



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

---

# **SCOPING OPINION:**

## **Proposed Eastern Green Link 3 and Eastern Green Link 4**

**Case Reference:** EN0210003

---

Adopted by the Planning Inspectorate (on behalf of the Secretary of State)  
pursuant to Regulation 10 of The Infrastructure Planning (Environmental  
Impact Assessment) Regulations 2017

**05 September 2024**

## TABLE OF CONTENTS

<b>1.</b>	<b>INTRODUCTION.....</b>	<b>1</b>
<b>2.</b>	<b>OVERARCHING COMMENTS – ONSHORE .....</b>	<b>3</b>
2.1	Description of the Proposed Development.....	3
2.2	EIA Methodology and Scope of Assessment .....	5
<b>3.</b>	<b>ENVIRONMENTAL ASPECT COMMENTS – ONSHORE.....</b>	<b>8</b>
3.1	Biodiversity.....	8
3.2	Cultural Heritage .....	12
3.3	Landscape and Visual Amenity .....	15
3.4	Water Environment.....	18
3.5	Geology and Hydrogeology.....	20
3.6	Agriculture and Soils .....	24
3.7	Traffic and Transport.....	27
3.8	Noise and Vibration.....	29
3.9	Air Quality.....	31
3.10	Socio-economics, Recreation and Tourism.....	33
3.11	Health and Wellbeing .....	36
3.12	Scoped Out Aspects.....	37
<b>4.</b>	<b>OVERARCHING COMMENTS – OFFSHORE.....</b>	<b>38</b>
4.0	Description of the Proposed Development.....	38
4.1	EIA Methodology and Scope of Assessment .....	40
<b>5.</b>	<b>ENVIRONMENTAL ASPECT COMMENTS – OFFSHORE.....</b>	<b>41</b>
5.0	Designated sites.....	41
5.1	Marine Physical Processes .....	43
5.2	Intertidal and Subtidal Benthic Ecology .....	46
5.3	Fish and Shellfish.....	48
5.4	Intertidal and Offshore Ornithology.....	53
5.5	Marine Mammals and Marine Reptiles .....	57
5.6	Shipping and Navigation .....	60
5.7	Commercial Fisheries.....	62
5.8	Other Marine Users .....	65
5.9	Marine Archaeology .....	67
<b>6.</b>	<b>ENVIRONMENTAL ASPECT COMMENTS – PROJECT WIDE ASPECTS.....</b>	<b>68</b>
6.0	Greenhouse Gases .....	68
6.1	Scoped Out Aspects.....	70

6.2 Cumulative Effects .....71

**APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED**

**APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES**

# 1. INTRODUCTION

1.0.1 On 29 July 2024, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from National Grid Electricity Transmission (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Eastern Green Links 3 and 4 (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.

1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:

## **Volume 1: Main Text - Part 1: Introduction**

[EN0210003-000008-EGLK - Scoping Report - Volume 1 Part 1.pdf](https://planninginspectorate.gov.uk/EN0210003-000008-EGLK_-_Scoping_Report_-_Volume_1_Part_1.pdf)  
([planninginspectorate.gov.uk](https://planninginspectorate.gov.uk))

## **Volume 1: Main Text – Part 2.1: English Onshore Scheme (Chapters 1 – 7)**

[EN0210003-000009-EGLK - Scoping Report - Volume 1 Part 2.1.pdf](https://planninginspectorate.gov.uk/EN0210003-000009-EGLK_-_Scoping_Report_-_Volume_1_Part_2.1.pdf)  
([planninginspectorate.gov.uk](https://planninginspectorate.gov.uk))

## **Volume 1: Main Text – Part 2.2: English Onshore Scheme (Chapters 8 – 9)**

[EN0210003-000010-EGLK - Scoping Report - Volume 1 Part 2.2.pdf](https://planninginspectorate.gov.uk/EN0210003-000010-EGLK_-_Scoping_Report_-_Volume_1_Part_2.2.pdf)  
([planninginspectorate.gov.uk](https://planninginspectorate.gov.uk))

## **Volume 1: Main Text – Part 2.3: English Onshore Scheme (Chapters 10 – 18)**

[EN0210003-000011-EGLK - Scoping Report - Volume 1 Part 2.3.pdf](https://planninginspectorate.gov.uk/EN0210003-000011-EGLK_-_Scoping_Report_-_Volume_1_Part_2.3.pdf)  
([planninginspectorate.gov.uk](https://planninginspectorate.gov.uk))

## **Volume 1: Main Text – Part 3: English Offshore Scheme (Chapters 19 – 32)**

[EN0210003-000012-EGLK - Scoping Report - Volume 1 Part 3.pdf](https://planninginspectorate.gov.uk/EN0210003-000012-EGLK_-_Scoping_Report_-_Volume_1_Part_3.pdf)  
([planninginspectorate.gov.uk](https://planninginspectorate.gov.uk))

## **Volume 1: Main Text – Part 4: Project Wide (Chapters 33 – 35)**

[EN0210003-000013-EGLK - Scoping Report - Volume 1 Part 4.pdf](https://planninginspectorate.gov.uk/EN0210003-000013-EGLK_-_Scoping_Report_-_Volume_1_Part_4.pdf)  
([planninginspectorate.gov.uk](https://planninginspectorate.gov.uk))

## **Volume 2: Appendices**

[EN0210003-000018-EGLK - Scoping Report - Volume 2 \(Appendices\).pdf](https://planninginspectorate.gov.uk/EN0210003-000018-EGLK_-_Scoping_Report_-_Volume_2_(Appendices).pdf)  
([planninginspectorate.gov.uk](https://planninginspectorate.gov.uk))

1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in

the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.

- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.
- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:  
  
<https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes>
- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information, or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

## 2. OVERARCHING COMMENTS – ONSHORE

### 2.1 Description of the Proposed Development

(Scoping Report Chapters 1, 3 and 4)

ID	Ref	Description	Inspectorate's comments
21.1	Paragraph 1.1.1	Terminology	The Proposed Development is described as a “2 gigawatt” link, however the Scoping Report does not make it clear how this is related to the voltage terminology which is utilised throughout the Scoping Report. The ES should provide a clear description of the technical terminology used.
21.2	Paragraph 4.2.5	Location of converter stations	The Scoping Report states that the converter stations would be c. 5km away from the next required infrastructure (converter station or Walpole substation). The ES should provide an explanation as to why this infrastructure is separate from the Walpole substation (also see 2.1.6) below in relation to AC cables requiring an increased working width).
21.3	Part 1 Section 2.1 Paragraph 4.2.7	Clarification	<i>‘Supplementary works to the existing 400 kV may be required to enable a connection with the new Walpole substation’</i> , the ES should be clear as to whether these works are to be a component of the Proposed Development or how these would be secured. The ES should also consider the need to include these in the EIA as cumulative/in-combination development if necessary.
21.4	Tables 4-1, 4-2 and 4-6	Onshore building parameters	The Scoping Report describes the indicative footprint and maximum building heights for the proposed Walpole Substation and converter sites. The ES should clearly set out the worst-case parameters for the assessment, in particular in relation to landscape and visual effects.
21.5	Table 4-4 and Table 4-5	Cable separation distances	The Scoping Report states that for the onshore scheme, each of EGL3 and 4 would require two cables for the DC section, and for the AC section; six cables. The ES should detail the separation distances between the two cables in order to determine the

ID	Ref	Description	Inspectorate's comments
			excavation width and detail the required distance between the trenches of EGL3 and EGL4, and any associated stand offs.
21.6	Table 4-5	AC cable working width	The Inspectorate notes that the working width of Alternating Current (AC) cable installation is 130-140m, whereas the Direct Current (DC) cable working width is 70m. The ES should provide a justification for the working width is.
21.7	Paragraph 4.5.69	Salt pollution from Air Insulated Switchgear (AIS) / Gas Insulated Switchgear (GIS)	The Scoping Report refers to salt pollution in relation to the decision over whether Air Insulated Switchgear (AIS) or Gas Insulated Switchgear (GIS) is used. The Scoping Report does not refer to this elsewhere. Where salt pollution is considered a potential impact to sensitive receptors, this should be assessed within the relevant ES chapters.
21.8	Section 4.6	Temporary construction compounds	The ES should describe the proposed number, location and parameters of temporary construction compounds and laydown areas required during construction and decommissioning of the Proposed Development. The ES should assess any likely significant effects arising from these works.
21.9	Section 4.6	Temporary access routes and construction vehicle movements	<p>The Scoping Report states that temporary access roads and alterations to existing accesses from the public highway will be required. Temporary watercourse crossings (including culverts and bridges) may also be needed to facilitate the route.</p> <p>The ES should describe the location and parameters of temporary access routes, including any changes proposed to the existing highway, and confirm the predicted number/ type of traffic movements required. Where details are unknown, a worst-case scenario should be presented. Where crossing of watercourses and culverts are required, these should be discussed and agreed with the Environmental Agency.</p>
21.10	N/A	Use of acronyms	Consideration should be given to the applicability of acronyms as the number in use could hamper the readability of the documentation.

## 2.2 EIA Methodology and Scope of Assessment

(Scoping Report Chapter 1, 2, and 5)

ID	Ref	Description	Inspectorate's comments
221	N/A	Life span of the project	The Scoping Report is inconsistent in relation to its reference to decommissioning for example Paragraph 5.4.11 states that the design life of the Proposed Development is 40 years but will be extended where possible with an unspecified end date. Paragraph 33.7.2 states that the life span of 60 year minimum. The ES should be clear as to the lifespan of the Proposed Development and components to inform the assessment in relation to maintenance and replacement.
222	N/A	Decommissioning	The Scoping Report is inconsistent in its reference to decommissioning assessment, for example paragraph 5.1.1 states that decommissioning will be assessed in the ES which paragraph 5.4.12 states that no decommissioning is to be scoped out. The ES needs to be clear as to the lifespan of the project and apply a consistent approach to the assessment of decommissioning.
223	Figure 3-4	Study area	Scoping Report Figure 3-4 shows the landfalls as being located outside the cable route study area. The ES should ensure the study areas are clearly explained and that the assessment includes the whole project should it be undertaken in sections (offshore, onshore and intertidal).
224	N/A	In-combination effects	Whilst the Scoping Report clearly lists in each aspect chapter, those aspects which interact, there is little discussion in relation to how the EIA will assess the in-combination effect of multiple effects on a receptor. The EIA should include such an assessment where appropriate.
225	N/A	Phases of development	It is noted that the Scoping Report refers to operation in some chapters and operation and maintenance in others, the ES should be consistent to ensure that it is clear that the



ID	Ref	Description	Inspectorate's comments
			assessment is robust. Activities expected to be undertaken within each phase should be clearly set out and assessed.
226	All "overview" figures	Overview of data	The Inspectorate notes that each chapter presents the same figure as an "overview" of the Proposed Development when discussing baseline data. This figure shows the red line boundary of the Proposed Development. Whilst it is recognised that this provides the reader with this information without the need to reference the project description, the title of the figure is misleading. A figure specific to that aspect showing features relevant to the baseline data would aid understanding further.
227	Paragraph 3.4.5	Assessment of Alternatives - Option for the Lincolnshire Converter Station (LCS)	<p>Paragraph 3.4.5 of the Scoping Report refers to the LCS as being proposed by the Grimsby to Walpole project, however the Scoping Report project description refers to the LCS as being part of EGL 3 and 4 also.</p> <p>The ES should provide clarity on which elements are included within the Proposed Development only and which are in both applications, and which are related developments but outside the DCO process. The ES should clearly set out how they have been assessed accordingly. The timings of construction of all components should be used to inform the assessment.</p>
228	Paragraph 5.3.2	Use of differing worst-case scenarios between chapters	<p>Paragraph 5.3.2 of the Scoping Report states that the reasonable worst-case scenario for any given design parameter may vary by technical aspect, depending on how that particular parameter may interact with the receptors being considered.</p> <p>The ES should provide details in each chapter of the worst-case parameters relevant to that chapter and provide a justification for why that represents the worst case for that chapter.</p>
229	N/A	Receptors identified	The ES should ensure that all receptors identified in aspect chapters are then clearly assessed unless these are subsequently scoped out with justification provided.

ID	Ref	Description	Inspectorate's comments
2210	Paragraphs 5.5.9 and 5.5.10	Use of professional judgement	<p>Where the ES utilises professional judgement to either assign significance or in the absence of a recognised methodology, the ES should provide a justification and methodology for this.</p> <p>Where judgement is used to assess that a significance of 'moderate effect' is not considered a significant effect, this should clearly be stated in the ES.</p>
2211	Paragraphs 5.9 and 21.9.3	Cumulative / in-combination effects between the "projects"	<p>The Scoping Report details, in section 1.4, that the whole development comprises 4 projects (English offshore and onshore, Scottish onshore and offshore). Where the ES assesses cumulative and in combination effects, the ES should consider the potential for these projects to be developed sequentially or concurrently and the potential for this to result in differing cumulative or in-combination effects dependent on the construction order.</p> <p>The ES should also clearly define whether it has considered EGL3 and EGL4 as being constructed separately or concurrently, and therefore whether they are considered as one or 2 projects.</p>
2212	N/A	Standardisation of onshore and offshore methodology	<p>The Inspectorate notes that there are some differences between methodologies for the offshore and onshore environment (for example the number of criteria used to define definitions of receptor sensitivity, whether moderate results in a significant effect etc).</p> <p>The ES should, where possible, provide a standardised methodology across all chapters to aid the reader.</p>
2213	N/A	Report structure	<p>It aids the reader if the ES uses a consistent chapter structure and contents pages for each subdivision of the document to aid navigation.</p>

### 3. ENVIRONMENTAL ASPECT COMMENTS – ONSHORE

#### 3.1 Biodiversity

(Scoping Report Chapter 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
31.1	Paragraph 6.6.3	<p>An assessment of the following designated sites:</p> <ul style="list-style-type: none"> <li>• Willoughby Wood Site of Special Scientific Interest (SSSI);</li> <li>• Candlesby Hill SSSI;</li> <li>• Hoplands Wood SSSI;</li> <li>• Claxby Chalk Pit SSSI;</li> <li>• The Shrubberies Local Nature Reserve (LNR); and</li> </ul>	<p>The Scoping Report proposes to scope out an assessment of the listed designated sites on the basis that significant effects are unlikely due to their distance from the Proposed Development and the design and control measures proposed to prevent dust and pollution. The Inspectorate notes that these designated sites are located within the 2km study area chosen for local and national statutory designated sites. In the absence of information about other potential impact pathways which would extend beyond the site boundary (eg emissions to water, noise, etc) and potential mitigation measures the Inspectorate is unable to scope these receptors out at this stage. The Applicant should make efforts to agree the local and national statutory designated sites which should be included in the assessment with relevant consultation bodies.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> <li>• Willoughby Branch Line LNR</li> </ul> <p>All phases</p>	
312	Table 6-9	Impact of maintenance activities on protected and/ or notable species and the habitats which support them - maintenance	The Inspectorate note that any maintenance activities would be temporary and localised nature and the potential impacts pathways (eg lighting, noise, dust, etc) are not predicted to give rise to significant effects. The Inspectorate agrees that the maintenance activities are unlikely to lead to likely significant effects and can be scoped out.
313	Table 6-9	Increased nitrogen deposition and/ or ammonia concentrations from vehicular traffic - operation	<p>The Scoping Report states that the vehicle trips associated with operation and maintenance of the Proposed Development are anticipated to be below screening criteria and are impacts are not likely to lead to significant effects and proposes to scope this matter out of further assessment.</p> <p>As such, the Inspectorate agrees that the Proposed Development is unlikely to result in likely significant effects during operation and this matter can be scoped out.</p>
314	Table 6-9	Potential risk of bird strike/ collision - operation	The Scoping Report proposes to scope out this matter on that basis that the proposed overhead line works are to the existing 400 kV route and the potential risk to bird flight during operation would remain the same as the current baseline and as such significant effects are not likely. The Inspectorate agrees and is content for this matter to be scoped out.

ID	Ref	Description	Inspectorate's comments
3.15	Paragraph 6.4.2	Study area	The Scoping Report proposes a 10km and 2km study area for international and national designated sites, respectively. The ES should ensure the study area for each ecological receptor reflects the Proposed Development's Zone of Influence (ZOI) rather than being based on a fixed distance. The impact assessment should be based on the ZOI from the Proposed Development and any sensitive receptors. Clear justification should be provided to support any distances applied. In relation to internationally designated sites, the ES should consider the potential for effects to occur beyond 10km, particularly where sites are designated for mobile species such as birds and bats. Efforts should be made to agree the study area(s) with relevant consultation bodies.
3.16	N/A	Invasive non-native species (INNS)	Impacts from INNS are not identified in the Scoping Report to be assessed in the ES. The ES should assess potential impacts from INNS where significant effects are likely to occur. Where mitigation measures are relied on to avoid significant effects, the ES should describe these measures and signpost how they would be secured through the DCO.
3.17	N/A	Horizontal Directional Drilling (HDD)	Scoping Report Paragraph 4.5.26 states that HDD may be utilised for construction. The ES should confirm where HDD will be employed and should this have potential to impact sensitive ecological receptors (eg designated sites), appropriate mitigation, such as measures to be included in a drilling fluid breakout plan, should be described in the ES and appropriately secured.
3.18	N/A	Fish species	The ES should assess the impact of construction and decommissioning of the Proposed Development on fish and other freshwater species and should be supported by desk study information and surveys as necessary. The assessment should include impacts on migratory species such as European eel and sea trout and cross reference should be provided to offshore fish and shellfish aspect chapter. Effort should also be made to agree the methodology with the relevant consultation bodies.
3.19	N/A	Confidential Annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial

ID	Ref	Description	Inspectorate's comments
			exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.

## 3.2 Cultural Heritage

(Scoping Report Chapter 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321	Table 7-5	Direct physical effects on heritage assets outside the footprint of Proposed Development - construction	<p>The Scoping Report states that no physical disturbance, damage, or alteration would arise to heritage assets and archaeological remains located outside the footprint of the onshore permanent infrastructure.</p> <p>In the absence of information such as archaeological remains likely to be found within the study area or evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope this matter out from the assessment. The ES should provide an assessment of direct physical impacts on heritage assets and archaeological remains during construction, including consideration for potential impacts that may affect the preservation state of adjacent remains, or provide the information referred to demonstrating agreement with the relevant consultation bodies and the absence of significant effects.</p>
322	Table 7-5	Temporary effects on setting of heritage assets - construction	<p>The design and location of facilities such as the LCS Converter Station and the Walpole Station Area are not yet confirmed, and therefore the potential activities for these elements during construction or decommissioning are not yet defined.</p> <p>The Inspectorate does not agree to scope this matter out from the assessment. The ES should include an assessment of impacts on the setting of heritage assets during construction, or the information demonstrating agreement with the relevant consultation bodies and the absence of significant effects.</p>
323	Table 7-5	Direct physical impact on archaeological remains - operation,	<p>The Inspectorate agrees that direct physical impacts to buried archaeological remains during operation, maintenance and decommissioning are unlikely to result in significant effects however, the Scoping Report does not set out the activities which would be required under maintenance. The ES should set this information out, however, in the</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		maintenance and decommissioning	absence of this information, the Inspectorate is not content for this matter can be scoped out at this stage.

ID	Ref	Description	Inspectorate's comments
324	Paragraphs 7.4.1 and 7.4.2	Study area	The ES should clearly define and justify the study area for designated and non-designated heritage assets, with reference to the potential ZOI for the Proposed Development. Any use of professional judgement should be fully justified in the ES. Effort should also be made to agree the final study areas with relevant consultation bodies, eg Historic England and the host local authorities.
325	Paragraph 7.4.5	Zone of Theoretical Visibility (ZTV)	The Scoping Report states that a ZTV will be developed to inform the final study areas chosen for the cultural heritage assessment and help to identify heritage assets that may experience visual impacts from the Proposed Development. The Inspectorate considers that that assessment should be supported by appropriate visualisations such as photomontages to help illustrate the likely impacts of the Proposed Development. Effort should be made to agree appropriate viewpoint locations and such visualisations with relevant consultation bodies, including Historic England and host local authorities.
326	Paragraph 7.7.3	Archaeological surveys	The Applicant should ensure that the baseline information used to inform the assessment is robust and allows for suitable identification of assets likely to be impacted by the Proposed Development. Effort should be made to agree the need for, and scope/ location of intrusive investigations (paragraph 7.7.3 of the Scoping Report indicates that geophysical or trial trenching may be carried out) with relevant consultation bodies, including Historic England and the host local authorities. Consideration should be given to the use of boreholes and deposit modelling where more deeply buried remains are expected. Where necessary, intrusive investigations should be completed prior to submission of the DCO application and reported in the ES.



ID	Ref	Description	Inspectorate's comments
327	N/A	Temporary effects on setting of heritage assets - decommissioning	The Scoping Report does not make reference to the impact of decommissioning activities on the setting of heritage assets. The ES should include an assessment of impacts on the setting of heritage assets during decommissioning, or the provide information demonstrating the absence of LSE and agreement with the relevant consultation bodies. The Applicant's attention is drawn to ID2.2.2 in relation to decommissioning.
328	N/A	Effects of changes to drainage on designated and non-designated heritage assets	The onshore elements of the Proposed Development have potential to alter the pattern of drainage within and adjacent to the boundary of works. Impacts on heritage assets from alterations to drainage patterns, changes to groundwater flows and levels, and from the movement of contaminants or pollutants should be assessed, where significant effects are likely to occur. This should consider the potential for hydrological effects from both drying out and inundation. Cross references to the Water Environment ES Chapter should be considered.

### 3.3 Landscape and Visual Amenity

(Scoping Report Chapter 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
331	Table 8-6	Impact of the appearance of construction plant and activity on landscape and visual receptors located beyond the proposed study areas – all phases	The Scoping Report states that the impact of the appearance of construction plant and activity on landscape and visual receptors located beyond the proposed study areas is unlikely to result in significant effects. The study area should encompass all receptors where a likely significant effect could occur. Based on the information provided, the Inspectorate does not agree to scope out impacts on landscape and visual receptors beyond the proposed study areas, as there is insufficient evidence to justify the proposed study areas at this stage. The Applicant should seek to agree the study area with relevant statutory bodies.
332	Table 8-6	Impact of operational lighting on landscape and visual receptors in the cable route corridor - operation	The Scoping Report proposes to scope out this matter on the basis that there would be no lighting element associated with the cable route corridor during operation. The Inspectorate agrees that lighting impacts on landscape and visual receptors is unlikely and is content to scope this matter out of further assessment.

ID	Ref	Description	Inspectorate's comments
333	Paragraphs 8.4.5 and 8.4.6	Study area	The Scoping Report states that the assessment would use a 2km study area from the underground cable route corridor and a 3km study area from the proposed above ground infrastructure. Paragraph 8.4.6 states that landscape and visual effects beyond these distances are not likely to be significant. The final study area would be refined at the detailed assessment stage. The ES should justify the study area used based on the worst-case scenario(s) and receptors likely to experience a significant effect and make effort to secure agreement with relevant consultation bodies.

ID	Ref	Description	Inspectorate's comments
334	Section 8.6	Decommissioning	The Scoping Report does not make reference to the impact of decommissioning activities on landscape and visual receptors. The ES should include an assessment of impacts on the landscape and visual receptors during decommissioning, or the provide information demonstrating the absence of significant effects and agreement with the relevant consultation bodies. The Applicant's attention is drawn to ID2.2.2 in relation to decommissioning.
335	Paragraph 8.7.6	Representative viewpoints	Effort should be made to agree the number and location of viewpoints and photomontages with relevant consultation bodies, including the host local authorities. The ES should include confirmation of the consultation undertaken, together with evidence of agreement about the final viewpoints selected. Where any disagreement remains, an explanation as to how the final selection was made should be provided.  The ES should include a plan to illustrate the location of viewpoints in relation to the Proposed Development. Consideration should be given to the production of night-time visualisations to support the assessment of effects from lighting requirements.
336	Paragraph 8.7.9	Assessment scenarios	The Scoping Report states that effects will be assessed for construction of the Proposed Development and operation year 1 and year 15. The Applicant should provide photomontages during winter as well as in summer for the current baseline and future year scenarios to allow an assessment of the maximum visibility scenario and illustrate the seasonal variation in screening provided by vegetation planting in line with the Guidelines for Landscape and Visual Impact Assessment (Landscape Institute and Institute of Environmental Assessment, 3rd Edition, 2013).
337	Paragraph 8.8.1	Residential Visual Amenity Assessment (RVAA)	The Scoping Report states that a residential visual amenity survey is not proposed and an assessment of views from private properties will be based on representative viewpoints from publicly accessible locations. The ES should consider providing an RVAA where significant effects on residential receptors are predicted.
338	N/A	Offshore visual impacts	The Inspectorate considers that the ES should provide an assessment of the potential impacts of construction activities, including the presence and movements of associated

ID	Ref	Description	Inspectorate's comments
			vessels, on offshore visual receptors, such as recreational vessels, where significant effects are likely to occur. Consideration should also be given to the potential cumulative visual effects of offshore construction activities on receptors. Cross references to the Shipping and Navigation ES Chapter should be considered.
339	N/A	National Character Areas	The Applicant's attention is directed to the comments made by Natural England in Appendix 2 of this opinion with regards to National Character Areas. The ES should refer to the relevant National Character Areas in the description of the baseline conditions for the landscape and visual amenity aspect chapter.

### 3.4 Water Environment

(Scoping Report Chapter 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.1	Table 9-6	Pollution due to soil stripping, earthworks and excavations and use and refuelling of plant – construction	<p>The Scoping Report proposes to scope out this matter on the basis that the standard control or mitigation measures listed in Section 9.5 would be implemented during soil stripping, earthworks and excavations, and the refuelling of plant. On the basis that these measures would be implemented, and that pollution during other activities are proposed to be scoped in, the Inspectorate is in agreement that this matter can be scoped out of the ES.</p> <p>The Inspectorate would expect however a soil management plan and other mitigation measures relied upon for this to be included in the application documents and secured within the dDCO.</p>
34.2	Table 9-6	Pollution due to discharges of operational surface water drainage - operation	<p>The Scoping Report proposes to scope out this matter as the Proposed Development will utilise a drainage strategy which would incorporate attenuation, and where required treatment, prior to discharge.</p> <p>The Inspectorate is in content with this reasoning and agree that this matter can be scoped out of the ES.</p> <p>The Inspectorate would expect however a drainage strategy and the other mitigation measures relied upon for this to be included in the application documents and secured within the dDCO.</p>
34.3	Table 9-6	Physical disturbance and change to flow regime and hydro morphology - operation	<p>The Scoping Report proposes to scope out this matter as the nature of the English Onshore Scheme would consist predominately underground cables, and as such would not require alterations to surface watercourse flow regimes or hydro morphology.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Inspectorate is in agreement with this reasoning, and that this matter can be scoped out of the ES.
344	Table 9-6	Pollution and physical disturbance - operation	<p>The Scoping Report seeks to scope out this matter noting that operational management procedures would generally require maintenance activities to be low impact and non-intrusive.</p> <p>The Inspectorate is content that this matter can be scoped out of the ES.</p> <p>The Inspectorate would expect the ES however to refer to the specific sections of the operational management procedures where this type of maintenance is defined.</p>

ID	Ref	Description	Inspectorate's comments
345	Table 9-5	Requirement to assess ordinary watercourses	The Inspectorate notes the response provided by the Environment Agency which indicates that it is not clear whether the Scoping Report proposes that the ES will assess ordinary watercourses as receptors for all potential impacts. For clarity, the Inspectorate considers that ordinary watercourses should be assessed where relevant for all impacts scoped in.
346	Table 9-6	Works (and infrastructure) within the floodplain	Whilst it is noted that the presence of works and infrastructure (where required) within the floodplain are to be assessed within the ES, the specific details of the assessment are not given. The Inspectorate considers that the assessment should include information relating to the area of flood zones 3a and 3b and quantify the temporary and permanent loss of functional floodplain.
347	N/A	Baseline data – Water Framework Directive (WFD) surface water bodies	The Inspectorate notes that a description of the relevant WFD surface water bodies is not given within the water environment chapter as has been presented for the groundwater bodies considered within the hydrogeology chapter (Table 10-9). The ES should present a description of the WFD waterbodies considered.

### 3.5 Geology and Hydrogeology

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
35.1	Table 10-12	Potential for the English Onshore Scheme, third party assets and land to be impacted by land instability and geohazards as a result of the earthwork and groundwork operations – construction	<p>The Scoping Report proposes to scope out this matter on the basis that geohazards would be managed at the detailed design phase following ground investigation works.</p> <p>The Inspectorate is in agreement with this approach and that this matter can be scoped out of the ES.</p>
35.2	Table 10-12	Potential introduction of contaminants through the use and refuelling of construction plant, and the handling of construction material and wastes – construction	<p>The Scoping Report proposes to scope out this matter on the basis that the standard control or mitigation measures listed in Section 10.5 would be implemented during the refuelling of plant and handling of construction materials and wastes.</p> <p>On the basis that these measures would be implemented, and that pollution during other activities are proposed to be scoped in, the Inspectorate is in agreement that this matter can be scoped out of the ES.</p> <p>The Inspectorate would expect however the mitigation measures relied upon for this to be included in the application documents where appropriate and secured within the dDCO.</p>
35.3	Table 10-12	Discovery and disturbance of unforeseen contamination during earthwork operations,	<p>The Scoping Report sets out that a watching brief protocol would be specified for earthworks activities to observe for any unforeseen contamination. The Scoping Report also refers to the requirements for a ground investigation to inform detailed design.</p> <p>The Inspectorate is in agrees that this matter can be scoped out of the ES.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		excavations and soil stripping – construction	The Inspectorate would expect however the watching brief protocol relied upon for this is to be included in the application documents and secured within the dDCO.
354	Table 10-12	Storage of construction materials and wastes leading to the generation of potentially contaminated runoff – construction	<p>The Scoping Report proposes to scope out this matter on the basis that appropriate controls would be set out within the Outline CoCP to manage the storage and handling of construction materials, excavated soils and wastes.</p> <p>The Inspectorate is in agreement with this reasoning and that this matter can be scoped out of the ES.</p> <p>The Inspectorate would expect however the mitigation measures relied upon for this to be included in the application documents and secured within the dDCO such as a site waste management plan.</p>
355	Table 10-12	Accidental spills/pollution into the environment e.g. uncontrolled leaks, spill from machinery at the converter stations, DCSS and substation - operation	<p>The Scoping Report sets out that the study area for temporary works would be returned to the original land use, and where permanent infrastructure is present, these would not require significant fuel or oil storage.</p> <p>Noting this, the Inspectorate agrees that this matter can be scoped out of the ES.</p>
356	Table 10-12	Operational runoff from impermeable surfaces of the above ground infrastructure - operation	<p>The Scoping Report details that a drainage strategy would be in place which would incorporate attenuation, and where required treatment prior to discharge.</p> <p>The Inspectorate agrees that this matter can be scoped out of the ES.</p> <p>The Inspectorate would expect however a drainage strategy and the other mitigation measures relied upon for this to be included in the application documents and secured within the dDCO.</p>



<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
35.7	Table 10-12	Groundwater quality - operation	The Scoping Report does not appear to make specific reference to the effects of any changes to groundwater physical or chemical properties as a result of thermal effects from the cables during operation. The Inspectorate considers that this should be scoped into the assessment of groundwater quality.
35.8	N/A	Assessment of water resources	The Inspectorate notes that whilst the Scoping Report refers to the assessment of groundwater quality and flow, there is no specific reference to the assessment of water resources and available abstraction volume for supply. With reference to the consultation responses provided by Anglian Water and the Environment Agency, the Inspectorate considers that an assessment of water resources should be scoped into the ES.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
35.9	Figure 10-2	Description of geological strata	The Inspectorate notes that the descriptions of the geological units given are simplified to chalk and mudstone, siltstone and sandstone. Where possible, the ES should present the full British Geological Survey names of the strata and differentiate between the different geological units as have been presented in Table 10-7.
35.10	Figure 10-4	Title of figures	The Inspectorate notes that the title of Figure 10-4 is "Groundwater Source Protection Zones", however the legend indicates that this also shows Sites of Special Scientific Interest. The ES should ensure that the titles, legends and presentation of figures are consistent.
35.11	Table 10-11	Assessment of peat resources	Whilst the Inspectorate notes that "degradation of geological resources" is proposed to be scoped in, the specific details of the assessment are not given. The Inspectorate notes from Scoping Report Figure 10-1, that peat soils are present within the study area, as such peat should be considered within the assessment of geological

ID	Ref	Description	Inspectorate's comments
			<p>resources (including any assessment required of peat as an extractable resource for use elsewhere).</p> <p>The presence of peat soils should also be considered within the assessment of presence of contamination in relation to ground gas during construction and where relevant operation.</p>

### 3.6 Agriculture and Soils

(Scoping Report Chapter 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
361	Table 11-5	Temporary and permanent loss of agricultural land (including BMV land) - maintenance	<p>The Scoping Report notes that access for maintenance may require temporary access tracks and small compound areas, but these are likely to be limited in extent and all soil handling would be undertaken in line with published good practice</p> <p>The Inspectorate notes this however there is uncertainty as to works which are required for maintenance of the Proposed Development. As such, the Inspectorate is unable to scope this matter out at this stage.</p> <p>The Inspectorate would expect a soil management plan and the other mitigation measures relied upon for this to be included in the application documents and secured within the dDCO.</p>
362	Table 11-5	Impacts upon soil ecosystem services - maintenance	<p>The Scoping Report notes that maintenance works would impact soils at a smaller scale than construction furthermore, any disturbance to soils during maintenance would also be undertaken in accordance with good practice soil handling methods.</p> <p>The Inspectorate notes this however, there is uncertainty as to works which are required for maintenance of the Proposed Development. As such, the Inspectorate is unable to scope this matter out at this stage.</p> <p>The Inspectorate would expect a soil management plan and the other mitigation measures relied upon for this to be included in the application documents and secured within the dDCO.</p>
363	Table 11-5	Temporary acquisition and permanent loss of agricultural land holdings - maintenance	<p>The Scoping Report proposes to scope out this matter on the basis that access for maintenance may require temporary access tracks and small compound areas, but these are likely to be limited in extent.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>The Inspectorate notes this however there is uncertainty as to works which are required for maintenance of the Proposed Development. As such, the Inspectorate is unable to scope this matter out at this stage.</p> <p>The Inspectorate would expect a soil management plan and the other mitigation measures relied upon for this to be included in the application documents and secured within the dDCO.</p>
364	Table 11-5	Effects upon soil ecosystem services - operation	<p>The Scoping Report proposes to scope this matter out as no further soil disturbance (beyond normal land management activities) would be undertaken.</p> <p>The Inspectorate agrees that an assessment of effects upon soil ecosystem services during the operational phase (excluding maintenance) can be scoped out of the ES.</p> <p>The Inspectorate would expect however a soil management plan and the other mitigation measures relied upon for this to be included in the application documents and secured within the dDCO.</p>

ID	Ref	Description	Inspectorate's comments
365	Paragraph 11.4.6 and Figure 11-1	Use of soil description terminology	<p>The Scoping Report Paragraph 11.4.6 lists 14 soil associations, however these do not appear to be represented on a figure. Figure 11-1 refers to soil scapes which do not have a subsequent description.</p> <p>The ES should ensure to explain all datasets used and represent these on an appropriate figure where required.</p> <p>The ES should also explain how the soil scapes or soil associations described are related to the sensitivity and magnitude criteria given in Tables 11-6 to 11-10.</p>
366	N/A	Agricultural land	<p>The Applicant's attention is drawn to the Written Ministerial Statement (UIN HCWS466) issued on 15 May 2024. The ES should contain a clear tabulation of the areas of land in each Best Most Versatile (BMV) classification to be temporarily or permanently lost as a</p>

ID	Ref	Description	Inspectorate's comments
			<p>result of the Proposed Development, with reference to accompanying map(s) depicting the grades. Specific justification for the use of the land by grade should be provided.</p> <p>Consideration should be given to the use of BMV land in the Applicant's discussion of alternatives.</p>
36.7	Table 11-4	Impact on agri-environmental and forestry schemes	<p>Whilst the Inspectorate notes that impacts to agricultural land holdings is proposed to be assessed within the ES, the specific details of the assessment are not given. The Inspectorate considers that the assessment should include impacts to the agri-environmental and forestry schemes given in Figures 11-4 and 11-5.</p>

### 3.7 Traffic and Transport

(Scoping Report Chapter 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
371	Table 12-9	Severance, driver and pedestrian delay, non-motorised user amenity, fear and intimidation and road safety – operation	The Scoping Report states that operational vehicle movements will not trigger the screening thresholds specified in the Institute of Environmental Management and Assessment (IEMA) Guidelines – Environmental Assessment of Traffic and Movement (2023). On this basis, the Inspectorate is content that this matter can be scoped out. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within the guidance) to justify this position.
372	Table 12-9	Severance, driver and pedestrian delay, non-motorised user amenity, fear and intimidation and road safety – hazardous loads	<p>The Scoping Report sets out that no hazardous loads are anticipated. The scoping out table (Table 12-9) does not identify a stage(s) for which this matter is to be scoped out. As such, the Inspectorate is unable to agree to scope this matter out based on the information provided.</p> <p>The ES should clarify within the ES if hazardous loads are required and at which stage of the development and where there is potential for hazardous loads to give rise to significant effects, an assessment should be undertaken and presented in the ES accordingly.</p>

ID	Ref	Description	Inspectorate's comments
373	Paragraph 12.4	Study area	The Inspectorate notes that the onshore study area has been broadly defined in the Scoping Report and will be further refined as more information becomes available about the Proposed Development. The baseline data gathering and assessments in the ES should be based on a study area which captures the full range of significant effects on both

ID	Ref	Description	Inspectorate's comments
			the strategic and local and national road networks. The study area should be agreed with relevant stakeholders.
374	N/A	Abnormal Indivisible Loads (AILs)	<p>Scoping Report Table 12.9 references potential impacts associated with hazardous loads but does not make reference to AILs to be required as part of the construction, operation or decommissioning of the Proposed Development. This should be clarified within the ES, and where there is potential for AILs that could give rise to significant effects, an assessment should be undertaken and presented in the ES accordingly.</p> <p>The Applicant's attention is drawn to the comments made by National Highways in Appendix 2 of this Opinion regarding the need to consider AILs in the EIA and consult with the National Highway Abnormal Indivisible Loads Team to discuss any matters pertaining to AIL movements.</p>

### 3.8 Noise and Vibration

(Scoping Report Chapter 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
381	Table 13-8	Vibration from construction activities other than piling and ground stabilisation - construction	<p>The Scoping Report identifies that it is unlikely that sensitive receptors would be disturbed by vibration from general construction at distances of 20m or more.</p> <p>Information on plant to be used has not been provided nor have details of construction methods as a result. Based on the information provided, the Inspectorate does not agree to scope this matter out. The ES should include an assessment of these matters, or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
382	Table 13-8	Vibration from traffic - construction	<p>The Scoping Report proposes to scope out an assessment of vibration from construction traffic on the basis that significant effects are not expected.</p> <p>The Inspectorate agrees that vibration from traffic during construction is unlikely to result in significant effects and is content that this matter can be scoped out of the ES.</p>
383	Table 13-8	Noise from underground cables - operation	<p>The Scoping Report proposes to scope out an assessment of noise from underground cables during operation.</p> <p>The Inspectorate agrees that noise from the operation of the underground cable is unlikely to result in significant effects and is content that this matter can be scoped out.</p>
384	Table 13-8	Vibration from static plant - operation	<p>The Scoping Report proposes to scope out an assessment of vibration from static plant (converter stations, direct current switching stations and substations) during operation on the basis that static plant would be mounted on suitable anti-vibration mounts to eliminate vibration.</p>



<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			The Inspectorate agrees that vibration from static plant during operation is unlikely to result in significant effects and is content that this matter can be scoped out of the ES.
385	Table 13-8	Noise and vibration associated with maintenance of underground cables and substations - operation	<p>The Scoping Report proposes to scope this matter out on the basis that maintenance activities will likely be infrequent, localised and short term and so significant effects are not expected.</p> <p>The Inspectorate agrees that noise and vibration associated with maintenance of underground cables and substations during operation are unlikely to result in significant effects and is content that this matter can be scoped out.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
386	Paragraph 13.4.2	Study area	The Scoping Report states that the construction noise study area would comprise the closest noise sensitive receptors within 300m from the proposed construction works. The ES should include appropriate figures to illustrate the study area adopted for the construction noise assessment and noise sensitive receptors within the study area. The study area should be based upon all receptors likely to experience a significant effect and not a nominal distance. Effort should also be made to agree the study area and noise monitoring locations with the relevant consultation bodies.

