Line Dismantling	608525	265401	Section B Sheet 8
Stringing Position	608604	265631	Section B Sheet 8
UKPN Pole Mitigation - Cable Crossing	608617	265697	Section B Sheet 8

1.5.2 Following identification of NGT's underground utilities, National Grid will undertake a comprehensive risk assessment that evaluates the scope of work, proximity to the pipeline, ground conditions, and the equipment to be used. Based on this assessment, the contractor will establish a safe system of work, including defined exclusion zones, appropriate excavation methods, and emergency response procedures. These controls will be clearly communicated to all personnel through site briefings and method statements to ensure a consistent understanding of the risks and mitigation measures.

1.5.3 National Grid will ensure that all personnel involved in the work are competent and adequately trained in pipeline safety procedures. Workers will be briefed on how to recognize potential hazards, including signs of gas leaks such as unusual odours, hissing sounds, or visible damage to infrastructure. In the event of a suspected or confirmed pipeline strike or leak, the delivery partners will immediately stop all work, evacuate the area, and notify the relevant emergency services if required and pipeline operator without delay.

1.5.4 If a pipeline is exposed, the delivery partners will ensure that it is properly supported and protected at all times. Measures will be taken to prevent undue stress, bending, or movement, and no heavy equipment or stored materials will be placed directly over or in close proximity to the pipeline. Where necessary, physical barriers or protective systems will be installed to minimize the risk of accidental impact or loading.

1.5.5 Close coordination with the pipeline operator will be maintained throughout the duration of the project. The delivery partners will comply with any specific requirements, supervision arrangements, or permits imposed by the operator to ensure the pipeline's integrity is preserved as detailed within the individual crossing consent certificates obtained per interaction. Regular communication will be upheld to address any changes in conditions or unforeseen risks.

1.5.6 A methodology statement has been provided to NGT detailing delivery works required for each type of crossing interaction within the vicinity of NGT's assets as identified and allowing NGT's commentary of additional mitigations required.

1.6 Statutory Undertakers' Land

1.6.1 A summary of the purpose for which land which NGT has an interest in is required and the rights that would need to be acquired (in the context of the interface works described in Paragraph 1.5 above) is included in the Appendix; see further the **4.3**

Book of Reference (Revision G). Note that, as is explained in the **4.3 Book of Reference (Revision G)**, where multiple types of interest, rights or powers are sought over a given plot (such as temporary use for construction, mitigation and maintenance, as well as permanent rights of access), the plot is classified according to the most extensive (higher class of right) required:

- **Class 1 (Compulsory Acquisition of Land)** – acquisition of all interests and rights in the land.
- **Class 2 (Compulsory Acquisition of Rights – Overhead Line)** – acquisition of rights by the creation of new rights, the imposition of restrictions, or the acquisition of existing rights or benefits of existing restrictions.
- **Class 3 (Compulsory Acquisition of Rights – Underground Cable System) –** acquisition of rights by the creation of new rights, the imposition of restrictions or restrictive covenants, or the acquisition of existing rights or benefits of existing restrictions.
- **Class 4 (Compulsory Acquisition of Rights – Overhead line and underground cabling system) -** acquisition of rights by the creation of new rights, the imposition of restrictions or restrictive covenants, or the acquisition of existing rights or benefits of existing restrictions.
- **Class 4a (Compulsory Acquisition of Rights – Works for the Protection of Existing UKOP Apparatus Affected by the Authorised Development)** – acquisition of rights by the creation of new rights, the imposition of restrictions or restrictive covenants, or the acquisition of existing rights or benefits of existing restrictions.
- **Class 5 (Compulsory Acquisition of Rights – Access)** - acquisition of rights by the creation of new rights, the imposition of restrictions or restrictive covenants, or the acquisition of existing rights or benefits of existing restrictions.

Table 1.2 Land affected and land, interest or right sought by the Applicant

NGT's Land (plot number)	Interest or right to be acquired
N/A	Class 1 - (in relation to land owned by NGT)
H-5/2, H-5/9, H-5/13, H-5/15, H-5/19, H-5/19b, H-5/23, H-5/26	Class 1 - Compulsory Acquisition of Land (in relation to land in which NGT has a right or interest only)