### 3.9 Air Quality

(Scoping Report Chapter 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
391	Table 14-9 and Paragraph 14.8.1	Increase in air pollutants from NRMM (non-road mobile machinery) - construction	<p>The Scoping Report proposes to scope this matter out noting that these will be temporary in nature and will comply with NRMM standards.</p> <p>Limited information has been provided in the Scoping Report regarding the likely use of NRMM. Specifically, no information has been provided as to the type, number, location or operational hours of such machinery and likely emissions, other than references to the minimal and temporary nature of NRMM use. On this basis the Inspectorate is unable to scope this matter out at this stage.</p> <p>The ES should include an assessment of NRMM emissions during construction which are likely to result in significant effects or otherwise present a justification in the ES as to why significant effects are not likely to occur. Where mitigation measures are being relied upon, these should be secured in the draft DCO.</p>
392	Table 14-9	Increase in air pollutants from operation and maintenance phase vehicle emissions - operation	<p>The Scoping Report notes that vehicle trips are anticipated to be below the IAQM screening criteria and so impacts are not considered to be significant.</p> <p>The Inspectorate is content that this matter can be scoped out of further assessment. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within the guidance) to justify this position.</p>
393	Table 14-9	Increase in air pollutants from NRMM (non-road mobile machinery) – phase unknown	<p>The Scoping Report proposes to scope this matter out on the basis that these will be temporary in nature and will comply with NRMM standards. It is unclear for which project phase the Applicant proposes to scope this matter out. For the avoidance of doubt, the Inspectorate considers that this matter should be scoped in for all stages of the Proposed</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			Development where likely significant effects could occur, or a justification should be presented in the ES as to why significant effects are not likely to occur.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
394	Paragraph 14.4	Study area	The ES should include figures to identify the final study areas for each element of the air quality assessment, including the location of human and ecological receptors that have been considered. This should be based upon receptors likely to experience a significant effect. Effort should also be made to agree the study area with the relevant consultation bodies.
395	Paragraphs 14.4.61 and 14.4.62	Baseline Data	<p>The Scoping Report states that baseline air quality data has been collected from local authorities that cover the Scoping Boundary. No information is provided regarding the need for surveys to characterise the baseline environment or otherwise inform the air quality assessment.</p> <p>The Applicant should ensure that the baseline can be adequately characterised using existing air quality data and effort should be made to reach agreement with relevant consultation bodies, including the local authorities, as to whether any additional survey or monitoring work is required.</p>

### 3.10 Socio-economics, Recreation and Tourism

(Scoping Report Chapter 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.101	Table 15-12	Employment Generation - operation	<p>The Scoping Report sets out that employment generated by the English Onshore Scheme would be limited to approximately six full-time staff.</p> <p>The Inspectorate agrees that this is unlikely to result in significant effects and this matter can be scoped out.</p>
3.102	Table 15-12	Impacts to business and development land - construction	<p>The Scoping Report notes that the scoping boundary has been determined to minimise impacts and disruption to business receptors and access will be maintained for employees and customers. Whilst the Inspectorate considers that significant effects are unlikely, the ES should confirm how minimising the effects has resulted in no significant effects.</p> <p>The Inspectorate agrees that providing such confirmation can be provided, this matter can be scoped out.</p>
3.103	Table 15-12	Impacts to business amenity - operation	<p>The Scoping Report states that the permanent above ground structures associated with the Proposed Development will be located away from key settlements and so there are unlikely to be any significant visual or other amenity effects on businesses.</p> <p>The Inspectorate agrees that this matter can be scoped out.</p>
3.104	Table 15-12	Impacts to private property and housing - operation	<p>The Scoping Report notes that above ground structures associated with the Proposed Development will be located away from key settlements and access to private properties will be maintained.</p> <p>The Inspectorate agrees that this matter can be scoped out.</p>
3.105	Table 15-12	Impacts to walkers, cyclists and horse	<p>The Scoping Report sets out that the siting of permanent above ground structures associated with the Proposed Development are unlikely to result in significant visual effects</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
		riders (WCH) - operation	and all Public Rights of Way (PRoW) would be reinstated or permanently diverted. The ES should consider the timing of such works.  The Inspectorate however agrees that significant effects are unlikely, and this matter can be scoped out.
3.106	Table 15-12	Impacts to community land and recreational facilities – construction and operation	The Scoping Report notes that access to community land, assets and recreational facilities will be maintained during construction and amenity effects (such as air quality, noise and vibration) will be assessed by other topic chapters.  Furthermore, it states that the siting of permanent above ground structures associated with the Proposed Development are unlikely to result in significant visual and amenity effects and access to these facilities will be reinstated.  The Inspectorate agrees that significant effects during construction and operation are not likely and is content to scope this matter out of further assessment. The ES should ensure however that sufficient cross referencing with other aspect chapters is provided to ensure a robust assessment.
3.107	Table 15-12	Impacts to tourist attractions and accommodation - operation	The Scoping Report identifies that tourist attractions will be reinstated once the Proposed Development is operational, and the small numbers of permanent staff associated with the Onshore scheme will not require temporary or tourist accommodation.  The Inspectorate agrees that this matter can be scoped out.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.108	Paragraph 15.4	Study area	The Scoping Report states that study areas of 500m and 5km from the centre point of the Scoping Boundary have been adopted for the socio-economics and recreation and tourism assessments respectively. However, these distances have not been justified.

ID	Ref	Description	Inspectorate's comments
			<p>The ES should include a clear explanation as to how the study areas for the socio-economic, tourism and recreation assessments have been defined. The study areas and receptors should be depicted on corresponding figures to aid understanding. It should be clear how the selected study areas relate to the extent of the likely impacts from the Proposed Development.</p>

### 3.11 Health and Wellbeing

(Scoping Report Chapter 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Table 16-7	Potential generation of EMF's - operation	<p>The Scoping Report proposes to scope out an assessment of health and wellbeing impacts associated with the generation of EMF's during operation on the basis that the Onshore Scheme will ensure that policies and procedures are in place at the design phase to ensure that all equipment will comply with public EMF exposure limits.</p> <p>On the basis of the information presented within the Scoping Report, which states that information and demonstration of compliance with exposure guidelines will be provided as a separate document, the Inspectorate is in agreement that an assessment of electromagnetic fields can be scoped out of the ES.</p>

ID	Ref	Description	Inspectorate's comments
3.11.2	Paragraph 16.4.3	Study area	<p>The Scoping Report notes that where the assessment of health-related environmental change relies on data from other topic chapters, the study area for that chapter will be referred to in the assessment.</p> <p>It is unclear how the study area for the Human Health assessment is consistent with the study areas for other topic chapters such as traffic, air quality or noise and this should be explained in the ES, taking into account the study areas identified for inter-related aspects.</p>

### 3.12 Scoped Out Aspects

(Scoping Report Chapter 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.121	Section 17.2	Material assets and waste	<p>The Scoping Report proposes to scope out this matter on the basis that existing sources of material will be used, and a site waste management plan will be produced.</p> <p>The Inspectorate notes comments from Lincolnshire County Council in relation to existing waste sites. The ES should explain how the capacity at waste sites has been considered if scoping out significant effects. Such confirmation should be provided in scoping this matter out.</p> <p>Furthermore, the Inspectorate would expect however the site waste management plan to be included in the application documents and secured.</p>
3.122	Section 17.3	Electromagnetic fields	<p>The Scoping Report notes the requirement to comply with exposure guidelines will be provided as a separate document.</p> <p>The Inspectorate is in agreement that an assessment of electromagnetic fields can be scoped out of the ES, provided that the separate assessment forms part of the application submission.</p>



## 4. OVERARCHING COMMENTS – OFFSHORE

### 4.0 Description of the Proposed Development

(Scoping Report Chapters 19 and 20)

ID	Ref	Description	Inspectorate's comments
4.01	Paragraph 20.1.1	Ordering of the Proposed Development components	<p>The offshore project description in the Scoping Report is inconsistent with the wording used in the onshore description. The offshore description refers to the offshore cables starting in England and making landfall in Scotland, whereas the onshore describes the direction as from Scotland to England.</p> <p>The ES should be consistent in the description of the scheme, as it may lead to confusion over the direction of travel of the electricity or the order of construction.</p>
4.02	Section 20.4	General Description	<p>The Scoping Report offshore section does not provide a similar level of detail as given for the onshore scheme (for example cable voltage). The ES should provide a full set of technical parameters for the offshore cable installation.</p>
4.03	Paragraph 20.4.1	Cable construction	<p>The Scoping Report states that the English offshore scheme will comprise two power and one fibre optic cable, however it is unclear as to whether this is for both EGL3 and 4 or whether each of the projects will comprise of this construction. The ES should provide a full set of technical parameters for the offshore cable installation.</p>
4.04	Paragraph 20.4.2	Cable separation	<p>The Scoping Report states that there a scenario where a 30m separation may be required. The ES should provide a justification for this and also clarify whether this is to be a single trench of 30m width, or require two trenches at 30m separation, as the Inspectorate considers that there are likely to be differing effects between those two scenarios.</p>
4.05	Table 20-2	Pre-construction surveys and inclusion in the ES	<p>The Inspectorate notes the approach taken in Scoping Report Table 20-2 which states that the impacts from the undertaking of surveys such as UXO will be included within the ES, however the subsequent works after these surveys such as UXO clearance will not be. Whilst the Inspectorate does not raise any matters on this approach, the ES must clearly</p>

ID	Ref	Description	Inspectorate's comments
			state what has and has not been assessed, and where not assessed, how it is secured that the assessment of this will be undertaken in future.
4.06	Table 20-2	Seabed preparation	Scoping Report Table 20-2 states that sand removal may be required, and that this would be disposed of. The ES should provide details as to whether the excavated sand could be used in place of imported sand as cable protection as referred to in Table 20-1 and 20-2.
4.07	Table 20-3	Backfill of trenchless installations	Scoping Report Table 20-3 states that the “punch out points” may be left to naturally backfill. The ES should provide a justification of this, approach in terms of any potential effects.
4.08	Paragraph 20.7.1	Vessel movements	The ES should describe the expected number, type and frequency of vessel movements required to construct, operate and decommission the Proposed Development. If these are unknown, then the ES should explain the assumptions that have been made about vessel movements to inform assessment using a worst-case scenario.

## 4.1 EIA Methodology and Scope of Assessment

(Scoping Report Chapter 21 and Appendices 21A and 21B)

ID	Ref	Description	Inspectorate's comments
4.1.1	N/A	Decommissioning	Whilst the Scoping Report seeks to scope out decommissioning for some aspects, the ES should ensure that it has taken into account future climate trends and erosion trends in relation to leaving cables and other components in situ.
4.1.2	N/A	Mitigation	The ES should be clear as to where timing of works have been considered as mitigation and secure such in the dDCO and/or control documents.
4.1.3	N/A	Farnes Deep Marine Conservation Zone (MCZ) and Farnes Deep Highly Protected Marine Area (HPMA)	Whilst it is noted that the boundaries of these designations overlap the features and conservation advice is different and as such, the EIA must make sure that the site and features of each site are considered within the assessments where relevant.
4.1.4	N/A	Receptors identified	The ES should ensure that all receptors identified in aspect chapters are then clearly assessed unless these are subsequently scoped out with justification provided.

## 5. ENVIRONMENTAL ASPECT COMMENTS – OFFSHORE

### 5.0 Designated sites

(Scoping Report Chapter 24)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
50.1	Table 22-3	Potential impacts to be assessed	<p>In the absence of supporting information, the Inspectorate is unclear why the Scoping Report considers that the following impacts would not be relevant to the following receptors:</p> <ul style="list-style-type: none"> <li>• Temporary increase and deposition of sediments - geomorphological features and marine mammals / reptiles.</li> <li>• Changes in prey – Intertidal, subtidal and benthic ecology.</li> <li>• Physical disturbance – Intertidal, subtidal and benthic ecology and fish and shellfish.</li> <li>• Collision with vessels – Offshore ornithology.</li> <li>• Underwater noise - Intertidal, subtidal and benthic ecology.</li> <li>• Temperature increase – Marine mammals / reptiles.</li> </ul> <p>In the absence of any justification, the Inspectorate considered that the ES and any accompanying assessments should consider all potential impacts to the groups of receptors identified in Table 22-2 or provide a justification where these are scoped out.</p>

ID	Ref	Description	Inspectorate's comments
502	N/A	East of Farnes Deep HPMA and MCZ	The ES should be clear that whilst these two sites may occupy the same or similar physical area, there is the ES should acknowledge the different features and conservation advice and this should be considered in the relevant assessments where appropriate.
503	N/A	Matters relating to the Habitat Regulations Assessment and Marine Coastal Zone Assessment	The Inspectorate has not provided comments on these sections as they sit outside the EIA with which this Scoping Opinion relates.

## 5.1 Marine Physical Processes

(Scoping Report Chapter 23)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.1.1	Table 23-4	Disturbance of sub-tidal seabed morphology - operation	The Scoping Report notes the potential for the requirement to repair a cable once installed is 'significantly reduced' if installed correctly but also states that should repair be required, that pre-sweeping will be undertaken. The Inspectorate is content to scope this matter out providing that the ES clearly demonstrates that significant effects are not likely in relation to pre-sweeping.
5.1.2	Table 23-4	Disturbance of intertidal morphology - operation	The Inspectorate is content that noting the coastline processes and management in the landfall area that this matter can be scoped out.
5.1.3	Table 23-4	Temporary increase and deposition of suspended sediments - operation	The Inspectorate notes that any works required during operation will be at a lower magnitude and in a smaller location than during construction. The Inspectorate agrees to scoping this matter out, however the ES should demonstrate that the reduced area and magnitude do not result in a significant effect.
5.1.4	Table 23-4	Temporary increase and deposition of suspended sediments - decommissioning	The Scoping Report does not explain why the impacts are deemed to be less than construction, furthermore, there are a number of matters that have concluded that effects will be less than construction but state that decommissioning techniques are uncertain at this stage and therefore have scoped the matter in. The Scoping Report does not identify why this uncertainty does not affect this matter. As such, the Inspectorate does not agree to scope this matter out at this stage without further information.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.15	Table 23-4	Modifications to tidal and wave regimes and associated impacts to morphological features - decommissioning	There are a number of matters that have concluded that effects will be less than construction but state that decommissioning techniques are uncertain at this stage and therefore have scoped the matter in. The Scoping Report does not identify why this uncertainty does not affect this matter. As such, the Inspectorate does not agree to scope this matter out without further information.
5.16	Table 23-4	Accidental releases or spills of materials or chemicals - all phases	The Inspectorate is content to scope this matter out noting the legal requirements upon vessels to manage any accidental releases or spills of materials or chemicals. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.
5.17	Table 23-4	Temperature increase - all phases	The Inspectorate is content to scope this matter out for construction and decommissioning as at these phases, the cables are not in operation.  During operation, the Inspectorate notes the findings from the study undertaken on Viking Link and notes that the Proposed Development commits to burying the cables at 1.0-2.5m, which is deeper than 0.75m where an increase in 2 degree Celsius could occur. The Inspectorate also notes comments by the Environment Agency and therefore does not agree to scope this matter out at this time.

ID	Ref	Description	Inspectorate's comments
5.18	Paragraph 23.7.5	Appendix 2 – MMO response	The MMO have highlighted that the potential receptors listed do not encompass the North-east of Farnes Deep HPMA. The EIA should justify and ensure inclusion of all potential receptors.

ID	Ref	Description	Inspectorate's comments
5.1.9	Section 23.6.18	MMO consultation response	The MMO have requested that tidal surge should be assessed in addition to wave and tidal activity on transport. The Applicant is requested to consider this and report and provide an update in the ES in response to this Scoping Opinion.
5.1.10	N/A	Potential receptors	The ES should ensure that all potential receptors should be considered, noting the spatial impact into a site and receptor and ecosystem pathways.
5.1.11	N/A	Sea Level Rise	The ES should clearly set out the Climate Change scenarios modelled and justify the scenarios used along with the management plan policies within the modelled area. The EA in their consultation response notes that Epoch 3 is not classified as hold the line and is currently pending approval. The ES should include an update on this and any implications for the assessment.



## 5.2 Intertidal and Subtidal Benthic Ecology

(Scoping Report Chapter 24)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
521	Table 24-5	Temporary Habitat Loss/seabed disturbance – Trenchless solution and duct installation and open cut trenching at landfall cable burial and trenching on intertidal habitats - operation and decommissioning	<p>The Inspectorate notes that the explanation for scoping this matter out relates to requiring a marine licence to maintain the cable during operation should a trenchless technique be employed, it does not reference the likely significant effects should an open-cut technique be used. As the Proposed Development could utilise either method, the Inspectorate does not agree to scope this matter out on the information provided.</p> <p>In relation to decommissioning effects, the scoping report relies on scoping this matter out 'if' the cables are left in situ. Furthermore, it is noted that other matters are scoped in in relation to this aspect as a result of uncertainty regarding the decommissioning methods. The Inspectorate would expect the ES to consider all possible scenarios and as such does not agree to scope this matter out at present.</p>
522	Table 24-5	Temporary increase and deposition of suspended sediments - Pre-sweeping on subtidal habitats - operation	<p>The Inspectorate agrees that where a cable is likely to require repair, pre-sweeping is unlikely to be necessary and where a scenario could arise where pre-sweeping is necessary, this is unlikely to result in significant effects due to the limited spatial extent of the works.</p>
523	Table 24-5	Underwater noise changes – Geophysical survey and presence of project vessels and equipment on	<p>The Inspectorate does not agree that significant effects relating to underwater noise on subtidal species is unlikely, the Scoping Report does not provide information to demonstrate that noise would be localised or evidence of the level of background noise that is currently present. It is also noted that MMO and Cefas and Environment Agency in their consultation responses did not agree that this matter could be scoped out. Furthermore, in the absence of confirmed construction details the Inspectorate considers that this matter should be scoped in for further assessment.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		subtidal species - all phases	
524	Table 24-5	Electronic changes/barrier to species movement – Presence of cables on subtidal species - operation	The Inspectorate notes the comments from JNCC in relation to the presence of ocean quahog and therefore does not agree to scope this out at present. The Inspectorate would also expect this matter to provided sufficient assessment and cross-referencing to the shellfish and fish aspect chapter, where this matter has been scoped in.
525	Table 24-5	Temperature increase – Presence of cables on subtidal habitats and species - operation	<p>The Inspectorate is content to scope this matter out for construction and decommissioning as at these phases, the cables are not in operation.</p> <p>During operation, the Inspectorate notes the findings from the study undertaken on Viking Link and notes that the Proposed Development commits to burying the cables at 1.0-2.5m, which is deeper than 0.75m where an increase in 2 degree Celsius could occur. The Inspectorate also notes comments by the Environment Agency and therefore does not agree to scope this matter out at this time.</p>
526	Table 24-5	Accidental spills – Presence of project vessels and equipment on intertidal and subtidal habitats – all phases	The Inspectorate is content to scope this matter out noting the legal requirements upon vessels to manage any accidental releases or spills of materials or chemicals. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.

### 5.3 Fish and Shellfish

(Scoping Report Chapter 25)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
531	Table 25-9	Temporary habitat loss/seabed – Species with pelagic lifecycle - all phases	The Inspectorate agrees that species with a fully pelagic lifecycle would not be affected by disturbance of the seabed and therefore can be scoped out of the assessment.
532	Table 25-9	Permanent habitat loss – Deposit of external cable protection – Pelagic species - all phases	The Inspectorate agrees that species with a fully pelagic lifecycle would not be affected by disturbance of the seabed and therefore can be scoped out of the assessment.
533	Table 25-9	Temporary increase and deposition of suspended sediments – pre-sweeping – Shellfish and marine species with demersal life stage - operation	The Inspectorate is content to scope this matter out, noting that such works are unlikely during operation however, whilst the magnitude of effect is predicted to be lower than at construction, the ES should ensure that where this still results in a significant effect, that this is reported. The Applicant's attention is drawn to paragraph 3.5.1 of the MMO's response which requests certain shellfish species to be scoped in. The phase of development to which the comments relate however are unclear and therefore the Inspectorate is unable to make further comments. The MMO should be consulted further on this point and an update provided in the ES as to how such comments were addressed.
534	Table 25-9	Temporary increase and deposition of suspended sediments during	The Inspectorate agrees that effects are to be localised and short in temporal scope, however, also notes from MMO's representation, the presence of Herring in the proximity of the Project and as such, agrees that this matter can be scoped out for the operational

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> <li>• Seabed preparation</li> <li>• HDD duct excavation, cable burial and trenching</li> <li>• anchoring/jack up foundations</li> <li>• deposit of external cable protection</li> </ul> <p>for all species (except cockles) - all phases.</p>	<p>phase of the Proposed Development but should be scoped in for construction and decommissioning phases for Herring.</p>
535	Table 25-9	<p>Temporary increase and deposition of suspended sediment during</p> <ul style="list-style-type: none"> <li>• Seabed preparation</li> <li>• HDD duct excavation, cable burial and trenching</li> </ul>	<p>The Inspectorate is content to scope this matter out for operation and decommissioning, however, whilst the magnitude of effect is predicted to be lower than at construction, the ES should ensure that where this still results in a significant effect, that this is reported.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> <li>• Anchoring up/jack-up foundations</li> <li>• Deposit of external cable protection</li> </ul> <p>On cockles - operation and decommissioning</p>	
536	Table 25-9	Accidental spills from the presence of project vehicles and equipment on all species - all phases	The Inspectorate is content to scope this matter out noting the legal requirements upon vessels to manage any accidental releases or spills of materials or chemicals. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.
537	Table 25-9	Introduction or spread of marine invasive non -native species (MINNS) during presence of project vessels and equipment and deposit of external cable protection for shellfish - all phases.	The Inspectorate notes a number of commitments in the Scoping Report to manage effects. The Inspectorate agrees that this matter can be scoped out on the basis that the mitigation measures proposed within the outline CoCP such as the Biosecurity Plan should be sufficient to address the likely impacts and avoid a likely significant effect. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.
538	Table 25-9	Underwater noise changes from the	The Inspectorate does not agree that significant effects relating to underwater noise on subtidal species is unlikely, the Scoping Report does not provide information to

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		presence of project vehicles and equipment for all species -all phases	demonstrate that noise would be localised or evidence of the level of background noise that is currently present. It is also noted that MMO and Cefas and Environment Agency in their consultation responses did not agree that this matter could be scoped out. Furthermore, in the absence of confirmed construction details the Inspectorate considers that this matter should be scoped in for further assessment.
53.9	Table 25-9	Collision risk from presence of project vessels and equipment on basking shark - all phases	The Inspectorate is content that few Basking Sharks have been recorded in the area in the last decade and therefore the potential for collision is minimal and unlikely to be significant.
53.10	Table 25-9	Electromagnetic changes-barrier to species movement from presence of cables on all species - construction and decommissioning	The Inspectorate is content to scope this matter out for construction and decommissioning as at these phases, the cables are not in operation.
53.11	Table 25-9	Temperature increase from the presence of cables on species with demersal life stage - construction and decommissioning	The Inspectorate is content to scope this matter out for construction and decommissioning as at these phases, the cables are not in operation.

ID	Ref	Description	Inspectorate's comments
5.3.12	Appendix 2	Cockles and other bivalve species	The Applicant's attention is drawn to MMO's comments at paragraph 2.1 in relation to the inclusion of other bivalve species which should also be scoped into the assessment in addition to cockles. The Applicant should consider including further detail in the ES on species included in the assessment.
5.3.13	Table 25-3	Update of species included	The Applicant's attention is drawn to MMO's comment in relation to species to be included in Scoping Report Table 25-3 (see paragraph 3.5.4)
5.3.14	N/A	Sea Trout and European Eel	The Environment Agency note the omission of Sea Trout and European Eel from the assessment, the Applicant is requested to scope these species into the assessment or through consultation with the Environment Agency agree an approach and provide commentary in the ES.

## 5.4 Intertidal and Offshore Ornithology

(Scoping Report Chapter 26)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
54.1	Table 26-9	<p>Temporary increase and deposition of suspended sediments during</p> <ul style="list-style-type: none"> <li>• bouldering clearance, PLGR, pre-sweeping of sand waves,</li> <li>• HDD duct excavation,</li> <li>• Open cut trenching,</li> <li>• Cable burial and trenching,</li> <li>• Deposit of external cable protection</li> </ul> <p>On sea ducks, geese and swans - all phases</p>	<p>The Inspectorate agrees that given alternative feeding grounds are available for these species, that this matter can be scoped out, noting the temporary nature of the potential effect.</p>



ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
542	Table 26-9	<p>Temporary increase and deposition of suspended sediments during</p> <ul style="list-style-type: none"> <li>• bouldering clearance, PLGR, pre-sweeping of sand waves,</li> <li>• HDD duct excavation,</li> <li>• Open cut trenching,</li> <li>• Cable burial and trenching,</li> <li>• Deposit of external cable protection</li> </ul> <p>On Harriers and Waders - all phases</p>	<p>The Inspectorate agrees that Harriers and Waders are not diving birds and therefore are unlikely to be significantly affected by a decrease in water clarity. Therefore, this matter can be scoped out.</p>
543	Table 26-9	<p>Changes in distribution of prey species during</p>	<p>The Inspectorate is content to scope this matter out at all phases of the Proposed Development, noting the temporary and transient nature of the potential effect and the alternative foraging areas that are available.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> <li>• Pre-sweeping of sand waves</li> <li>• Cable burial and trenching</li> </ul> <p>On all species - all phases</p>	
544	Table 26-9	Changes in distribution of prey species during deposit of external cable protection on all species - decommissioning	The Inspectorate is content to scope this matter out during decommissioning, note that cable protection will not be deposited during decommissioning.
545	Table 26 -9	<p>Visual/physical disturbance or displacement during</p> <ul style="list-style-type: none"> <li>• presence of project vessels and equipment</li> <li>• open cut trenching within the intertidal</li> </ul>	It is noted that these species are unlikely to be significantly affected by the Proposed Development as they are less sensitive to noise. The Inspectorate is therefore content to scope this matter out during all phases of the Proposed Development. The Inspectorate notes comment in relation to the inclusion of Auks, which the Applicant has not listed here.

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
		on Terns, Gulls, Kittiwakes and Gannets - all phases	
54.6	Table 26-9	Accidental spills (Hydrocarbon and PAH contamination) during presence of project vessels and equipment on all species - all phases	The Inspectorate is content to scope this matter out noting the legal requirements upon vessels to manage any accidental releases or spills of materials or chemicals. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
54.7	26.2.2	Bird Surveys	It is noted that no offshore specific bird surveys are to be undertaken. The Applicant should seek agreement from relevant conservation bodies to this approach.

## 5.5 Marine Mammals and Marine Reptiles

(Scoping Report Chapter 27)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
55.1	Table 27-6	Collision with project vessels from presence of project vessels and equipment on Cetaceans and Pinnipeds - all phases	<p>The Inspectorate notes the Applicant's commitment to ensure vessels outside of shipping lanes will be limited to 5 knots and any vessel travelling above would be within 'shipping routes within the study area'. The Applicant does not clarify in the Scoping Report whether these are existing shipping routes or those created for the Proposed Development.</p> <p>The Applicant should clarify this matter in consultation with relevant bodies and ensure that any commitment to avoid significant effects is secured through appropriate documents in order to enable this matter to be scoped out. The Inspectorate does not agree to scope this matter out at this stage.</p>
55.2	Table 27-6	Electromagnetic changes/barrier to species movement from the presence of cables on cetaceans and pinnipeds - operation	<p>The Inspectorate notes the references to studies and literature in the Scoping Report and based on the information provided, agrees that this matter can be scoped out. The Inspectorate acknowledges that this is an evolving matter and as such, agreement should be sought from the relevant conservation bodies.</p>
55.3	Table 27-6	Temperature increase from presence of cables on cetaceans and pinnipeds - operation	<p>During operation, the Inspectorate notes the findings from the study undertaken on Viking Link and notes that the Proposed Development commits to burying the cables at 1.0-2.5m, which is deeper than 0.75m where an increase in 2 degree Celsius could occur. As such, the Inspectorate is content to scope this matter out.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
554	Table 27-6	Accidental spills (Hydrocarbon and PAH contamination) from presence of project vessels and equipment on cetaceans and pinnipeds - all phases	The Inspectorate is content to scope this matter out noting the legal requirements upon vessels to manage any accidental releases or spills of materials or chemicals. The ES should include details of the mitigation and explain how its delivery is assured with reference to relevant documents.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
555	N/A	Consistency	The scoping out table has taken the approach to use N/A in cells without any discussion as to why commentary has not been provided. It is assumed that this indicates the intention to scope the matter out at that stage. As no commentary has been provided, the Inspectorate has not commented on the appropriateness of this approach and therefore the ES should provide sufficient justification for the approach taken.
556	N/A	Reptiles	The Scoping table makes no reference to reptiles and the assessment to be undertaken despite the title of the aspect chapter being Marine Mammals and Marine Reptiles.
557	N/A	Unexploded Ordinance	The Scoping Report does not make clear reference to unexploded ordinance. This should be considered as part of the assessment; it is not clear in the Scoping Report where this has been taken into account. This matter should be assessed in relation to noise impacts on marine mammals, for example, at a justified charge rate where there is the potential for significant effects. Agreement to the approach should be sought from relevant consultation bodies.

ID	Ref	Description	Inspectorate's comments
55.8	Figure 27-1	Marine Mammal Management units	Figure 27-1 does not appear to be labelled correctly. Furthermore, the study area does not appear to be shown on this figure, nor are distances discussed in the Scoping Report Table 27-1 in relation to the study area. The Inspectorate would expect the study area for cetaceans to be sufficient to identify all the relevant designated sites with cetacean qualifying features, given that harbour porpoise and bottlenose dolphin are highly mobile.
55.9	Table 27-1	Study Areas	Table 27-1 does not provide a justification for the 100km distance from haul out sites to inform the study area for Grey Seal or Sea Turtles. For each species listed in Table 27-1, the ES should set out its range/activities which have been used to inform the study area. A figure should be provided to depict the study area. Where possible agreement should be sought with relevant consultation bodies.
55.10	Table 27-1	Study Areas	Table 27-1 does not provide a justification for the 100km distance from haul out sites to inform the study area for Grey Seal or a distance for activities for Chelonians (Sea Turtles). For each species listed in Table 27-1, the ES should set out its range/activities which have been used to inform the study area. A figure should be provided to depict the study area. Where possible agreement should be sought with relevant consultation bodies.
55.11	Table 27-6	Geophysical Surveys	It is noted that the Scoping Report references the need to undertake geophysical surveys but that the effect of these would not be assessed. The Inspectorate advises that where activities have the potential to give rise to significant effects, these should be assessed.

## 5.6 Shipping and Navigation

(Scoping Report Chapter 28)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
561	Table 28-9	Interference with marine navigation equipment - construction and decommissioning	The Scoping Report states that there is no risk of electromagnetic forces from the cable that are likely to cause interference with marine navigation equipment during the construction and decommissioning and proposes to scope out this matter. The Inspectorate considers that interference with marine navigation equipment will be limited to the operation phase of the Proposed Development. The Inspectorate agrees that significant effects during construction and decommissioning are unlikely and is content for this matter can be scoped out.

ID	Ref	Description	Inspectorate's comments
562	Paragraph 28.1.2	Study area	The Scoping Report states that the 5 nautical mile (nm) buffer around the scoping boundary is sufficient to characterise the relevant baseline conditions for the assessment but does not explain why. The ES should clearly justify why the final extent of the study area reflects the Zol of the Proposed Development and, where possible, it should be agreed with the relevant consultation bodies.
563	Figures 28-1 and 28-2	Figures	Figures have been provided to illustrate the Automatic Identification System (AIS) vessel density in relation to the offshore scoping boundary. However, the resolution of the figures is not particularly clear. The Applicant should ensure that any ES figures are of an appropriate scale and any shading allows each element on the figure to be clearly distinguishable and include clear keys/ legends and labels.
564	Section 28.5	Assessment methodology	The ES should clearly set out how the risk assessment approach leads to an assessment of significance of effects that is consistent/ compatible with the method and terminology

ID	Ref	Description	Inspectorate's comments
			used in the ES, for which the intended approach is set out in Chapter 21 (Section 21.6) of the Scoping Report.
565	N/A	Implications for other assessments in the ES	This aspect chapter should cross-refer to the relevant assessments of the ES, including assessments which consider the potential for vessel movements which could facilitate the spread of INNS (eg through ballast water, accidents, and spillages) or which displace shipping traffic into designated wildlife sites



## 5.7 Commercial Fisheries

(Scoping Report Chapter 29)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
57.1	Table 29-8	Loss of grounds due to presence of external cable protection - construction and decommissioning	The Inspectorate agrees that the construction and decommissioning of the Proposed Development are unlikely to lead to permanent loss of fishing grounds due to presence of external cable protection and is content for this matter to be scoped out.
57.2	Table 29-8	Temporary increase in deposition of suspended sediments - operation	The Scoping Report seeks to scope this matter out noting that the potential effects of localised repair works would be a lower magnitude than during construction. In the absence of information regarding the likely frequency and duration of maintenance activities and evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope this matter out from the assessment at this stage. Accordingly, the ES should include an assessment of these matters, or the information referred to demonstrating agreement with the relevant consultation bodies or evidence to justify the absence of significant effects.
57.3	Table 29-8	Temporary increase and deposition of suspended sediments - decommissioning	The Inspectorate agrees that the significance of effects during decommissioning are likely to be similar or lower to construction effects and is content to scope this matter out of further assessment. However, should decommissioning activities result in a greater magnitude of effects or extend beyond the range of previous construction activities, the ES should provide an assessment of decommissioning activities on commercial fisheries.

ID	Ref	Description	Inspectorate's comments
574	Section 29.2	Baseline data	When using landings data, any conservation or management measures for species captured in the vicinity of the offshore study area should be considered and acknowledged, as this may affect the species abundance and distribution within the cable route area. The Applicant should make efforts to include, or otherwise account for, vessels excluded from the Vessel Monitoring Systems (VMS) data. Baseline data should also be up to date as possible at the point of submission.
575	Section 29.5	Assessment methodology	<p>The Scoping Report identifies the data sources that would be used to inform the baseline and refers to the assessment approach set out in Scoping Report, Chapter 21. However, it is not clear from the Scoping Report what methods would be used to carry out the assessment and whether the assessments would be qualitative or quantitative. The methodologies used must be described and their use justified with reference to appropriate guidance and/ or agreement with relevant consultation bodies.</p> <p>The Applicant is encouraged to ensure that they seek advice from all relevant stakeholders with expertise on this aspect, including the appropriate Inshore Fisheries and Conservation Authorities (IFCAs).</p>
576	Section 29.6	Potential impacts	The Scoping Report states that the potential impacts on fish and shellfish species will be addressed in the Fish and Shellfish ES Chapter and any impacts to the navigation abilities of fishing vessels will be assessed in the Shipping and Navigation ES Chapter. The ES should provide clear cross-referencing to where relevant impacts on commercial fisheries have been assessed.
577	N/A	Mitigation measures	The Scoping Report does not refer to any proposed mitigation measures. The ES must clearly describe the measures to be employed in order to mitigate any potential significant effects of the Proposed Development on commercial fisheries.
578	N/A	Mitigation – timing of works	The Scoping Report does not state whether the proposed construction and/ or operational activities are being scheduled to avoid key periods relating to commercial fishing activities. The Inspectorate advises that the Applicant should consider the timing of any proposed construction and/ or operational maintenance activities as to avoid key periods relating to

ID	Ref	Description	Inspectorate's comments
			commercial fishing activities. Furthermore, any overlapping works should be assessed accordingly.

## 5.8 Other Marine Users

(Scoping Report Chapter 30)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
581	Table 30-8	Interaction with other seabed infrastructure – all phases	<p>Scoping Report Table 30-8 considers that interaction with existing (third party) seabed infrastructure is required to be scoped in for operation but can be scoped out for construction. The Scoping Report does not set out the justification for scoping this matter out for construction.</p> <p>The Inspectorate is unclear on the justification that individual crossing agreements would mean that construction can be scoped out, as it is noted that crossing agreements are referred to for the operational phase, which is scoped in. Based on this information, the Inspectorate does not agree to scope this matter out at this stage.</p>
582	Table 30-8	Receptors scoped into the assessment	<p>The Inspectorate notes that a number of receptors listed in Scoping Report section 30.4 are not considered in Table 30-8 which appears to only consider receptors related to the seabed. In the absence of any justification for this approach, the Inspectorate considers that all receptors referred to in section 30.4 should be included in the relevant impact assessment sections, or a justification provided as to why they do not require assessment.</p>
583	N/A	Removal of out of service cables	<p>Scoping Report Table 20-2 refers to seeking permission to physically cut / remove redundant cables where required, however this does not appear to be referred to in the other marine user's chapter. The ES should include an assessment of the potential impacts from physical removal of out of service cables where required, including an assessment of a scenario where permission is not given by the asset owner, resulting in the requirement for cable crossings.</p>

ID	Ref	Description	Inspectorate's comments
584	Paragraph 30.1.2	Study area	<p>The Scoping Report defines a 15km buffer based on the maximum extent of increased suspended sediment concentrations. The Inspectorate is unclear how this is considered relevant to this chapter, as sediment dynamic are not mentioned further and the type or receptors relevant to this chapter are unlikely to be impacted by sediment load.</p> <p>The ES should provide a justification for the study area used with reference to relevant receptors to the chapter.</p>
585	Paragraph 30.5.3	Methodology	<p>The Scoping Report states that the methodology will either be quantitative e.g. physical area lost, or qualitative dependent on the receptor. Given the range of potential receptors and differing potential impacts identified, the ES should consider whether multiple definitions of sensitivity, magnitude and significance are required, as it may assist the reader where a single approach may not be suitable for all receptors.</p>

## 5.9 Marine Archaeology

(Scoping Report Chapter 31)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
591	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
592	Section 31.1	Study area	The Scoping Report describes the study area but does not explain why the area chosen is sufficient to reflect the likely Zol for the Proposed Development. The ES should be based on a defined study area, which is sufficient to identify the likely significant effects of the Proposed Development, including any potential effects caused by changes to marine physical processes. The ES should also confirm whether the study area aligns with relevant policy and guidance and provide justification for any divergences.
593	Section 31.2	Survey data	The Scoping Report states that primary data will be obtained from geophysical and geotechnical surveys and would be subject to archaeological review. Effort should be made to agree the scope and method of surveys with relevant consultation bodies, including Historic England. This applies equally to surveys that are primarily to inform other aspects but would also be used for marine archaeology.
594	Table 38-8	Indirect impacts on intertidal heritage receptors	For the avoidance of doubt, the Inspectorate understands that the assessment of indirect impacts arising from hydrodynamic changes and sedimentary regimes during construction, operation and decommissioning will include consideration of receptors within the intertidal area.

## 6. ENVIRONMENTAL ASPECT COMMENTS – PROJECT WIDE ASPECTS

### 6.0 Greenhouse Gases

(Scoping Report Chapter 33)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
601	Table 33-5	Disposal of Waste (A5) – construction	<p>The Scoping Report proposes to scope out this matter on the basis that emissions from the disposal of waste materials is not expected to give rise to significant effects, as the majority of waste generated is anticipated to would be of an inert type.</p> <p>The Inspectorate agrees that this matter can be scoped out of the ES.</p> <p>The Inspectorate considers however that the ES or application documents should include details on the management of any non-inert i.e. non-hazardous or hazardous waste generated.</p>
602	Table 33-5	Maintenance, Repair, Replacement, Refurbishment (B2-B5) - operation	<p>The Scoping Report notes that any maintenance or refurbishment which has the potential to generate emissions is predicted to be limited and therefore unlikely to give rise to significant effects. Attention is drawn however to Scoping Report paragraph 33.7.1 which indicates that operations and maintenance are to be considered in the methodology.</p> <p>The Inspectorate however agrees that this matter can be scoped out of the ES.</p>
603	Table 33-5	Operational Energy Use (B6) - operation	<p>The Scoping Report proposes to scope out this matter on the basis that the operational phase would require limited energy use as the operation is for the transmission of electricity.</p> <p>The Inspectorate is in agreement with this reasoning and that this matter can be scoped out of the ES.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
604	Table 33-5	Operational Water Use (B7) - operation	<p>The Scoping Report notes that the operational phase would require limited water use. The Inspectorate is in agreement and this matter can be scoped out of the ES.</p>
605	Table 33-5	End-user Emissions (B9/D) - operation	<p>The Scoping Report proposes to scope out this matter on the basis that that the operational phase would require limited energy or other resource use as the operation is for the transmission of electricity.</p> <p>The Inspectorate agrees this matter can be scoped out of the ES.</p>
606	Table 33-5	<p>Decommissioning Process (C1) - decommissioning</p> <p>Transport and disposal of materials (C2 – C4) - decommissioning</p>	<p>The Scoping Report proposes to scope out noting that the process of decommissioning is far in the future (60 years), and specific of decommissioning are not known in terms of material volume or available disposal routes.</p> <p>The Inspectorate is in agrees that this matter can be scoped out of the ES. The ES should however indicate how it is secured through the dDCO that an assessment of decommissioning emissions at a later date will be undertaken.</p>



## 6.1 Scoped Out Aspects

(Scoping Report Chapter 34)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
611	Section 34.2	Major Accidents and Disasters - all phases	<p>The Scoping Report proposes to scope this matter out by listing potential sources of Major Accidents and Disasters, and providing an assessment of why they are unlikely to result in significant effects, or detailing where they would be assessed in other chapters.</p> <p>On the basis of the assessment provided, the Inspectorate is in agreement that an assessment of Major Accidents and disasters can be scoped out of the ES, provided that the assessments noted to be required in other chapters such as flood risk are provided. The ES should also include the summary assessment or justification given in the Scoping Report for clarity.</p>
612	Section 34.3	Climate Resilience – In-combination Climate Change Impact Assessment and Climate Resilience – Climate Change Resilience – all phases	<p>The Scoping Report proposes to scope these matters out as the infrastructure is predominately underground and therefore not subject to climate change impacts, or where above ground or in areas of potential coastal erosion, would be designed to factor in climate change consequences such as flood risk.</p> <p>The Inspectorate agrees and that these matters can be scoped out of the ES.</p>

## 6.2 Cumulative Effects

(Scoping Report Chapter 35)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
621	N/A	N/A	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
622	Paragraph 35.1.7 (and throughout chapter)	Requirement for cumulative effects to offshore receptors	The Scoping Report refers only to the onshore chapters as being relevant to the cumulative effects assessment. The ES must include an assessment of cumulative (inter and intra project) on the offshore receptors scoped into the ES.
623	Paragraphs 35.4.13 – 35.4.15	Criteria for inclusion of Town and Country Planning Act Developments	The Scoping Report does not contain a legible reference to the criteria used to determine whether TCPA applications would be included, and as such the criteria are not considered to be listed. The ES should present the criteria used and a justification for this.  The ES should also consider other schedule 2 development other than those in category 10 (B).

## APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

**TABLE A1: PRESCRIBED CONSULTATION BODIES**

Bodies prescribed in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Secretary of State for Defence	Ministry of Defence
	Moultons Parish Council
	Holbeach Parish Council
	Gendney Parish Council
	Pinchbeck Parish Council
	Crowland Parish Council
	Fleet Parish Council
	Weston Parish Council
	Whaplode Parish Council
	Sutton Bridge and Wingland Parish Council
	Quadring Parish Council
	Gosberton Parish Council
	Gedney Hill Parish Council
	Sutton St Edmund Parish Council
	Cowbit Parish Council
	Surfleet Parish Council
Sutton St James Parish Council	
The relevant parish council(s)	Long Sutton Parish Council

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
	Tydd St Mary Parish Council
	Lutton Parish Council
	Donington Parish Council
	Kirton Parish Council
	Fishtoft Parish Council
	Freiston Parish Council
	Holland Fen with Brothertoft Parish Council
	Benington Parish Council
	Leverton Parish Council
	Old Leake Parish Council
	Wigtoft Parish Council
	Sutterton Parish Council
	Bicker Parish Council
	Swineshead Parish Council
	Algarkirk Parish Council
	Fosdyke Parish Council
	Frampton Parish Council
	Wyberton Parish Council
	Amber Hill Parish Council
	Butterwick Parish Council
	Wrangle Parish Council
	Great Hale Parish Council
	Heckington Parish Council
	North Kyme Parish Council

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
	Dogdyke Parish Council
	South Kyme Parish Council
	Friskney Parish Council
	Wainfleet Saint Mary Parish Council
	Willoughby with Sloothby and Claxby St Andrew Parish Council
	Mablethorpe and Sutton Town Council
	Wildmore with Haven Bank and Scrub Hill Parish Council
	Langrville Parish Council
	Thornton Le Fen Parish Council
	Coningsby Town Council
	Frithville and Westville Parish Council
	Carrington with New Bolingbroke Town Council
	Sibsey Parish Council
	Revesby Parish Council
	East Kirkby Parish Council
	Eastville, Midville and New Leake Group Parish Council
	Stickford Parish Council
	West Keal and Keal Cotes Parish Council
	Toynton St Peter Parish Council
	Halton Hologate with Halton Fenside Parish Council
	Wainfleet All Saints Town Council
	Thorpe St Peter Parish Council
	Croft Parish Council

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
	Welton le Marsh Parish Council
	Burgh Le Marsh Town Council
	Orby Parish Council
	Addlethorpe Parish Council
	Hogsthorpe Parish Council
	Withern with Stain Parish Council
	Anderby Parish Council
	Gayton le Marsh Parish Council
	Great and Little Carlton Parish Council
	Saltfleetby Parish Council
	Theddlethorpe (All Saints and St Helens) Parish Council
	Stickney Parish Council
	East Keal Parish Council
	Toynton All Saints Parish Council
	Firsby Group Parish Council
	Spilsby Town Council
	Partney and Dalby Parish Council
	Swaby, Haugh & South Thoresby Parish Council
	Aby with Greenfield Parish Council
	Bilsby and Farlesthorpe Parish Council
	Alford Town Council
	Mumby Parish Council
	Chapel St Leonards Parish Council
	Huttoft Parish Council

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
	Maltby le Marsh Parish Council
	Thorney Parish Council
	Terrington St Clement Parish Council
	Marshland St James Parish Council
	Walsoken Parish Council
	West Walton Parish Council
	Terrington St John Parish Council
	Tilney St Lawrence Parish Council
	Walpole Parish Council
	Tilney All Saints Parish Council
	Clenchwarton Parish Council
	South Wootton Parish Council
	Tydd St Giles Parish Council
	Emneth Parish Council
	Leverington Parish Council
	Newton-in-the-Isle Parish Council
	Wisbech Town Council
	Walpole Highway Parish Council
	Walpole Cross Keys Parish Council
The Environment Agency	Environment Agency
Natural England	Natural England
The Forestry Commission	Forestry Commission
The Historic Buildings and Monuments Commission for England	Historic England

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
The Joint Nature Conservation Committee	Joint Nature Conservation Committee
The Maritime and Coastguard Agency	Maritime and Coastguard Agency
The relevant internal drainage board	King's Lynn Internal Drainage Board
	South Holland Internal Drainage Board
	North Level District Internal Drainage Board
	Black Sluice Internal Drainage Board
	Welland and Deepings Internal Drainage Board
	Witham Fourth District Internal Drainage Board
	Lindsey Marsh Drainage Board
The Canal and River Trust	Canal and River Trust
Trinity House	Trinity House
The relevant Highways Authority	Lincolnshire County Council
	Norfolk County Council
	National Highways
The Civil Aviation Authority	Civil Aviation Authority
The Health and Safety Executive	Health and Safety Executive
United Kingdom Health Security Agency	United Kingdom Health Security Agency
NHS England	NHS England
The Coal Authority	Coal Authority
The Crown Estate Commissioners	Crown Estate
	Crown Estate Scotland
The relevant police authority	Lincolnshire Police and Crime Commissioner



<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
	Cambridgeshire Police and Crime Commissioner
	Norfolk Police and Crime Commissioner
The relevant ambulance service	East Midlands Ambulance Service NHS Trust
	East of England Ambulance Service NHS Trust
The relevant fire and rescue authority	Lincolnshire Fire and Rescue Service
	Cambridgeshire Fire and Rescue Service
	Norfolk Fire and Rescue Service

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS**

‘Statutory Undertaker’ is defined in the APFP Regulations (as amended) as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
The relevant Integrated Care Board	NHS Cambridgeshire and Peterborough Integrated Care Board
	NHS Lincolnshire Integrated Care Board
	NHS Norfolk and Waveney Integrated Care Board
NHS England	NHS England
The relevant NHS Trust	East Midlands Ambulance Service NHS Trust
	East of England Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Canal Or Inland Navigation Authorities	Canal and River Trust
	Environment Agency

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
Dock and Harbour authority	Port of Wisbech
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	Environment Agency
The relevant water and sewage undertaker	Anglian Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited
Indigo Pipelines Limited	

STATUTORY UNDERTAKER	ORGANISATION
	Inovyn Enterprises Ltd
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Saltfleetby Energy Limited
	Stark Works
	National Gas
The relevant electricity generator with CPO Powers	Sutton Bridge Power Generation
The relevant electricity generator with CPO Powers	Triton Knoll Offshore Windfarm Limited
The relevant electricity distributor with CPO Powers	National Grid Electricity Distribution (East Midlands) Limited
The relevant electricity distributor with CPO Powers	Advanced Electricity Networks Ltd
The relevant electricity distributor with CPO Powers	Aidien Ltd
The relevant electricity distributor with CPO Powers	Aurora Utilities Ltd
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
The relevant electricity distributor with CPO Powers	Energy Assets Networks Limited
The relevant electricity distributor with CPO Powers	ESP Electricity Limited
The relevant electricity distributor with CPO Powers	Fulcrum Electricity Assets Limited
The relevant electricity distributor with CPO Powers	Harlaxton Energy Networks Limited
The relevant electricity distributor with CPO Powers	Independent Distribution Connection Specialists Ltd
The relevant electricity distributor with CPO Powers	Independent Power Networks Limited
The relevant electricity distributor with CPO Powers	Indigo Power Limited
The relevant electricity distributor with CPO Powers	Last Mile Electricity Ltd

STATUTORY UNDERTAKER	ORGANISATION
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Stark Infra-Electricity Ltd
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	UK Power Networks Limited
The relevant electricity transmitter with CPO Powers	Diamond Transmission Partners Hornsea One Limited
	Diamond Transmission Partners Hornsea Two Limited
	National Grid Electricity Transmission Plc
	National Grid Electricity System Operation Limited
	Scottish Hydro Electric Transmission Plc
	Triton Knoll OFTO Ltd
The relevant electricity interconnector with CPO Powers	Aminth Energy Ltd
	National Grid Viking Link Limited
	Nu-Link Interconnector UK Ltd

**TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 43(3) OF THE PA2008**

<b>LOCAL AUTHORITY</b>
Borough Council of King's Lynn and West Norfolk
Fenland District Council
East Cambridgeshire District Council
West Lindsey District Council
South Holland District Council
Boston Borough Council
North Kesteven District Council
East Lindsey District Council
North Norfolk District Council
South Kesteven District Council
West Suffolk Council
Breckland District Council
Peterborough City Council
North East Lincolnshire Council
Broads Authority
North Northamptonshire Council
North Lincolnshire Council
Rutland County Council
Suffolk County Council
Cambridgeshire County Council
Norfolk County Council
Nottinghamshire County Council
Leicestershire County Council

<b>LOCAL AUTHORITY</b>
Lincolnshire County Council

**TABLE A4: THE MARINE MANAGEMENT ORGANISATION**

Section 42(1)(a) of the PA2008 requires consultation with the Marine Management Organisation in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection 42(2).

<b>ORGANISATION</b>
Marine Management Organisation

**TABLE A5: NON-PRESCRIBED CONSULTATION BODIES**

<b>ORGANISATION</b>
Cambridgeshire and Peterborough Combined Authority
Royal National Lifeboat Institution

## APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

<b>CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:</b>
Anglian Water
Bilsby and Farlesthorpe Parish Council
Borough Council of King's Lynn and West Norfolk
Boston Borough Council
Broads Authority
Canal and River Trust
Coal Authority
East Cambridgeshire District Council
East Lindsey District Council
Environment Agency
Fenland District Council
Forestry Commission
Frithville and Westville Parish Council
Halton Hologate with Halton Fenside Parish Council
Health and Safety Executive
Historic England
Holbeach Parish Council
Huttoft Parish Council
Joint Nature Conservation Committee
Lincolnshire County Council
Marine Management Organisation
Maritime and Coastguard Agency

Ministry of Defence
National Gas
National Grid Electricity Transmission Plc
National Highways
NATS En-Route Safeguarding
Natural England
Norfolk County Council
North Kesteven District Council
North Lincolnshire Council
North Northamptonshire Council
Northern Gas Networks Limited
Royal Mail Group
South Holland District Council
South Holland Internal Drainage Board
King's Lynn Internal Drainage Board
South Kyme Parish Council
South Wootton Parish Council
Swaby, Haugh and South Thoresby Parish Council
Theddlethorpe (All Saints and St Helens) Parish Council
Trinity House
United Kingdom Health Security Agency
West Lindsey District Council
West Suffolk Council
West Walton Parish Council
Witham Fourth District Internal Drainage Board





**Anglian Water Services**  
Lancaster House, Lancaster Way,  
Ermine Business Park, Huntingdon,  
Cambridgeshire. PE29 6XU

[www.anglianwater.co.uk](http://www.anglianwater.co.uk)

Our ref: EasternGreen Link3&4/  
ScopingResponse

By Email: Planning Inspectorate  
[EasternGreenLink3and4@planninginspectorate.gov.uk](mailto:EasternGreenLink3and4@planninginspectorate.gov.uk)

23<sup>rd</sup> August 2024

Dear Jack,

**Application by National Grid Electricity Transmission (the Applicant) for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development)**

Thank you for seeking our advice on the Environmental Impact Assessment Scoping Report for the Eastern Green Link 3 and Eastern Green Link 4.

The following response is submitted by Anglian Water Services (AWS), in its statutory capacity relating to potable water and water resources assets along with those wastewater and water recycling assets, within the identified project area on the GB onshore portion of the project. This response follows our previous correspondence to the applicant at non-statutory consultation stage, dated 14<sup>th</sup> June 2024.

**The Proposed English Onshore Scheme Scoping Boundary – Anglian Water existing infrastructure**

Anglian Water works to support the construction and operation of national infrastructure projects that are conducted in accordance with the Water Industry Act 1991. We would expect the Environmental Statement to include reference to any existing infrastructure managed by Anglian Water and the provision of replacement infrastructure and the requirements for new infrastructure.

Anglian Water works with developers, including those constructing projects under the 2008 Planning Act, to ensure requests for alteration of sewers, wastewater and water supply infrastructure is planned to be undertaken with the minimum of disruption to the project and customers.

Reference is made within the Scoping Report to the potential construction of the impacts on existing onshore utility infrastructure and services (Section 34.2.15 – 34.2.18) and loss of utilities (Section 34.2.30) as the site could cross by a number of utilities.

Given the potential location and extent of the proposed development area, there will be existing Anglian Water assets both above and below ground, which serve the surrounding businesses and community. For instance, there are existing Anglian Water assets including several water mains within the project area such as within the highway or its verges which link to the various settlements.

Anglian Water also has sewerage assets (drainage networks and above ground facilities including pumping stations and water recycling centres/ sewage treatment works). Connected to these are pipe connections to the corresponding settlements, including sewers and rising mains which can be located in areas beyond the highway verges. The following list provide some examples within the Scoping Boundary:

- At the Anderby Creek Landfall location there is the Anderby-Sea Road STW.
- In Section 2: Bilsby – Welton le Marsh and Section 3: Welton le Marsh – Little Steeping – Welton le Marsh there is the Welton Le Marsh STW.
- In Section 3: Welton le Marsh – Little Steeping there is the Spilsby STW off Fen Road south of Halton Hologate.

There are several other examples of AW assets which are located within Sections 1 to 8 of Scoping Boundary.

Utilities searches should, therefore, be undertaken to establish the extent of Anglian Water’s assets within the scheme’s application boundary. These should be mapped to establish interactions with assets and the scheme designed to avoid impacts upon those assets. Anglian Water would want to ensure the location and nature of our assets serving local communities and strategic water supply infrastructure, are identified and protected. To reduce the need for diversions and the associated carbon impacts of those works, ground investigations would enable the promoter to design out these potential impacts and so also reduce the potential impact on services if construction works cause a pipe burst or damage to supporting infrastructure.

We agree that buffers will be required and will inform the construction and operation of the proposed scheme, and its layout and design, following necessary ground investigations. Suitable easements, separation distances and safe working practices will need to be agreed.

Maps of Anglian Water’s underground assets are available to view at the following link: <http://www.digdat.co.uk/>

For land investigation questionnaires relating to Anglian Water’s above ground assets and formal easements, you should contact Anglian Water’s estates team on: [awsestates@savills.com](mailto:awsestates@savills.com)

The Construction Code of Construction Practice (CoCP) should include steps to remove the risk of damage to Anglian Water assets from plant and machinery (compaction and vibration during the construction phase) including haul and access roads. We agree vibration from construction traffic should be scoped in (Table 13.7) but this should take account of potential effects on our assets. Further advice on minimising and then relocating (where feasible) Anglian Water existing assets can be obtained from: [connections@anglianwater.co.uk](mailto:connections@anglianwater.co.uk)

Anglian Water’s preference is to work with the applicant during the pre-application phase to reach agreement on design changes, mitigation and protection measures in the application prior to submission. This ensures that work to divert existing assets is minimised, reducing project costs and the carbon costs of the project. We would welcome on-going engagement to ensure that Anglian Water and the project have reached agreement on the approach to assets and connections in order that these matters are not drawn out during the Examination.

## **Scheme assessment, design, mitigation and connections**

Anglian Water notes the absence of any reference to Anglian Water in the Scoping Report in terms of:

- Whether the management of surface water will require a public sewer connection;
- If water recycling/ sewerage services are required for the construction or operation of the scheme; and
- If a water supply is required for the construction and operation of the scheme.

### Flood Risk, Drainage and Surface Water

Anglian Water welcomes the statement (Section 9.7) that the Flood Risk Assessment (FRA) will assess all applicable sources of flooding to and arising from the English Onshore Scheme and identify any mitigation measures required to ensure flood resilience, taking climate change into account, and to prevent any off-site impacts. We consider that this should help to avoid increased risk of ground water infiltration/surface water ingress to our wastewater networks that may lie in the vicinity of the proposed onshore scheme.

The FRA as part of the EIA, should consider any increased risk of surface water and groundwater flood risks arising from the scheme that could exacerbate sewer flooding risks due to infiltration/ingress to our networks, particularly in terms climate change impacts. The likelihood of more extreme weather events leading to higher than average rainfall and cumulative impacts of storm events, as recently experienced during Winter 2023/24, mean that infrastructure becomes increasingly vulnerable to flood risk. The project should aim to minimise any flood risks as far as possible by designing in measures to limit increased flood risks to utilities infrastructure.

Any potential embedded design measures such as Sustainable Drainage Systems (SuDS) to be utilised at permanent above ground installations to manage rainfall run-off and achieve sufficient attenuation to avoid increases in flood risk, and compensation flood storage at temporary site compounds to manage flood risk at these locations. Anglian Water is responsible for management of the risks of flooding from surface water which are directed to foul water or combined water sewer systems.

Our preference would be for surface water run-off from above ground permanent buildings and impermeable surfacing to be managed by SuDS with any outfall to a watercourse, in accordance with the drainage hierarchy. The risk of sewer flooding and any required mitigation within the public sewerage network should form part of a FRA and drainage strategy. Anglian Water would wish to be engaged on the preparation of a drainage strategy and consider that this should be required to demonstrate the appropriate management of run-off from the proposed onshore scheme.

Subject to confirmation that all surface water will be managed following the drainage hierarchy including Sustainable Drainage Systems (SuDS), Anglian Water would want to clarify so that it is clear that the DCO as proposed will have no connection to the public sewer network for construction or for operations. This would then negate the need for the draft DCO Order to provide for any connection and so require consequent Protective Provisions and Requirements to ensure any connections did not compromise the wastewater services of existing customers. Anglian Water will be a consultee set out in Requirements for the approval of drainage strategies and surface water management plans.

Further advice wastewater capacity and options can be obtained by contacting Anglian Water's Pre-Development Team at: [planningliasion@anglianwater.co.uk](mailto:planningliasion@anglianwater.co.uk)

## Water resources

Some reference is made within the Scoping Report (Section 33.5) to water demand at construction and operation stages of the project. It is not anticipated that there will be significant water requirements at either of these stages and these have, therefore, been scoped out. Also, that water use efficiency measures will be secured through the CoCP (Table 9.3).

The project is located within 3 different Water Resource Zones (WRZ) - the Lincolnshire East WRZ, Lincolnshire Bourne WRZ and Fenland WRZ – and designated by the Environment Agency as a ‘seriously water stressed’ area. As water may be used in the project construction and operation, this indicates that water resources should be assessed in the EIA. Anglian Water notes that the applicant has not sought to scope these matters out by providing sufficient information to reach a conclusion that the projects impact regarding water supply as well as water recycling and water quality, are not significant.

Anglian Water wishes to point out that there are other NSIP projects in the area with a potentially cumulative impact for demand for water resources. There is a need, therefore, to further establish and set out in more detail how the project will be supplied with water and if connections to our networks are required. Also, how water assets serving residents and business will be protected and how the design has been altered to reduce the need for new water infrastructure or the diversion of existing assets.

Anglian Water does not consider that sufficient information has been provided to reach a conclusion on the project impacts regarding water supply. Impacts of climate change in terms of water availability for the construction, operation and decommissioning stages are also of relevance. In view of the guidance in the National Policy Statements we would have anticipated that the scoping would have included and then considered the approach to water supply and water resources. Anglian Water requests that these points are assessed early in the EIA to set out how the project will be supplied with water, its wastewater managed, how water assets serving residents and business will be protected and how design has been altered to reduce the need for new water infrastructure or the diversion of existing assets.

In summary, Anglian Water has a statutory duty to supply water for domestic purposes. This means we are legally obliged to supply water to all household properties as well as any domestic requirements (e.g., drinking water, hand-basins, toilets and showers) of non-household properties. In many cases, domestic demand will be the only requirement for non-household properties (e.g., schools, hospitals, offices, shops and hairdressers). Non-domestic demand refers to water use for industrial processes, (e.g., agri-food production or car washes), and there is no legal requirement for us to supply for this type of water usage where it might put at risk our ability to supply water for domestic purposes.

Although Anglian Water does not have a statutory obligation to supply for non-domestic purposes in these circumstances, we factor this into our Water Resources Management Plan and we do everything we can to support businesses in the region, with the help of the water retail market. However, the situation is now changing, due to water supply being squeezed by abstraction reduction, climate change and a fast-growing population. Therefore, where new and unplanned non-domestic requests are received, which exceed 20,000 litres per day (0.020 Ml/d) (this may be less dependent on the availability of water in that area) or where there is a cumulative impact from a significant number of smaller requests, there might be the need to decline to protect existing supplies and the environment.

Anglian Water advises through its Non-Domestic Water Requests Policy – dated July 2024 that new non-household water supply requests (construction and operational phases) may be declined as these could

compromise our regulatory priority of supplying existing and planned domestic growth. The flows needed to fill water storage tanks for example (if the Applicant decides not to use rainwater harvesting on site to meet this non potable demand) will need to be assessed by Anglian Water to advise whether a supply is feasible when assessed in terms of the potential to jeopardise domestic supply or at a significant financial or environmental cost.

To assess these requests, we require a Water Resource Assessment to be submitted as part of our planning process setting out a daily demand for each stage of the project and whether this is for domestic or non-domestic uses. Water use during construction means that the promoter will need to confirm that concrete production, for example, would be offsite and so not require an on-site supply. Where feasible, we will work to explore innovative solutions to meet these requests.-

Further advice on water capacity and options can be obtained by submitting a pre-development enquiry to Anglian Water's Pre-Development Team at: [planningliaison@anglianwater.co.uk](mailto:planningliaison@anglianwater.co.uk)

Further information is available on the InFlow webpages: [InFlow | Development Services \(anglianwater.co.uk\)](#)

#### **Engagement, the draft DCO Order and assisting the applicant**

We consider that Anglian Water should be included on the list of consultees to be drawn up by the applicant to follow their proposed approach to assessment and consultation as set out in Section 1.11.3 – 1.11.11 of the Scoping Report. Anglian Water would welcome continued engagement with National Grid Electricity Transmission throughout the remaining stages of the project to address and resolve issues prior to the submission of the DCO including Protective Provisions. The preparation of a Statement of Common Ground should document key issues and the status of whether issues have been resolved or remain under discussion, which helps to reduce the Examining Authority questions for statutory undertakers and removes the possible need for changes to the project during Examination.

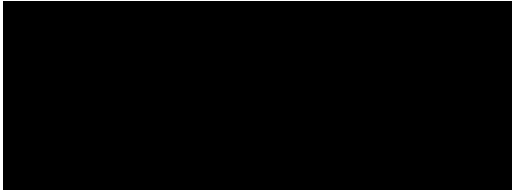
We would recommend discussion on the following issues:

1. The Draft Development Consent Order (DCO), including Protective Provisions specifically to ensure Anglian Water's services are maintained during construction.
2. Requirement for potable and raw water supplies.
3. Requirement for wastewater services.
4. Impact of development on Anglian Water's assets and the need for mitigation.
5. The design of the project to minimise interaction with Anglian Water assets/ critical infrastructure and specifically to avoid the need for mitigation works and diversions which have associated carbon costs.

Advice on the form and content of suitable Protective Provisions in the draft Development Consent Order should be sought. Please do not hesitate to contact Carry Murphy [cmurphy5@angliawater.co.uk](mailto:cmurphy5@angliawater.co.uk) on these

aspects or should you require clarification on the above response or during the pre- application to decision stages of the project.

Yours sincerely,



Phil Jones  
Growth Strategy Manager – Sustainable Growth

Mrs Kerry Culley  
Bilsby & Farlesthorpe P.C. Clerk



The Planning Inspectorate  
By email: easterngreenlink3and4@planninginspectorate.gov.uk

23 August 2024

Dear Sir/Madam,

**Re: EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation**

I am writing on behalf of Bilsby & Farlesthorpe Parish Council with regard to the above matter.

The switching and converter stations which is proposed to be built at Asserby in the Bilsby Parish area, will have a direct and negative impact upon our parish and parishioners.

The people in our parish have grave concerns about the industrialisation of the countryside by both the pylons and switching and converter buildings which are proposed. The footprint of these buildings is estimated to be 100,000 sq. metres for the switching station and 20,000 sq. metres for the converter station. Both buildings are proposed to be up to 30m tall, The area these are planned for, is flat and the vistas both to the coast and inland to the Wolds area, an Area of Outstanding Natural Beauty (AONB) would be severely blighted, and have a detrimental effect on the area's two main forms of income and employment, namely the farming sector, which generates £1.3billion across the county and the tourism industry is worth £824m.

The Parish Council firmly believes the country's No.1 priority should be food production. That seems to have been sacrificed on the altar of biodiversity. The amount of top quality land being lost to food production would have a detrimental effect on Britain striving to become more self-sufficient in feeding itself. It would increase the amount of food needed to be imported and inevitably increase the field to fork mileage and increase our nation's carbon output when we should be doing everything to reduce this to achieve the governments net zero goal.

Bilsby & Farlesthorpe Parish Council would therefore like to see included with any application, compliance with regulation 5(2) of the EIA Regulations as set out below:

(2) The EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors—

(a) population and human health;

(b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC(14) and Directive 2009/147/EC(15);

(c) land, soil, water, air and climate;

(d) material assets, cultural heritage and the landscape;

(e) the interaction between the factors referred to in sub-paragraphs (a) to (d).

(3) The effects referred to in paragraph (2) on the factors set out in that paragraph must include the operational effects of the proposed development, where the proposed development will have operational effects.

(4) The significant effects to be identified, described and assessed under paragraph (2) include, where relevant, the expected significant effects arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to that development.

(5) The Secretary of State or relevant authority, as the case may be, must ensure that they have, or have access as necessary to, sufficient expertise to examine the environmental statement or updated environmental statement, as appropriate.

In addition, details should be included which specifically identify and include:

1. Impact on the loss of agricultural land currently important in helping the UK in its food security measures.
2. Comprehensive study and report on the impact such development will have on the tourist industry. In particular, the erection of the interconnector and substations along the main route to the coast and the visual impact from the Wolds Area of Outstanding Natural Beauty.
3. A survey of all local roads and impact thereon in terms of construction traffic both within the parishes affected and along the major routes to be used to access the site(s)
4. A comprehensive and extensive bat survey for the proposed route and the proposed interconnector sites.
5. A comprehensive wildlife habitat and species survey for the proposed route and the interconnector sites and up to 10 metres outside the range of the application site(s), together with mitigation measures to protect all wildlife species in the area including flora and fauna.
6. Impact Assessment on existing underground infrastructure.
7. The cost of repairing the damage caused by heavy vehicles during the construction stages to the road infrastructure, which will probably last years.
8. Calculations for compensation payable to local people whose properties would be blighted or the businesses who would see a substantial drop in their ability to maintain a viable income.
9. The disruption which will undoubtedly be caused to local residences including, disruption to daily activities, light and dust pollution,
10. Impact on local medical and mental health and access to emergency services.
11. Impact on existing infrastructure including damage/pollution to water courses, broad band and telephone disruption due to pylons.

The parish council and the majority of people in our parish would prefer the cabling to continue under the sea and come onshore further south, (in line with National Grid “Beyond 2030 Report). This would negate the need to build the switching and converter stations.

We would urge decision makers to consider all the relevant points and come to the conclusion that the alternative option to build an offshore integrated grid would completely remove the need to destroy prestige countryside by taking the cabling further south where the power is required.



Yours Faithfully



Kerry Culley  
Parish Clerk  
Bilsby & Farlesthorne PC

Our ref: 24/01456/EAISCO  
PINS ref: EN0210003  
Please ask for: Mrs P Harris Gorf  
Council Information Centre: 01553 616200  
E-mail: [REDACTED]@west-norfolk.gov.uk

Borough Council of  
**King's Lynn &  
West Norfolk**



**Stuart Ashworth**  
Assistant Director Environment and Planning

Date 23 Aug 2024

EMAIL ONLY

Katherine King, Senior EIA Advisor,

Dear Ms King

**Planning Act 2008 (as amended) and The Infrastructure Planning  
(Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)  
– Regulations 10 and 11.**

**Application by National Grid Electricity Transmission (the Applicant) for an  
Order granting Development Consent for the Eastern Green Link 3 and  
Eastern Green Link 4 (the Proposed Development)**

Please find below the officer response to the above. These comments are made without prejudice.

For ease I have set out the responses arising from internal technical officer consultations received at the time of preparation of this response and attach as Appendix A the response of the internal technical officer consultations and assessment of the non-statutory consultation made by National Grid to this Local Planning Authority, that expired on 15 July 2024. This appendix is to be considered to be part of this consultation response.

As the consultation from the Planning Inspectorate was delayed in processing I shall forward further consultation responses when received.

This response does not discuss matters relating to archaeology, planning for minerals and waste, broader strategic highway considerations, strategic public health, strategic flood risk and surface water management or impacts upon schools and playing fields as these matters are within the purview of Norfolk County Council.

#### **Internal consultation responses:**

##### **Conservation Team**

Broadly speaking very little of the Eastern Green Link study area falls within the area of West Norfolk however, that part that does is proposed to be highly developed. The area is earmarked to take converter stations, substations and underground cables both to it from elsewhere and between the existing and proposed substations. Cumulative impacts upon the designated and non-designated heritage assets within the West Norfolk Area will need to be strongly considered.

Historic England Guidance on the setting of heritage assets quotes from the PPG for the Historic Environment paragraph 013 which identifies cumulative change to heritage assets as an issue to be considered.

King's Court, Chapel Street, King's Lynn, Norfolk PE30 1EX  
Tel: (01553) 616200  
DX 57825 KING'S LYNN

Those designated heritage assets likely to be affected by the scheme and cumulative change are;

#### Walpole St Peter

Townsend House Grade II Listed List Entry Number 1237361  
Church of St Peter - Grade I listed List Entry Number 1264167  
Dovecot Farmhouse - Grade II listed List Entry Number 1237327  
Greens Cottage - Grade II listed List Entry Number 1264180  
The Old Manor - Grade II\* Listed List Entry Number 1237330

#### Ingleborough

Ingleborough Mill - Grade II listed - List Entry Number 1077675

#### West Walton

Church of St Mary - Grade I listed List Entry Number 1077676  
Bell Tower of Church of St Mary Grade I listed List Entry Number 1171875

#### Walton Highway

Old Post Office - Grade II listed List Entry Number 1171829  
Faulkener House - Grade II listed List Entry Number 1237331

However, one non-designated heritage asset of archaeological value possibly equivalent to that of a Scheduled Monument and therefore covered by footnote 72 of the NPPF is;

Site of medieval moated enclosure and great house HER Reference 2207

Consultation with the Historic Environment Record at Norfolk County Council will therefore be a priority.

As well as being considered as a stand alone section, the landscape in this area should also be considered as a non-designated heritage asset. The importance of the inter-visibility between structures and the landscape itself, which has been shaped by salt working is of importance to the local area. This is reflected in the Norfolk HER records for the area. It is about more than the archaeology within it and therefore the effects upon the historic landscape of salt working needs to be carefully considered. Landscape, as a non designated heritage asset therefore should also be scoped into the report.

The Landscape Character Assessment produced by the Borough Council of Kings Lynn and West Norfolk, and available on our website may assist in doing this.

Although a relatively small part of the project area, the historic environment within this West Norfolk Area should be considered carefully. It should also be considered that given the flat character of the landscape, items may be visible from further away than the 500m buffer zone. Careful consideration of the landscape should be undertaken to ensure that this arbitrary buffer zone encompasses everything that could be affected by the proposal. Until now, Kings Lynn and West Norfolk conservation officers and planning team have not been involved in early discussions and it is vital that we are included going forward.

## **Ecology Officer**

### Designated Sites

A relatively small part of the Eastern Green Link study area falls within the area of West Norfolk. The part that does is to the north east of the borough and identified as `Section 8 Foul Anchor to Walpole` within the EIA. Converter stations, substations and underground cables both to it from elsewhere and between the existing and proposed substations are all proposed within this

section. Cumulative impacts upon the designated and non-designated Habitats Sites within the West Norfolk Area will need to be strongly considered. This includes both terrestrial and marine based designations.

Table 6.5 outlines internationally designated sites that are within 10km and that have been considered as part of the scoping exercise. Pertinent to West Norfolk is the Greater Wash SPA, The Wash and North Norfolk Coast SAC, The Wash SPA and The Wash Ramsar. These sites feature designations for a variety of habitats and species including coastal and saltmarsh habitats and breeding and wintering birds. The potential impacts to mobile species will be particularly relevant given the nature of the proposals and the nature of the designated features.

Consultation with Natural England to determine appropriate survey effort to support a Habitats Regulation will therefore be a priority. It is important that the applicant consider any impacts alone and in combination with other proposals.

### Biodiversity Net Gain

The applicant is committed to providing 10% net gain. Net Gain for NSIPS is not yet mandatory in England and not likely to be until 2025. On a large development such as this I would expect that the Biodiversity Net Gains are delivered on site. The baseline and post development data must account for all impacts including those that are temporary, those that are necessary for health and safety i.e. highways works and any other facilitating works. Irreplaceable habitat should be avoided and where it cannot be bespoke mitigation will need to be agreed with the LPA. Ecologist should be involved in the early design stages and throughout the project to facilitate early avoidance of important and irreplaceable habitats as well as to inform time scales of sensitive works. Micro siting may be required to avoid and mitigate any impacts.

Any habitat loss to facilitate works could be felt across a wide area. When devising Biodiversity Net Gain proposals, the applicant should be mindful that the development falls within the Fenland Landscape Character Area. The Local Nature Recovery Strategy for Norfolk is not expected to be published until 2025. In the interim Kings Lynn and West Norfolk Borough Council has provided interim guidance on the Council website to guide data inputs for strategic significance. The Norfolk Green Infrastructure Mapping Project (GIMP) plays a key role in this guidance to identify important habitat networks across the county and opportunities to expand those networks. Providing the right habitat in the right place is a key focus of Biodiversity Net Gain and this interim guidance should inform any habitat proposals.

### Protected species

The potential requirements for protected species are well covered within the EIA. I would note that Norfolk are within a District Licencing Area in regards to great crested newts. However, to my current knowledge Natural England are only able to accept developments with requirements of no more than one pond into the scheme. The applicant should be mindful of this if there is likely to be a reliance on the DDL Scheme.

Other than highlighting the general matters for consideration above and within the pre application advice previously submitted for this application, there are no specific Ecology objections to the proposals.

## **Arboricultural Officer**

### Trees

Arboricultural Impact Assessments must be carried out, to assess the likely impact of the project on individual trees, groups, hedgerows and woodlands. as part of the project Environmental Impact Assessments (EIA) for this major infrastructure project and its associated supporting infrastructure. This will of course best be carried out in conjunction and alongside other

assessments including Landscape and visual amenity, and Biodiversity, not least in relation to loss of, or impact on trees and hedges.

### Landscape Character and Sensitivity

The Fens are one of England's most distinctive landscapes, defined by their low-lying flat topography, extensive drainage systems and open expansive views. The area's landscape character is particularly sensitive to change due to its simplicity and extensive panoramic views in all directions. This large-scale infrastructure project has the potential to significantly alter the visual experience and the sense of place that is so integral to the Fens. I have attached a link to our Landscape Character Assessment which defines in more detail the character of the fen landscape in West Norfolk. [Landscape Character Assessment | Borough Council of King's Lynn & West Norfolk \(west-norfolk.gov.uk\)](#). It is crucial that visual impact assessments are conducted from key viewpoints, including those from settlements, roads, and public rights of way, to fully understand the extent of the potential visual impact this project may have on the landscape.

### Mitigation Measures

To mitigate the landscape and visual impacts of the project, the infrastructure should be sited to minimise visual intrusion, avoiding the most sensitive areas where possible. Native planting schemes, including the use of hedgerows, shelterbelts, and woodland blocks, should be implemented to screen and soften the visual impact of the infrastructure wherever practical. This planting should be designed to enhance biodiversity and reflect the existing vegetation patterns of the Fens in West Norfolk.

### **Environmental Quality Service**

This application is in support of two 2-Gigawatt High Voltage Direct Current (HVDC) links from Scotland via the North Sea with a landfall in Lincolnshire.

As proposed these links are to eventually terminate in BCKLWN with two new converter stations (to change the high voltage DC to AC) and a new 400kV substation (Walpole-B) in BCKLWN. The Walpole B substation also forms part of the Grimsby–Walpole Project.

### **Air Quality**

Air Quality is an applicable environmental topic for inclusion in the EIA. This team are primarily responsible for human health impacts. Dust amenity is a matter for colleagues in the Community Safety and Neighbourhood Nuisance Team. The relevant chapter is Chapter 14: Air Quality. The construction of the two converter stations, the new Walpole B substation and related infrastructure including below ground cabling has the potential to create dusts / particulate matter emissions, as well as to give rise to vehicle pollutants both during the construction and to a lesser extent, during the operation of the sites.

After carefully reviewing Chapter 14 and its related Chapters, we would not object to the matters to be taken forward as within scope and summarised in Table 14.8 as the methodology has in general followed latest guidance, subject to the following comments;

- The two Converter Stations to be constructed in the Walpole area, as explained in Chapter 14 are to include diesel back-up generators. There appears to be no mention of these within Chapter 14. These can be a potential significant source of pollution. Depending on the frequency of testing / period of operation of these back-up generators this may need to be included as within scope.
- We would note that the risk of fugitive dust emissions is dependent on the scale (magnitude) of development and proximity to sensitive receptors, however in Chapter 3 (Alternative Options) it mentions that the scale of this type of activity and therefore the potential for dusts / particulate matter as well construction vehicle emissions could be reduced if the designs were based on gas as opposed to air insulated designs. We would

welcome further discussion on this but appreciate other factors and concerns from the type of gas involved.

- In addition, we note that in Section 14.2.5 of this scoping opinion, that it does not consider the National Air Quality Strategy (NAQS, 2023) within its guidance documents. Given local authorities must have regard to this strategy, this gives it some precedent over other forms guidance and should be taken into consideration when assessing outputs. We would recommend that this is included within scope when assessing the various outputs. For example, the NAQS includes actions on PM2.5 targets and expectation that development only emits minimum amount of pollution over its scheme lifetime. Within this Council's updated AQAP we have a specific measure (M.6.1) related to PM10/PM2.5; <https://www.west-norfolk.gov.uk/aqap-consultation>.
- We would also like to make it clear that air quality monitoring should be included as part of any dust management plan under the CEMP where number of sensitive receptors and their proximity exceed relevant criteria according to IAQM guidance.
- For dust amenity issues, this is a matter for colleagues in CSNN.

### **Contaminated Land**

Contaminated land is an applicable environmental topic for inclusion in the EIA. The Environmental Quality Team (Land) are primarily concerned with regulation of human health effects and the use of sustainable approach to risk management. The chapters of the scoping report that are relevant to contaminated land are chapters 10. Geology and Hydrogeology, and 11. Agriculture and Soils.

A variety of methods are proposed to lay underground cables, including ducted and trenchless methods. The construction area (swathe) includes a cable trench/ducting, soil storage and temporary haul roads. It is reported that the expected swathe for EGL 3 and EGL 4 to be approximately 80m wide, dependent on location. Once the cables have been installed, the swathe is proposed to be reinstated, with the land returned to its former use.

In the Introduction to Chapter 10 it sets out that the assessment will consider potentially significant effects on geological and groundwater receptors. It should be noted that effects from land contamination can also present risks to human health and the wider environment. This is referenced in the key legislation in Table 10-1, in planning policy in table 10-2. and in the technical guidance in table 10-4. The referenced legislation and guidance are appropriate when assessing land contamination. Guidance includes Land Contamination Risk Management (LCRM) which provides overarching guidance on how to assess and manage the risks from land contamination. LCRM advocates a sustainable approach to land contamination risk management and emphasises that sustainability issues associated with remediation need to be factored in from the start of a project.

Human health is identified as a potentially sensitive receptor in 10.6 of the scoping report. When assessing potential effects due to trenching and ducting and for construction of the proposed converter stations and substation, both land contamination and soil management will need to be considered. Our initial review of available records do not identify any sites prioritised for inspection under Part 2A of the Environmental Protection Act 1990. However, further searches and risk assessment will be required to confirm this. Historical land use in the West Norfolk area swathe appears predominantly to be farmland, including orchards and flower farms. This is confirmed in the scoping report.

The project background document indicates that, as well as land for cable laying, additional land will be required to build and also reduce potential impacts, including:

- o temporary land for construction activities, working areas, site offices, welfare, storage, access and drainage
- o land required for mitigation, compensation and enhancement of the environment as a result of the environmental assessment process, and to deliver Biodiversity Net Gain.