NGT's Land (plot number)	Interest or right to be acquired
B-8/41, B-8/47, B-8/52, B-8/53, B-8/64, B-8/74, B-8/75, B-8/79, B-8/80, B-9/2, B-9/11, B-9/14, B-9/38, B-9/47, B-9/48, B-9/62, B-9/73, B-9/76, B-9/77, F-7/5, F-7/24, F-8/1, F-8/19, F-8/21, F-8/24, F-8/27, F-8/29, F-8/37 F-8/38, F-8/63, F-9/1, F-10/71, F-10/83, F-10/85, F-10/88, F-10/91, G-1/16, G-1/17, G-1/19, G-1/22, G-1/25, G-1/30, G-2/88, G-2/97, G-3/6, G-3/11, G-6/8, G-6/30, G-6/40, G-6/45, G-6/46, G-6/47, G-6/73, G-6/94, G-6/125, G-6/128, G-6/129, G-6/131, G-6/132, G-6/133, G-6/180, G-6/187, G-6/189, H-1/24, H-1/31, H-1/35, H-1/37, H-1/42, H-1/43, H-2/2, H-3/12, H-3/26, H-3/32, H-3/38, H-3/39, H-3/40, H-4/55, H-4/59, H-4/68, H-4/75, H-4/76, H-4/123, H-4/131, H-1/72,	Class 2 - Compulsory Acquisition of Rights – Overhead Line)
B-9/49, G-4/6, G-4/69, G-4/89, G-4/107, H-3/54	Class 3 – (Compulsory Acquisition of rights – underground cable)
B-9/50, B-9/64, B-9/74, B-9/79, F-8/17, F-8/47, F-8/48, G-2/144, G-3/2, G-3/3, G-3/9, G-4/116, G-4/124, G-4/125, G-4/136, G-4/138, H-2/29, H-3/5, H-4/38, H-4/46, H-4/62	Class 4 – (Compulsory Acquisition of rights – access)
H-1B/19	Class 4A – Compulsory Acquisition of Rights - Works for the protection of existing UKOP apparatus affected by the authorised development
B-9/56, F-7/27, F-7/39, F-7/40, F-7/56, F-7/57, F-8/3, F-8/9, F-8/54, F-8/74, F-9/36, G-1/26, G-1/33, G-2/101, G-4/108, G-6/17, H-1/32, H-2/3, H-2/8, H-3/24, H-3/27, H-3/51, H-4/50, H-1/76	Class 5 – Compulsory Acquisition of Rights - Access

1.7 Section 138 of the Planning Act 2008

1.7.1 As noted above, the **3.1 Draft Development Consent Order (Revision H)** gives the Applicant the power to extinguish the rights of, or remove the apparatus belonging to, statutory undertakers over or within the order limits. However, this is only permitted where the Secretary of State is satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the **3.1 Draft Development Consent Order (Revision H)** DCO relates.

1.7.2 Section 138 of the 2008 Act is set out below:

(1) This section applies if an order granting development consent authorises the acquisition of land (compulsorily or by agreement) and—

a) there subsists over the land a relevant right, or

b) there is on, under or over the land relevant apparatus.

(2) "Relevant right" means a right of way, or a right of laying down, erecting, continuing or maintaining apparatus on, under or over the land, which—

a) is vested in or belongs to statutory undertakers for the purpose of the carrying on of their undertaking, or

b) is conferred by or in accordance with the electronic communications code on the operator of an electronic communications code network.

(3) "Relevant apparatus" means—

a) apparatus vested in or belonging to statutory undertakers for the purpose of the carrying on of their undertaking, or

b) electronic communications apparatus kept installed for the purposes of an electronic communications code network.

(4) The order may include provision for the extinguishment of the relevant right, or the removal of the relevant apparatus, only if the Secretary of State is satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the order relates.

1.7.3 The Applicant understands that there is a relevant right and/or relevant apparatus vested in NGT in, on or under the plots listed in Table 1.2 above.

1.7.4 For the purposes of this application, it is the Applicant's case that:

- Works associated with the project are necessary over the plots listed in Table 1.2 above (as described in Schedule 1 to the **3.1 Draft Development Consent Order (Revision H)** and shown on the 2.3 Works Plans **Works Plans Sections A-H [REP7-014] [REP6-014] [REP7-016] [REP7-018] [APP-021] [REP6-016] [REP5-021] [REP6-018]**;
- The project could affect relevant rights and/or relevant apparatus vested in or belonging to NGT as a result of carrying out the authorised development;
- In the absence of powers for the Applicant to ultimately extinguish such rights and/or remove such apparatus, in the event that diversions are required, the authorised development could not be guaranteed to be carried out; and
- The Applicant has engaged with NGT regarding the DCO application and the parties have reached agreement on protective provisions which are included in **3.1 Draft Development Consent Order (Revision H)** at Part 9 of Schedule 16. The parties have also reached agreement on the terms of a side agreement which they expect to complete shortly after deadline 8. NGT has withdrawn its representation on the basis of these protections.

1.7.5 Therefore, taking account of the nature of the proposed works and the inclusion of protective provisions in the **3.1 Draft Development Consent Order (Revision H)**, the Applicant contends that, specifically in relation to s.138, the Secretary of State can be satisfied that whilst the rights of NGT may potentially be subject to extinguishment or removal, the powers to do so are necessary for the project to proceed and, nevertheless, NGT's rights and apparatus are adequately protected by the protective provisions included at Part 9 of Schedule 16 to the **3.1 Draft Development Consent Order (Revision H)**.

Abbreviations

Abbreviation	Full Reference
AIS	Air Insulated Switchgear
AONB	Area of Outstanding Natural Beauty
BNG	Biodiversity Net Gain
CPRSS	Corridor and Preliminary Routeing and Siting Study Report
CSE	Cable Sealing End
DCO	Development Consent Order
DNO	Distribution Network Operators
EACN	East Anglia Connection Node
EIA	Environmental Impact Assessment
ES	Environmental Statement
ESO	Electricity System Operator
GIS	Gas Insulated Switchgear
GW	Gigawatts
kV	Kilovolt
NSIP	Nationally Significant Infrastructure Project
NETS	National Electricity Transmission System
NETS SQSS	National Electricity Transmission System Security and Quality of Supply Standard
NGET	National Grid Electricity Transmission
Ofgem	Office of Gas and Electricity Markets
PEIR	Preliminary Environmental Information Report
SOBR	Strategic Options Backcheck and Review
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest

Glossary

Term	Description
Alignment	The proposed overhead line and underground cable route.
Ancient woodland	Land that has been continually wooded since at least 1600 in England. Regarded as 'irreplaceable habitat' in national planning policy and guidance. Ancient woodland greater than 2 ha is recorded on the Natural England Ancient Woodland Inventory.
Biodiversity	The variability among living organisms from all sources including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems.
Biodiversity Net Gain	An approach for developments to ensure habitats for wildlife are left in a measurably better state than they were before the development.
Cable	An insulated conductor designed for underground installation.
Cable Sealing End compound	Electrical infrastructure used as the transition point between overhead lines and underground cables. A compound on the ground acts as the principal transition point.
Conservation Area	An area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance as defined in s69(1)(a) in the Planning (Listed Building and Conservation Areas) Act 1990.
Development Consent Order	A statutory instrument which grants consents and other rights to build a Nationally Significant Infrastructure Project, as defined by the Planning Act 2008.
Distribution Network Operator	Companies that own and operate the power lines and infrastructure that connect the National Grid network to individual properties.

Appendix A.
Class of Rights

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Appendix A
Class of Rights

A.1.1 **Class 1 (Compulsory Acquisition of Land)** – acquisition of all interests and rights in the land.

A.1.2 **Class 2 (Compulsory Acquisition of Rights – Overhead Line)** – acquisition of rights by the creation of new rights, the imposition of restrictions or restrictive covenants, or the acquisition of existing rights or benefits of existing restrictions:

- with or without vehicles, plant and equipment to enter the land to construct the overhead electric line and thereafter to use, retain, inspect, maintain, repair, alter, renew and replace, decommission and leave in situ or remove;
- with or without vehicles, plant and equipment to enter the land to fell, trim or lop trees and bushes which may obstruct or interfere with the rights sought by the undertaker;
- with or without vehicles, plant and equipment to enter the land to access any adjoining land;
- with or without vehicles, plant and equipment to enter the land to exercise the rights over and across any access route;
- to require the landowner not to do or suffer anything to be done upon the land which may interfere with or cause damage to the overhead electric line, including without limitation impose clearance restrictions, not to erect any building or structure or allow any plant or tree to grow within the land, not to change the level of the surface, ground cover or composition of the land or do or allow to be done anything that may cause the level of the surface, ground cover or composition to be altered, not to drill, dig or break up the land;
- to fly over, use on, and recover from the land robots, helicopters, drones, gadgets or similar devices either remote controlled or autonomous, including for the purposes of inspection and maintenance;
- to construct and install land drains cut off drainage and/or run-off drainage systems (including all necessary supports) soakaways and attenuation ponds on the land, and thereafter to infill and/or retain and make use of, including from time to time to inspect, cleanse, maintain, repair, remove, decommission and leave in situ, reinstate, renew, alter and replace, the same;
- to require the landowner not to do or suffer anything to be done upon the land which may interfere with the drainage systems, soakaways or attenuation ponds;
- including without limitation not to erect any building or structure or allow any plant or tree to grow within the land insofar as it may interfere with the drainage systems, not to change the level of the surface, ground cover or composition of the land or do or allow to be done anything that may cause the level of the surface, ground cover or composition to be altered, not to drill, dig or break up the land;
- to carry out any other works, including environmental mitigation, necessary or expedient to the land and listed in Schedule 1 of the **3.1 Draft Development Consent Order (Revision H)**; and