I note that potential effects to human health area scoped in during construction from handling potentially contaminated soils. Other potential effects are scoped out due to proposed design

and control measures set out in section 10.5. The receptor sensitivity and magnitude descriptors in table 10-13 and 10-14 are appropriate and include sensitivity and impacts for human health.

Design and control measures would be set out in full in the Outline Code of Construction Practice (Outline CoCP), referenced in both chapter 10 and 11, prepared to accompany the environmental statement. We are also concerned that soils and construction materials are used sustainably. Chapter 11 refers to 'the Management Plans' which include an Outline Landscape and Ecological Management Plan (Outline LEMP), an Outline Site Waste Management Plan (Outline SWMP) and an Outline Construction Traffic Management Plan (Outline CTMP) which will form part of the Outline CoCP, along with an Outline Soil Management Plan (Outline SMP) which will be produced prior to construction. The development of the Management Plans, particularly with reference to Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites will help to address this concern. The applicant should note that a revised Code of Practice is due for publication this year.

The project documents include a Soils and Drainage leaflet

<https://www.nationalgrid.com/document/151416/download> which incorporates an outline Soil Management Plan (SMP). The general approach is that trenches will be backfilled, haul road removed, and the working area levelled, drained and loosened, with topsoil re-instated during favourable weather conditions on prepared ground. Topsoil of agricultural land is intended to be left in a loose, friable and workable condition and wherever possible, to its original depth over the whole working area. Subsoil loosened with an agricultural cultivator to an appropriate depth where the topsoil has been removed.

The above approach appears to support the aim to investigate, assess, design and implement good practice land drainage and soil management, and to do so in collaboration with landowners and regulators. The outline SMP refers to several documents including:

1 Construction Code of Practice for the Sustainable Use of Soils on Construction Sites

<https://www.gov.uk/government/publications/code-of-practice-for-the-sustainable-use-of-soils-on-construction-sites>

2 Good Practice Guide for Handling Soils in Mineral Workings [www.quarrying.org/soils-guidance](http://www.quarrying.org/soils-guidance)

3 National Policy Statement for electricity networks infrastructure (EN-5)

[www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5](http://www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5)

The applicant should also reference The Definition of Waste: Code of Practice

<https://claire.co.uk/projects-and-initiatives/dow-cop> and associated references, and be aware of the updated Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, which is due for publication in 2024. The reports and recommendations of the Government Soil Health

Committee <https://publications.parliament.uk/pa/cm5804/cmselect/cmenvfru/649/report.html>

outlines priorities for soil health and emerging guidance which are likely to be relevant during the project.

### **Matters of Principle:**

#### **Subsea landfall in Norfolk and undergrounding**

Given the significant international, national and other environmental constraints along the Norfolk coast and land within the Borough as well as the wider county of Norfolk, National Grid will need to set out alternative options, to reduce as far as possible, impacts within Norfolk. This would include what considerations were undertaken regarding the siting of the converter stations and other works at Walpole, rather than, for instance, at other sites within Norfolk or within Lincolnshire.

In addition given the environmental and visual impacts upon the landscape, to what extent has undergrounding been considered more widely. The area around Walpole is congested with pylons and other overground works, and to what extent can any new works be mitigated against.

## **Cumulative Impacts**

Officers recognise that the Eastern Green Link 3 (EGL3) / Eastern Green Link 4 (EGL4) NSIP is part of a wider project of infrastructure provision, that needs to be considered in conjunction with other National Grid and private projects for energy delivery within Norfolk and the wider region. In bringing this project forward you will need to demonstrate that there is a coordinated approach to the various initiatives impacting the region, and demonstrate that all alternative options including the reinforcement of the existing network that could deliver improvements to the network have been thoroughly investigated, rather than just relying on new lines and works. This consideration would be in accordance with the National Policy Statement for Energy (EN1) published in November 2023 and the Electricity Networks Infrastructure (EN-5) also published in November 2023. These documents may be subject to amendment or replacement as a result of the recent change in central Government.

Officers recognise that at this stage the preferred routes and search areas for the works proposed are broad and do not at this time show a precise route or siting for any new transmission lines, converter stations, ancillary substations or other associated works. Although the works travel in part through this Borough, the later stages of this exercise will need to discuss what benefits, if any, will accrue to the residents and business of this Borough, as a result of these works.

## **Compensation and Community Benefits**

In alignment with Norfolk County, this Council recognises and wishes to highlight that National Grid will need to consider appropriate compensation packages for those homes and businesses directly affected by both the construction works, and any long-term impacts. The route of any works will need to avoid any direct impacts on homes and businesses.

National Grid will need to set out clearly from the outset how local communities impacted shall have such impacts mitigated and the need for a "local community fund" to assist the wider community affected by the proposals. To this end I set out a link at the end of this letter to the Council's Statement of Community Involvement. As and when National Grid require a list of Parish Councils and other bodies this can be provided.

### **Matters of Detail:**

#### **Landscape Impacts**

The landscape character assessment undertaken by The Borough Council of Kings Lynn and West Norfolk puts this landscape in the middle of two character areas D3: Terrington St John and D4: Emneth, West Walton and Walsoken.

#### **Wider Environmental Impacts**

It is to be noted that there are other classified designations along the Norfolk coastline, that shall need to be considered more widely, for example the Cromer Shoal Chalk Beds Marine Conservation Zone, The Wash and North Norfolk Coast SAC, Holkham National Nature Reserve, and North Norfolk Coast Ramsar, Site of Special Scientific Interest (SSSI), Important Bird Area (IBA) and National Landscape designations.

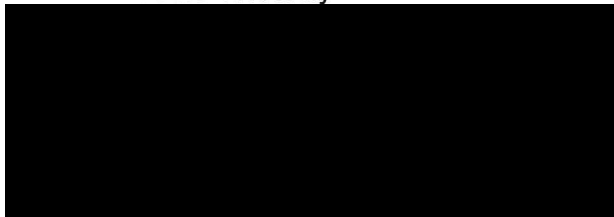
#### **Highway Impacts to the Borough**

Careful consideration and consultation would be required to mitigate as far as possible the impacts during preparation and construction works on the road network within Norfolk, and within this Borough in particular. There would need to be detailed submissions to address haulage and construction management plans, including routing agreements, that recognise the need to



minimise disturbance to the road network travelling through the Borough, during preparation, construction and maintenance works.

Yours sincerely



**Stuart Ashworth**  
Assistant Director Environment and Planning

## APPENDIX A

### **Response of the internal technical officer consultations and assessment of the non-statutory consultation made by National Grid to this Local Planning Authority, that expired on 15 July 2024.**

#### **Internal consultation responses:**

##### **Planning Policy Team**

This national infrastructure project affects locations near to the Lincolnshire and Wash coastline, including Mablethorpe, Boston, Holbeach, Long Sutton and Sutton Bridge. Within the Borough, the “graduated swathe” is located in close proximity to Walpole Marsh (Walpole converter station/ substation siting zone), West Walton and Walton Highway.

From a Planning Policy perspective, the NSIP procedures sit outside the local authority planning system. The following issues would need to be considered by National Grid in developing detailed proposals:

- Fluvial and coastal flood risk – the Wash/ River Nene
- Landscape – wide implications for the flat Fenland areas, particularly between Burgh le Marsh/ Skegness (East Lindsey) and King’s Lynn and/ or nearby National Landscape Areas (Norfolk Coast National Landscape, to the east of The Wash and Lincolnshire Wolds National Landscape).

The updated National Policy Statements (NPS) for Energy came into force in January 2024, updating the initial suite of NPSs that were designated in 2011 (<https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-national-policy-statements/nationally-significant-infrastructure-projects-national-policy-statements>). It is important that these statements of national policy are systematically applied in determining these proposals.

One further matter that may be considered are adopted and emerging Neighbourhood Development Plans (NDPs) in the vicinity of the siting zones. The Walpole Cross Keys Neighbourhood Plan was “made” in October 2017 ([https://www.west-norfolk.gov.uk/download/downloads/id/3356/walpole\\_cross\\_keys\\_neighbourhood\\_plan\\_oct\\_2017.pdf](https://www.west-norfolk.gov.uk/download/downloads/id/3356/walpole_cross_keys_neighbourhood_plan_oct_2017.pdf)). This includes policies for detailed design, managing development in/ around the built up areas of the village and (most relevantly) flood risk. Walpole Cross Keys Parish Council has recently started a review of the 2017 Neighbourhood Plan, so it is possible this may be completed around 2026. Walpole Parish Council (covering Walpole St Andrew, Walpole St Peter and Walpole Marsh) has also recently started preparation of a Neighbourhood Plan, and this is likewise expected to be completed around 2026. These may include local landscape policies and should be taken into account once these Neighbourhood Plans have come forward.

Other than highlighting the specific matters for consideration above, there are no specific Planning Policy objections to the proposals.

##### **Conservation Team**

The area under consideration is in the vicinity of the villages of Walpole St Peter, Ingleborough, West Walton and Walton Highway. There are no conservation areas present in these areas.

However, we would draw your attention to the following listed buildings which are defined as Designated Heritage Assets in the NPPF. Highly graded listed buildings are marked in bold.

Walpole St Peter

Townsend House	- Grade II Listed – List Entry Number 1237361
<b>Church of St Peter</b>	- <b>Grade I listed – List Entry Number 1264167</b>
Dovecot Farmhouse	- Grade II listed – List Entry Number 1237327
Greens Cottage	- Grade II listed – List Entry Number 1264180
<b>The Old Manor</b>	- <b>Grade II* Listed – List Entry Number 1237330</b>

Ingleborough

Ingleborough Mill	- Grade II listed	- List Entry Number 1077675
-------------------	-------------------	-----------------------------

West Walton

<b>Church of St Mary</b>	- <b>Grade I listed – List Entry Number 1077676</b>
<b>Bell Tower of Church of St Mary</b>	- <b>Grade I listed – List Entry Number 1171875</b>

Walton Highway

Old Post Office	- Grade II listed – List Entry Number 1171829
Faulkener House	- Grade II listed – List Entry Number 1237331

Other Designated heritage assets such as table tombs and memorials have not been mentioned but may need to be considered. Non designated heritage assets have also not been considered here.

However, one non-designated heritage asset of archaeological value possibly equivalent to that of a Scheduled Monument and therefore covered by footnote 72 of the NPPF is;

Site of medieval moated enclosure and great house – HER Reference 2207.

Consultation with the Historic Environment Record at Norfolk County Council will therefore be a priority.

The proposal is for two new converter stations adjacent to the existing Walpole Substation and a new Walpole Substation.

The existing Walpole Substation is situated on a high point of land. The convergence of the pylon network is highly visible across the landscape and while the substation itself is well screened at points, with mature vegetation, there are clear views of it from West Drove North driving from the grade II listed building at Ingleborough House towards Walpole St Peter. The field pattern and openness close to the listed building contributes to its significance. This is considered to be a key view in the landscape.

It is also visible from Dixons Drove. From this view point the listed buildings of Ingleborough Mill and the bell tower of St Mary's church are visible within the same view. There is a clear view from the grade I listed buildings of the Church of St Mary in West Walton towards the Mill at Ingleborough and the existing substation. The church is on slightly higher ground than the viewpoint at Dixons Drove but the substation is higher. It is therefore considered to be a key view in the landscape and the visual link between the Mill and Church and open land between would be one which it would be desirable to maintain.

There is a further key view from Police Road where the Church Tower of St Peters Church, Walpole St Peter and the Old Manor House and the existing substation as well as the panoramic landscape are visible together.

The existing solar farm however, is well screened and not visible in this landscape.

The enlargement of the substation and the placement of further buildings in this landscape needs to be carefully considered. While there are few national designations for heritage, the landscape character assessment undertaken by The Borough Council of Kings Lynn and West Norfolk puts this landscape in the middle of two character areas D3: Terrington St John and D4: Emneth, West Walton and Walsoken. Both areas though share some of the same inherent landscape sensitivities; those being panoramic views across the landscape, a historic drainage network and a strong sense of tranquillity. Planning guidelines for the area should seek to preserve the predominantly rural character of the area and preserve the landscape setting of the villages.

It should also be noted that expansion of the existing substation turned up evidence of Salt working (HER REF 19694) and other salt working references such as 19693 are also present in the area. This will be a key factor to discovering the character and archaeology of the area.

The placement of more infrastructure in this area requires careful consideration of levels, landscape sensitivities, tranquillity, and historic drainage patterns and salt working as well as heritage assets and their setting.

Heritage, archaeology and landscape therefore need to be scoped into any reports and assessments moving forward.

This response lays out the initial high level concerns of the conservation team

## **Ecology Officer**

The following issues would need to be considered by National Grid in developing detailed proposals:

### ***Habitats Sites***

- Impacts to the designated features of nearby Habitats Sites. This will be particularly important when considering offshore works which will impact The Greater Wash SPA.
- The Eastern Green Link 3 & 4 Static Options Report highlights and discusses designated features which could be impacted. Disturbance and displacement are noted as potential impact pathways in relation to cabling works, particularly where adjacent to agricultural land which could have functional links to the Wash designations.
- Potential impacts must be considered when identifying appropriate methods for these works to avoid impacts where possible to do so and mitigate where not possible.
- A suitable site of protected species surveys must be undertaken to feed into design and working methods. Birds surveys will be of particular relevance.
- A Habitats Regulation Assessment and consultation with Natural England will certainly be required.

### ***Biodiversity Net Gain***

- Biodiversity Net Gain (BNG) has not yet come into force for NSIPs though it is expected in 2025. BNG is mentioned in the documentation and the applicant states that they are committed to providing 10% net gain but not how it will be delivered.
- Consideration will need to be given as to if the BNG will be delivered on site or offsite. If the BNG will be delivered off site, where will this be? Due to the spatial spread of this NSIP, impacts at Walpole could be offset outside of our Borough which would not serve KLWNBC. It should be encouraged that impacts are offset as close to where they occur as possible and/or achieve maximum strategic significance. The Local Nature Recovery Strategy for Norfolk is expected to be published in 2025 and this should ultimately guide strategic significance.

- Impacts are likely to be both terrestrial and marine but the current statutory metric only deals with the former. Consideration of whether and in what form how marine impacts will feed into BNG needs to be undertaken.

Other than highlighting the specific matters for consideration above, there are no specific Ecology objections to the proposals.

### **Arboricultural Officer**

Arboricultural Impact Assessments must be carried out, to assess the likely impact of the project on individual trees, groups, hedgerows and relevant woodlands as part of the project Environmental Impact Assessments (EIA) for this major infrastructure project and its associated supporting infrastructure. This will of course best be carried out in conjunction and alongside other assessments including Landscape and visual amenity, and Biodiversity, not least in relation to loss of, or impact on trees and hedges.

### **Community Safety & Neighbourhood Nuisance Team**

#### ***Swathes***

It is noted that these will need to be between 80m and 130m (where the latter will incorporate six AC cables for EGL3 and six AC cables for EGL4) to include the infrastructure of the cable trench/es, soil storage, temporary haul roads etc. Cable corridors have been chosen and mapped (as graduated swathes) to avoid significant locations, being routed through farmland in the main, including larger residential areas, the Fire Station at West Walton and the Rose and Crown Solar Farm. Individual dwellings and small clusters of 2-3 dwellings or similar are located alongside or within the graduated swathes, therefore we would seek to ensure that, where these may end up close to trenches, appropriate consideration of noise, dust and vibration impacts during the construction phase is given. By carefully selecting the location of the below ground cabling, exposure in the first place can be prevented. This should be a priority of any EIA. However it is acknowledged that practicalities may require trenches to be routed past dwellings, therefore creation of a *Construction Management Plan/Scheme* is recommended as early as possible, to consider and address noise control.

Noise control can come in the form of attenuation (acoustic compounds/screening) and mitigation (appropriate hours of construction, considerate construction methods such as not leaving engines idling, not dropping loads from height, minimising reversing manoeuvres and using the quietest plant for the job). Due to the cable routing, impacts will be reasonably short-term, however, compounds and satellite compounds may be retained in a location for longer periods. Again, we would like to ensure that all best practicable means are used to limit noise impacts on any receptors located close to compounds, their access points, or haul routes.

Ideally *background noise assessments* to ascertain the current noise levels in locations representative of any receptors likely to be affected by the excavation and remediation work for cabling should be carried out. These can then guide appropriate controls for work on and associated with the cable trenches.

Vibration assessments would be welcomed, although it is not anticipated - based on the graduated swathes - that vibrations will have any adverse impact on residential (or other) receptors, whether or not HDD (Horizontal Directional Drilling) trenchless techniques are used.

Due the scale of the construction activity, there is the potential to create dust emissions that can impact on residential (and commercial) receptors. All measures to both monitor and control wind-blown dust, which may settle within residential (or commercial) plots, should be incorporated into a Construction Management Plan/Scheme – the inclusion of such a document at any future stage would be recommended. We would refer dust air quality issues to colleagues in the Environmental Quality Team.

## **Converter Stations**

By carefully selecting the location of the Converter Stations (two are proposed, each being 350m x 300m, plus surrounding landscaping etc), sites can be given suitable separation distance from residential (or other) receptors. The conclusion appears to be a combination of siting zones (multiple siting area) WLP4 (WLS4) and WLP5 (WLS2 and WLS3), creating WLP4/5, as the emerging preference for the Walpole siting zone, as this overlaps with the emerging preferred Corridors (Corridors 31-34). WLP4 is located alongside the River Nene, to the north of the Anglian Water pumping station and West of Ingleborough. WLP5 is located east of WLP4 and it wraps around the South West, South and South East of the Rose and Crown Solar Farm. Access to WLP4 is likely to be via Mill Road, where there small, sporadic clusters of dwellings. Some of these sit alongside current access routes towards WLP4. It would be our recommendation, where at all possible, to create a new access to any infrastructure ultimately located in WLP4, rather than utilise existing ones adjacent to existing dwellings. Such accesses should try and provide as much separation from these isolated dwellings as possible. WLP5 is likely to be accessed via Dixon's Drove and/or West Drove North. Again there are small isolated or sporadic clusters of dwellings, and a campsite. One access to WLP5 land from Dixon's Road is noted to have no dwelling adjacent to it. Likewise, there appear to be farm tracks to agricultural land from West Drove North which could facilitate access to WLP5 without being alongside dwellings. Ultimately, access towards these sites (particularly WLP4 and the western element of WLP5) from the A47 would have to pass through Walton Highway/West Walton. We therefore would expect site hours and delivery hours to be compliant with this district's requirements, and an appropriate *Traffic Management Plan* assessing the impact of HGVs and contractor vehicles and providing suitable mitigation methods where possible, to be submitted at any future stage.

Again, *background noise assessments* to ascertain the current noise levels in locations representative of any receptors likely to be affected by the construction work for or operational noise from the Converter Stations should be carried out. These can then guide appropriate controls for work on (via a *Construction Management Plan/Scheme*), and any attenuation measures required (ie acoustic bunds or fences, design layout of the site) with the operation of these Converter Stations.

Locations of the two proposed Converter Stations should be carefully considered in any EIA. As well as noise, the EIA should consider whether piling will be required during construction, or whether other vibration from construction or operation could affect residents. Vibration assessments would therefore be recommended, along with assessment of dust impacts and any required control measures to reduce wind-blown dust impacts off-site. Mitigation measures should be included in a CMP/S and/or the site design/location.

## **Substation**

The Substation is noted to cover a 800m x 200m area. As with the Converter Stations, the Substation location should be carefully selected to provide a mitigation buffer between the site and residential (or other - campsite) receptors. Co-location of the Converter Stations with the 400 kV Substation is noted to be preferred, to limit impacts and reduce complications in construction and in operation. The identified preferred location for the Substation within the graduated swathe of WLP4 and WLP5, is within WLS1. This site would likely be accessed via West Drove North, and locating the access to the southern end (not far from Lynn Road), where the first (turning east) of the double bends are, would limit construction and operational impacts on residential dwellings and the campsite.

As with the rest of the infrastructure, individual dwellings and small clusters of two and more dwellings are located alongside or within the graduated swathe of WLP5. Therefore the location of the Substation, adhering to Horlock Rules (guidelines for the design and siting of substations), should be considered in any EIA, and construction should be addressed via an appropriate *Traffic Management Plan* (assessing the impact of HGVs and contractor vehicles and providing

suitable mitigation methods, where possible) and a detailed *Construction Management Plan/Scheme*.

Again, ideally, *background noise assessments* to ascertain the current noise levels in locations representative of any receptors likely to be affected by the construction work for or operational noise from the Substation should be carried out. These can then guide appropriate controls for work on, and any attenuation measures required (ie acoustic bunds or fences, design layout of the site) with the operation of the Substation.

Dust and vibration impacts from the construction of, and vibration impacts (if indeed applicable) for the operation of the Substation should be scoped into any EIA and CMP/S.

### ***Advice for the applicant/other comments***

The applicant should note the prevailing wind direction for this district is South Westerly.

Construction and related deliveries should adhere to the times relevant to this district. These are 08:00-18:00 hours weekdays, 09:00-13:00 hours Saturdays, and no work/deliveries permitted on Sundays, Bank or Public Holidays. Where piling is required and this is within 100m of dwellings, times are restricted to 09:00-17:00 weekdays only.

It is acknowledged that some work may be necessary overnight (where cabling is routed under roads or other infrastructure, where such hours would be necessary to avoid congestion due to prolonged closure etc). As much detail as possible in relation to likely locations where later working, work at weekends or overnight working may be required, as early as possible, will allow for further assessment (and future consultation advice) with respect to impacts on residential amenity – if applicable.

There is a potential risk of cumulative effects upon receptors from other proposed large scale developments (such as the NGET's Grimsby to Walpole (G2W) Project and Proposed Grantham to Bexwell Pipeline NSIP) within the wider area. Following careful routing and construction methods could help limit potential permanent effects upon residential (and other) receptors.

Background noise surveys should ideally incorporate both attended and unattended monitoring, daytime and overnight, to note weather conditions, anomalies and existing noise sources. Ideally surveys should extend for a week and include a weekend. Locations at the closest residential boundaries, or representative of such locations, should be used. Several locations for each area/proposed site should be measured. Monitoring should ideally be carried out when there is no precipitation and wind speeds are 5m/s or less. Parameters needed are LAFmax, LAeq, LAF90, LAFmin only (Time Weighting Fast). Meter set up should be as per the principles of BS4142. Measurements should include raw data of each 15 minute period. Where data is from unmanned measurement locations, we will use the lowest levels shown.

New development (ie the Converter and Substations) should not introduce noise levels in excess of 5dB above the pre-development background noise levels at the boundaries of residential dwellings. Where noise assessments indicate likely operational levels will exceed this, attenuation measures will be required to lower noise levels to within this threshold. Examples would be acoustic fences or bunds, layout and design of the sites to use buildings/structures to shield/block noise sources, location of the sites with appropriate separation distances from receptors.

Lighting has not been considered within this proposal, however site security and safety lighting could impact off-site depending on the location of lights, direction/angle and intensity. Where possible, lighting should be directed downwards/into the site, shielded (from behind or where required), minimal/necessary only, and ideally mounted horizontally to reduce spill, glare and sky glow.

Other than highlighting the specific matters for consideration above, there are no objections to the proposals from CSNN.

### **Environmental Health Officer**

Concern would be any potential impact to the Classified Shellfish Beds within The Wash, please can these be given due consideration.

### **Matters of Principle:**

#### **Subsea landfall in Norfolk and undergrounding**

Given the significant international, national and other environmental constraints along the Norfolk coast and land within the Borough as well as the wider county of Norfolk, National Grid will need to set out alternative options, to reduce as far as possible, impacts within Norfolk. This would include what considerations were undertaken regarding the siting of the converter stations and other works at Walpole, rather than, for instance, at other sites within Norfolk or within Lincolnshire.

In addition given the environmental and visual impacts upon the landscape, to what extent has undergrounding been considered more widely. The area around Walpole is congested with pylons and other overground works, and to what extent can any new works be mitigated against.

#### **Cumulative Impacts**

Officers recognise that the Eastern Green Link 3 (EGL3) / Eastern Green Link 4 (EGL4) NSIP is part of a wider project of infrastructure provision, that needs to be considered in conjunction with other National Grid and private projects for energy delivery within Norfolk and the wider region. In bringing this project forward you will need to demonstrate that there is a coordinated approach to the various initiatives impacting the region, and demonstrate that all alternative options including the reinforcement of the existing network that could deliver improvements to the network have been thoroughly investigated, rather than just relying on new lines and works. This consideration would be in accordance with the National Policy Statement for Energy (EN1) published in November 2023 and the Electricity Networks Infrastructure (EN-5) also published in November 2023. These documents may be subject to amendment or replacement as a result of the recent change in central Government.

Officers recognise that at this stage the preferred routes and search areas for the works proposed are broad and do not at this time show a precise route or siting for any new transmission lines, converter stations, ancillary substations or other associated works. Although the works travel in part through this Borough, the later stages of this DCO exercise will need to discuss what benefits, if any, will accrue to the residents and business of this Borough, as a result of these works.

#### **Compensation and Community Benefits**

In alignment with Norfolk County, this Council recognises and wishes to highlight that National Grid will need to consider appropriate compensation packages for those homes and businesses directly affected by both the construction works, and any long-term impacts. The route of any works will need to avoid any direct impacts on homes and businesses.

National Grid will need to set out clearly from the outset how local communities impacted shall have such impacts mitigated and the need for a "local community fund" to assist the wider community affected by the proposals. To this end I set out a link at the end of this letter to the Council's Statement of Community Involvement. As and when National Grid require a list of Parish Councils and other bodies this can be provided.



## **Matters of Detail:**

### **Landscape Impacts**

The landscape character assessment undertaken by The Borough Council of Kings Lynn and West Norfolk puts this landscape in the middle of two character areas D3: Terrington St John and D4: Emneth, West Walton and Walsoken. These are discussed above by the Conservation Team.

### **Wider Environmental Impacts**

It is to be noted that there are other classified designations along the Norfolk coastline, that shall need to be considered more widely, for example the Cromer Shoal Chalk Beds Marine Conservation Zone, The Wash and North Norfolk Coast SAC, Holkham National Nature Reserve, and North Norfolk Coast Ramsar, Site of Special Scientific Interest (SSSI), Important Bird Area (IBA) and National Landscape designations.

### **Highway Impacts to the Borough**

Careful consideration and consultation would be required to mitigate as far as possible the impacts during preparation and construction works on the road network within Norfolk, and within this Borough in particular. There would need to be detailed submissions to address haulage and construction management plans, including routing agreements, that recognise the need to minimise disturbance to the road network travelling through the Borough, during preparation, construction and maintenance works.

The more detailed concerns relating to noise and air quality are set out within the comments of the Community Safety & Neighbourhood Nuisance Team above.

### **Statement of Community Involvement (SCI)**

The Council formally adopted the Statement of Community Involvement on 15 June 2017. This can be viewed at this link [Statement of Community Involvement \(SCI\) | Statement of Community Involvement \(SCI\) | Borough Council of King's Lynn & West Norfolk \(west-norfolk.gov.uk\)](#)



# B O S T O N

## BOROUGH COUNCIL

Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

**Application No: B/24/0305**  
**Case Officer: Sam Dewar Consultant**  
**Planning Officer**

**E-mail: [planning@boston.gov.uk](mailto:planning@boston.gov.uk)**  
**Tel: 01205 314305**

23<sup>rd</sup> August 2024

The Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Sent via email to: [easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk)

### **EIA Scoping Notification and Consultation from the Planning Inspectorate for the project EN0210003 for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development)**

Thank you for your recent consultation in relation to the above. Sam Dewar of Dewar Planning Associates has been instructed to act as lead officer on behalf of the three Local Planning Authorities consulted (Boston Borough Council, South Holland District Council and East Lindsey District Council).

An individual response will be provided on behalf of each Local Planning Authority (LPA) detailing how the development within their authority boundary impacts them.

### **Introduction**

By way of an introduction, I am a chartered member of the RTPI and act as Director and founder of Dewar Planning. I have previously worked as planning officer through to head of planning at local planning authorities and have since formed my own private planning practice submitting applications to over 100 local planning authorities across the UK. These applications have ranged from large wind farms to residential schemes, and various small to major scale commercial developments. We also continue to provide bespoke consultancy assistance for local planning authorities due to the positive relationships we have developed.

The Applicant, 'National Grid Electricity Transmission' intends to submit an application for Development Consent Order under Section 37 of the Planning Act 2008, comprising details of both proposals Eastern Greenlink 3 (EGL3) and Eastern Greenlink 4 (EGL4) with an Environmental



[www.boston.gov.uk](http://www.boston.gov.uk)  
[www.visitbostonuk.com](http://www.visitbostonuk.com)

Like us on Facebook:  
Boston Borough Council

Follow us on Twitter:  
[@bostonboro](https://twitter.com/bostonboro)

Statement in line with Regulation 14 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 as well as the other relevant policies and legislations.

Boston Borough Council are a consultee as part of duty to consult (section 42 of the Planning Act 2008). For an inclusive and robust response an internal consultation process has also been undertaken, seeking internal responses from certain officers, parish councils and Councillors. All consultees have the ability to respond direct to the Applicant as part of this process however we have presented any responses received to date. Responses received after the submission deadline of 23<sup>rd</sup> August 2024 will be collated and sent on to the Applicant directly where it is hoped that will still be taken into account ahead of any formal submission.

### **List of Consultees**

Please note that some responses may have been received in addition to those listed in the consultee list below. Where appropriate their comments are summarised accordingly:

1. Environmental Health
2. Business Rates Officer
3. Heritage Lincolnshire
4. Arboricultural Officer
5. Forward Plans Officer
6. JRC Windfarm Coordinations
7. Algarkirk Parish Council
8. Butterwick Parish Council
9. Fishtoft Parish Council
10. Fosdyke Parish Council
11. Frampton Parish Council
12. Freiston Parish Council
13. Kirton Parish Council
14. Leverton Parish Council
15. Old Leake Parish Council

16. Sutterton Parish Council
17. Wrangle Parish Council
18. Wyberton Parish
19. Councillor R Austin
20. Councillor Chris Mountain
21. Councillor Peter Bedford
22. Councillor Dale Broughton
23. Councillor David Scoot
24. Councillor Sarah Sharpe
25. Councillor Helen Staples
26. Councillor David Middleton
27. Councillor Ralph Pryke
28. Councillor Claire Rylott
29. Councillor David Brown
30. Councillor James Cantwell
31. Councillor John Baxter
32. Councillor Callum Butler
33. Councillor Alison Austin

## **The Proposal**

The Project is of national significance as it forms part of a 2 Gigawatt transmission reinforcement that will transmit low carbon electricity from its point of generation in Scotland to its point of distribution for use in England.

EGL 3 and EGL 4 are separate projects, independent of one another; however, they have a common landfall on the Lincolnshire coastline, a common connection point to the existing transmission network in Norfolk and they also follow the same onshore cable route for the majority of their length. Therefore, EGL 3 and EGL 4 are being consented by a single Development Consent Order, as two coordinated and predominantly co-located projects in England.

The principal elements of the Projects which would constitute authorised development under a Development Consent Order, comprise:

- A new converter station in the East Lindsey area of Lincolnshire, in the vicinity of one of two 400 kV Lincolnshire Connection substations (LCS)) as proposed by the Grimsby to Walpole Project<sup>13</sup> ( a separate Development Consent Order application for approximately 140km of onshore overhead transmission cable as well as the location of five substations).
- A new switching station in the vicinity of one of the proposed LCS in East Lindsey (described in this report as the Direct Current Switching Station (DCSS)).
- A new converter station in the vicinity of the existing Walpole substation in Kings Lynn and West Norfolk.

The remaining onshore works are considered to constitute associated development to the above-mentioned principal elements. These elements include:

#### *Underground cables*

- EGL3 to have approximately 100km of new underground high voltage direct current cables from the landfall point to the converter station at Walpole. EGL3 will also have approximately 5km of new underground high voltage alternating current cable between the existing Walpole convertor and a new Walpole substation.
- EGL4 to have approximately 11km of new underground cable from the landfall point to the proposed switching station in the vicinity of the new Lincolnshire Connection Substation. Approximately 90km of new underground cable from the switching station to the existing Walpole convertor station is proposed along with approximately 5km of cable to a proposed new substation and 5km of cable between the Walpole converter station and a new Walpole substation.

#### *Substation*

- A new 400 kV substation (in proximity to the existing Walpole substation in King's Lynn and West Norfolk (described in this report as the 'new Walpole substation' but also known as 'Walpole B substation'). The new Walpole substation is a common connection point for both the EGL 3 Project, the EGL 4 Project and the Grimsby to Walpole Project and the need for this new substation exists as a part of either EGL 3 and EGL 4 or the Grimsby to Walpole Project and therefore will form part of their respective DCOs.

## Overhead Lines

- Supplementary works to existing 400 kV overhead lines and local changes to the lower voltage distribution networks to facilitate the construction of the new onshore transmission connections in England.

At this stage it is noted that whilst the infrastructure required (cables, switching stations and substations etc) to complete the projects of EGL3 and EGL4 has been identified, the exact siting has not yet been confirmed, therefore the presented design envelope (as defined by the red line on plans) has been used for the EIA Scoping.

We have extensively reviewed the submission topic areas as part of this response. This response primarily focuses on the response for the landscape and visual impact assessment; however other topic areas have also been considered. The final preferred option for the alignment of the underground cables as well as the siting of the convertor stations, switching stations and substations has not been confirmed. The redline (scoping boundary) is a larger area than is likely to be required by any Development Consent Order, allowing the Applicant the flexibility to take account of any feedback through engagement and consultation events as well as engineering and design changes as well as any survey responses such as environmental assessments.

Within Boston Borough Council, section 4, 5 and 6 of the Scoping Boundary are relevant as detailed below in Figure 1.1, It remains to be detailed what the exact works within sections 4, 5 and 6 will be, however at this stage it has been assumed that the predominant works is underground cable routing and associated works to the existing overhead power lines.

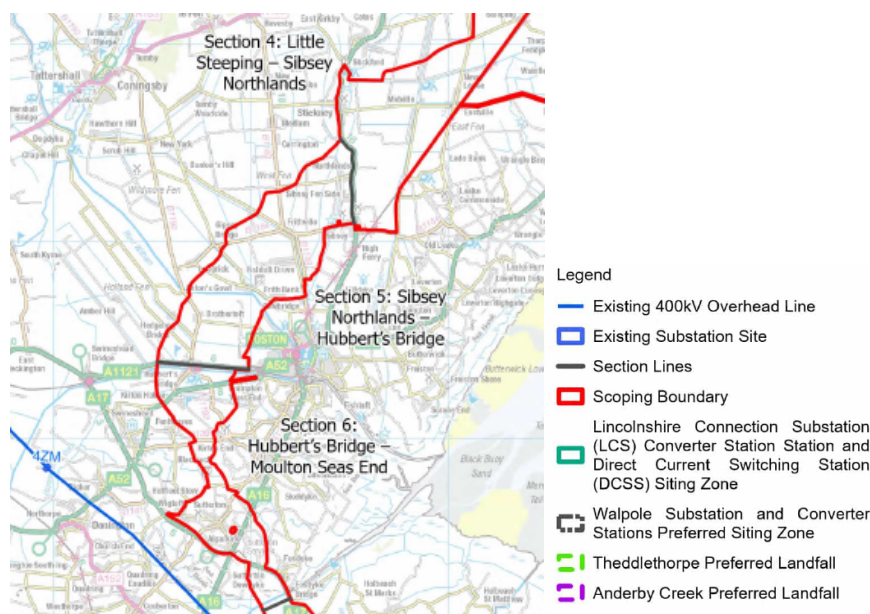


Figure 1.1 Extract from Environmental Impact Assessment Scoping Report Volume 1 Main Text Part 1 Introduction – Figure 1-8 (sheet 1)

## Planning Policy

Whilst the applicant will seek permission for the proposals directly from the SOC for a DCO under section 37 of the Planning Act 2008, there are still a number of local and national planning policies which are considered relevant and should be taken account of as part of the development process. These plans and local knowledge have been formed over several years and have come from a significant evidence base.

The South East Lincolnshire Local Plan 2011-2036 (SELLP) was jointly adopted by Boston Borough and South Holland District Council on the 8 March 2019. The relevant policies within the South East Lincolnshire Local Plan 2011-2036 are:

- Policy 2 'Development Management' – requires proposals to demonstrate sustainable development considerations have been met through a number of criteria.
- Policy 3 'Design of New Development' – requires development to create distinctive places through the use of high quality and inclusive design, demonstrating compliance with a number of considerations.
- Policy 4 'Approach to Flood Risk' – developments must satisfy the sequential test and be supported by a site-specific flood risk assessment covering risk from all sources of flooding including the impacts of climate change. It must be demonstrated that surface water from the development can be managed and will not increase the risk of flooding to third parties.
- Policy 28 'The Natural Environment' – Requires the protection, enhancement and management of natural assets, by ensuring all development proposals provide an overall net gain in biodiversity.
- Policy 29 'The Historic Environment' - Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced.
- Policy 30 'Pollution' Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon:
  - health and safety of the public;
  - the amenities of the area; or
  - the natural, historic and built environment;
  - by way of:
    - air quality, including fumes and odour;
    - noise including vibration;
    - light levels;
    - land quality and condition; or
    - surface and groundwater quality.
  - Planning applications, except for development within the curtilage of a dwellinghouse as specified within Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or successor statutory instrument, must include an assessment of:
    - impact on the proposed development from poor air quality from identified sources;
    - impact on air quality from the proposed development; and
    - impact on amenity from existing uses.

- Policy 31 'Climate Change and Renewable and Low Carbon Energy' - All development proposals will be required to demonstrate that the consequences of current climate change has been addressed, minimised and mitigated.
- Policy 32 'Community, Health and Wellbeing' - Development shall contribute to the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being.
- Policy 33 'Delivering a More Sustainable Transport Network' – reinforces the national approach to promoting sustainable alternatives to the car through new development, making the best use of, and seek improvements to, existing transport infrastructure and services. Solutions that are based on better promotion and management of the existing network and the provision of sustainable forms of travel are supported. To achieve this, a Transport Assessment and associated Travel Plan will be submitted with proposals.

The NPPF does not contain specific policies for NSIPs (for which particular considerations apply, determined in accordance with the decision-making framework set out in the Planning Act 2008 and relevant NPSs) but may be considered as a relevant consideration as below.

- Paragraph 123 - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land<sup>49</sup>.

Footnote 49 of the NPPF states:

*Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.*

- Paragraph 124 - Planning policies and decisions should:
  - encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
  - recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
  - give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;



- promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
  - support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.
- Paragraph 157 - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
  - Paragraph 165 - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
  - Paragraph 180 - Planning policies and decisions should contribute to and enhance the natural and local environment by:
    - protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
    - recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
    - maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
    - minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and;
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

## **Representations Received**

Each Local Planning Authority are a consultee as part of duty to consult (section 42 of the Planning Act 2008). Responses were sought internally from department officers, Parish Councils, Town Councils and Councillors. All consultees have the ability to respond directly to the applicant as part of this process however we have presented any responses received.

Boston Borough Council does not have in house specialists or advisers for all topic areas relevant to this response, therefore the below list of representations sets out the comments and advice received from internal consultees as well as external consultants employed by the Council. Where no comments have been received and no external consultant employed, this response will seek to comment generally on the topic areas where appropriate, however it is acknowledged that comments may be sent directly by the County Council and these will be endorsed by the Council, as a two-tier planning authority.

As the Council do not have a Landscape Officer, an external company was sought to respond on behalf of the Council, Terra Loci, who are Landscape Architects and specialise in Landscape Planning.

The comments received from consultees are summarised as follows. Please note that for transparency the wording of each response is as it has been received as it is important that these are taken into account by the Applicant in their entirety:

### *Terra Loci Landscape Architects – acting on behalf of the Council – summarised and elaborated upon within main body of this statement*

1. If potentially significant effects are anticipated on residential receptors, then a Residential Visual Amenity Assessment should be undertaken.
2. The potential visual receptors have been outlined, however representative viewpoints must be submitted and approved prior to the assessment being undertaken.
3. ZTV methodology is limited.

4. The full LVIA methodology, including factors and / or matrices used for determining sensitivity of landscape and visual receptors and magnitude and significance of effects should be submitted and approved prior to the assessment being undertaken.
5. All visual representation with should be in line with The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19 (Landscape Institute, September 2019).
6. The scoping document refers to the relevant National Character Areas as published by Natural England however it does not list this as either scoped in, or out of the assessment. Due to the geographic extent, National Character Areas which have been identified should also be scoped in for assessment to aid in the understanding of effects at a broader scale than local character areas allow. Local landscape character areas identified and scoped into the assessment are appropriate. The LVIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies.
7. The EIA process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.
8. Cumulative impact assessment should include other proposals currently at Scoping stage and onwards.

#### Environmental Health

Environmental Health have no observation regarding the EIA Scoping Notification.

#### Wrangle Parish Council

Wrangle Parish Council is not in favour of EGL3 and 4 in the proposed format. From what it understands, given there are lots of documents to read (and not just NG's spin), these projects result in the pylons coming through Lincolnshire from the Anderby Creek/Mablethorpe area, through much of our neighbouring villages and into Norfolk ending up at Walpole.

Whilst not being against renewable energy there are ways of doing it nationally without Lincolnshire having to pay the price. We are not a wealthy county and rely heavily on income from farming and tourism for coastal resorts or nature. These will be badly affected by the development of the pylons, huge sub-stations and converters that need to be built. We believe compensation is available for landowners but it only covers the duration of the build work and not the long term effect of losing farm land, losing visitors etc. The tourism industry is fragile as it is and still recovering from the impact of covid and lockdowns. Food security is just as important as energy security. There's no point making our own energy if we are having to import our own food at great expense (including energy costs).

House prices are already dropping in the areas that may be near pylons so it doesn't only affect landowners, it will affect the wider communities. It is not known if there are any physical health effects from living near a pylon as it depends who you read/listen to, there will certainly be mental health cost from fear, stress, loss of view, noise etc.

Whilst this doesn't directly affect us in Wrangle, it affects our neighbours so affects us indirectly. We will suffer the impact of the heavy and oversized vehicles transporting building materials on a regular basis for several years. We routinely complain at council meetings about the state of the roads and potholes not being repaired, roads sinking or collapsing into dykes. Some of this is caused by the heavier modern farm vehicles and trailers - if our roads aren't capable of coping with this necessary traffic then how will they cope with the additional (and possibly heavier and slower) NG traffic?

The short-term effect of lower bills by doing some of this project overground and not fully by sea seems pretty pointless when it has a much longer term economic effect on national food security and local industries of tourism/farming. Wrangle Parish Council would rather see EGL3 and 4 going straight to Walpole without coming into our area thus minimising/reducing any need to come on land until the last possible moment. Whilst we are not against renewable energy as we need it as an alternative to oil/gas imports, it just needs to be better thought out.

Freiston Parish Council

Freiston Parish Council do not have objections to this planning.

Wyberton Parish Council

Wyberton Parish Council do not have objections to this planning.

Benington Parish Council

Benington Parish Council do not have objections to this planning.

Councillor Harrison

The fact is that this is the catalyst that will turn this area into a massive industrialised power plant. I am saddened to see the rate at which solar plants and battery storage units, pylons and other energy infrastructure is being forced upon agricultural areas by the current Secretary of State.

Councillor David Middleton

Whilst I have not examined this Application in minute detail, I have had considerable discussion with residents of both the Ward and Boston Borough.

What is overwhelming is that the population is against it though I doubt they will make an effort to reply to your request. I myself can understand that they do not want the disruption or the loss of farming land that this scheme will result in.

I from my personal stand point realise that the Secretary of State will pass this rather than allow Birmingham to fall in to darkness although wind and solar power will not guarantee this. So I have

to say that whilst Lincolnshire will have all the disruption it will not have any of the gains the rest of the country will have. I would rather another more reliable source of energy be utilised.

#### Councillor James Cantwell

These proposals, in addition to the Pylons Proposals and unacceptable for an area of intensive agricultural use. Near Boston is a prime brassica growing land and cables will undoubtedly have a negative impact on the massive growing potential of the area. Preservation of Grade 1 land should be absolute priority and each acre lost is land we will never get back.

#### JRC Windfarms Coordination

JRC analyses proposals for wind (and other) developments on behalf of the UK Energy Industry. We assess the potential of such developments to interfere with radio systems operated by UK and Irish Energy Industry companies in support of their regulatory operational requirements.

JRC sent a request for further information on 5th August

We have not yet received the required information, and we are aware the determination deadline is 21st August.

Therefore JRC OBJECTS to the proposed development \*\*\* due to insufficient information \*\*\*.

However, JRC are still willing to work with developers in order to clear as many developments as possible, including those that may initially fall within the coordination zone. For more information about what to do next, please contact us using the link at the bottom of this email.

#### NOTE:

The protection criteria determined for Energy Industry radio systems can be found at Wind Farm Coordination | Joint Radio Company | JRC

The JRC objection shall be withdrawn after simple analysis shows no issues; when a satisfactory coordination has been achieved and the zone of protection is implemented; or when an appropriate mitigation agreement is in place.

Please provide the required information in order for us to undertake the necessary analysis.

#### Heritage Lincolnshire

A detailed and thorough assessment of significance and heritage impact assessment will be required to accompany any future application to identify built heritage assets, designed landscape or archaeological features along the entire course of the proposed development.

Once identified the assets significance must be described and assessed and then the impact of the proposals would need to be assessed for the impact on significance as required under the Local Plan and NPPF.

### **Review of the EIA Scoping Report**

At this stage the following comments are offered in connection with the topic areas as listed. As stated in the aforementioned section, where no opinion has been received from in-house advisors at the Council nor has there been an external consultant employed to provide comment then general observations have been put forward at this stage.

### Landscape

The LVIA notes that a Residential Visual Amenity Assessment is not proposed. If potentially significant effects are anticipated on residential receptors, then a Residential Visual Amenity Assessment should be undertaken.

The potential visual receptors have been outlined, however representative viewpoints must be submitted and approved prior to the assessment being undertaken. Supporting Zone of Theoretical Visibility analysis, as defined above, should also be provided to ensure that the proposed study area is sufficient.

ZTV methodology is limited, noting that OS DTM or lidar data may be used, clarification required on which OS DTM is to be used, OS Terrain 5 or OS Terrain 50, and justification for the DTM selection. ZTV analysis should at a minimum include a bare-earth scenario to show the potential worst-case, additional accompanying ZTV analysis taking into account surface features would be useful to aid in the understanding of the effectiveness of screening features within the study area. ZTV analysis should be based on the maximum foreseeable height of the development over the proposed area in order to indicate the potential worst-case scenario for visibility. EG 26m height over the proposed 6.7ha area for each of the Walpole Converter Stations as set out in Table 4.1. If parameter plans are developed to set out the maximum heights and approximate massing of individual elements within these areas these would be approximate to use to refine ZTV analysis. The scoping document suggests that the effects on lighting on visual amenity during the construction phase should be scoped out of the assessment. Due to the likely duration of the construction phase, there is potential for significant effects to arise as a result of lighting during construction, therefore this should be scoped into the assessment.

The full LVIA methodology, including factors and / or matrices used for determining sensitivity of landscape and visual receptors and magnitude and significance of effects should be submitted and approved prior to the assessment being undertaken.

All visual representation with should be in line with The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19 (Landscape Institute, September 2019) to ensure the assessment of visual impact is accurate and in turn an appropriate judgement of the assessed impacts can be made. Locations for proposed Type 3 visualisations, following TGN 06/19 should be submitted and approved prior to being undertaken. Type 1 and 2 visualisations should be provided for all viewpoint locations.

The scoping document refers to the relevant National Character Areas as published by Natural England however it does not list this as either scoped in, or out of the assessment. Due to the geographic extent, National Character Areas which have been identified should also be scoped in for assessment to aid in the understanding of effects at a broader scale than local character areas allow. Local landscape character areas identified and scoped into the assessment are appropriate. The LVIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, the LVIA should consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics. The EIA process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

Cumulative impact assessment should include other proposals currently at Scoping stage and onwards. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

### Biodiversity

At this early stage in the development of the Scheme, only limited desk-based information has been presented within the Scoping Report.

The Scoping Report details that on respect of biodiversity, key consultees have been identified for engagement throughout the ore-application stages of the process.

The biodiversity assessment will consider the potentially significant effects on biodiversity receptors that may arise from the construction and operation of the Scheme.

The Councils ecologist has not responded and the Wildlife Trust may have chosen to comment directly on the consultation, however having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have no specific comments to offer other than the importance of achieving a 10% biodiversity net gain for this proposed nationally significant development, in line with The Environment Act 2021.

### Cultural Heritage

Comments have been received from Heritage Lincolnshire who act as the Councils advisor on cultural heritage and archaeological matters. Whilst the approach put forward within the Scoping Report appears reasonable, we have the below comments to offer:

- A detailed and thorough assessment of significance and heritage impact assessment will be required to accompany any future application to identify built heritage assets, designed landscape or archaeological features along the entire course of the proposed development; and
- Once identified the assets significance must be described and assessed and then the impact of the proposals would need to be assessed for the impact on significance as required under the Local Plan and NPPF.
- The Applicants attention is brought to the policy within the NPPF as well as Policy 29 of the South East Lincolnshire Adopted Plan.

### Geology and Hydrogeology

The Council do not have an in-house geologist and the Coal Authority may have chosen to comment directly on the content of the consultation, however having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have the below specific comments to offer:

- Soil management practices may need further evidence

Lincolnshire County Council act as Lead Local Flood Authority and may comment directly to the proposed development. Having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have no specific comments to offer.

### Agriculture and Soils

The council do not have a specific officer to deal with such matters however this topic area is of fundamental concern to the Council simply due to the amount of land that is associated with the development. The NPPF is clear that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other criteria) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. Natural England provide extensive guidance on the matter and the Applicant is urged to follow this in their preparation of their work as it is acknowledged that this is effectively a desire to challenge the current agricultural classification of the site (please see <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land> ).

These comments are echoed by internal consultees including elected councillors who have significant concern over the impact of the development on Grade 1 agricultural land.

### Traffic and Transport

Lincolnshire County Council act as highways authority and may comment directly on the proposed development. Having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have no specific comments to offer other than the following points:

- The suitability of the rural roads, many of which are in poor condition (e.g. subsidence), to cope with the loading by heavy construction vehicles. What mechanism is in place for any urgent reinstatement. Is a survey of the roads (and any strengthening needed) to be carried out at the commencement of works?
- What restrictions will be placed on working hours/days?



- What is the procedure in place to deal with complaints from residents regarding access, noise, dust etc.?
- Construction compounds and field accesses in the countryside can have a significant affect and we would therefore welcome a full scheme of remediation and reinstatement after the cable/works have been undertaken.

### Noise and Vibration

No comments have been received by the Council's Environmental Health Officer has reviewed the information put forward and the following comments are provided:

- Please provide the Council Environmental Protection team with appropriate contact details in event of complaints;
- Ensure Boston Borough Council and all relevant Noise sensitive receptors (NSR) in the immediate area are informed of any proposed works outside of normal working hours;
- Maintain sound barriers in good order; and
- Vibration, ensure Boston Borough Council & all Vibration Sensitive Receptors in immediate area are informed of operations such as piling where vibration is likely to exceed 0.3mms and ensure appropriate monitoring equipment is used in vicinity of works.

### Air Quality

The Council's Environmental Health Officer has not yet responded, however the following comments are provided in relevance to the development at this stage:

- Burning of waste should be avoided. Any burning of waste deemed strictly necessary should be undertaken in accordance with the relevant waste management exemption issued the Environment Agency, and consideration should be given to the timing of such burning, and the prevailing weather conditions to impact emissions to air and nuisance to offsite receptor's, and;
- Soil stockpiles should be sealed to recued fugitive dust emissions.

## **Concluding Remarks**

Whilst we appreciate many stakeholders will comment directly to the Applicant on the project, we wanted to provide a response based on the submitted Scoping Report with assessment of the proposed onshore cable route and associated switching and convertor stations and substations.

We note your community engagement to date however we would welcome future discussions over any proposed community benefits as well as any proposed employment and skills schemes that could be provided to the local workforce as well as any other potential grid infrastructure improvements that may be facilitated by the development.

This advice is based upon the information available at this time. Please note that the advice is given without prejudice to any future comments made by the Local Planning Authority upon the receipt of further information, whether during or before the submission of a full EIA planning application.

We kindly ask that the comments received from stakeholders listed are taken into consideration as you can see there is in part strong feelings about the proposal.

If you have any queries, please do not hesitate to contact me on the details provided and I would appreciate it if all future correspondence could be made directly to myself as I have been instructed by the Local planning Authority to act on their behalf until the end of the application process. This will avoid any delays in our response as we have struggled to allow internal consultees sufficient time to get back to us.

Yours sincerely,

**Sam Dewar**  
**Consultant Planning Officer**

@dpaplanning.co.uk

Katherine King  
The Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Ms Cally Smith  
Planning Consultant

██████████  
██████████@broads-authority.gov.uk

Date 7 August 2024

Our ref BA/2024/0284/SCOCO

Your ref EN0210003

Dear Katherine King

**Application No:** BA/2024/0284/SCOCON  
**Proposal :** EIA Scoping Notification and Consultation - Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development).  
**Address :** Eastern Green Link 3 And Eastern Green Link 4, Offshore High Voltage Electricity Links, ,  
**Applicant :** National Grid Electricity Transmission

I write further to the above proposal. I can confirm that the Broads Authority does not have any comments to make at this stage as it does not consider that the proposed scheme will impact on the Broads.

Yours sincerely

Ms Cally Smith  
Planning Consultant  
On behalf of the Broads Authority



**Canal &  
River Trust**

Making life better by water

Secretary of State  
The Planning Inspectorate  
Environmental Services  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Your Ref EN0210003

Our Ref IPP-228

Friday 23 August 2024

BY EMAIL ONLY: [easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk)

### EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 ("the Project") - EIA Scoping Report Notification and Consultation

Thank you for your consultation on the Environmental Impact Assessment Scoping for the above project.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

Having reviewed the location of the Project and the Scoping Report (July 2024), we wish to make the following comments:

The Trust is Navigation Authority for the River Witham and is the freehold owner of the riverbed between the Grand Sluice, Boston and Lincoln. The River Witham falls within the Preliminary Corridors Nos. 15, 16 and 19 (Figure 3-8) with the preference being towards Corridor 19 on the Graduated Swath (Figure 3-14).

#### Cable Route Corridor

The Scoping Report identifies a cable route corridor which includes two stretches of the River Witham either side of **Anton's Gowt**. We note that assessment work is ongoing, and the final route of the corridor has not yet been finalised and we have received separately the applicants Survey Access Questionnaire and draft License with regards to the **applicant's** intentions to survey our land. This is the subject of separate email correspondence between the **applicant's** project team and my colleague Sophie Summers.

We further note that the Scoping Report states that the applicant will be working on managing and mitigating effects through technical assessments and environmental surveying through 2024 and 2025. We strongly recommend that the Trust is included in discussions over the location of the cable crossing so we can advise on any potential issues likely to affect navigational safety or our interests as an affected landowner. The Scoping Report indicates that the cable crossing of the river will be underground, and we consider that this will assist in minimising visual impacts on the river and potential impacts on use of the Navigation.

Any crossing of the river is likely to require the prior consent of the Trust. Please be advised that the Trust is a statutory undertaker and has specific duties to protect its waterways. We would therefore resist any proposed use of compulsory purchase powers which may affect our land or undertakings. We reserve the right to seek

#### **Canal & River Trust Planning Team**

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW  
T: 0151 355 5017 E: [nationalwaterwaysmuseum@canalrivertrust.org.uk](mailto:nationalwaterwaysmuseum@canalrivertrust.org.uk) W: [canalrivertrust.org.uk](http://canalrivertrust.org.uk)

protections under s127 of the Planning Act 2008 should any proposals affect land which has been acquired for the purposes of our undertaking. Accordingly, we advise that the acquisition of any Trust land or rights over Trust land should be secured by agreement and we strongly recommend early contact with the Trust's Utilities Team to commence discussions over the terms of such an agreement ahead of submission of the DCO application. Please contact Beth Woodhouse, Senior Utilities Surveyor, at [beth.woodhouse@canalrivertrust.org.uk](mailto:beth.woodhouse@canalrivertrust.org.uk) or on 07484 911355 for further advice.

As the proposal will involve survey and works affecting the Trust's waterways, in our capacity as landowner, we will also require the applicant/developer to comply with the Trust's current Code of Practice for Works Affecting the Canal & River Trust and recommend early discussion with the Trust's Infrastructure Services Team over all works likely to affect Trust property. Please contact Nicholas Marsh, Works Engineer, at [nicholas.marsh@canalrivertrust.org.uk](mailto:nicholas.marsh@canalrivertrust.org.uk) or on 07386 699293 for further advice.

### Noise, Vibration and Navigational Safety

Works to install a cable crossing beneath the River Witham have significant potential to generate noise and vibration impacts and these effects on the river and users of the river should be assessed and considered within the Environmental Statement. In particular, works in proximity to the river need to be carefully managed to minimise the risk of significant vibration or loading that could adversely affect the stability of the riverbank or riverbed. In carrying out ground investigations it should be noted that while the Witham is a river, it has been significantly engineered in pre-industrial times, so ground conditions may be highly variable in the vicinity of the river. Detailed survey work will therefore be necessary to inform methodologies around the design of the cable crossing of the River Witham.

In recent DCO Examinations for similar cables beneath the River Trent (Cottam Solar Project, Gate Burton Energy Park and West Burton Solar Project) we have secured that the *Horizontal Directional Drill depth will be a maximum of 25m below the bottom of the riverbed and a minimum of 5m below the lowest surveyed point of the riverbed in order to prevent risk of any scour exposing cable.* We would be seeking similar parameters within this project to protect the River Witham riverbed.

### Ecology and Biodiversity

The Environmental Statement should consider the potential for sediment mobilisation from the riverbed through the use of directional drilling methods (HDD) to install cable connections beneath waterways such as the River Witham. There will be a small risk of vibrations leading to sediment mobilisation, or the emission of pollutants, so this impact should be **scoped in**, with consideration given to the provision of field studies into invertebrates and fish species found in the water to assess the sensitivity of these species to potential sediment movement.

The proposed area falls within a priority species target area for Lapwing, which require farmland and managed wet grassland habitats with wide open landscapes during the breeding season. All vegetation works should be outside of bird nesting season including preparations for HDD launch and exit pits.

Water vole surveys on all banks should be included in the assessments, because the River Witham is not far from Norfolk where they have recently eradicated mink and water vole numbers are recovering. Surveys over multiple seasons will be needed as numbers are hoped to grow exponentially by 2030.

Invasive species known to be present on the River Witham:

- Azolla Water Fern is present around Antons Gowt, and Floating Pennywort has been present in the past too. Both species cause issues with navigation. Strict biosecurity controls to ensure boots and equipment do not spread these to other watercourses should be always observed.
- To prevent the spread of Crayfish plague disinfection is required. The disinfectant must be one that is suitable for use near waterbodies.

### Canal & River Trust Planning Team

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW  
T: 0151 355 5017 E: [nationalwaterwaysmuseum@canalrivertrust.org.uk](mailto:nationalwaterwaysmuseum@canalrivertrust.org.uk) W: [canalrivertrust.org.uk](http://canalrivertrust.org.uk)

Temporary construction lighting along the cable corridor route in the vicinity of the River Witham will have the potential to disturb wildlife. As a result, we believe the impact should be **scoped in** to assessments, with consideration given to the provision of mitigation measures to minimise impacts on ecology and biodiversity, as well as landscape and visual impact.

### **Landscape and Visual Impact**

The Environmental Statement should consider the potential visual impact of construction operations along the cable route corridor, which extends to, and includes part of, the River Witham. In particular, the siting of construction compounds should be considered within the landscape and visual impact assessment and river users should be considered as potential receptors. It is important that visual impacts are assessed within the context of the river being a navigable waterway and that visual impacts on the river do not result in any harm to navigational safety.

### **Heritage**

The Environmental Statement should consider the proposals' potential impact on heritage assets, such as Anton's Gowt Lock. This is a Grade II listed structure, and proposals (including surveying) should ensure they do not adversely harm the lock or its setting.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

**Hazel Smith MRTPI**  
Area Planner – Midlands

██████████@canalrivertrust.org.uk

██████████  
<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

### **Canal & River Trust Planning Team**

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW  
T: 0151 355 5017 E: nationalwaterwaysmuseum@canalrivertrust.org.uk W: canalrivertrust.org.uk



The Coal  
Authority

200 Lichfield Lane  
Mansfield  
Nottinghamshire  
NG18 4RG

**T:** 01623 637 119 (Planning Enquiries)

**E:** [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

**W:** [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

**For the attention of: Katherine King**

Lincolnshire County Council

[By email: [easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk)]

2 August 2024

Dear Katherine King

**Re: PRE-APP EN0210003 Eastern Green Link 3 and 4**

**Scoping consultation and notification of the Applicants contact details and duty to make available information to the Applicant if requested.; BETWEEN SCOTLAND, AND ENGLAND**

Thank you for your notification of 29 July 2024 seeking the views of the Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The site to which this submission relates is not located within the defined coalfield. On this basis we have no specific comment to make.

Yours

**The Coal Authority Planning Team**



Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square Bristol  
BS1 6PN

By email  
easterngreenlink3and4@planninginspectorate.gov.uk

This matter is being dealt with by:  
Gemma Driver

Email: [REDACTED]@eastcambs.gov.uk

Phone: 01353 616483  
My reference: 24/00786/NSIP  
Your reference: EN0210003

Date: 19 August 2024

If you require this letter in large  
format, please email  
[ContactUs@eastcambs.gov.uk](mailto:ContactUs@eastcambs.gov.uk)

Dear Ms King,

**Re: Scoping Opinion: Application by National Grid Electricity Transmission (the Applicant) for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development).**

Thank you for your letter dated 29 July 2024 inviting the opportunity to inform the Scoping Opinion.

I have undertaken a desk top assessment of the proposal and presumed all the relevant consultations have been undertaken.

On behalf of East Cambridgeshire District Council, I can confirm that we do not have any comments to make. This is on the basis that it appears as though no development works are required within or adjacent to our District.

If this situation changes, and it transpires that work are required within the East Cambridgeshire District, please inform us.

Yours sincerely

[REDACTED]  
**Gemma Driver**  
**Senior Planning Officer**



The Hub, Mareham Road, Horncastle, Lincolnshire. LN9 6PH  
T: 01507 601111  
www.e-lindsey.gov.uk

The Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Sent via email to:

easterngreenlink3and4@planninginspectorate.gov.uk.

**Our Ref: S/086/01147/24**  
**Planning Inspectorate Ref: EN0210003**  
**Contact:** Sam Dewar  
**Ext:** 01507 601111  
**Email:** Dev.Control@e-lindsey.gov.uk  
**Date:** 20<sup>th</sup> August 2024

<b>APPLICANT:</b>	National Grid Electricity Transmission
<b>PROPOSAL:</b>	Statutory Scoping Consultation to East Lindsey District Council under Section 42 of the Planning Act 2008 and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (10 and 11) prior to the submission of an application for an application for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4.

Thank you for your recent consultation in relation to the above. Sam Dewar of Dewar Planning Associates has been instructed to act as lead officer on behalf of the three Local Planning Authorities consulted (Boston Borough Council, South Holland District Council and East Lindsey District Council).

An individual response will be provided on behalf of each Local Planning Authority detailing how the development within their authority boundary impacts them.

### Introduction

By way of an introduction, I am a chartered member of the RTPI and act as Director and founder of Dewar Planning. I have previously worked as planning officer through to head of planning at local planning authorities and have since formed my own private planning practice submitting applications to over 100 local planning authorities across the UK. These applications have ranged from large wind farms to residential schemes, and various small to major scale commercial developments. We also continue to provide bespoke consultancy assistance for local planning authorities due to the positive relationships we have developed.

The applicant 'National Grid Electricity Transmission' intends to submit an application for Development Consent Order under Section 37 of the Planning Act 2008, comprising details of both proposals Eastern Greenlink 3 (EGL3) and Eastern Greenlink 4 (EGL4) with an Environmental Statement in line with Regulation 14 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 as well as the other relevant policies and legislations.

East Lindsey District Council are a consultee as part of duty to consult (section 42 of the Planning Act 2008). For an inclusive and robust response an internal consultation process has also been undertaken, seeking internal responses from certain officers, parish councils and Councillors. All consultees have the ability to respond direct to the Applicant as part of this process however we have presented any responses received to date. Responses received after the submission deadline of 23rd August 2024 will be collated and sent on to the Applicant directly where it is hoped that will still be taken into account ahead of any formal submission.

### **List of Consultees**

Please note that some responses may have been received in addition to those listed in the consultee list below. Where appropriate their comments are summarised accordingly. Please note that some external stakeholders have also been consulted:

#### Internal

1. Principal Policy Officer (Strategic Planning)
2. Environmental Health
3. Street Scene
4. Senior Ecologist
5. Mrs. L. Kidd, Clerk to the Firsby Group Parish Council
6. Mrs. J. Cooper, Clerk to Willoughby with Sloothby Parish Council
7. Mr. S. J. Fletcher, Clerk to the Mablethorpe & Sutton Town Council
8. Ms. R. Kendrick, Clerk to Langrville Parish Council
9. Ms. S. L. Kulwiki, Clerk to Thornton Le Fen Parish Council
10. Mrs. S. L. Knowles, Clerk to Frithville Parish Council
11. Mrs. S. L. Knowles, Clerk to Westville Parish Council
12. Mrs. V. Clark, Clerk to Carrington and New Bolingbroke Town Council
13. Mrs. S. Knowles, Clerk to Sibsey Parish Council
14. Mrs. E. Arnold, Clerk to New Leake Parish Council
15. Mr. J. Howlett, Vice Chairman to Stickford Parish Council
16. Mrs. S. Knowles, Clerk to Toynton St. Peter Parish Council

17. Mrs. J. Cooper, Clerk to Welton Le Marsh Parish Council
18. Ms. J. Hart, Clerk to Orby Parish Council
19. Ms. K. Hayes, Clerk to Hogsthorpe Parish Council
20. Mr. P. Bradshaw, Beesby with Saleby Parish
21. Mr. E. Cook, Clerk to Strubby with Woodthorpe Parish
22. Ms. S. Kennett, Clerk to Withern with Stain Parish Council
23. Mr. A. Vassar, Clerk to Anderby Parish Council
24. Ms. S. Bristow, Clerk to Theddlethorpe All Saints Parish Council
25. Mrs. E.L. Arnold, Clerk to Stickney Parish Council
26. Mrs. L. Kidd, Clerk to the Firsby Group Parish Council
27. Mrs. D. Dobson, Chairman to Candlesby & Gunby Parish
28. Mrs. M. Lillywhite, Clerk to Cumberworth Parish
29. Ms. K. Culley, Clerk to Bilsby, Asserby & Thurlby Parish
30. Mrs. L. Kidd, Clerk to the Firsby Group Parish Council
31. Cllr. S. Devereux & Cllr. G. Marsh Acting on behalf of Markby Parish
32. J. Cooper, Clerk to Mumby Parish Council
33. Mr. M. Rudd, Clerk to Huttoft Parish Council
34. Cllr. Acting on behalf of Hannah cum Hagnaby Parish
35. Mr. G. Simpson, Clerk to Maltby Le Marsh Parish
36. Ms. S. Bristow, Clerk to Theddlethorpe St. Helen Parish
37. Cllr. S.C. Devereux
38. Cllr. G.A. Marsh
39. Cllr. T. Ashton
40. Cllr. N. Jones
41. Cllr. T. Taylor
42. Cllr. C. Dickinson
43. Cllr. S. Eyre
44. Cllr. R. Dawson
45. S. Evans
46. Cllr, C. Arnold
47. Cllr. G. E. Cullen
48. Cllr. K. Marnoch
49. Cllr. S. Bristow
50. Cllr. R. Watson

51. Mrs. J. Cooper
52. Ms. H. McKinley
53. Ms. P. Murray, Clerk to Saltfleetby Parish Council

#### External

54. Environment Agency
55. Natural England
56. Heritage Lincolnshire
57. Historic England
58. Health & Safety Executive
59. Cadent Gas Ltd, National Grid Plant Protection
60. National Gas
61. Highways and SuDS Support
62. The Gardens Trust
63. Steffie Shields, Lincolnshire Gardens Trust
64. Lincolnshire Wildlife Trust
65. Joint Committee of the National Amenity Societies
66. NATS LTD. Safeguarding Office
67. Internal Drainage Board
68. Witham Fourth District Internal Drainage Board

#### **The Proposal**

The Project is of national significance as it forms part of a 2 Gigawatt transmission reinforcement that will transmit low carbon electricity from its point of generation in Scotland to its point of distribution for use in England.

EGL 3 and EGL 4 are separate projects, independent of one another; however, they have a common landfall on the Lincolnshire coastline, a common connection point to the existing transmission network in Norfolk and they also follow the same onshore cable route for the majority of their length. Therefore, EGL 3 and EGL 4 are being consented by a single Development Consent Order, as two coordinated and predominantly co-located projects in England.

The principal elements of the Projects which would constitute authorised development under a Development Consent Order, comprise:

- A new converter station in the East Lindsey area of Lincolnshire, in the vicinity of one of two 400 kV Lincolnshire Connection substations (LCS)) as proposed by the Grimsby to Walpole Project<sup>13</sup> (a separate Development Consent Order

application for approximately 140km of onshore overhead transmission cable as well as the location of five substations).

- A new switching station in the vicinity of one of the proposed LCS in East Lindsey (described in this report as the Direct Current Switching Station (DCSS)).
- A new converter station in the vicinity of the existing Walpole substation in Kings Lynn and West Norfolk.

The remaining onshore works are considered to constitute associated development to the above-mentioned principal elements. These elements include:

### **Underground cables**

- EGL3 to have approximately 100km of new underground high voltage direct current cables from the landfall point to the converter station at Walpole. EGL3 will also have approximately 5km of new underground high voltage alternating current cable between the existing Walpole convertor and a new Walpole substation.
- EGL4 to have approximately 11km of new underground cable from the landfall point to the proposed switching station in the vicinity of the new Lincolnshire Connection Substation. Approximately 90km of new underground cable from the switching station to the existing Walpole convertor station is proposed along with approximately 5km of cable to a proposed new substation and 5km of cable between the Walpole converter station and a new Walpole substation.

### **Substation**

- A new 400 kV substation (in proximity to the existing Walpole substation in King's Lynn and West Norfolk (described in this report as the 'new Walpole substation' but also known as 'Walpole B substation'). The new Walpole substation is a common connection point for both the EGL 3 Project, the EGL 4 Project and the Grimsby to Walpole Project and the need for this new substation exists as a part of either EGL 3 and EGL 4 or the Grimsby to Walpole Project and therefore will form part of their respective DCOs.

### **Overhead Lines**

- Supplementary works to existing 400 kV overhead lines and local changes to the lower voltage distribution networks to facilitate the construction of the new onshore transmission connections in England.

At this stage it is noted that whilst the infrastructure required (cables, switching stations and substations etc) to complete the projects of EGL3 and EGL4 has been identified, the exact

siting has not yet been confirmed, therefore the presented design envelope (as defined by the red line on plans) has been used for the EIA Scoping.

We have extensively reviewed the submission topic areas as part of this response. This response primarily focuses on the response for the landscape and visual impact assessment; however, the following topic areas have also been considered as part of this response. The final preferred option for the alignment of the underground cables as well as the siting of the convertor stations, switching stations and substations has not therefore been confirmed. The redline (scoping boundary) is a larger area than is likely to be required by any Development Consent Order, allowing the Applicant the flexibility to take account of any feedback through engagement and consultation events as well as engineering and design changes as well as any survey responses such as environmental assessments.

Within East Lindsey, the relevant onshore works for review include both proposed Landfall locations at Theddlethorpe or Anderby Creek as well as Sections 1, 2, 3 and part of Section 4 as detailed below in Figure 1.1.

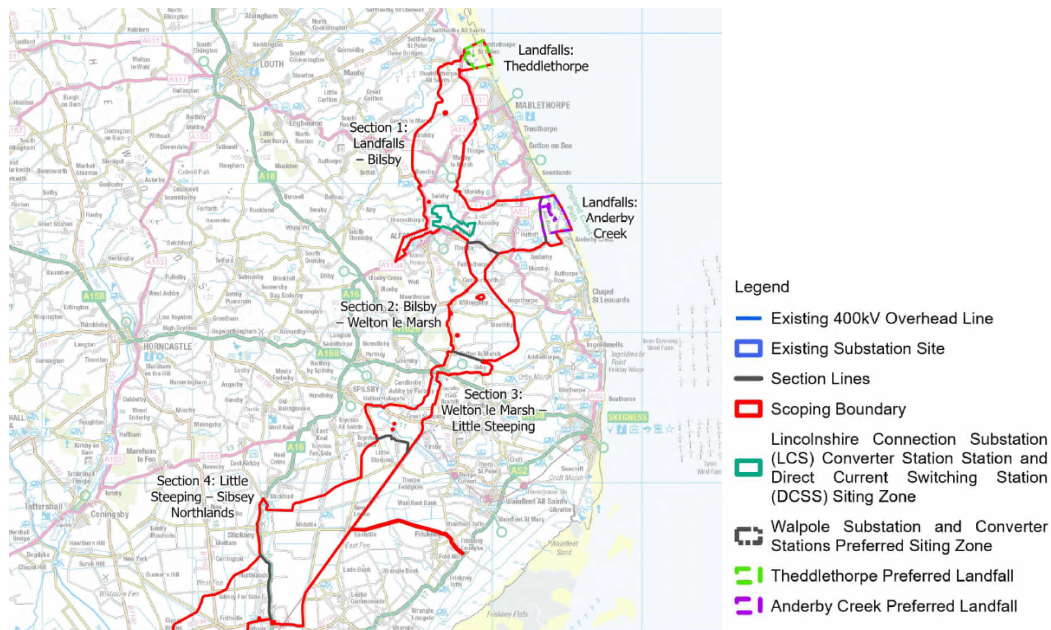


Figure 1.1 Extract from Environmental Impact Assessment Scoping Report Volume 1 Main Text Part 1 Introduction – Figure 1-8 (sheet 1)

## Planning Policy

Whilst the Applicant is seeking permission for the proposals directly from the Secretary of State for a DCO under section 37 of the Planning Act 2008, there are still a number of local and national planning policies which are considered relevant and should be taken account of as part of the development process. These plans and local knowledge have been formed over several years and have come from a significant evidence base.

The Local Plan for East Lindsey comprises the Core Strategy 2018 and the Settlement Proposals Document 2018. The relevant objectives and policies within the East Lindsey Local Plan are:

- Vision and Objective 1 - Seeks a network of thriving, safer and healthy sustainable communities, where people can enjoy a high quality of life and an increased sense of well-being and where new development simultaneously addresses the needs of the economy, communities and the environment.
- Vision and Objective 3 - Seeks a growing and diversified economy that not only builds on and extends the important agriculture and tourism base but supports the creation of all types of employment.
- Vision and Objective 6 - Seeks a commitment to tackling the causes and effects of global climate change through local action.
- Vision and Objectives Para 1.11 - Seeks to achieve the vision of a commitment to tackling the causes and effects of global climate change through local action, Support is provided for new development to ensure it does not cause flood risk to existing properties and encourage new development to reduce flood risk to existing properties.
- Vision and Objectives Para 1.11 - Supports the use of renewable energy but balanced against the protection of the District's distinct landscapes.
- Strategic policy 10 (SP10) – Design - Development around water sources will only be supported if it contains adequate protection preventing pollution from entering into the water source.
- Strategic policy 11 (SP11) – Historic Environment - The Council will support proposals that secure the continued protection and enhancement of heritage assets in East Lindsey, contribute to the wider vitality and regeneration of the areas in which they are located and reinforce a strong sense of place.
- Strategic policy 13 (SP13) – Inland Employment - The Council will support growth and diversification of the local economy by: Strengthening the rural economy by supporting in the large, medium and small villages: Development where it can provide local employment.
- Strategic policy 16 (SP16) – Inland Flood Risk - The Council will support development that demonstrates an integrated approach to sustainable drainage that has positive gains to the natural environment. The Council will support development for business, leisure and commercial uses in areas of inland flood risk where it can be demonstrated that accommodating the development on a sequentially safer site would undermine the overall commercial integrity of the existing area. Such developments must incorporate flood mitigation measures in their design.
- Strategic policy 17 (SP17) – Coastal East Lindsey - All relevant development will need to provide adequate flood mitigation. The council will support improvements to flood defences, infrastructure associated with emergency planning and the development and replacement community buildings.

Development must also demonstrate that it satisfies the Sequential and Exception Test and will need to provide adequate flood mitigation.

- Strategic policy 21 (SP21) – Coastal Employment - The Council will support the rural coastal economy by supporting development in the large, medium and small villages where it: Provides local employment and help support local services.
- Strategic policy 23 (SP23) – Landscape - The District's landscapes will be protected, enhanced, used and managed to provide an attractive and healthy working and living environment. Development will be guided by the District's Landscape Character Assessment and landscapes defined as highly sensitive will be afforded the greatest protection.
- Strategic Policy 24 (SP24) - Biodiversity and Geodiversity - Development proposals should seek to protect and enhance the biodiversity and geodiversity value of land and buildings and minimise fragmentation and maximise opportunities for connection between natural habitats.
- Strategic Policy 25 (SP25) – Green Infrastructure - In the case of sites not identified on the Inset Maps, development will only be permitted on open spaces provided unacceptable harm will not be caused to their appearance, character or role.
- Strategic Policy 27 (SP27) – Renewable and Low Carbon Energy Large-scale renewable and low carbon energy development, development for the transmission and interconnection of electricity, and infrastructure required to support such development, will be supported where their individual or cumulative impact is, when weighed against the benefits, considered to be acceptable in relation to:
  - o residential amenity;
  - o surrounding landscape, townscape and historic landscape character, and visual qualities;
  - o the significance (including the setting) of a historic garden, park, battlefield, building, conservation area, archaeological site or other heritage asset;
  - o sites or features of biodiversity or geodiversity importance, or protected species;
  - o the local economy;
  - o highway safety; and
  - o water environment and water quality
- Strategic Policy 28 (SP28) – Infrastructure and S106 Obligations - Infrastructure schemes will be supported provided they are essential in the national interest; contribute to sustainable development, and respect the distinctive character of the district.



The NPPF was originally implemented in 2012, with the most recent revision being 2019 and an update in 2023. The NPPF sets out the UK Government's planning policies for England and how these are expected to be applied.

The NPPF does not contain specific policies for NSIPs (for which particular considerations apply, determined in accordance with the decision-making framework set out in the Planning Act 2008 and relevant NPSs) but may be considered as a relevant consideration as below:

- Paragraph 123 - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land<sup>49</sup>.

Footnote 49 of the NPPF *states*:

*Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.*

- Paragraph 124 - Planning policies and decisions should:
  - o encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
  - o recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
  - o give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
  - o promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
  - o support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.
- Paragraph 157 - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal

change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

- Paragraph 165 - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- Paragraph 180 - Planning policies and decisions should contribute to and enhance the natural and local environment by:
  - o protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
  - o recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
  - o maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
  - o minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
  - o preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and;
  - o remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

## **Representations Received**

Each Local Planning Authority are a consultee as part of duty to consult (section 42 of the Planning Act 2008). Responses were sought internally from department officers, Parish Councils, Town Councils and Councillors. All consultees have the ability to respond directly to the applicant as part of this process however we have presented any responses received.

East Lindsey District Council does not have in house specialists or advisers for all topic areas relevant to this response, therefore the below list of representations sets out the comments and advice received from internal consultees as well as external consultants employed by the Council. Where no comments have been received and no external consultant employed, this

response will seek to comment generally on the topic areas where appropriate, however it is acknowledged that comments may be sent directly by the County Council and these will be endorsed by the Council, as a two-tier planning authority.

As the Council do not have a Landscape Officer, an external company was sought to respond on behalf of the Council, Terra Loci, who are Landscape Architects and specialise in Landscape Planning.

The comments received from consultees are summarised as follows. Please note that for transparency the wording of each response is as it has been received as it is important that these are taken into account by the Applicant in their entirety. Please also note that due to time constraints to respond some have chosen to respond to this NSIP and the other for the Grimsby to Warpole link which we appreciate is subject to another scoping process. There is some cross over but this should be self-explanatory on the responses received:

### **Internal**

#### *Terra Loci Landscape Architects - acting on behalf of the Council – summarised and elaborated upon within main body of this statement*

1. If potentially significant effects are anticipated on residential receptors, then a Residential Visual Amenity Assessment should be undertaken.
2. Viewpoints must be submitted and approved prior to the assessment being undertaken. Supporting Zone of Theoretical Visibility analysis, as defined above, should also be provided.
3. ZTV methodology is limited.
4. Due to the likely duration of the construction phase, there is potential for significant effects to arise as a result of lighting during construction, therefore this should be scoped into the assessment.
5. The full LVIA methodology, including factors and / or matrices used for determining sensitivity of landscape and visual receptors and magnitude and significance of effects should be submitted and approved prior to the assessment being undertaken.
6. All visual representation with should be in line with The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19 (Landscape Institute, September 2019).
7. The scoping document refers to the relevant National Character Areas as published by Natural England however it does not list this as either scoped in, or out of the assessment. Due to the geographic extent, National Character Areas which have been identified should also be scoped in for assessment to aid in the understanding of effects at a broader scale than local character areas allow.
8. Cumulative impact assessment should include other proposals currently at Scoping stage and onwards.

Graham Marsh and Sarah Devereux Ward Members for Alford

We are writing as the District Councillors for the Alford Ward which includes Alford Town council area, Bilsby and Farlesthorne Parish Council area, Huttoft Parish Council area and the villages of Markby and Hannah Cum Hagnaby.

The two locations which have been identified as the "landfall sites" are not within our ward but are close by and the Anderby one in particular will have a direct impact on our ward, however the switching and converter stations which is proposed to be built at Asserby in the Bilsby Parish area, will have a direct and negative impact on the people of that area.

The people in our ward have grave concerns about the industrialisation of the countryside by both the pylons and switching and converter buildings which are proposed, the footprint of these buildings is estimated to be 100,000 sq M and for the switching station and 20,000 sq m for the converter station, both building being a max of 30m tall, the area these are planned is flat and the vista's both to the coast and inland to the Wolds area, an Area of Outstanding Natural Beauty (AONB) would be severely blighted, and have a detrimental effect on the areas two main forms of income and employment namely the farming sector, which generates £1.3billion across the county and the tourism industry is worth £824m.