- to carry out any activities ancillary or incidental thereto.

A.1.3 **Class 3 (Compulsory Acquisition of Rights – Underground Cable System)** – acquisition of rights by the creation of new rights, the imposition of restrictions or restrictive covenants, or the acquisition of existing rights or benefits of existing restrictions:

- with or without vehicles, plant and equipment to enter the land to construct the underground cable system and thereafter to use, retain, inspect, maintain, repair, alter, renew and replace, decommission and leave in situ or remove;
- with or without vehicles, plant and equipment to enter the land to fell, trim or lop trees and bushes which may obstruct or interfere with the rights sought by the undertaker;
- with or without vehicles, plant and equipment to enter the land to access any adjoining land;
- with or without vehicles, plant and equipment to enter the land to exercise the rights over and across any access route;
- to require the landowner not to do or suffer anything to be done upon the land which may interfere with or cause damage to the underground cable system, including without limitation impose clearance restrictions, not to erect any building or structure or allow any plant or tree to grow within the land, not to change the level of the surface, ground cover or composition of the land or do or allow to be done anything that may cause the level of the surface, ground cover or composition to be altered, not to drill, dig or break up the land;
- to fly over, use on, and recover from the land robots, helicopters, drones, gadgets or similar devices either remote controlled or autonomous, including for the purposes of inspection and maintenance;
- to construct and install land drains cut off drainage and/or run-off drainage systems (including all necessary supports), soakaways and attenuation ponds on the land, and thereafter to infill and/or retain and make use of, including from time to time to inspect, cleanse, maintain, repair, remove, decommission and leave in situ, reinstate, renew, alter and replace, the same;
- to require the landowner not to do or suffer anything to be done upon the land which may interfere with the drainage systems, soakaways or attenuation ponds, including without limitation not to erect any building or structure or allow any plant or tree to grow within the land insofar as it may interfere with the drainage systems, not to change the level of the surface, ground cover or composition of the land or do or allow to be done anything that may cause the level of the surface, ground cover or composition to be altered, not to drill, dig or break up the land;
- to carry out any other works, including environmental mitigation, necessary or expedient to the land and listed in Schedule 1 of the **3.1 Draft Development Consent Order (Revision H)**; and
- to carry out any activities ancillary or incidental thereto.

A.1.4 **Class 4 (Compulsory Acquisition of Rights – Overhead Line and Underground Cabling System)** – acquisition of rights by the creation of new rights, the imposition of restrictions or restrictive covenants, or the acquisition of existing rights or benefits of existing restrictions:

- with or without vehicles, plant and equipment to enter the land to construct the overhead electric line and/or the underground cable system and thereafter to use, retain, inspect, maintain, repair, alter, renew and replace, decommission and leave in situ or remove;
- with or without vehicles, plant and equipment to enter the land to fell, trim or lop trees and bushes which may obstruct or interfere with the rights sought by the undertaker;
- with or without vehicles, plant and equipment to enter the land to access any adjoining land;
- with or without vehicles, plant and equipment to enter the land to exercise the rights over and across any access route;
- to require the landowner not to do or suffer anything to be done upon the land which may interfere with or cause damage to the overhead electric line and/or the underground cable system, including without limitation impose clearance restrictions, not to erect any building or structure or allow any plant or tree to grow within the land, not to change the level of the surface, ground cover or composition of the land or do or allow to be done anything that may cause the level of the surface, ground cover or composition to be altered, not to drill, dig or break up the land;
- to fly over, use on, and recover from the land robots, helicopters, drones, gadgets or similar devices either remote controlled or autonomous, including for the purposes of inspection and maintenance;
- to construct and install land drains cut off drainage and/or run-off drainage systems (including all necessary supports) soakaways and attenuation ponds on the land, and thereafter to infill and/or retain and make use of, including from time to time to inspect, cleanse, maintain, repair, remove, decommission and leave in situ, reinstate, renew, alter and replace, the same;
- to require the landowner not to do or suffer anything to be done upon the land which may interfere with the drainage systems, soakaways or attenuation ponds, including without limitation not to erect any building or structure or allow any plant or tree to grow within the land insofar as it may interfere with the drainage systems, not to change the level of the surface, ground cover or composition of the land or do or allow to be done anything that may cause the level of the surface, ground cover or composition to be altered, not to drill, dig or break up the land;
- to carry out any other works, including environmental mitigation, necessary or expedient to the land and listed in Schedule 1 of the **3.1 Draft Development Consent Order (Revision H)**; and
- to carry out any activities ancillary or incidental thereto.