The amount of top quality land being lost to food production would have a detrimental effect of Britain striving to become more self sufficient in feeding its self, it would increase the amount of food needed to be imported and inevitably increase the field to fork mileage and increase our nations carbon output when we should be doing everything to reduce this to achieve the governments nett zero goal.

Has the cost of this lost land production and the disruption and damage to the soil been factored in to the costs, as well as the need to repair the damage caused by heavy vehicles during the construction stages to the road infrastructure, which will probably last years, it would not be fair to load that cost of repair, which will be considerable on to Lincolnshire County Council and the people through their council tax bills.

What calculations have been done into the extent of the level of compensation payable to local people whose properties would be blighted or the businesses who would see a substantial drop in their ability to maintain a viable income.

I know the majority of people in our ward would prefer the cabling to continue under the sea and come onshore further south, ( in line with National Grid "Beyond 2030 Report), this would negate the need to build the switching and converter stations, if for some reason, other than cost, this could not be achieved, then the next preferred option would be for the cables to be laid underground rather than carried across the countryside on pylons, although there would be some disruption during the works of placing the cables underground, once completed the land could be restored with the double advantage that no loss of farmed land and no eyesore to the wide open vista of the countryside would be achieved.

Upon deciding which route will be finally selected I hope consideration and weighting will be added for potential disruption, which will undoubtedly be caused to local residence which should include, disruption to daily activities, light and dust pollution, any impacts on local medical and mental health and access to emergency services. Impacts on the natural

environment and landscape, potential impacts on existing infrastructure, damage to the road network, damage/pollution to water courses, broad band and telephony disruption due to pylons, any effect on emergency services communication networks.

Work needs to be done to establish what damage will be caused to the biodiversity along the route and where the buildings are to be placed, will there be any negative effects on plants, birds or animals, will it affect migration routes. Results of all these work streams should be transparent, and open to public scrutiny and challenge.

It seems perverse that one government department is urging farmers to protect the environment and paying them subsidies to do this and another government department is driving through projects which have exactly the opposite effect when there is a solution that could suit all needs far better.

We would urge decision makers to consider all the relevant points and come to the conclusion that there are two alternatives, options if taken would completely remove the need to destroy prestige countryside by taking the cabling further south or greatly reducing the damage by laying the cables underground, by selecting a less invasive development the quality of life, health and mental health for the people of our ward, and the greater area round Alford and the coast need not suffer, and I don't believe you can place a price on that.

#### Huttoft Parish

Below is an abridged version of the Council's response directly to the Planning Inspectorate: Huttoft Parish Council strongly opposes the current proposals as set out in the EIA Scoping Report.

Residents have provided a huge amount of feedback to Councillors opposing the current plans, with concerns regarding the potential negative impacts on the local community: its residents, infrastructure, businesses, tourism and agriculture. The plans to industrialise the countryside and large overground pylons stretching across the county, will have a significant negative impact on areas in and around the Lincolnshire Wolds and in the local area.

Huttoft has little local industry or employment and relies heavily on tourism and agriculture. The Council believes the construction of the substation near Alford will severely impact the local community. Local organisations, heavily reliant on tourism such as Lincolnshire Coastal Park, NT Sandilands, Huttoft Car Terrace, a number of animal sanctuaries and the local public house, will all be negatively impacted by any fall in visitor numbers. The loss or damage to agricultural land across Lincolnshire also has the potential to negatively impact local food production. This will be exacerbated by many months of huge construction vehicles and machinery using the roads in and around the proposed site, that are totally unsuitable for heavy construction vehicles, the inevitable long term disruption to residents, damage to roads, increased local traffic disruption, increased noise levels, increased pollution and damage to local wildlife and biodiversity.

The local community has already had to endure many years of disruption from previous schemes that have caused disruption to the local community. The Council believes the current proposals have been made for commercial purposes and not enough consideration has been given to minimising the impact of the local environment; especially the proposed pylons, which could be sited underground.

### Firsby Parish

Why does the route come into Lincolnshire at all, why doesn't it continue at sea, and run down the Wash directly to Walpole? Surely it would be cheaper.

My understanding is that the cabling is all underground, and consequently the best outcome if we have to have it.

We should make the point that the links don't work so all we can see is the Introduction via the East Lindsey planning portal, so legally we aren't really been given proper notice.

The following comments from Swaby Group Parish Council appear to all be valid.

(2) The EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors—

(a) population and human health;

(b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC(14) and Directive 2009/147/EC(15);

(c) land, soil, water, air and climate;

(d) material assets, cultural heritage and the landscape;

(e) the interaction between the factors referred to in sub-paragraphs (a) to (d).

(3) The effects referred to in paragraph (2) on the factors set out in that paragraph must include the operational effects of the proposed development, where the proposed development will have operational effects.

(4) The significant effects to be identified, described and assessed under paragraph (2) include, where relevant, the expected significant effects arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to that development.

(5) The Secretary of State or relevant authority, as the case may be, must ensure that they have, or have access as necessary to, sufficient expertise to examine the environmental statement or updated environmental statement, as appropriate

In addition, details should be included which specifically identify and include:

1. A comprehensive and extensive bat survey for the proposed route and the proposed interconnector sites
2. A comprehensive wildlife habitat and species survey for the proposed route and the interconnector sites and up to 10 metres outside the range of the application site(s), together with mitigation measures to protect all wildlife species in the area including flora and fauna.
3. A survey of all local roads and impact thereon in terms of construction traffic both within the parishes affected and along the major routes to be used to access the site(s)
4. Impact Assessment on existing underground infrastructure.
5. Comprehensive study and report on the impact such development will have on the tourist industry, in particular the erection of the interconnector and substations along the main route to the coast and the visual impact from the Wolds Area of Outstanding Natural Beauty.
6. Impact on the loss of agricultural land currently important in helping the UK in its food security measures.

### Bilbsby and Farlesthorne Parish

The Parish Council have asked me to respond to you as they will to the two national scoping opinions they have been asked to provide, both in relation to this project and the Grimsby to Walpole project.

The switching and converter stations which is proposed to be built at Asserby in the Bilby Parish area, will have a direct and negative impact upon our parish and parishioners.

The people in our parish have grave concerns about the industrialisation of the countryside by both the pylons and switching and converter buildings which are proposed. The footprint of these buildings is estimated to be 100,000 sq. metres for the switching station and 20,000 sq. metres for the converter station. Both buildings are proposed to be up to 30m tall, The area these are planned for, is flat and the vista's both to the coast and inland to the Wolds area, an Area of Outstanding Natural Beauty (AONB) would be severely blighted, and have a detrimental effect on the areas two main forms of income and employment, namely the farming sector, which generates £1.3billion across the county and the tourism industry is worth £824m. The Parish Council firmly believe the country's No.1 priority should be food production. That seems to have been sacrificed on the altar of biodiversity. The amount of top quality land being lost to food production would have a detrimental effect on Britain striving to become more self-sufficient in feeding itself. It would increase the amount of food needed to be imported and inevitably increase the field to fork mileage and increase our nation's carbon output when we should be doing everything to reduce this to achieve the governments net zero goal.

Bilby & Farlesthorpe Parish Council would therefore like to see included with any application, compliance with regulation 5(2) of the EIA Regulations as set out below:

(2) The EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors-

(a) population and human health;

(b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC(14) and Directive 2009/147/EC(15);

(c) land, soil, water, air and climate;

(d) material assets, cultural heritage and the landscape;

(e) the interaction between the factors referred to in sub-paragraphs (a) to (d).

(3) The effects referred to in paragraph (2) on the factors set out in that paragraph must include the operational effects of the proposed development, where the proposed development will have operational effects.

(4) The significant effects to be identified, described and assessed under paragraph (2) include, where relevant, the expected significant effects arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to that development.

(5) The Secretary of State or relevant authority, as the case may be, must ensure that they have, or have access as necessary to, sufficient expertise to examine the environmental statement or updated environmental statement, as appropriate.

In addition, details should be included which specifically identify and include:

1. Impact on the loss of agricultural land currently important in helping the UK in its food security measures.

2. Comprehensive study and report on the impact such development will have on the tourist industry. In particular, the erection of the interconnector and substations along the main route to the coast and the visual impact from the Wolds Area of Outstanding Natural Beauty.

3. A survey of all local roads and impact thereon in terms of construction traffic both within the parishes affected and along the major routes to be used to access the site(s)

4. A comprehensive and extensive bat survey for the proposed route and the proposed interconnector sites.

5. A comprehensive wildlife habitat and species survey for the proposed route and the interconnector sites and up to 10 metres outside the range of the application site(s), together with mitigation measures to protect all wildlife species in the area including flora and fauna.
6. Impact Assessment on existing underground infrastructure.
7. The cost of repairing the damage caused by heavy vehicles during the construction stages to the road infrastructure, which will probably last years.
8. Calculations for compensation payable to local people whose properties would be blighted or the businesses who would see a substantial drop in their ability to maintain a viable income.
9. The disruption which will undoubtedly be caused to local residences including, disruption to daily activities, light and dust pollution,
10. Impact on local medical and mental health and access to emerge
11. Impact on existing infrastructure including damage/pollution to water courses, broad band and telephone disruption due to pylons.

The parish council and the majority of people in our parish would prefer the cabling to continue under the sea and come onshore further south, (in line with National Grid "Beyond 2030 Report). This would negate the need to build the switching and converter stations.

We would urge decision makers to consider all the relevant points and come to the conclusion that the alternative option to build an offshore integrated grid would completely remove the need to destroy prestige countryside by taking the cabling further south where the power is required.

#### *Theddlethorpe Parish*

I am writing to you on behalf of Theddlethorpe Parish Council, a consultee for the captioned proposal. At our meeting of 19th August 2024, the council resolved to ask that the following be included in the EIA:

Survey of expected impact/effect on wildlife (this project will intrude on the dunes and the King's Coronation Coast)

Survey of expected impact/effect on the water table

Survey of expected impact/effect on climate change

Survey of expected impact/effect on flooding risks

Expected net carbon footprint of the project

Electromagnetic compatibility, particularly Radiated emissions (with particular emphasis near primary schools)

Archaeological study of the planned route

Economic viability of the project on its own merit; particularly as the proposal assumes the Grimsby to Walpole pylons will be approved, what is the status of the EGL3 and EGL4 if the pylons do not go ahead as proposed?

#### *Stickford Parish*

Stickford Parish Council strongly opposes and objects to the proposed pylons in Lincolnshire the subject of National Grid's upgrade proposal to construct 87 miles of new overhead transmission lines on 150 feet high pylons including substations from Grimsby to Walpole in Cambridgeshire.

The Parish Council has previously submitted its comments and objections directly to National Grid in March 2024 as part of the initial consultation process. Many residents of Stickford village also submitted their comments and objections.



The Parish Council supports the comments made by East Lindsey District Council in the statement of the South and East Lincolnshire Partnership Leaders joint statement, Lincolnshire County Council in a statement dated 6th March 2024 and the Lincolnshire Police and Crime Commissioner's statement dated 12th March 2024.

We would ask that the current proposals are totally reconsidered in favour of offshore and/or underground options. We understand that in other parts of the UK and also in other countries offshore options are being pursued to avoid impact on rural areas. Indeed we understand that approval has recently been given to an offshore scheme from Scotland to the north of England which is linked to this proposal.

We have previously accommodated the construction of underground power lines with the Triton Knoll and Viking

Link projects causing disturbance and inconvenience to our farmlands and countryside during construction and now they have gone having reinstated the land but the pylons will be a permanent eyesore. The proposals from National Grid will bring further disturbance. We would have to endure many months of construction with large vehicles and machinery using the current road infrastructure which is totally inappropriate for such use and which will also cause significant noise and pollution. Further the proposals will have a serious impact on the Lincolnshire landscape, natural environment, tourism, farming, wildlife and natural habitats together also with the quality of life for residents and visitors.

Our county of Lincolnshire is made up of rolling, beautiful and presently unspoilt countryside, extensive farmlands which provide a significant amount of the country's food supply, historic towns and villages and coastal resorts which we would not like to see spoilt by the giant and noisy pylons, electricity lines and substation sites. The pylons, large substations, switching and converter buildings will look totally unsightly on flat land from countryside to coastal views. Our county benefits greatly from the tourism industry with visitors flocking to our countryside and coast and our agricultural heritage which we would not want to be prejudiced by the proposals. An underground transmission route or an offshore scheme would be better options.

In addition to this proposal there are also a number of solar farm proposals which either have been approved or are being considered for land in Lincolnshire. It is appreciated that more environmentally friendly energy sources need to be found but not at the expense of our county with the loss of valuable farming land and the affect on our countryside, environment and tourism industry. It would appear that the Secretary of State will make the final decision as the proposal is being classed as a nationally significant infrastructure project. All we ask is that the strength, volume and detail of all of the objections and comments on this proposal are fully considered.

#### Swaby Parish

Swaby, Elkington, Welton le Marsh and Willoughby Parish Council have responded direct to the applicant with the following (For Swaby read Willoughby, Elkington and Welton le Marsh:

Swaby Group Parish Council is very concerned at the impact these proposals will have on the area, in terms of visual intrusion; wildlife; loss of agricultural land and impact on tourism and economy.

To that end the Swaby Group Parish Council would like to see included with any application:

Compliance with regulation 5(2) of the EIA Regulations to ensure that -

(2) The EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors—

(a) population and human health;

(b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC(14) and Directive 2009/147/EC(15);

(c) land, soil, water, air and climate;

(d) material assets, cultural heritage and the landscape;

(e) the interaction between the factors referred to in sub-paragraphs (a) to (d).

(3) The effects referred to in paragraph (2) on the factors set out in that paragraph must include the operational effects of the proposed development, where the proposed development will have operational effects.

(4) The significant effects to be identified, described and assessed under paragraph (2) include, where relevant, the expected significant effects arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to that development.

(5) The Secretary of State or relevant authority, as the case may be, must ensure that they have, or have access as necessary to, sufficient expertise to examine the environmental statement or updated environmental statement, as appropriate

In addition, details should be included which specifically identify and include:

1. A comprehensive and extensive bat survey for the proposed route and the proposed interconnector sites
2. A comprehensive wildlife habitat and species survey for the proposed route and the interconnector sites and up to 10 metres outside the range of the application site(s), together with mitigation measures to protect all wildlife species in the area including flora and fauna.
3. A survey of all local roads and impact thereon in terms of construction traffic both within the parishes affected and along the major routes to be used to access the site(s)
4. Impact Assessment on existing underground infrastructure.
5. Comprehensive study and report on the impact such development will have on the tourist industry, in particular the erection of the interconnector and substations along the main route to the coast and the visual impact from the Wolds Area of Outstanding Natural Beauty.
6. Impact on the loss of agricultural land currently important in helping the UK in its food security measures.

#### Mablethorpe and Sutton Parish

The Town Council reiterates its support for the statements made by ELDC and LCC in respect of proposed Pylons in Lincolnshire, and firmly objects to any scoping proposals in this regard.

## **External**

### *The Garden Trust*

Thank you for consulting the Gardens Trust (GT) in its role as Statutory Consultee on planning applications which affect historic designed landscapes of national importance which are included by Historic England on the Register of Parks and Gardens (RPG) of Special Historic Interest. Inclusion of sites on the statutory register requires great weight to be given to their conservation.

We apologise for the delay in responding to this consultation but it was only received by our office on 19 August. We have since liaised with our colleagues in Lincolnshire Gardens Trust (LGT) and the following comments are a joint response submitted on behalf of both our organisations, based on the information contained in the Environmental Impact Assessment Scoping Report Volume 1 Main Text Part 1 Introduction July 2024. We trust they will still be passed on to the applicant and taken into account in the scoping process.

An initial study of the scoping area indicates potential impacts on two RPGs in the East Lindsey District Council (ELDC) area, which lie just outside the current scoping boundary:

1. Well Hall Grade II Grid Ref TF 44309 73380 At its nearest points to the scoping area boundary the RPG is approximately 1km away to the south-east and north-west.
2. Gunby Hall Grade II Grid Ref TF 46752 66820 where the north and west boundaries of the RPG are contiguous with those of the scoping area.
3. In both cases we request that the scoping boundary be extended to include the RPGs within the study area to allow full Heritage and Landscape Visual Assessment of any potential impacts to be undertaken.
4. Also please note that, although outside ELDC and slightly further away from the scoping area boundary, a further RPG which may be similarly impacted is Boston Cemetery Grade II Grid Ref TF 32717 45594.

We would be grateful to remain included in any further consultation related to the above development.

### *Witham Fourth IDB*

Witham Fourth District IDB and its officers have been involved with the Non statutory consultation for the above project and have attended meetings hosted by Mott MacDonald to discuss the emerging route and IDB asset interfaces. Since those meetings we have sought a Memorandum of Understanding to be signed by National Grid regarding cable installation below watercourses.

The current route of the proposed National Infrastructure project has a significant impact on the Boards maintained watercourse and operations. At this early stage we do not have a definitive route and design so our comments will be generalised to cover the expected implication. We expect to see the Land Drainage Act disestablished but the necessary provisions will be catered for in a Protected Provisions in the DCO which will be agreed with the Board, and we look forward to continued conversations to minimise the impact on the Board and its operations.

General comments:

1. There are several Board maintained watercourses that exist within the boundary of the proposed works and to which BYELAWS and the LAND DRAINAGE ACT applies:

No person may erect any building or structure (including walls and fences), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the top edge of the watercourse/edge of the culvert without the prior consent of the Board.

Please note the Board will not consent any permanent or temporary construction within the 9 metres BYELAW easement. Please refer to the Board's Nine Metre Easement Policy for further information:

<https://www.w4idb.co.uk/resources/document-library/consent-forms-and-guidance/>

Where proposed cables are to be directionally drilled beneath watercourse consent will be required and must be at agreed depths – the attached MOU details the depths required.

2. There are several riparian watercourses that exist within the boundary of the proposed works and to which the LAND DRAINAGE ACT applies:

Under the terms of the Land Drainage Act 1991, the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion.

3. Board's Byelaw consent is required to directly discharge surface water to a watercourse (open or piped). A surface water development contribution (SWDC) will be charged on all rates of discharges. Please refer to the Board's Development & Consent Control Guidance for more information: <https://www.w4idb.co.uk/resources/document-library/consent-forms-and-guidance/>

4. The Board does not fully support the use of subbase reservoirs and questions their suitability as an effective long term SUDS solution.

5. Board's Byelaw consent is required to discharge treated water to a watercourse (open or piped).

6. Board's Section 23 consent is required to culvert, pipe, or bridge any watercourse riparian or Board maintained.

7. The suitability of new soakaways, as a means of surface water disposal, should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to resubmit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be re-consulted.

8. A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on Site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed. Access should be agreed with the Local Planning Authority, LCC and the third party that will be responsible for the maintenance in consultation with the Internal Drainage Board where a watercourse is subject to Byelaws. (see Section 2 & 3).

9. All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development. Drainage routes shall include all methods by which water may be transferred through the Site and shall include such system as "ridge and furrow" and "overland flows." The effect of raising Site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

10. Consideration must be given to the route of flow downstream of the site from the discharge point to an appropriately maintained watercourse. Are there any off site works or the need for increased maintenance required to safeguard the site discharge for the life of the development.

#### Lindsey Marsh IDB

The proposed development crosses a large area of the Lindsey Marsh Drainage Board district. There are numerous watercourses that are likely to be impacted by the development, principally by the proposed route of the cables but also potentially above ground installations and accommodation works.

I feel that it is important to raise some specific issues that will need to be considered further and in detail as a part of the DCO process.

All Board watercourses are subject to Byelaws, which are intended to protect the watercourses and the Board's ability to maintain them. With this in mind I would advise the following.

Byelaw Number 3 states that:

No person shall as a result of development (within the meaning of section 55 of the Town and Country Planning Act 1990 as amended ("the 1990 Act")) (whether or not such development is authorised by the 1990 Act or any regulation or order whatsoever or none of them) for any purpose by means of any channel, siphon, pipeline or sluice or by any other means whatsoever introduce any water into any watercourse in the District so as to directly or indirectly increase the flow or volume of water in any watercourse in the District (without the previous consent of the Board)."

Consent will only be granted for the increase in flow to a watercourse where the Board is happy that in doing so no demonstrable harm will be caused. It may be the case that appropriate mitigations are required to be put in place to either attenuate flow or to enhance the existing watercourse to ensure no detriment. If this is not possible alternative outfall locations may need to be considered.

Byelaw Number 10 states that:

No person without the previous consent of the Board shall erect any building or structure, whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within nine metres of the landward toe of the bank where there is an embankment or wall or within nine metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within nine metres of the enclosing structure.

This will relate primarily to any above ground installations and their proximity to any Board maintained watercourses.

Byelaw number 17 states that:

No person shall without the previous consent of the Board -

(a) place or affix or cause or permit to be placed or affixed any gas or water main or any pipe or appliance whatsoever or any electrical main or cable or wire in, under or over any watercourse or in, over or through any bank of any watercourse;

(b) cut, pare, damage or remove or cause or permit to be cut, pared, damaged or removed any turf forming part of any bank of any watercourse, or dig for or remove or cause or permit to be dug for or removed any stone, gravel, clay, earth, timber or other material whatsoever forming part of any bank of any watercourse or do or cause or permit to be done anything in, to or upon such bank or any land adjoining such bank of such a nature as to cause damage to or endanger the stability of the bank;

make or cut or cause or permit to be made or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;

(d) erect or construct or cause or permit to be erected or constructed any fence, post, pylon, wall, wharf, jetty, pier, quay, bridge, loading stage, piling, groyne, revetment or any other building or structure whatsoever in, over or across any watercourse or in or on any bank thereof;

(e) place or fix or cause or permit to be placed or fixed any engine or mechanical contrivance whatsoever in, under or over any watercourse or in, over or on any bank of any watercourse in such a manner or for such length of time as to cause damage to the watercourse or banks thereof or obstruct the flow of water in, into or out of such watercourse.

Provided that this Byelaw shall not apply to any temporary work executed in an emergency but a person executing any work so excepted shall, as soon as practicable, inform the Board in writing of the execution and of the circumstances in which it was executed and comply with any reasonable directions the Board may give with regard thereto.

The Board will require all watercourses to be crossed by means of an appropriate trenchless method at a depth no less than 2 metres PLUS the safe working distance below the hard bed level of all watercourses (to ODN if EA or IDB maintained).

The purpose of this requirement is to allow the IDB to maintain and have the flexibility to improve watercourses in the future due to climate change (works will include deepening & widening of watercourses).

Any culverting or other works within the bed of any Board maintained watercourse be they temporary or permanent will require consent. It will usually be assumed that these structures will be temporary measures to accommodate haul roads etc.

It is anticipated that the above requirements would be covered by SOCGs, MOU, and via Protective Provisions within the DCO. This matter should be discussed further and in more detail as the proposed route is refined.

Any culverting or other works within the bed of any riparian watercourse within the Board's district or extended area be they temporary or permanent will also require consent.

It should be noted that the Board's consent is required irrespective of any permission gained under the Town and Country Planning Act 1990. The Board's consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/ culvert or the Board's machinery access to the watercourse/ culvert which is required for annual maintenance, periodic improvement and emergency works. The Board would not look to be disapplying these powers unless they have been suitably agreed and covered within the protected provisions embedded within the DCO.

I hope that the above is of assistance and I look forward to further ongoing detailed discussions with regard to the proposal.

#### Lincolnshire Wildlife Trust

Lincolnshire Wildlife Trust is engaging directly with the applicant regarding the proposed development

#### NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

#### Historic England

Thank you for consulting Historic England on an EIA Scoping Opinion on Eastern Green Link 3 & 4, this is a Planning Inspectorate EIA Scoping consultation on a Nationally Important Infrastructure Project. Historic England are direct statutory consultees to PINS on NSIPs so we will be responding to them directly rather than via the Local Authorities.

### **Review of the Scoping Report**

At this stage the following comments are offered in connection with the topic areas as listed. As stated in the aforementioned section, where no opinion has been received from in-house advisors at the Council nor has there been an external consultant employed to provide comment then general observations have been put forward at this stage.

### Landscape

The LVIA notes that a Residential Visual Amenity Assessment is not proposed. If potentially significant effects are anticipated on residential receptors, then a Residential Visual Amenity Assessment should be undertaken.

The potential visual receptors have been outlined, however representative viewpoints must be submitted and approved prior to the assessment being undertaken. Supporting Zone of Theoretical Visibility analysis, as defined above, should also be provided to ensure that the proposed study area is sufficient.

ZTV methodology is limited, noting that OS DTM or lidar data may be used, clarification required on which OS DTM is to be used, OS Terrain 5 or OS Terrain 50, and justification for the DTM selection. ZTV analysis should at a minimum include a bare-earth scenario to show the potential worst-case, additional accompanying ZTV analysis taking into account surface features would be useful to aid in the understanding of the effectiveness of screening features within the study area.

ZTV analysis should be based on the maximum foreseeable height of the development over the proposed area in order to indicate the potential worst-case scenario for visibility. EG 26m height over the proposed 6.7ha area for each of the Walpole Converter Stations as set out in Table 4.1. If parameter plans are developed to set out the maximum heights and approximate massing of individual elements within these areas these would be approximate to use to refine ZTV analysis.

The scoping document suggests that the effects on lighting on visual amenity during the construction phase should be scoped out of the assessment. Due to the likely duration of the construction phase, there is potential for significant effects to arise as a result of lighting during construction, therefore this should be scoped into the assessment.

The full LVIA methodology, including factors and / or matrices used for determining sensitivity of landscape and visual receptors and magnitude and significance of effects should be submitted and approved prior to the assessment being undertaken.

All visual representation with should be in line with The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19 (Landscape Institute, September 2019) to ensure the assessment of visual impact is accurate and in turn an appropriate judgement of the assessed impacts can be made. Locations for proposed Type 3 visualisations, following TGN 06/19 should be submitted and approved prior to being undertaken. Type 1 and 2 visualisations should be provided for all viewpoint locations.

The scoping document refers to the relevant National Character Areas as published by Natural England however it does not list this as either scoped in, or out of the assessment. Due to the geographic extent, National Character Areas which have been identified should also be scoped in for assessment to aid in the understanding of effects at a broader scale than local character areas allow. Local landscape character areas identified and scoped into the assessment are appropriate. The LVIA should include a full assessment of the potential



impacts of the development on local landscape character using landscape assessment methodologies.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, the LVIA should consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics. The EIA process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

Cumulative impact assessment should include other proposals currently at Scoping stage and onwards. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

Further comments are made by a number of stakeholders including concerns over the impact on the AONB Wolds which we would ask is taken into consideration when finalising viewpoints.

#### Biodiversity

At this early stage in the development of the Scheme, only limited desk-based information has been presented within the Scoping Report.

The Scoping Report details that on respect of biodiversity, key consultees have been identified for engagement throughout the ore-application stages of the process.

The biodiversity assessment will consider the potentially significant effects on biodiversity receptors that may arise from the construction and operation of the Scheme.

The Council's ecologist has not responded and the Wildlife Trust may have chosen to comment directly on the consultation, however having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have no specific comments to offer other than the importance of achieving a 10% biodiversity net gain for this proposed nationally significant development, in line with The Environment Act 2021.

Comments have also been received from stakeholders requesting that a comprehensive and extensive bat survey for the proposed route and the proposed interconnector sites and a comprehensive wildlife habitat and species survey for the proposed route and the interconnector sites up to 10 metres outside the range of the application site(s), together with mitigation measures to protect all wildlife species in the area including flora and fauna are undertaken as part of any application.

#### Cultural Heritage

No comments have been received from the Council's Archaeological and Cultural Heritage consultant, however having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have the below comments to offer:

- The Council would expect a detailed landscape and visual assessment for any above ground features and for each to be looked at separately pending the final location and scale
- A detailed and thorough assessment of significance and heritage impact assessment will be required to accompany any future application to identify built heritage assets, designed landscape or archaeological features along the entire course of the proposed development
- Once identified the assets significance must be described and assessed and then the impact of the proposals would need to be assessed for the impact on significance as required under the Local Plan and NPPF
- We would expect a scheme of trail trenching to be included as part of the main planning submission

Whilst an external consultee, some useful comments have been provided by the Garden Trust on a number of Heritage Assets that the Applicant is advised to take into consideration with any application.

#### Geology and Hydrogeology

East Lindsey District Council do not have an in-house geologist and the Coal Authority may have chosen to comment directly on the content of the consultation, however having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have the below specific comments to offer:

- Soil management practices may need further evidence

Lincolnshire County Council act as Lead Local Flood Authority and may comment directly to the proposed development. having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have no specific comments to offer.

Both the Lindsey Marsh and Witham Fourth Drainage Boards have commented on the development proposals. It is clear that there will be some impact to these and this is echoed in a number of other responses from stakeholders such as Parish Councils. There is some unknown at this stage as to the overall impact to these assets and it is advised to take these comments into account when undertaking this chapter of the assessment.

#### Agriculture and Soils

The council do not have a specific officer to deal with such matters however this topic area is of fundamental concern to the Council simply due to the amount of land that is associated with the development. The NPPF is clear that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other criteria) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. Natural England provide extensive guidance on the matter and the Applicant is urged to follow this in their preparation of their work as it is acknowledged that this is effectively a desire to challenge the current

agricultural classification of the site (please see <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land> ).

These comments are echoed by internal consultees including elected councillors who have significant concern over the impact of the development on Grade 1 agricultural land.

#### Traffic and Transport

Lincolnshire County Council act as highways authority and may comment directly on the proposed development. Having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have no specific comments to offer other than the following points:

- The suitability of the rural roads, many of which are in poor condition (e.g. subsidence), to cope with the loading by heavy construction vehicles. What mechanism is in place for any urgent reinstatement. Is a survey of the roads (and any strengthening needed) to be carried out at the commencement of works?
- What restrictions will be placed on working hours/days?
- What is the procedure in place to deal with complaints from residents regarding access, noise, dust etc.?
- Construction compounds and field accesses in the countryside can have a significant affect and we would therefore welcome a full scheme of remediation and reinstatement after the cable/works have been undertaken.

Concerns are also raised from stakeholders with regards noise and pollution during construction of the number of large vehicles used in the construction of the project.

#### Noise and Vibration

No comments have been received by the Council's Environmental Health Officer has reviewed the information put forward and the following comments are provided:

- Please provide East Lindsey District Council Environmental Protection with appropriate contact details in event of complaints.
- Ensure East Lindsey District Council and all relevant Noise sensitive receptors (NSR) in the immediate area are informed of any proposed works outside of normal working hours.
- Maintain sound barriers in good order.
- Vibration, ensure East Lindsey District Council & all Vibration Sensitive Receptors in immediate area are informed of operations such as piling where vibration is likely to exceed 0.3mms and ensure appropriate monitoring equipment is used in vicinity of works.

#### Air Quality

The Council's Environmental Health Officer has not yet responded, however the following comments are provided in relevance to the development at this stage:

- Burning of waste should be avoided. Any burning of waste deemed strictly necessary should be undertaken in accordance with the relevant waste management exemption

issued the Environment Agency, and consideration should be given to the timing of such burning, and the prevailing weather conditions to impact emissions to air and nuisance to offsite receptor's ; and

- Soil stockpiles should be sealed to recued fugitive dust emissions.

## **Concluding Remarks**

Whilst we appreciate many stakeholders will comment directly to the Applicant on the project, we wanted to provide a response based on the submitted application with assessment of the proposed onshore cable route and associated switching and convertor stations and substations.

We note your community engagement to date however we would welcome future discussions over any proposed community benefits as well as any proposed employment and skills schemes that could be provided to the local workforce as well as any other potential grid infrastructure improvements that may be facilitated by the development.


This advice is based upon the information available at this time. Please note that the advice is given without prejudice to any future comments made by the Local Planning Authority upon the receipt of further information, whether during or before the submission of a full EIA planning application.

We kindly ask that the comments received from stakeholders listed are taken into consideration as you can see there is in part strong feelings about the proposal.

If you have any queries, please do not hesitate to contact me on the details provided and I would appreciate it if all future correspondence could be made directly to myself as I have been instructed by the Local planning Authority to act on their behalf until the end of the application process. This will avoid any delays in our response as we have struggled to allow internal consultees sufficient time to get back to us.

Yours sincerely,

**Sam Dewar**  
**Consultant Planning Officer**

@dpaplanning.co.uk

Katherine King  
Senior EIA Advisor  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Date: 26 August 2024

Sent via email to  
[easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk)

Dear Katherine

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.**

**Application by National Grid Electricity Transmission (the Applicant) for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development).**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.**

Thank you for consulting us on the Scoping Opinion for the National Grid Eastern Green Link 3 and Eastern Green Link 4. Please find below our response to the Scoping Opinion. I have set our response out by environmental topic headings.

## **1. Consumptive water use**

NPS EN-01 (5.16.7) advises consideration of “*existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance*”.

The report does not cover the consumptive use of water in scoping the potential impacts to the environment. We would expect an EIA to include a section on Water Resources, or to see this covered in the Water environment chapter (9). The Water Resources act 1991 is a notable omission from the key legislation in this chapter.

The red line boundary sits within three zones supplied by Anglian Water Services Limited. We recommend early engagement for any or potable and/or non-potable water supplies required as this region is particularly water scarce and supply for non-potable purposes may not be guaranteed.

From the description of the proposal, there are a number of potential activities which can require water in projects such as this. Examples include but are not limited to dust suppression techniques; HGV or other machinery wheel wash; on-site concrete batching; and the use of water in a bentonite clay mixing for horizontal directional drilling.

If the quantity of water required for these (combined) purposes is greater than 20m<sup>3</sup> per day, then an abstraction licence will be required. The water demands during construction should not be underestimated as a licence may only be issued with significant restrictions which may affect design or approaches to construction. More information can be found in the [Abstraction Licensing Strategy](#) for the catchment). This may need careful consideration since the site is within different licensing strategy catchments all of which have restrictions on water availability. Considering on site storage of water may buffer demands during periods of low/medium flow when direct access to water is not permitted.

We recommend that a simple water resources assessment be undertaken at the EIA stage for consumptive and non-consumptive demands which identify uses and sources of supply (which also includes that from water company supply). This will help to problem solve any initial obstacles early and will help to expedite the permitting process later.

## **2. Dewatering**

We are pleased to see dewatering has been considered in the Geology and Hydrogeology chapter (10) and that the requirement for abstraction licenses has been considered alongside the criteria for exemption in [The Water Abstraction and Impounding \(Exemptions\) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works](#). There may also be a requirement for a discharge permit if it falls outside of our [regulatory position statement for de-watering discharges](#).

Consumptive abstraction from Groundwater may not be available. If the dewatering activity can be demonstrated to be discharged to the same source of supply without intervening use (i.e. is non-consumptive), this will increase the likelihood of a licence being granted.

### **3. Impacts to other lawful water users**

There exist many surface water and groundwater licences within and in proximity to the site, some of which are for drinking water supply. We welcome the consideration of data on licenced abstractions from surface waters and groundwater, their identification as possible receptors and agree that these should be scoped into the impact assessment at this stage.

### **4. Bathing Waters**

Designated bathing waters do not appear to be mentioned in the Scoping Report. The intertidal area at the Anderby Creek landfill location is directly within the Moggs Eye designated bathing water and under 100 metres from the Anderby designated bathing water. However, these protected areas have not been mentioned in Sections 9.4.23 or 22.3. We would expect the assessment to ensure that works within both the onshore and offshore elements do not risk impacting these designated areas.

### **5. Scoping Tables**

“*Pollution risks (e.g. bentonite breakout) and water consumption*” have been scoped in for further assessment within Table 9-5 [Section 9.6.13], whereas “*pollution due to soil stripping, earthworks and excavations and use and refuelling of plant*” has been scoped out within Table 9-6 [Section 9.6.14]. It is unclear why the proposed mitigation is deemed sufficient for one of these impacts but not the other. For impacts to water quality during construction to be scoped out of further assessment, we would mitigation measures to prevent pollution to be clearly described and appropriately secured. The current scoping report does not provide us with enough confidence at this stage.

We would also like to flag that Table 9-5 lists Main Rivers as receptors of “*Pollution risks (e.g. bentonite breakout) and water consumption*” but no ordinary watercourses. Main River is not related to pollution risk or water consumption restrictions. The assessment should investigate the effects on all watercourses, not just main rivers.

Table 9-6 also scopes out “*Pollution and physical disturbance*” during operation and maintenance. The substation compounds will carry an inherent risk of pollution from routine runoff and from firewater in the event of a fire. We would expect to see mitigation secured that will prevent, or limit as much as reasonably practicable, impacts to water quality from these activities and events. Without such mitigation, we would not expect an assessment of these impacts to be scoped out.

### **6. Protection of controlled waters**

Specific qualities of the Chalk aquifer have not been detailed in the report. There are a few chalk streams, which are now priority habitat, that could potentially be affected. The ‘high certainty’ chalk streams that overlap with the scoping area include Burlands Beck (TF4821971884) and Willoughby High Drain (TF4834671596). There is also a ‘low certainty’ chalk stream south of the A158 at TF4601066533.

Great Steeping Spring (TF4362164336) is within the Scoping Boundary on Fig 10-4. These may need further investigation as they are potential receptors for contamination and/or potential sources of groundwater flooding.

The groundwater in the Chalk aquifer can be artesian or sub-artesian depending on the time of the year. For this reason, future excavation of the overlying deposits or HDD crossing needs to be carefully considered. We would welcome consultation on any HRA that is completed in relation to this.

Section 10.3 lists the stakeholders that will be consulted in relation to the geology and hydrogeology section. It is stated that The Environment Agency will be specifically consulted on the scope of the Groundwater Dependent Terrestrial Ecosystems (GWDTEs) assessment. We would expect to be consulted on the whole geology and hydrogeology section.

Section 10.4.3 lists the information sources that have been used for the Scoping Report assessment and later in section 10.7.1 the databases that will be interrogated for the next phase of assessment. It is noted that the local authorities will be contacted for any records of private water abstractions, but no reference is made to the Contaminated Land records which the local authorities also hold. This should be carried out for the PEIR assessment.

Section 10.4.35 states that significant reprofiling will be required in areas of above ground infrastructure. Please ensure that if any contamination is identified in areas that will be reprofiled, the CL:AIRE Definition of Waste: Code of Practice is followed for the movement of any contaminated material.

In section 10.5, Design and Control Measures, we are pleased to see that potential risks from the proposed use of drilling fluids will be assessed with particular reference to proximity to existing groundwater abstractions. We would like to stress the importance of identifying all groundwater abstractions, i.e. private water supplies, and ensuring that these are considered within the assessments.

It is also stated in this section that, *“In areas of landfill/Made Ground/Artificial Ground, assessments would be carried out to determine the requirements for remediation and or mitigation measures. This would be carried out in accordance with an agreed risk assessment and or remediation strategy.”* We welcome this approach.

During the construction phase, if drilling fluids are required, *“appropriate mitigation for example the implementation of best practice control and handling of fluids would be included within the Outline CoCP”*. This should include the development of a bentonite break-out plan.



If piled techniques are required during the scheme it is proposed that a Foundation Works Risk Assessment (FWRA) will be produced. Please note that the Environment Agency's guidance, (Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination) as listed in section 10.5.2 is currently being updated so please ensure that the most recent version is followed.

In relation to dewatering, which is mentioned in section 10.5.2, please note that there are no licensable groundwater resources and very limited surface water resources available in some areas. The applicant is advised to engage with the licensing process early as determination of an abstraction licence, if required, can take several months.

It is not clear how drainage will be managed at the above ground infrastructure elements of the scheme. There are large areas of Source Protection Zone 1, 2 and 3 and Principal Aquifer in the project area and we require confirmation of how drainage will be secured to prevent contamination of the underlying groundwater resource. We would therefore prefer to see 'Operational run-off from impermeable surfaces of the above ground infrastructure' to be scoped into further assessment.

We note that decommissioning and potential risks during the decommissioning phase has not been mentioned within chapter 10. We would expect this to be included in assessments going forward.

The final route of the onshore cabling has not yet been decided. Choosing the route to avoid Source Protection Zone 1 were possible is recommended to minimise potential risks to controlled waters.

'Operational run-off from impermeable surfaces of the above ground infrastructure' should be scoped in for further assessment.

## **7. Water Framework Directive**

We are pleased to note that a Water Framework Directive Screening Assessment will be conducted (Chapter 9.1.7). This should include an assessment of any potential impacts (such as sediment pollution) to watercourses on-site and the potential to impact hydrologically linked watercourses, which may therefore also impact the biodiversity that relies on these watercourses.

## **8. Biodiversity Net Gain**

Biodiversity Net Gain (BNG) will become a legal requirement for NSIPs in November 2025. It is positive to read that a BNG assessment will be conducted (Chapter 6.7.18) and that the applicant intends to deliver 10% BNG (Table 6-7), but we'd encourage the applicant to provide more, if possible. It is positive to read that the applicant is planning to conduct a habitat survey

using the UKHABs Classification System (Table 6-10), which provides more accurate habitat identification data for the BNG Metric. The applicant should use the latest statutory (official) version of the biodiversity metric tool to calculate BNG, and we'd also encourage the use of the Watercourse Metric (where appropriate).

We'd encourage the delivery of wetland habitat enhancements as part of BNG delivery. We'd also encourage habitat enhancements to be delivered ahead of project completion, if possible, to provide habitats sooner. The biodiversity metric rewards units if enhancements are delivered early, which therefore provides an incentive.