A.1.5 **Class 4a (Compulsory Acquisition of Rights – Works for the Protection of Existing UKOP Apparatus Affected by the Authorised Development)** – acquisition of rights by the creation of new rights, the imposition of restrictions or restrictive covenants, or the acquisition of existing rights or benefits of existing restrictions:

- with or without vehicles, plant and equipment to enter the land to construct and install all above ground and below ground apparatus required for the protection of existing UKOP apparatus affected by the authorised development (including, but not limited to, permanent above ground monitoring apparatus) and thereafter to use, retain, inspect, maintain, repair, alter, renew and replace, decommission and leave in situ or remove;
- with or without vehicles, plant and equipment to enter the land to fell, trim or lop trees and bushes which may obstruct or interfere with the rights sought by the undertaker;
- with or without vehicles, plant and equipment to enter the land to exercise the rights over and across any access route;
- to require the landowner not to do or suffer anything to be done upon the land which may interfere with or cause damage to the apparatus constructed and installed for the protection of existing UKOP apparatus affected by the authorised development, including without limitation to impose clearance restrictions, not to erect any building or structure or allow any plant or tree to grow within the land, not to change the level of the surface, ground cover or composition of the land or do or allow to be done anything that may cause the level of the surface, ground cover or composition to be altered, not to drill, dig or break up the land but provided that in all cases nothing shall prevent the carrying on of normal agricultural operations to a maximum depth of 600mm below the finished ground level, including the growing of shallow rooted crops or the grazing of livestock;
- to carry out any other works, including environmental mitigation, necessary or expedient to the land and listed in Schedule 1 of the **3.1 Draft Development Consent Order (Revision H)**; and
- to carry out any activities ancillary or incidental thereto.

A.1.6 **Class 5 (Compulsory Acquisition of Rights – Access)** – acquisition of rights by the creation of new rights, the imposition of restrictions or restrictive covenants, or the acquisition of existing rights or benefits of existing restrictions:

- of way with or without vehicles, plant and equipment at all times over the land;
- to remove any buildings, structures, pylons, apparatus, equipment, and vegetation from that land;
- to require the landowner not to do or suffer anything to be done upon the land which may interfere with the undertaker's access, including without limitation not to erect any building or structure or allow any plant or tree to grow within the land, not to change the level of the surface, ground cover or composition of the land or do or allow to be done anything that may cause the level of the surface, ground cover or composition to be altered, not to drill, dig or break up the land;
- to require the landowner not to do or suffer anything to be done upon the land which may interfere with sight lines associated with the undertaker's access, including without limitation not to erect any building or structure or allow any plant

or tree to grow within the land insofar as it may interfere with sight lines, not to change the level of the surface, ground cover or composition of the land or do or allow to be done anything that may cause the level of the surface, ground cover or composition to be altered, not to drill, dig or break up the land;

- to construct, use or maintain works (including the provision of means of access);
- to construct and install land drains cut off drainage and/or run-off drainage systems (including all necessary supports), soakaways and attenuation ponds on the land, and thereafter infill and/or to retain and make use of, including from time to time to inspect, cleanse, maintain, repair, remove, decommission and leave in situ, reinstate, renew, alter and replace, the same;
- to require the landowner not to do or suffer anything to be done upon the land which may interfere with the drainage systems, soakaways or attenuation ponds, including without limitation not to erect any building or structure or allow any plant or tree to grow within the land insofar as it may interfere with the drainage systems, not to change the level of the surface, ground cover or composition of the land or do or allow to be done anything that may cause the level of the surface, ground cover or composition to be altered, not to drill, dig or break up the land; and
- to carry out activities ancillary thereto.

National Grid plc
National Grid House,
Warwick Technology Park,
Gallows Hill, Warwick.
CV34 6DA United Kingdom

Registered in England and Wales
No. 4031152
nationalgrid.com