## **9. Habitats and Species**

Section 6.4.6 mentions that ornithological and aquatic ecology surveys are due to commence in 2024/2025 and we note construction is expected to start in 2028. CIEEM's Advice Note 'On the lifespan of ecological reports & surveys' states that species survey data may be out of date around 12-18 months following a survey, therefore we'd recommend that pre-construction surveys/walkovers are also planned in case species distribution or presence/absence has changed since completion of the initial surveys.

It is noted that non-statutory sites have not been assessed yet, but there is a plan to obtain data from local biological records centres (6.4.7). There are multiple LWSs present within the scoping boundary which need to be considered, including water-based habitats such as Frith Bank Drain LWS, South Forty Foot Drain LWS, South Bank Fosdyke LWS, Moulton River LWS and Moggs Eye Sea Bank Ponds, amongst others.

### **9.1. Sutton-on-Sea**

Sutton-on-Sea designated bathing waters is not included in the text (Chapter 23; 23.5.24 ). Where cable burial and landfall are planned, there is the potential for detrimental impacts on nearby previously Excellent bathing waters. Sutton-on-Sea bathing water is shown in Fig 23-6, but not mentioned in 23.5.24. For consistency, please include all designated waters in the report to ensure that all relevant impacts are captured in the assessment. Please include Sutton-on-Sea bathing water in addition to the three bathing waters already identified in 23.5.24.

### **9.2. Sensitive Receptors**

There is insufficient inclusion of sensitive receptors (chapter 23, Table 23-4). Disturbance of intertidal morphology during cable burial may also impact fish, shellfish and birds that inhabit or use the intertidal zone. Please expand the list of sensitive receptors for disturbance to intertidal morphology to include Fish and Shellfish and Ornithology.

### **9.3. Intertidal Habitat**

Intertidal habitat is included within the scoping boundary for Theddlethorpe landfall, but not for Anderby landfall (Chapter 24, 24.4.13). An incomplete catalogue of habitats may mean that important impacts are missed. Please include Littoral sand (intertidal) in the habitats recognised for Anderby Creek.

### **9.4. Mussel Beds**

Key studies are not referenced for the effects of temporary increase and deposition of suspended sediments on Annex 1 Mussel beds (Chapter 24, Table 24-5). There is an incomplete understanding of potential impacts. Please refer to studies by Hutchison, Z. *et al.* about effects of smothering on *Mytilus edulis*.

### **9.5. Temperature Increase**

There is inadequate justification for the scoping out of temperature increase during operation of transmission assets. Transmission of heat to surrounding environment depends on several variables (including characteristics of transmission, depth of burial, characteristics of sediment, water flow, etc.) (Chapter 24, Table 24-5). There are undesirable impacts to growth and survival of characteristic species (likely to be polychaetes, echinoderms and bivalves). Given that rises in temperature are scoped in for fish and shellfish, provide stronger, evidence-based justification for scoping out of this pressure for benthic ecology, (or scope it in to the assessment). There is a MarESA benchmark for assessing the impact of a temperature increase (local): An increase of 5 °C for one month, or 2 °C for one year. Please see the studies by Meißner *et al.* (2007), BERR (2008), Emeana *et al.* (2016) and information about natural temperature ranges and variability are informative.

### **9.6. Nephrops norvegicus**

The scientific name for Nephrops is not correct (Chapter 24, page 111, 24.4.17). There is confusion over the intended meaning. Please change (*Norvegicus* spp.) to (*Nephrops norvegicus*). It is a monospecific Genus.

### **9.7. Sea Trout**

Sea trout *Salmo trutta* are a species of principal importance, listed as an OSPAR threatened/declining species, anadromous, are recorded from the area and are likely to migrate across the scoping boundary, but are omitted from the scoping report. The impacts from the scheme on protected fish species may not be considered. Please include sea trout in the list of migratory species for assessment. The coastal environment is important as a corridor for migrating diadromous fish and as a feeding ground for sea trout. Sea trout is an important species that supports coastal and inland fisheries and recreational angling. The species could be vulnerable to multiple coastal activities.

## 9.8. Impacts on fish from EMFs

Potential impacts on fish from EMF's have only been scoped in for the offshore operational cables (Chapter 6 and Chapter 25; Table 6-9 and 25.2.9). Where onshore cable crossings of waterbodies are planned, there is the potential for an impact on fish from magnetic fields. An assessment of the impact of magnetic fields from power cables on fish species where crossing waterbodies, needs to be included within the EIA and submitted as part of the DCO.

There are a number of main watercourses and associated tributaries, drains and ditches that will be crossed by the scheme. Our records show that such watercourses contain the following protected fish species; European eel (*Anguilla anguilla*), European smelt (*Osmerus eperlanus*), river lamprey (*Lampetra fluviatilis*), brook lamprey (*Lampetra planeri*), bullhead (*Cottus gobio*), spined loach (*Cobitis taenia*) and brown/sea trout (*Salmo trutta*).

Studies have found magnetic fields can affect individual organisms during embryonic and larval stages. Lamprey spend their juvenile stages on the bed of the river (normally in silty areas). As such this could lead to localised impacts on any fish near the power cables, where there could be an increase in magnetic fields. Additionally, migratory species (brown/sea trout, European smelt, European eel) may be affected by any increase in magnetic fields. Further information is required on the level of magnetic fields from the buried electrical cables at onshore watercourse crossings

## 9.9. Baseline fish data

There is insufficient baseline fish data (Chapter 6; Table 6-10). The impact on fish species from the development at construction and decommissioning have not been considered. The development could have a significant impact on fish species, in particular European eel.

There are number of ditches/drains that fall within the proposed site boundary. These are likely to be hydrologically connected to more significant watercourses adjacent and running throughout the zone of influence. It is our opinion that this ditch/drain network will support habitat suitable for European eel and other fish species. The ES and CEMP submitted as part of the DCO, should include an assessment of the impacts on eel and other fish species from the construction activities (i.e. runoff, lighting, noise/vibration from piling, noise/vibration from HDD and machinery) and decommissioning of the development. In order to inform this, fish surveys should be completed at all waterbodies (suitable for fish) that will be crossed by the scheme. Details of mitigation must be included where any impacts have been identified. Where open-cut crossings of watercourses are proposed (9.6.5 and Table 9-5) and thus over-pumping and coffer damming, a fish rescue maybe required and suitable screening (compliant with Eel Regs) on any pumps.

There are a number of main watercourses and associated tributaries, drains and ditches that will be crossed by the scheme. Our records show that such watercourses contain the following protected fish species; European eel (*Anguilla anguilla*), European smelt (*Osmerus eperlanus*), river lamprey (*Lampetra fluviatilis*), brook lamprey (*Lampetra planeri*), bullhead (*Cottus gobio*), spined loach (*Cobitis taenia*) and brown/sea trout (*Salmo trutta*).

### **9.10. Annex II fish species**

Annex II fish species that are present in the Humber Estuary SAC have not been included (Chapter 6; Table 6-5). Impacts from the scheme on protected fish species may not be considered. The Humber Estuary SAC also contains a population of Atlantic salmon (*Salmo salar*), allis shad (*Alosa alosa*) and twait shad (*Alosa fallax*) (all Annex II species under the Habitats Directive). These fish species should be listed as being present in the Humber Estuary and included in the EIA.

### **9.11. Salmon and Freshwater Fisheries Act & The Eels Regulations**

The Salmon and Freshwater Fisheries Act 1975 and The Eels (England and Wales) Regulations 2009 have not been included in the list of legislation that is relevant to biodiversity. The legal responsibility on the developer pertaining to this fish specific legislation has not been considered. (Chapter 25; 25.4.32 and Table 25-7). This infers that the impacts on fish from the construction, operation and decommissioning have not been fully considered. Both pieces of legislation should be listed as relevant in the biodiversity chapter of the ES and submitted as part of the DCO.

European eel (*Anguilla anguilla*) and brown/sea trout (*Salmo trutta*) should also be listed in Table 25-7 as being present within the study area.

Brown/sea trout should be included in 'Diadromous and Catadromous Fish' paragraphs 25.4.16 to 25.4.19. Parts of The Salmon and Freshwater Fisheries Act 1975 relevant to this type of development and that should be considered, are (but not exhaustive) Part 1, Sections 2 and 4. Parts of The Eels (England and Wales) Regulations 2009 relevant to this type of development and that should be considered, are (but not exhaustive) Part 4.

### **9.12. Impact of dredging activities on European Eels**

The impact from dredging activities on European eel has not been included (Chapter 25; 25.6.1 and Table 25). Certain methods of dredging can have negative impacts on eel. Such methods are water-injection dredging and pump-suction dredging. It is stated in Table 20-2 that trailer suction hopper dredging will be used. A method statement will be required to allow the Environment Agency to assess whether the Eels Regulations (2009) apply to the proposed dredging operation. If the EA determine that the Eels Regulations do apply, the operator must fit a screen of appropriate specifications or hold an Exemption Notice under Section 17(5)(a) of the Eels (England and Wales) Regulations 2009 in order to operate the equipment in compliance with the Regulations.

The EIA should include an assessment of the impact of dredging on European eel.

### **9.13. Impacts of fish from underwater noise**

Impacts on fish from underwater noise have been scoped out at construction and decommissioning. (Chapter 25; Table 25-9). Certain levels of noise can impact migratory fish through behaviour changes, thus disrupting key migratory life stages. In extreme cases noise

levels can cause permanent damage to fish or at worse mortality. Impacts on fish from construction and decommissioning noise should be scoped into the EIA. Key migratory fish species within the assessment of the scope should include Atlantic salmon (*Salmo salar*), brown/sea trout (*Salmo trutta*), European eel (*Anguilla anguilla*), European smelt (*Osmerus eperlanus*), river lamprey (*Lampetra fluviatilis*), sea lamprey (*Petromyzon marinas*), allis shad (*Alosa alosa*) and twait shad (*Alosa fallax*).

## **10. Biodiversity implications of Proposed Working Methods**

It is positive to read that the intention is to use utilised HDD and trenchless techniques to cross main rivers (Table 6-7 and 9.5.4). It is also good to see that clear-span bridges in preference to culverts are being considered as potential watercourse crossings (Table 6-7 and 9.5.4), but we note that the construction of culverts has not been ruled out. We'd recommend against culverts due to their impact on dispersal of some organisms (they can act as a barrier to fish species and otters). If culvert construction is unavoidable, we'd recommend that mammal ledges are fit to the culverts to facilitate mammal commuting during flooding.

Table 6-7 states that biosecurity measures will only be implemented following the circumstance where avoidance of detected INNS is not possible during construction. We'd recommend that biosecurity measures are implemented as standard good working practice during construction, regardless of whether an INNS is detected or not, in case of accidental spread of undetected INNS between construction sites. We'd also recommend that the applicant submits a Biosecurity Method Statement and Invasive Species Management Plan alongside the DCO application for the proposed development.

There is no reference we can find to the provision of buffer zones to protect ditches and watercourses from accidental pollution. We'd recommend the provision of a 10-metre buffer from watercourse bank-tops as a minimum, to effectively protect the watercourse from sediments, enable bank stabilisation through vegetation establishment and allow space for commuting by mammals. However, where natural geomorphic processes take place (such as lateral channel migration), we'd advise the consideration of buffer zones greater than 10-metres in some locations where watercourse migration is identified, if appropriate and where possible.

## **11. Biodiversity Enhancements and Mitigation**

The Scoping Report states that several watercourses present within the scheme's boundary are low in hydromorphological diversity, and are heavily modified (9.4.18). Therefore, we'd recommend that the applicant supports local projects as part of on or off-site biodiversity enhancement or mitigation, that enhance the structural diversity of watercourses. Examples include projects within the Witham Catchment and Welland Catchment, including Welland Meander Reconnection, Bringing the Limestone Becks Back to Life and the Great Eau Catchment Restoration Project. We'd recommend that the applicant refers to the latest Welland Catchment Plan and Witham Catchment Partnership Plan.

Lincolnshire County Council have been appointed the responsible authority to develop the Local Nature Recovery Strategy. The council is currently in the process of developing a Local Habitat

Map and identifying local biodiversity priorities. When published, we'd advise that the applicant refers to the Local Habitat Map to inform decisions on where to site off-site BNG delivery and potential enhancements.

## **12. Invasive Non-Native Species**

The potential biodiversity impact from accidental INNS spread during construction has not been included. The Environment Agency hold multiple records of aquatic mammal, plant and invertebrate INNS within and just outside the scoping boundary, with examples including Canadian waterweed, American mink, Himalayan balsam, Northern River Crangonyctid, Nuttall's Water-weed, Japanese knotweed, Water Fern, giant hogweed and fringed water-lily, amongst others. Considering this, we'd recommend that INNS spread is also 'Scoped In' as a potential biodiversity impact during the construction phase, within Tables 6-8 and 6-9.

## **13. Flood Zones**

Parts of the proposals are located within Flood Zone 2 and 3, land assessed as having between a 1 in 100 and 1 in 1,000 annual probability (1% - 0.1%) and land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%) in any given year. Other parts are located within Flood Zone 1 which is land defined as a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%) in any given year.

Where development is located within Flood Zone 3b (functional floodplain), essential infrastructure (such as power stations and sub stations etc) that has passed the Exception Test and should be designed and constructed to:

- remain operational and safe for users in times of flood;
- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere

We advise that flood risk is scoped in when reviewing operations to ensure the proposed development is functional in times of a flood and remains safe.

In accordance with National Planning Policy Framework and the sequential test (paragraph 161), development should apply a sequential, risk based approach to the location of development, taking into account all sources of flood risk and the current and future impact of climate change, to avoid (where possible) flood risk to people and property. The project should take a sequential approach where it can, if there are any opportunities for development to be located outside of flood zones 2 and 3 and into flood zone 1, this should be prioritised.

If there is any above ground construction that is in an undefended area, any increases in the footprint of the buildings will require floodplain compensation; the Flood Risk Assessment (FRA) needs to consider floodplain compensation on a level for level, volume for volume basis. The FRA also needs to ensure that there is no increase in flood risk to third parties because of this development, for example by altering flood flow routes

## **14. Lifetime of the development**

The applicant has not provided a life expectancy for this scheme however we would expect the applicant to assess to a minimum of 75 year life expectancy or above. This is due to the Planning Policy Guidance stating that the starting point for assessing the lifetime risks of non-residential development should be at least 75 years.

Additionally, the proposed site of the scheme crosses areas benefiting from flood defences. The applicant will need to assess if these defence will protect to the standard and for the lifetime of the development. This may mean that works needs to be undertaken to improve the condition of deteriorating defences to ensure they will have the necessary level of protection for the scheme.

## **15. Climate change**

The applicant has proposed to look at the impacts of climate change. This is necessary to understand future flood risk to the development. Due to the minimum lifetime of the development the applicant should assess to the 2080's epoch, designing to the higher central climate estimations and sensitivity testing with the upper end climate estimations. Furthermore, the applicant should be using the 1 in 100yrs + an allowance for climate change as the design event when reviewing the necessity for floodplain compensation. Additionally, the design flood level should be used when designing finished floor levels and river crossings with an additional 600mm freeboard as the minimum height.

## **16. Assets**

We would also like to highlight to the applicant that they will need to:

- Survey the pre- works and post-works condition of the assets they will be interacting with and remediate any defects identified.
- Monitor vibrations and identify safe levels which don't adversely affect assets

In the Scoping Opinion, *'it is assumed there is sufficient data from the Environment Agency to identify and define the current condition and standards of protection provided by existing flood defences, and that no baseline condition surveys will be required'*

This should not be assumed as not all the Environment Agency assets have been surveyed within recent years so any surveys may be outdated or assets may have not been surveyed since being built.

## **17. Modelling**

Many rivers which the corridor interacts with have been modelled by the Environment Agency to understand the fluvial flood risk. Additionally, where the corridor is at risk of tidal flooding, breach and overtopping modelling has been undertaken. It is important to note that some of our model data is old and may present limitations. Even the data which is more recent may not be suitable for the purposes the applicant wishes to use it for and should modelling work be required in connection with the activities, it will be necessary to check that the data used represents current risk, uses the latest available datasets, complies with current modelling standards, is at a scale suitable for the assessment you're undertaking, captures the detail required for a site-specific assessment, makes use of current climate change allowances. This is emphasised within the guidance on Using Modelling for Flood Risk Assessments (December 2023) available online at [Using modelling for flood risk assessments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/123456/Using_modelling_for_flood_risk_assessments_-_GOV.UK_(www.gov.uk).pdf).

Additionally, the applicant should review both the Environment Agency's fluvial and tidal hazard mapping to gain an understanding of the possible risks of a flood event and assess the necessary mitigation and protection needed.



## 18. Ordinary watercourses

Across the planned corridor there are many interactions with Ordinary Watercourses which do not have associated flood zones on the Environment Agency's Flood Map for Planning. However, this does not mean they do not have flood risk. Watercourses with a catchment smaller than 3km<sup>2</sup> would not have been captured in the modelling which produces our flood zones which means the risk may not be accurately represented for many of these watercourses.

Additionally, the applicant will need to gain consent from the Lead Local Flood Authority (LLFA) to do works to and within proximity to the watercourses.

## 19. Decommissioning & Flood Risk

Decommissioning hasn't been scoped into the assessment. While this has been justified by the applicant, we will need an agreement going forward that if the project, or aspects of the project, are going to be decommissioned then an assessment will be undertaken to ensure this is safe and doesn't leave a negative lasting effect on the flood risk of the site and surrounding area or cause increased risk whilst decommissioning.

## 20. Flood Modelling

- 20.1. **Section 9.4.5 Gathering Data Methodology page 237.** This section describes how data requests have been made for flood risk modelling data which will be incorporated into future stages of the assessment. Please note, it is important to check that any Environment Agency modelling data that is used is suitable for the applicant's needs and representative of current baseline conditions. Whilst we do hold hydraulic models for some of the main rivers which bisect the order limits and for the coast, some of the data which is used to inform these may be out of date, for example boundary conditions and climate change uplifts. Please refer to the following guidance which is available online when using existing Environment Agency hydraulic models for Flood Risk Assessments [Using modelling for flood risk assessments - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- 20.2. **Section 9.4.33 Flood Risk and Drainage Section 1 Landfalls to Bilsby page 256.** Please note, whilst the only main river to cross section 1 is the Wold Grift Drain there is flood risk to section 1 associated with the River Great Eau. This watercourse sits outside of the red line boundary for section 1, however, modelled outputs for this watercourse (Ch2m, 2017) show flood risk within the order limits.
- 20.3. **Section 9.4.51 Flood Risk and Land Drainage Section 3 Welton le Marsh to Little Steeping page 258.** This section describes how most of section 3 is at low risk of flooding. Based on an inspection of the Flood Zones this is correct although please note that several ordinary watercourses and drainage ditches cross section 3 which have no associated Flood Zone mapping due to the small size of their respective catchments (<3km<sup>2</sup>). There may be flood risk associated with these watercourses, it is just not modelled and mapped as a catchment area of 3km<sup>2</sup> was the de minimis in the generalised 2d modelling used to determine the extent of Flood Zone 2 and 3 where no detailed hydraulic modelling is available.
- 20.4. **Likely significant effects, construction phase Section 9.6.5 page 266.** This section describes how during construction, new crossings of watercourses would be required for temporary access and could disrupt flow regimes and cause increased

flood risk. Please note, bridge design and placement should be informed by site specific hydraulic modelling. This is key to understanding flood risks and whether the design is appropriate in terms of bridge soffit levels and any associated impacts to third parties.

- 20.5. **Likely significant effects, operational phase Section 9.6.12 page 267.** This section describes how there would be a permanent impermeable footprint associated with the LCS converter station and Walpole stations. It is noted that the effects of these on flood risk are scoped into the assessment which is welcomed. For information, any loss of floodplain storage should be compensated for on a level for level/volume for volume basis
- 20.6. **Section 9.7.1 Assessment Methodology further data to be gathered/processed page 269.** With respect to existing hydraulic models held by the Environment Agency and other risk management authorities it is important that the applicant checks that these meet their needs and are suitable for site specific flood risk assessment in-line with guidance available online at [Using modelling for flood risk assessments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/using-modelling-for-flood-risk-assessments). Furthermore, this section of the scoping report notes that the Flood Estimation Handbook (FEH) Webservice will be used to help inform surface water catchment areas. The FEH Webservice is a good starting point for catchment identification, however, please note that some of the catchments within the vicinity of the order limits are flat and modified. In such cases it would be sensible to cross check catchment extents from the FEH Webservice against other datasets such as Lidar data and river and drainage network information.
- 20.7. **Section 9.7.1 Assessment Methodology further data to be gathered/processed page 269 and Chapter 23 Marine Physical Processes table 23-1 page 70.** The following additional datasets and guidance may also be of interest. The Environment Agency's *Coastal Standards Technical Report LIT 56561 (2022)*, particularly regarding future wave conditions and climate change allowances. The NCERM (National Coastal Erosion Risk Mapping) may be of interest. This is currently out for consultation for NCERM2, however, the original NCERM data can be found here: [National Coastal Erosion Risk Mapping \(NCERM\) - National \(2018 - 2021\) - data.gov.uk](https://data.gov.uk/dataset/national-coastal-erosion-risk-mapping-ncerm-national-2018-2021). Finally, the Surf Zone dataset 2019 may also be of use which is available here. <https://environment.data.gov.uk/dataset/77e6f743-d708-4909-a80f-9510b7dbaa16>.
- 20.8. **Section 9.7.6 Proposed methodology page 270.** With regards to impact magnitude as described within table 3.71 within the Design Manual for Roads and Bridges (DMRB), increases in peak flood levels of less than or equal to 10 millimetres are described as negligible. Please note that the classification presented within this table is slightly at odds with the National Planning Policy Framework which details that there should be no increases to flood risk elsewhere because of new development. Any impacts to flood risk will need to be reviewed on a case-by-case basis as the spatial extent of any increase is also an important consideration not just the magnitude of any increase in peak water levels.
- 20.9. Please note, a good proportion of the Flood Zones within the vicinity of the order limits are driven by coastal flood risk rather than fluvial flood risk

## 21. Marine Physical Processes

- 21.1. **Water levels Section 23.5.6 page 75.** This section describes how UKCP18 suggests increases in sea level of more than 0.7 metres are possible by 2100 along

the Lincolnshire Coast. This is correct for the Higher Central Scenario. Please note it is also important to consider the potential implications that more extreme climate change will have on sea level and the proposed development, for example in the Upper End and H++ scenarios. Further guidance on which climate change allowances to apply for essential infrastructure and Nationally Significant Infrastructure projects can be found online at: [Flood risk assessments: climate change allowances - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/flood-risk-assessments-climate-change-allowances)

- 21.2. Section 23.5.22 States that the SMP policy in the study area is Hold the line – this only applies to epochs 1 and 2, Epoch 3 is pending approval. This has a bearing on possible issues of infrastructure exposure (mentioned in previous comments) post decommissioning due to foreshore lowering and beach recession. Contingency plans should be made to account for this possibility.
- 21.3. Section 23.6.8 Indicates that both HDD and open cut trenching are being considered for cable installation in the intertidal zone. Open cut trenching would interfere with coastal processes and interrupt sediment transport pathways. HDD/trenchless installation methods are preferred.
- 21.4. Section 23.6.11 In combination effects of cable crossings would be modelled. Modelling should be considered possible synergistic, not just additional effects.
- 21.5. In Table 23.4 It is good to see that as no decision has been made re. cable burial and trenching, open cut trenching effects on sediment transport pathways and general coastal geomorphology have been scoped in.
- 21.6. For information, previous landfall operations have encountered issues, such as a sinkhole on the beach and for those it was recommended that a geotechnical survey be carried out along the landfall cable corridor.

## **22. General considerations for design of crossings & coastal landfall**

The following are general guiding principles to consider when designing watercourse crossings / coastal landfall to avoid negatively affecting geomorphology and natural processes:

- Avoid unnecessary interference with natural processes. For instance, encourage use of trenchless techniques such as Horizontal Directional Drilling (HDD) to minimise the likelihood of cables entering the water environment.
- Ensure watercourse crossing design is informed by assessment of fluvial processes and geomorphology. For example, depth of HDD crossing should consider the likelihood of vertical channel change.
- Ensure coastal landfall infrastructure is located outside of areas expected to be impacted by coastal change over the duration of the project.
- Avoid designs which present legacy risks to natural processes and geomorphology beyond the project lifespan. For example, infrastructure such as access tunnels which are left in-situ after decommissioning could be exposed by future coastal erosion or river movement, becoming an impediment to natural processes.
- Consider opportunities to deliver Water Framework Directive mitigation measures as part of the design.
- Avoid preventing delivery of mitigation measures, e.g. avoid bringing cables to surface level in floodplains earmarked for future river restoration.

I trust that the above information is of assistance. Please let me know if you have any questions.

Yours sincerely

**Deborah Simons**  
**Planning Specialist, National Infrastructure Team**  
**Environment Agency**

[Nlteam@environment-agency.gov.uk](mailto:Nlteam@environment-agency.gov.uk)

Katherine King  
The Planning Inspectorate  
Environmental Services Operations Group  
3 Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Development Services  
Direct Dial Tel: [REDACTED]  
E-mail: [planning@fenland.gov.uk](mailto:planning@fenland.gov.uk)

23 August 2024

Our ref: F/YR24/4030/LACON  
Your ref: EN0210003

Dear Ms King,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.**

**Application by National Grid Electricity Transmission (the Applicant) for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development).**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.**

Thank you for your consultation letter, in reference to the above, dated 29th July 2024.

Having reviewed the relevant documentation associated with the consultation it appears that the Scoping area closest to Wisbech is not actually within Fenland District as it is shown to be to the east of the River Nene and north of North Level Main Drain forming the District's boundary.

On this basis I can confirm that the District Council do not have any comments other than we note that, National Grid's Scoping report 'Scopes in' landscape and will lead them doing an LVIA for the ES. This is welcomed as whilst no development is physically proposed within Fenland District, views from the District towards the development should be considered in the ES.

Yours sincerely,

[REDACTED]

Tim Williams  
Interim Senior Development Officer  
**Development Services – Fenland District Council**

Apply for planning permission on-line <https://www.planningportal.co.uk/>

**General Data Protection regulations 2018**

To provide you with our services we need to record personal information, such as your name and address. This information will be kept securely and only accessed by approved staff.

**From:** East and East Midlands Forest Area Enquiries  
<eandem@forestrycommission.gov.uk>  
**Sent:** 22 August 2024 14:42  
**To:** Eastern Green Link 3 and 4  
**Subject:** Eastern Green Link 3 (EGL3) and Eastern Green Link 4 (EGL4) - EIA Scoping

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

You don't often get email from eandem@forestrycommission.gov.uk. [Learn why this is important](#)

Thank you for consulting the Forestry Commission on this proposal.

As the Governments Forestry Experts, we endeavour to provide relevant information to enable the project to reduce any impact on irreplaceable habitat such as ancient semi natural woodland as well as other woodland.

Having reviewed the Eastern Green Link 3 and Eastern Green Link 4 Interactive Map maps, we can confirm there are no ancient semi natural woodlands within the current proposed project area. However, we note there are several other fragmented woodlands within the emerging preferred corridor and the 'graduated swath' where additional infrastructure works could be carried out.

These are areas of Mixed Deciduous Woodlands. Mixed Deciduous Woodlands are on the National Forest Inventory and the Priority Habitat Inventory (England).

They were recognized under the UK Biodiversity Action Plan as being the most threatened, requiring conservation action. The UK Biodiversity Action Plan has now been superseded but this priority status remains under the Natural Environment & Rural Communities Act 2006. (NERC) Sect 40 "Duty to conserve and enhance biodiversity" and Sect 41 – "List of habitats and species of principle importance in England".

Section 5.11.27 of EN-1 of the Overarching National Policy Statement for Energy states:

*"Existing trees and woodlands should be retained wherever possible.....The applicant should assess the impacts on, and loss of, all trees and woodlands within the project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long term management and maintenance of newly planted trees should be secured"*

Fragmentation is one of the greatest threats to lowland mixed deciduous woodland. Woodlands can suffer loss or deterioration from nearby development through damage to soils, roots and vegetation and changes to drainage and air pollution from an increase in traffic or dust, particularly during the construction phase of a development.

For any woodland within the development boundary, land required for temporary use or land where rights are required for the diversion of utilities, the Root Protection Zone must be

taken into consideration. The Root Protection Zone (as specified in British Standard 5837) is there to protect the roots of trees, which often spread out further than the tree canopy. Protection measures include taking care not to cut tree roots (e.g., by trenching) or causing soil compaction around trees (e.g., through vehicle movements or stacking heavy equipment) or contamination from poisons (e.g., site stored fuel or chemicals) and fencing off these areas to prevent unintended incursions into the root protection zone.

A scheme that bisects any woodland will not only result in significant loss of woodland cover but will also reduce ecological value and natural heritage impacts due to habitat fragmentation, and have a huge negative impact on the ability of the biodiversity (flora and fauna) to respond to the impacts of climate change. Woodland also provides habitat for a range of Section 41 Priority Species including all bats.

It is expected that there will be a thorough assessment of any loss of all trees and woodlands within the project boundary and the development of mitigation measures to minimise any risk of net deforestation because of the scheme.

Hedgerows, individual trees and woodlands within a development site should also be considered in terms of their overall connectivity between woodlands affected by the development. Perhaps with the creation of some larger woodland blocks and hedgerow/hedgerow trees possibly between the existing woodland blocks on site, to ensure maximum gains to increase habitat connectivity and benefit biodiversity across the whole site, not solely in specific areas or just to be used as screening.

With the Government aspiration to increase tree and canopy cover to 16.5% of land area in England by 2050. The Forestry Commission is seeking to ensure that tree planting is a consideration in every development not just as compensation for loss. However, there are a number of issues that need to be considered when proposing significant planting schemes:

- Biosecurity of all planting stock needs to be considered.
- Woodlands need to be climate, pest and disease resilient.
- Maximise the ecosystem services benefits of all new woodland wherever possible (flood reduction)
- Planting contributes to a 'resilient treescape' by maximising connectivity across the landscape.
- Plans are in place to ensure long term management and maintenance of woodland.

We hope these comments have been useful to you. If you require any further information, please do not hesitate to contact me.

Best wishes

Victoria Whaley MRTPI  
Partnership & Expertise Manager





*Subscribe to our newsletter to be the first to hear about the latest information, advice, and news from the Forestry Commission*

## **Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorised to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware.



## *Frithville with Westville Parish Council*

Ms Sarah Knowles (Clerk)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24<sup>th</sup> August 2024

To Whom It May Concern,

*Re: Eastern green link 3 & Eastern green link 4 – EIA scoping notification and consultation.*

In response to recent correspondences, we have identified areas of Environmental concerns that as a consultation body, we feel should be included within the Environmental statement for consideration. While underground cables provide a number of benefits, such as increased reliability and lower aesthetic impact, their installation can raise various environmental risks and concerns that must be addressed to ensure sustainable practices.

### **Soil disruption and habitat destruction.**

The excavation and trenching required for the installation of underground cables may lead to the disturbance of soil ecosystems and the destruction of natural habitats. During the excavation process, native plants and microorganisms can be disrupted, affecting biodiversity. This may be especially concerning in sensitive ecosystems, wetlands, or protected areas.

### **Groundwater contamination:**

Underground installations pose a risk to groundwater resources. The disruption of soil layers during the construction process may lead to the contamination of groundwater with hazardous substances, such as lubricants, insulating oils, and construction chemicals. These pollutants can adversely affect local water supplies and have broader ecological consequence.

### **Thermal impact on soil and vegetation:**

The heat generated by high-voltage cables can lead to localized warming of the surrounding soil. This thermal effect can alter soil chemistry, moisture retention, and microbiological activity, leading to potentially negative impacts on soil health and nearby vegetation. Prolonged heating may also increase the temperature of surrounding groundwater, which can disrupt aquatic ecosystems.

### **Risk of chemical leaks from insulating materials:**

High-voltage cables are often insulated with materials that may degrade over time. If these materials contain hazardous chemicals, their breakdown may result in the release of harmful

substances into the soil. Without proper safeguards, these leaks can have lasting effects on the local environment, polluting the soil and water.

**Carbon footprint and energy use during installation:**

The installation of underground electricity cables often involves heavy machinery, extensive excavation, and the use of materials such as concrete and metals. These activities can contribute significantly to the carbon footprint of the project. Additionally, the energy-intensive nature of the construction process, including fuel consumption and waste generation, must be considered in evaluating the project's overall environmental impact. There is also the consideration of additional traffic on local B roads, many of which are already in a poor state of repair. Has the environmental impact of the wear and tear of these roads and subsequent additional repairs been factored into the overall environmental assessment?

**Erosion and surface runoff:**

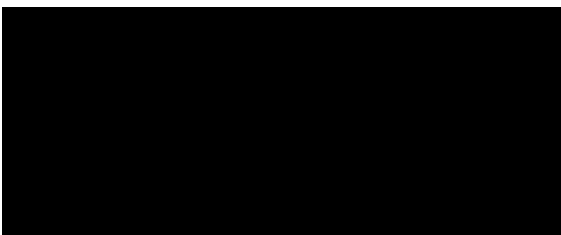
The removal of vegetation and soil during construction increases the risk of erosion and surface runoff, particularly during periods of heavy rainfall. This can lead to sedimentation in nearby waterways, further impacting aquatic ecosystems. Proper erosion control measures, such as silt fences and vegetation restoration, should be incorporated into the installation process.

**Disruption to local wildlife:**

Excavation and cable installation activities may lead to disturbances in the natural behaviour of local wildlife. Construction noise, vibration, and habitat destruction can drive animals away from their habitats and interfere with their reproductive or foraging patterns. These disturbances can be especially harmful to endangered or threatened species.

We can only request that all the above is considered and mitigated during any environmental impact assessment in connection with this application and look forward to being kept informed of any further progression.

Yours sincerely



Jon Portess

Chairman – Frithville with Westville Parish Council

[REDACTED]

---

**From:** HHPCClerk <HHPCClerk@outlook.com>  
**Sent:** 24 August 2024 09:10  
**To:** Eastern Green Link 3 and 4  
**Cc:** HHPCClerk; [REDACTED]  
**Subject:** RE: EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from hhpcclerk@outlook.com. [Learn why this is important](#)

**Dear Sirs**

**The Parish Council wholly opposes the building of either an on-shore overhead System on pylons, or underground cable systems as currently proposed under various proposals.**

**The Parish Council are opposed to underground or overground (Pylon) proposals on four main fronts;**

- **Loss of some of the best agricultural land in the country**
- **Damage to the drainage network in the area.**
- **Loss of general wildlife habitat (e.g. hedgerows during construction)**
- **Loss of tourism and the income that brings to the area during the construction period and in areas dominated by the onshore infrastructure that is proposed.**

**The Town Council also reiterates its support for the statements made by ELDC and LCC in respect of the various proposed National Grid upgrades in Lincolnshire.**

**We have however previously stated our support for an Off-shore option, and this remains our current position.**

Kind regards

David Sisson  
Chairman  
Halton Holegate Parish Council in the absence of Parish Clerk

[REDACTED]

[REDACTED]

---

**From:** Eastern Green Link 3 and 4 <EasternGreenLink3and4@planninginspectorate.gov.uk>  
**Sent:** Monday, July 29, 2024 4:28 PM  
**Subject:** EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

Dear Sir/Madam,

Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN  
Email:  
[easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk)

CEMHD - Land Use Planning,  
NSIP Consultations,  
Building 1.2, Redgrave Court  
Merton Road, Bootle,  
Merseyside L20 7HS.  
[NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

Date: 16/08/2024

Dear Sir/Madam,

**PROPOSED EASTERN GREEN LINK 3 AND EASTERN GREEN LINK 4 PROJECT  
PROPOSAL BY NATIONAL GRID ELECTRICITY TRANSMISSION  
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
REGULATIONS 2017 (AS AMENDED) REGULATIONS 10 AND 11**

Thank you for your email on 29/07/2024 regarding the information to be provided in an environmental statement relating to the above project.

**HSE's land use planning advice:**

**Will the proposed development fall within any of HSE's consultation distances?**

According to HSE's records, the proposed DCO application boundary (England) for this Nationally Significant Infrastructure Project is within the consultation zones of several major accident hazard sites ['MAHS'] and major accident hazard pipelines ['MAHP']. This is based on the GIS files (filename "EGL34\_WSP\_TerrestrialMarineCombined\_ScopingBoundary\_BNG\_20240701") sent to HSE on 1<sup>st</sup> August 2024 by the applicant and the England onshore 'scoping boundary' 'redline' in the Figure 1-3 of the Scoping Report Volume 1 Part 1 [downloaded from [EN0210003-000008-EGLK - Scoping Report - Volume 1 Part 1.pdf \(planninginspectorate.gov.uk\)](#)]. Note this is for the English scoping boundary, south of the Scottish Marine Border as presented in Figure 1-6; no comment is made here to the Scottish component of the project as Scotland have other arrangements in place.

The major accident hazard sites are:

- ConocoPhillips UK) Ltd., Theddlethorpe Gas Terminal, Mablethorpe, HSE Site Ref. H1091
- Transco, Natural Gas Terminal, Theddlethorpe, Mablethorpe, HSE Site Ref. H1092
- National Grid Gas PLC, Wisbech Compressor Station, HSE Site Ref. H1383
- Frontier Agriculture Ltd., Fleet Road Industrial Estate, Holbeach, HSE Site Ref. H3289
- Roffes Transport Ltd, West Bank, Sutton Bridge, Spalding HSE Site Ref. H3292
- Flogas Britain Ltd, Mumby, Skegness, HSE Site Ref. H3711

The major accident hazard pipelines, by operator, are:

- Angus Energy PLC:
  - Saltfleetby to Theddlethorpe Gas Terminal, HSE Ref. 1032766
- Cadent Gas Ltd:
  - Midville / Candlesby, HSE Ref. 6929, Transco Ref. 1203
  - Pinchbeck / Midville, HSE Ref. 6927, Transco Ref. 1201

- National Grid Gas PLC:
  - 17 Feeder Theddlethorpe / Hatton, HSE Ref. 7038, Transco Ref. 1309
  - 2 Feeder Kings Lynn Comp / Wisbech Nene West, HSE Ref. 7458, Transco Ref. 1716
  - 4 Feeder Kings Lynn Comp / Wisbech Nene West, HSE Ref. 7463, Transco Ref. 1721
  - 7 Feeder Gosberton / North Level Main Drain, HSE Ref. 6905, Transco Ref. 1180
  - 7 Feeder North Level Main Drain / Tydd St. Giles, HSE Ref. 7468, Transco Ref. 1727
  - 7 Feeder Tydd St. Giles / Colmworth, HSE Ref. 7469, Transco Ref. 1728
  - 7 Feeder Tydd St. Giles / Wisbech Nene West, HSE Ref. 7467, Transco Ref. 1726
  - 8 Feeder Theedlethorpe / Hatton, HSE Ref. 7036, Transco Ref. 1307
  
- Uniper:
  - Theddlethorpe Gas Terminal Control to E.ON Distribution Centre (30" section), HSE Ref. 11167
  - Theddlethorpe Gas Terminal Control to Killingholme Reception Centre (20" section), HSE Ref. 7240

The Applicant should contact the above operator to verify the above and to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident. There are three particular reasons for this:

- i. The pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.
- ii. The standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds.
- iii. To establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice is dependent on the type of population and the location of where people may be present [[HSE: Land use planning - HSE's land use planning methodology](#)]. Based on the information in the Environment Impact Assessment ['EIA'] Scoping Report, July 2024 it is unlikely that HSE would advise against the development. Please note that the advice is based on HSE's existing policy for providing land-use planning advice and the information which has been provided. HSE's advice in response to a subsequent planning application may differ should HSE's policy or the scope of the development change by the time the Development Consent Order application is submitted.

### **Would Hazardous Substances Consent be needed?**

Hazard classification of substances is relevant to the potential for accidents. Hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of [The Planning \(Hazardous Substances\) Regulations 2015](#) as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an "addition rule" in Part 4 of Schedule 1 for below-threshold substances.

Based on the EIA Scoping Report July 2024 it is not clear whether the applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. This could be because there are no in-scope hazardous substances. If hazardous substances planning consent is required, please consult the relevant Hazardous Substance Authority (usually the Local Planning Authority) on the application.

### **Consideration of risk assessments**

[Regulation 5\(4\)](#) of the [Infrastructure Planning \(Environmental Impact Assessment\) Regulations 2017](#) requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role in NSIPs is summarised in Advice Note 11 'working with public bodies in the infrastructure planning process' Annex G on the Planning Inspectorate's website [Nationally Significant Infrastructure Projects - Advice Note Eleven, Annex G: The Health and Safety Executive - GOV.UK \(www.gov.uk\)](#). This document includes consideration of risk assessments under the heading "Risk assessments".

In the EIA Scoping Report July 2024, it was not clear if there was consideration of risk assessments arising from the development's vulnerability to major accidents (e.g. from the above identified sites and pipelines). We would advise this is considered further in line with Advice Note 11 Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive taking account of the following: *"it may be beneficial for applicants to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet the requirements of relevant health and safety legislation as design of the Proposed Development progresses."*

### **Explosives sites**

Eastern Green Link 3 – Peterhead section – There is a HSE Licensed Explosive site in the vicinity of the proposed development, the proposed development falls into safeguarding zone 3, as long as the development does not constitute as a 'vulnerable' building then Explosive Inspectorate has no comment to make.

"Vulnerable building" means a building or structure of vulnerable construction, that is to say:

- a) a building of more than three storeys above ground or 12m in height constructed with continuous non-load bearing curtain walling with individual glazed or frangible panels larger than 1.5m<sup>2</sup> and extending over more than 50% or 120m<sup>2</sup> of the surface of any elevation;
- b) a building of more than three storeys above ground or 12m in height with solid walls and individual glass panes or frangible panels larger than 1.5m<sup>2</sup> and extending over at least 50% of any elevation;
- c) a building of more than 400m<sup>2</sup> plan area with continuous or individual glazing panes larger than 1.5m<sup>2</sup> extending over at least 50% or 120m<sup>2</sup> of the plan area; or
- d) any other structure that, in consequence of an event such as an explosion, may be susceptible to disproportionate damage such as progressive collapse.

Eastern Green Link 4 – There are no HSE Licensed Explosive Sites in the vicinity of the proposed development, the Explosive Inspectorate has no comment to make.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk). We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

CEMHD NSIP Consultation Team



Historic England

Jack Patten  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Your Ref: EN0210003

23<sup>rd</sup> August 2024

Dear Jack,

**Eastern Green Link 3 and Eastern Green Link 4  
Environmental Impact Assessment Scoping Report**

Thank you for your email and letter, dated 29<sup>th</sup> July 2024 requesting our comments on the following document, as referenced:

*Eastern Green Link 3 and Eastern Green Link 4 Environmental Impact Assessment Scoping Report; Volumes 1 and 2; Parts 1 to 4.* Prepared by National Grid Electricity Transmission (NGET) plc and partners, dated July 2024

Our advice

It is our advice that direct physical effects on heritage assets and archaeological remains outwith the footprint of the English Onshore Scheme permanent infrastructure are scoped into the EIA exercise. We agree with the inclusion of marine archaeology, as relevant to construction, operation and maintenance and decommissioning phases of this proposed development are scoped into the EIA.

The role of Historic England

As you may be aware, Historic England is the Government's advisor on all aspects of the historic environment in England. Historic England's general powers under section 33 of the National Heritage Act 1983 were extended (via the National Heritage Act 2002) to modify our functions to include securing the preservation of monuments in, on, or under the seabed within the seaward limits of the UK Territorial Sea adjacent to England. We provide our advice in reference to National Policy Statements and in recognition of the English marine plan areas (inshore and offshore), as defined by the Marine and Coastal Access Act 2009 and the objectives and policies of published Marine Plans.



Historic England, 4<sup>th</sup> Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA  
Telephone 020 7973 3700 Facsimile 020 7973 3001  
HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



### The proposed Eastern Green Link 3 and Eastern Green Link 4 projects

We understand that the proposed project comprises two 2-gigawatt (GW) High Voltage Direct Current (HVDC) electrical systems between Scotland and England with cables reaching landfall on the Lincolnshire coast at either Theddlethorpe or Anderby Creek (Figure 1-9, Volume 1, Part 1 Introduction). The two cable projects are summarised as:

- Eastern Green Link (EGL) 3 – a project involving National Grid Electricity Transmission plc (NGET) and Scottish Hydro Electric Transmission Ltd (SHE-Transmission), operating and known as Scottish and Southern Electricity Networks Transmission (SSEN Transmission); and
- Eastern Green Link (EGL) 4 – a project involving NGET and Scottish Power Transmission (SPT), operating and known as Scottish Power Energy Networks (SPEN).
- Both High Voltage Direct Current (HVDC) cable circuits EGL 3 and EGL 4, between the connection points in Scotland and the connection point onshore in England, are referred to as EGL 3 and EGL 4 and are part of ‘The Great Grid Upgrade’ programme.

We understand that although EGL 3 and EGL 4 are considered separate development projects, although they are to share a common landfall location on the Lincolnshire coastline, they are to follow the same onshore cable corridor (as illustrated in Figures 1-3 and 1.7, Volume 1, Part 1), each will require convertor stations from HVDC to High Voltage Alternating Current (HVAC) and utilise the same connection point at a proposed new 400kV electricity substation (Walpole B) in King’s Lynn and West Norfolk. However, we note that EGL 4 will also require a Direct Current Switching Station (DCSS) and an onshore converter station in East Lindsey (Lincolnshire).

We note the explanation that although the proposed developments are not automatically classed as Nationally Significant Infrastructure Projects (NSIPs), NGET has obtained a Section 35 (Planning Act 2008) direction from Secretary of State Department of Energy and Net Zero, which allows for both projects to be treated as an NSIP through one Development Consent Order (DCO) application within England.

### Historic England’s previous involvement and advice

In February 2024 Historic England received a non-statutory marine licence scoping request from the Marine Management Organisation (MMO) for EGL 3 and EGL 4, as separate projects. At the time, the MMO determined that each project did not constitute EIA development, although the Applicants (NGET) intended to submit a voluntary Marine Environmental Appraisal to accompany each Marine Licence application. We note that within the EIA Scoping Report (Volume 1, Part 3, Chapter 31, Table 31-1 the attention given to our comments previously submitted to the MMO and the actions taken by the Applicant to address those matters in this EIA Scoping Report.

We offer the following comments on *Eastern Green Link 3 and Eastern Green Link 4 Environmental Impact Assessment Scoping Report*.



Historic England, 4<sup>th</sup> Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA  
Telephone 020 7973 3700 Facsimile 020 7973 3001  
HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.

## Volume 1, Part 2.1 English Onshore Scheme

Detail has been provided about the elements of the proposed scheme in terms of their size, however, clarity is required regarding the foundations for substations and converters, as well as the design of cable trench profiles to help us understand the impact of the proposed scheme on below ground archaeology. For example, areas of fen and river valleys are present within the study area where peat and alluvial sequences may be preserved. These sorts of deposits can contain valuable information about how the landscape and environment changed over time, as well as potentially preserving organic archaeological remains (e.g. wooden remains or structures, leather, textiles etc.).

There is the potential for the proposed development to result in direct impacts to remains through physically disturbance, or through temporary or long terms changes to local water environment. There is the potential that changes to the local water environment may be felt outside of the red line boundary of the proposed scheme, which could result in changes to the preservation of any archaeological remains/deposits located in adjacent areas.

Several of the construction activities could require excavation or piling activities to take place that could directly impact any buried archaeological remains. This could include earthworks, building work, cable installation, installation of permanent services etc. associated with the construction of the Walpole convertor station (paragraph 4.5.14), the Lincolnshire Connection Substation (LCS) convertor station and DCSS (paragraph 4.5.21), or the construction of the Transition Joint Bay (TJB) at the landfall location (paragraph 4.5.22). We recommend that *Piling and Archaeology* (Historic England, 2019)<sup>1</sup> is referred to accordingly to support production of the Preliminary Environmental Information Report (PEIR), should one be produced.

It is noted that trenchless methods are preferred at the landfall location to bring the cables onshore (paragraph 4.5.26). It should also be noted that there is the potential for the bentonite slurry used in the Horizontal Directional Drilling (HDD) process to breakout and spread into/coat archaeological deposits, features and materials. Information is therefore required regarding the chemistry, pH and composition of the drilling fluid used and how the risks of outbreak events should be managed. The impact that a bentonite slurry outbreak could have on the archaeology also needs to be considered, including any physical damage or changes to the burial environment that could alter the conditions on the site.

It is noted that several different HVDC and HVAC cable installation options are being considered (paragraphs 4.5.41 and 4.5.57). Each option is associated with a different level of potential impact on the historic environment, in terms of the depths of impact and the working swathe required. It is stated that open cut methods are preferred at this stage (paragraph 4.5.42), which generally require a minimum burial depth of 900mm, but up to 1.2m (paragraph 4.5.43). Trenchless options are also being considered to cross features such as rivers, rail lines, roads etc (paragraph 4.5.44).

It is stated that the convertor station is expected to have a design life of 40 years (paragraph 4.10.3). Information is provided about how the above ground elements will be removed, which should also include for below ground elements (paragraph 4.10.4).

---

<sup>1</sup> <https://historicengland.org.uk/images-books/publications/piling-and-archaeology/>



## Volume 1, Part 2.1, Chapter 5 EIA Approach and Methodology

We are pleased to see that primary, secondary and tertiary mitigation measurements have been built into the scheme (Section 5.7).

## Volume 1, Part 2.1, Chapter 7 Cultural Heritage

Paragraph 7.1.3 states that this chapter should be read in conjunction with other chapters within the Scoping Report. However, the chapters relating to the water environment (Chapter 9) or the geology and hydrogeology (Chapter 10) were not included in this list. These chapters can contain information that will help understand the archaeological potential of an area, but also the possible risks or impacts that the proposed development may have on the historic environment.

We welcome the inclusion of HER data in the Scoping Report, but we recommend that the potential for previously unknown remains to be present is considered carefully in any subsequent PEIR produced. Parts of the proposed scheme area have not experienced intensive development in the past, such as the fens, marshes or river valleys, and so little may be known about the archaeological or palaeoenvironmental potential.

Paragraph 7.5.2 explains that the primary measure to reduce potential impacts on the historic environment is to avoid remains where possible. If remains cannot be avoided, secondary mitigation will be carried out as part of the assessment processes. Paragraph 7.5.3 states that methods will be outlined and agreed in an overarching Project Design (PD) and we look forward to discussing this element of the proposed mitigation and reviewing the PD should the project move forward to PEIR.

Environmental Statements can by their nature tend to lead to a somewhat atomised form of analysis, we welcome a narrative approach where professional judgement is clearly reflected in the reporting. In that context certain classes of feature may require particular attention, without prejudice to other assets, for example:

- medieval moated sites and village earthworks;
- former islands and causeways within the fen;
- windmills;
- prominent towers and church steeples rising from flatland against a wide sky and long views to distant asserts such as Tattershall Castle/Lincoln Cathedral, Boston St Botolph (Lincolnshire);
- the mills, manor and church of St Wilfred at Alford (Lincolnshire); and
- the churches of Walpole St Peter and Walpole St Andrew (Norfolk).

We also direct the Applicant to sources such as the Ordnance Survey 1" maps of the first half of the 19<sup>th</sup> century prior to the loss of many features, tithe maps and surveys and historic publications such as *The Book of Duck Decoys, their construction, management and history* by Sir Ralph Payne-Gallwey (1886).

Measures to avoid impacts by design are highly desirable, such measures in a large and complex scheme rely upon best and soonest understanding of where such remains of sufficient importance to merit avoidance may lie. For this reason, the earlier that investigations can progress through Desk Based Assessment (DBA) including review of cartographic sources, lidar, aerial images etc to geophysical survey and targeted trial trenching the better for the efficient delivery of the proposed project.



Historic England, 4<sup>th</sup> Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA  
Telephone 020 7973 3700 Facsimile 020 7973 3001  
HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.

Portable Antiquities Scheme data and the results of other ongoing NSIP work such as Outer Dowsing Offshore Windfarm's electrical connection should be fully utilised.

Certain classes of site such as battlefield's, military aviation sites or flint scatters will require bespoke survey approaches, see:

- <https://historicengland.org.uk/images-books/publications/historic-military-aviation-sites/>
- <https://historicengland.org.uk/images-books/publications/managing-lithic-sites/heag318-managing-lithic-sites/>
- <https://historicengland.org.uk/images-books/publications/ourportablepast/>

The rapid Coastal Zone Survey and the Fenland Surveys are also key reference points:

- <https://archaeologydataservice.ac.uk/archives/view/rczas/>;
- [https://archaeologydataservice.ac.uk/archives/view/eh\\_monographs\\_2014/contents.cfm?mono=1089028](https://archaeologydataservice.ac.uk/archives/view/eh_monographs_2014/contents.cfm?mono=1089028;);
- <https://eaareports.org.uk/publications/>

Historic England recently supported analytical work on the Lincolnshire coastal archaeological landscape by Dr Caitlin Green via Lincolnshire County Council which can be found at:

- <https://business.visitlincolnshire.com/wp-content/uploads/sites/2/2023/12/Land-on-the-edge-PDF-1.pdf>

Specifically, areas of high risk should, as far as possible, be brought forwards into the work stream, specifically the heavy engineered substations/converter stations, crossing points of water courses etc. Setting work and site investigation in respect of the station siting should be of very high priority to inform micro siting/design.

In areas of alluvium and former marsh, geological homogeneity should not be assumed. The buried landscape is complex and rich, the better these multi-phase buried landscapes can be modelled through the integration of multiple data sources, the more closely and effectively archaeological interventions can be targeted to de-risk the construction process. The presence of alluvium clearly increases the risk of the late identification of remains, which may exist as standing earthwork features below peat or silts. For further detail see:

- <https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/>

We welcome the use of our published advice on the *Setting of Heritage Assets* (second edition, Historic England 2017) and the flexible approach to bring in potentially affected assets (as mentioned in paragraph 7.4.2), where these lie outside of the initial search area. In particular, this may be required in the case of designed landscapes and views to and between key distant historic landmarks.

Laydown areas, works compounds (including for sub-contractors and suppliers) access points and roadways etc (as described in paragraph 4.6.5) should be included in the assessment as these can have significant impacts through stripping and levelling and can fail to be effectively reinstated.



Certain classes of feature are less well covered by existing designations such as medieval village and moated earthwork sites (in Lincolnshire), there is therefore greater risk in these categories for undesignated remains of national importance.

Table 7-5 summarises the likely significant cultural heritage effects caused by the proposed project that are to be scoped in or out. It is stated that there will be no direct physical effects on heritage assets and archaeological remains outwith the footprint of the English Onshore footprint, and so this issue has been scoped out of further assessments. We recommend that this impact is scoped in so that the DBA and preliminary deposit model allow for the potential for waterlogged deposits to be present in key parts of the proposed scheme area (e.g. fens). If construction activities result in changes to the local groundwater levels, there is the potential that these effects may be felt outside of the red line boundary for the scheme. If this occurs it can result in changes to the conditions of an archaeological site, which in turn could result in the damage and/or loss of organic archaeological remains.

It is therefore our advice that scoping out direct effect outside the footprint of works is premature given, as discussed above, the potential for the preservation state of adjacent remains to be affected by works. To support this position, we recommend that the Historic England document *Preserving Archaeological Remains* (2016)<sup>2</sup> is referred to in any PEIR subsequently produced.

To produce a detailed baseline, a DBA and targeted walkover survey are required (paragraph 7.7.2). It is also correct that BGS borehole data will be included in this assessment, as this will allow a preliminary deposit model to be created for key parts of the proposed scheme. We recommend that the resolution of the lidar surveys are designed to optimise the size of the features that can be seen and recorded. In general, 1m resolution is the minimum for archaeological assessments, but where greater detail is required higher resolution data is preferable, see *Using Airborne Lidar in Archaeological Survey* (Historic England, 2018)<sup>3</sup>.

We are pleased to see that the potential need for further investigations are being considered following the completion of the DBA (paragraph 7.7.3); this could include the development of a geoarchaeological assessment and deposits model, geophysical surveys and targeted evaluation excavations. We recommend that the choice of investigation approach is carefully considered for the different zones/sections of the proposed scheme, as several different environments are present (coastal areas, marshes, river valleys, fenlands etc.). This is an important matter because some geophysical survey techniques are less suited to wetland environments (e.g. magnetometry), so alternative approaches may be needed. In some cases, it may be efficient to carry out a pilot study of different geophysical approaches to test the efficacy of the different techniques where appropriate.

The potential for organic archaeological or palaeoenvironmental remains to be preserved, particularly in the marsh or fenland environments should be considered. The development of deposit models may help characterise the deposits within an area and their potential to preserve waterlogged organic remains. The potential impacts of the proposed scheme on factors such as the groundwater levels should also be

---

<sup>2</sup> <https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/>

<sup>3</sup> <https://historicengland.org.uk/images-books/publications/using-airborne-lidar-in-archaeological-survey/>



considered in areas where waterlogged archaeology is found to be present. We recommend that the Historic England document *Preserving Archaeological Remains* (2015)<sup>4</sup> is referred to accordingly in any PEIR.

#### Volume 1, Part 2.2, Chapter 9 Water Environment

Table 9-4 summarises the impact pathways for the English Onshore Scheme. This includes physical disturbance and change to flow regime and hydromorphology during the construction phase of the proposed project; this could result from excavation or dewatering activities associated with the construction works (paragraph 9.6.5). These sorts of impacts could result in the changes to the conditions on archaeological sites where waterlogged remains have been preserved, which could lead to the degradation and/or loss of these vulnerable remains. We are pleased to see that this impact has been scoped into further assessments (Table 9-5), and therefore it is relevant that the possible effects on the historic environment are also scoped in.

#### Volume 1, Part 2.3, Chapter 10 Geology and Hydrogeology

Figures 10-1 and 10-3 highlight the known location of peaty soils and organic deposits (peat) across the proposed development area respectively. These deposits have the potential to preserve archaeological and palaeoenvironmental remains of interest.

Figure 10-3 also highlights the distribution of alluvial deposits. It should be noted that alluvium can mask archaeological remains of interest, which can make it difficult to identify features and remains using some geophysical techniques.

Table 10-6 summarises the BGS mapped artificial land. It is not clear what is meant by “artificial land”, but it should be noted that deposits labelled as “made ground” on BGS borehole records can include archaeological remains.

Paragraph 10.5.1 states that geotechnical works will be carried out to inform the appropriate design of elements of the proposed Scheme. It should be noted that this work would provide valuable information to characterise and understand the archaeological and palaeoenvironmental potential of the area, contributing to the development of a deposit model. We would recommend that relevant archaeological specialists are included in designing and carrying out this work to ensure that opportunities to obtain data are maximised. We also recommend that a geoarchaeologist is allowed direct access to any cores because it is better to record and assess continuous core sequences rather than isolated deposits. Adopting this approach allows for greater reliability and confidence in the resulting conclusions.

#### **Interface between onshore and marine within the environmental assessment –**

Given the likely divisions and in design, delivery and staffing between archaeological work on land and sea it is important that there is good and ongoing communication and coordination across the intertidal zone in the production of any subsequent PEIR. Given the shifting line between land and seas over millennia it is crucial that artificial splits in methodology and missing areas of assessment and mitigation are avoided.

---

<sup>4</sup> <https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/>



### Volume 1, Part 3, Chapter 20 English Offshore Scheme

The proposed development for EGL 3 (436km) and EGL 4 (422km) will comprise two submarine electricity cable circuits installed either as a single bundle of cables or with conductors laid separately in parallel approximately 30m apart. The minimum burial depth will generally be between 1m to 2.5m below Chart Datum (paragraph 20.4.3).

Table 20-2 outlines the pre-construction activities that will be carried out offshore. This includes a series of geophysical surveys such as Multi Beam Echo Sounder (MBES), Side Scan Sonar (SSS), Sub Bottom Profiler (SBP) and Magnetometry (Mag). Other survey techniques could include visual inspections using ROVs. These techniques provide information of value to characterise and understand the archaeological and palaeoenvironmental potential. We are therefore pleased to see that the data will be shared with specialist archaeologists (as set out in Volume 1, Part 3, Chapter 31 Marine Archaeology).

Several of the pre-construction activities presented in Table 20-2 could result in physical impacts to the seabed and therefore to any surface exposed or buried archaeological remains and deposits that may be present; this includes removal of obstructions and boulders, pre-lay grapnel runs and sweeping sand waves.

Table 20-4 outlines how the submarine cables may be installed, which will be informed by geophysical and geotechnical studies. Cable burial is the preferred option, but external cable protection is also being considered (e.g. rock protection, concrete mattresses etc.), The potential impact that protection may have on coastal processes would need to be considered to ensure that it didn't inadvertently cause scour/erosion of nearby archaeological deposits and remains.

Paragraph 20.6.5 describes the different vessels that could be required during the construction of the proposed Scheme offshore. The position of anchored vessels and spud-legs will need to be carefully managed to ensure that archaeological remains/deposits are not inadvertently damaged.

### Volume 1, Part 3, Chapter 23 Marine Physical Processes

We are pleased to see that the marine physical processes are being considered in terms of the potential impacts to Marine Archaeology (paragraph 23.1.3).

### Volume 1, Part 3, Chapter 31 Marine Archaeology

Paragraph 31.2.4 outlines the sources used to develop the baseline for known archaeological and cultural heritage receptors. The following mapped foreshore heritage should be added to assist production of any PEIR, as produced by the Coastal and Intertidal Zone Archaeological Network (CITIZAN): <https://citizan.org.uk/>.

Paragraph 31.2.6 states that a DBA will be prepared in due course, which should be included in the PEIR. We also confirm that the DBA exercise should be corroborated by geotechnical and geophysical datasets specifically gathered for the proposed scheme (as mentioned in paragraph 31.2.8). We therefore recommend that archaeological specialists are included in the planning and implementation of this work to ensure opportunities are maximised to collect baseline evidence for the historic environment. For example, to inform the collection of geoarchaeological data, it is



important that a method statement for retention, storage and assessments is in place, which contains clear objectives in line with relevant research frameworks.

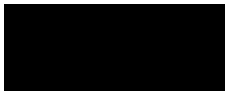
Paragraph 31.2.9 states that the intertidal area will be assessed in reference to HER data and by a walk over survey. It may be useful to develop a deposit model for the proposed landfall locations to ensure that the path of the HDD does not impact deposits of archaeological or palaeoenvironmental interest.

Paragraph 31.5.24 states that impacts to known and potential marine archaeological receptors will be addressed through the application of embedded mitigation. We are pleased to see the primary form of mitigation will be to avoid assets through the use of Archaeological Exclusion Zones (AEZs) and Temporary AEZs (TAEZs). It is important to explain the embedded mitigation measures, such as recording archaeology before any loss would not reduce harm or magnitude of impact (the artefacts in question could be permanently destroyed). However, if for justified operational reasons, remains cannot be avoided, the systematic investigation of archaeology at risk of loss or disturbance is essential and should limit the loss of knowledge and understanding, but it cannot reduce the actual harm. We therefore welcome the attention given in paragraph 31.5.26 to the production of a project specific archaeological Written Scheme of Investigation (WSI), which should be produced to support the PEIR.

We are pleased to see that both direct and indirect impacts on marine archaeology are scoped into the EIA (Table 31-8). The PEIR will need to set out the possible mitigation strategies that will be implemented for the proposed development and delivery through an outline WSI.

In summary, from the description of works presented in this EIA Scoping Report, we can identify potential impacts to archaeological receptors from the proposed cable installation works, and associated seabed preparation, cable protection, and vessel anchoring and jack-ups. We are pleased with the summary of the baseline environment presented for marine archaeological receptors and the methodology for assessing potential impacts. We are also pleased to see that all direct and indirect impacts have been scoped into the EIA for marine archaeology.

Yours sincerely,



**Dr Christopher Pater**  
**Head of Marine Planning**

Cc Tim Allen (Team Leader Development Advice, Midlands Region, Historic England)  
Will Fletcher (Team Leader Development Advice, East of England Region, Historic England)  
Philippa Naylor (Marine Planning Officer, Historic England)



Historic England, 4<sup>th</sup> Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA  
Telephone 020 7973 3700 Facsimile 020 7973 3001  
HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



Subject: EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation.

Holbeach Parish Council responds as follows:

Thank you for seeking our advice on the scope of the Environmental Statement (ES), and present the opinions of our overview of energy delivery infrastructure affecting our locality in conjunction with the scoping of this project.

Firstly, may we comment that although National Grid was keen to stress that the EGL projects are separate from the Grimsby to Walpole project which would see 140km of overhead power lines running from Lincolnshire to Norfolk. Both are part of the Great Grid Upgrade. However, we believe they have failed in this goal and parishioners have easily been confused with each project, and then the Outer Dowsing project along with GEI, Meridian and numerous other energy projects leads to misunderstanding. We feel more clarity is required as it seems like a question of "smoke and mirrors" tactics are being used, even if not intentional.

The way we generate electricity in the UK is changing rapidly, and we are transitioning to cheaper, cleaner, and more secure forms of energy such as proposed solar arrays and more offshore windfarms. The Parish Council understand and support that, but not at any cost. We are striving to move forward, and appreciate we need to move far away from archaic infrastructure systems. We are somewhat at a loss as to why the alternative routing of a sea cabling network is not being seriously reviewed and believe that should be a part of the scoping evaluation.

We see "Interconnectors" cables on the Viking link and proposed link from Morocco to Southern England and find it difficult to appreciate bringing this proposed new infrastructure onshore into our region and feel we deserve justification. We see cables replacing Pylons in some parts of the UK but find two systems sharing similar swathes underground and above ground at the same period. Cost should NOT be a considered a factor because we are rural, lower density population and the cheapest option when building substations on low cost land and the effect on the local environment. Fullst evaluation needs to be PROVEN to the community.

We appreciate various technologies require different suitable options, which would include deciding whether an overhead line or an underground cable is right for a particular project and suitability of AC / DC currents. Much of this appears to be down to infrastructure costs and financial viability with little concern for the alternatives for moving power to the required areas, mostly coming from offshore and Scotland they are offshore but bringing onshore rather than down to perhaps more suitable points such as Tilbury.

Our concerns are if these projects are to ensure the supply movements due to anticipated increases by approximately 50% by 2036 then what will be the transportation requirements for 2050 when that will more than double? (source National Grid) Are these plans therefore to accommodate for the next 10 years or 25 years or beyond and will we be looking at a replay of this expansion in a few years' time? We are concerned and would seek information during the scoping and consultation periods for future expansion plans and the effects this would add.

**During this specific ES scoping request we specifically draw your attention to our concerns relating to Eastern Green Link 3 and Eastern Green Link 4 ( CABLES ):**

**Potential impacts on the landscape:**

We envisage concerns during the construction process whereby the workings will influence the landscape and when completed a visual line, even after reclamation, due to the changes in the soil profile and vegetation surrounding. We would like to understand the methods of mitigating the visual impact of this and the development of the substations.

**Potential impacts on natural environments:**

We anticipate that the various natural life consultees will have an opinion but would like their scope to be from field visits rather than just desk based. We have an increasing and developing wildlife in the area, not just the known bird populations around The Wash area but on shore such as Marsh Harriers, Buzzards, Hawks owls as well as other animals including, deer, hares stoats and weasels with a concern for the declining hedgehog population that may be disturbed. (No we didn't forget bats and newts as we know they will be included.)

What will be the short term and long-term effects be during construction and maturity? Ancient and modern hedgerows, and some woodland areas will be damaged and we would like to understand how this will be addressed.

**Potential impacts on residents:**

We believe as the routes travels through our Parish that there will be disruption to daily activities during construction period, (light pollution, dust, road closures) along with potential health impacts of living in proximity.

There are already concerns with the effects of the EMF from the cables which being closer to the surface may have a greater impact than those suspended from Pylons? We would like to understand if the underground cables produce pulsed electric fields (PEF) and in conjunction to the EMF what are the potential damage to microbe activity of the soil and subsoils including subterranean wildlife such as earth worms that are essential for the environment .

We understand Micro shocks are a concern from overhead cables, however we know little about the effect from the underground cables? What impact will there be from cable defects.

There are concerns for the devaluation of property, including residential, farming and commercial and appreciate these being evaluated and what conclusions would be made

Will there be a heightened risk of flooding after groundworks?

**Potential impacts on businesses:**

Being a predominately food production farming based region with some tourism, we request review of the loss of prime agricultural land, disruption to holiday makers during construction and reduced appeal of the region once constructed. What steps will be taken to ensure that harvests can continue during construction and what effect will be when the soil is returned to a farming suitable grade? We would like to understand how the reclamation will take place to maintain the existing grades of land for food production and what testing procedures will be in place to ensure this. If there is degradation, then what compensation would be given and what measures can be expected to return, or will it just be left as a lower grade of land?

Road closures will potentially influence the tourists travelling both to and from or though our area with limited bridges. We would like some consideration to quantify the effects especially at peak times, such as Fridays, weekends and at local roundabouts. Any delay will have knock on effect on other industry, residents and workers and is a concern we would like evaluated.

**Potential impacts on existing infrastructure:**

During construction there will be many large heavy vehicles on narrow country lanes, what steps will be taken to mitigate the disruption to rural transport links, damage to the already crumbling county roads. Potential for narrow lanes to subside under the weight of heavy plant possibly contaminating watercourses and causing flood risk. Who will guarantee and make payment for repairs and reinstatement as maybe required? (If Lincolnshire Highways then additional support may be required and we would be concerned if this was not the case, and the local taxpayer burden is increased.) We would request a full survey of the road both actual visual and video recorded undertaken and minimum levels after construction as part of the ES process

**Potential safety risks:**

What measures will be in place during construction and beyond to mitigate the risks to workforce and residents, given that many areas are rural and emergency response times are slow?

We understand other energy production and storage may be added, such as solar arrays and BESS, some of which are already in the planning stages for approval. As these all interlinked with the National Grid Upgrade plans we must take a total overview of the issues that can happen and wish to ensure the public understand the risks however miniscule, and with these and the other issues raised we would like everything to be considered and evaluated to avoid an Environmental catastrophe and protection of the people in our Parish.

**Community Benefit Funding.( CBF)**

With all the disturbances and potential issues, we are requesting to be included in the ES we would be interested to know what the community can expect during short term construction which will last for years and for long term as some form of recompense? There should be some allocation and how and where it is allocated should be considered. The community is part of the environment and therefore the request of positive benefit should be evaluated in the scoping and planning stages, even if it is not usually made. It would appear to be getting energy to where it is most needed at the cost to the environmental standards of ours and other Parishioners.

**From:** Huttoft Parish Council <parishclerk@huttoftparishcouncil.gov.uk>  
**Sent:** 20 August 2024 09:33  
**To:** Eastern Green Link 3 and 4  
**Subject:** EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from parishclerk@huttoftparishcouncil.gov.uk. [Learn why this is important](#)

I am writing to you on behalf of Huttoft Parish Council to express our collective views on the above proposed National Grid project.

Huttoft Parish Council **strongly opposes** the current proposals as set out in the EIA Scoping Report. We understand Lincolnshire County Council, East Lindsey District Council, our local Member of Parliament and many local groups and individuals have also expressed concerns over the proposed existing plans.

Local residents have provided a huge amount of feedback to Parish Councillors opposing National Grids current plans, with concerns regarding the potential negative impacts on the local community: its residents, infrastructure, businesses, tourism and agriculture. The current plans to industrialise the countryside with buildings 30m high, with an estimated footprint of 100,000 sq.m and large overground pylons (which will be seen for miles round) stretching right across the county, will have a significant negative impact on areas of outstanding natural beauty in and around the Lincolnshire Wolds and in the local area.

Huttoft has little local industry or employment and relies heavily on tourism and agriculture. The Parish Council believes the construction of the substation near Alford will severely impact the local community. Local organisations, heavily reliant on tourism such as Lincolnshire Coastal Park, National Trust Sandilands, Huttoft Car Terrace, a number of animal sanctuaries and the local public house, will all be negatively impacted by any fall in visitor numbers to the local area. The loss or damage to agricultural land across Lincolnshire also has the potential to negatively impact local food production. This will be exacerbated by many months of huge construction vehicles and machinery using the roads in and around the proposed site, that are totally unsuitable for heavy construction vehicles, the inevitable long term disruption to residents, damage to (and repair!) of roads, increased local traffic disruption, increased noise levels, increased pollution and damage to local wildlife and biodiversity.

The local community has already had to endure many years of disruption from previous schemes such as Viking Link that have caused disruption to the local community. The Parish Council believes the current proposals have been made for commercial purposes and not enough consideration has been given to minimising the impact of the local environment; especially the proposed pylons, which could be sited underground. The Parish Council is also concerned that future developments by National Grid will further increase the size of the proposed sub-station.

The Parish Council would urge decision makers to consider carefully the relevant points above and the many comments made by others before any final decisions are made.

On behalf of Huttoft Parish Council

Mark Rudd  
Clerk & RFO | Huttoft Parish Council

[Email: parishclerk@huttoftparishcouncil.gov.uk](mailto:parishclerk@huttoftparishcouncil.gov.uk)

Address for Correspondence:



Katherine King  
Senior EIA Advisor  
The Planning Inspectorate  
2 Marsham Street  
London  
SW1P 4DF

JNCC Reference: OIA-10361  
PINS Reference: EN0210003  
Date: 23 August 2024

Dear Katherine,

**Eastern Green Link 3 and Eastern Green Link 4, National Grid Electricity Transmission, Environmental Impact Assessment Scoping Report**

Thank you for consulting JNCC on the above scoping report from National Grid Electricity Transmission (NGET) and Scottish and Southern Electricity Networks Transmission (SSEN), which we received on 29 July 2024.

The advice contained within this minute is provided by JNCC as part of our statutory advisory role to the UK Government and devolved administrations on issues relating to nature conservation in UK offshore waters (beyond the territorial limit).

The advice provided below is based on the information provided so far. We will provide our full advice once we receive the environmental statement (ES) and as such, there is the potential our advice is subject to change / development.

The Scoping Report covers the entirety of the marine scheme for the project, approximately 436km (EGL3) and 422km (EGL4) from landfall in Lincolnshire to where it meets the marine boundary between English and Scottish waters. JNCC's remit lies outside of the 12nm and therefore, we defer to and support comments made by Natural England on operations within 12nm. We have co-ordinated aligned responses where designated sites or mobile features span this boundary.

Our review has concentrated on the following sections of the Scoping Report:

- Introduction (Chapter 1)
- Consideration of Alternatives (Chapter 19)
- The English Offshore Scheme (Chapter 20)
- Environmental Impact Assessment Approach and Methodology (Chapter 21)
- Designated Sites (Chapter 22)
- Marine Physical Processes (Chapter 23)
- Intertidal and Subtidal Benthic Ecology (Chapter 24)
- Fish and Shellfish (Chapter 25)
- Intertidal and Offshore Ornithology (Chapter 26)

- Marine Mammals and Marine Reptiles (Chapter 27)
- Cumulative Effects (Chapter 35)
- Appendices (Volume 2)

### **Headline statements**

The Eastern Green Link 3 (EGL3) and Eastern Green Link 4 (EGL 4) HVDC project has provided a scoping boundary which includes interaction with the Southern North Sea SAC (SNS SAC), the Holderness Offshore MCZ and the Greater Wash SPA. All of these sites have features sensitive to many aspects of cable laying operations. We therefore take this opportunity to reiterate the importance of clear and adequate assessments following impact-pathway methodologies between the likely planned operations and features. We recommend the applicant and the MMO utilise the Site Information Centres (SICs) for these sites, paying particular attention to Conservation Objectives (COs), Attributes and Sub-attributes.

- Southern North Sea SAC: <https://jncc.gov.uk/our-work/southern-north-sea-mpa/>
- Holderness Offshore MCZ: <https://jncc.gov.uk/our-work/holderness-offshore-mpa/>
- Greater Wash SPA: [Greater Wash SPA Natural England](#)

The development of the Project is likely to result in cable laying operations through the Holderness Offshore MCZ designated site. The MPA is subject multiple pressures from development and offers opportunity for collaborative working with stakeholders and coordination with other infrastructure installation projects (particularly cable projects) to minimise disturbance to MPAs, the wider environment and other stakeholders. We continue to recommend that the scoping boundary that traverses to the east is taken forward to minimise interaction with this site and thereby reduce the impacts associated with the project. If impacts are found to cause lasting change, then without prejudice compensation or MEEB is likely to be required.

JNCC has noted that concerns highlighted during previous consultations regarding impacts being scoped out without regard to whether the receiving habitat / species is the feature of a designated site have been addressed. We also note that the MMO Scoping Opinion agreed that electromagnetic changes can be scoped out for benthic ecology receptors however, due to the ocean quahog being a protected benthic feature of the Holderness Offshore MCZ, JNCC continue to recommend that this impact be scoped into the benthic chapter. If this is not possible, then we request that subsequent documents clearly indicate where impacts to this receptor have been scoped in (Fish and Shellfish) so that we may provide advice.

Further comments can be found in the following sections, based on the relevant chapters presented in the Environmental Impact Assessment Scoping Report.

### **General comments**

We would like to reiterate comments from the previous consultations that there appears to be some confusion about the North East of Farnes Deep MCZ and the North East of Farnes Deep HPMA. These congruent MPAs retain different features and different conservation advice which appears to have been merged within multiple sections within the report.

Critically, whilst the MCZ retains broadscale habitat features and a species feature, the HPMA is designated for the protection of the entire marine ecosystem of the area. The Conservation Objectives for each site also differ. These must be reviewed and assessed separately, where assessment is appropriate.

We highlight the JNCC SIC for the sites: <https://jncc.gov.uk/our-work/north-east-of-farnes-deep-mpa-and-hpma/> which should be used to provide clarity and guidance. We would recommend specifically using the North East of Farnes Deep HPMA Designation Order (2023) ([https://www.legislation.gov.uk/ukmo/2023/3/pdfs/ukmo\\_20230003\\_en.pdf](https://www.legislation.gov.uk/ukmo/2023/3/pdfs/ukmo_20230003_en.pdf)) and the North East of Farnes Deep MCZ Amended Designation Order (2016) ([https://www.legislation.gov.uk/ukmo/2016/28/pdfs/ukmo\\_20160028\\_en.pdf](https://www.legislation.gov.uk/ukmo/2016/28/pdfs/ukmo_20160028_en.pdf)) to understand the differences between the Conservation Objectives between the two sites.

The Scoping Boundary diverges around the North East of Farnes Deep MCZ and HPMA, with the EGL 4 proposed route being much closer to the borders of these congruent sites than the associated EGL3 proposed route (0.28km vs 4.9km). This difference in proximity should trigger a considerably increased level of review and assessment of the potential impacts and potential pressure pathways the project could have with the HPMA.

### **Consideration of Alternatives (Chapter 19)**

The Scoping Boundary is described as being 1km wide with a view to reducing the DCO boundary to 500m following refinement and rationalisation as the EIA and design process evolves. JNCC continues to recommend consideration is given to retaining a 1km width to allow for more options for micro-routing, especially where environmental sensitivities become evident during the survey programmes. This may not be appropriate when in proximity to North East of Farnes Deep HPMA where we recommend that every effort is made to ensure the cable route is as far from the MPA as possible.

Paragraph 19.3.5 presents two potential marine routes for EGL3 and EGL4 within the English Offshore Scheme; one that seeks to largely avoid Holderness Offshore MCZ by routing around the eastern boundary and one that crosses directly through the MCZ. We continue to recommend that the cable route avoids this site and traverses to the east to reduce impacts associated with the project. NGET must be able to clearly demonstrate that all reasonable feasible alternatives have been assessed and the least potentially damaging option has been selected.

### **The English Offshore Scheme (Chapter 20)**

We note in Table 20-1 that our comments made during the previous scoping consultation regarding boulder methodologies, UXO clearance, cable lay and burial techniques, and vessel presence have been noted, with a commitment to address these comments within the PIER/ES. We therefore reiterate our advice and encourage the applicant to ensure that:

- Considerable level of detail is provided which includes why boulder ploughs is the best available option, the location of this activity and the likely impacts this activity will have on the benthic environment;



- A commitment is made to prioritise low order clearance of UXOs, with high order detonation considered as contingency only;
- The potential for repeat passes of trenching and burial equipment be carefully considered as part of the marine application process and suggest that if this is included as potential mitigation, it is feasible, clearly detailed on how and where this may be possible using information from the geophysical programme and CBRA and;
- The number and duration of vessels to be used throughout the works are clearly presented, including surveys pre- and post-construction. The duration and possible season that vessels will spend within the Greater Wash SPA should be clearly presented.

We also note that the Operator has committed to arranging consultation regarding “imported sand placement” as a potential protective measure and would like to request that JNCC be included in such consultations going forward.

### **Environmental Impact Assessment Approach and Methodology (Chapter 21)**

JNCC agrees with the Assessment methodology (as set out in Table 21-1 and expanded upon in later paragraphs) as this will allow for an in-depth analysis of the potential impacts and is therefore the most efficient method of allowing the evidence to be assessed, both alone and cumulatively with other projects.

In our previous scoping consultation, we commented that it was likely inappropriate to score the features of MCZs lower than those of SACs and SPAs in Table 4-3 (now Table 21-3) and commend the applicant for the changes made which more accurately reflect the sensitivity of biological receptors. We would however, recommend that the applicant also consider the condition of features within sites, as features in unfavourable condition are likely to have a different conservation objective to maintain site integrity and be more sensitive to impacts from the proposed activities and, regardless of their recovery time.

### **Designated Sites (Chapter 22)**

As mentioned above, we note that there still appears to be some confusion regarding the North East of Farnes Deep MCZ and HPMA sites. We therefore reiterate our previous recommendation that the applicant is careful to distinguish between the North East of Farnes Deep MCZ and North East of Farnes Deep HPMA. While they occupy the same physical area, the two sites have different features and management approaches. Please see the Designation Orders highlighted above for clarity on the Conservation Objectives and protected features within the sites.

In our previous scoping consultation response, we recommended that Table 22-3 (Table 5-2 in previous response) be revised to include reference to the whole ecosystem HPMA approach, where each receptor forms part of the HPMA receptor, due to the proximity of the EGL 4 cable corridor to the North East of Farnes Deep HPMA site. We would like to reiterate our comment and recommend that the applicant use the high-level conservation advice for public authorities (<https://data.jncc.gov.uk/data/d12633b1-b123-4738-a594-b53c183aee68/hpma-high-level-conservation-advice.pdf>) provided by JNCC and Natural

England. Within this advice, we advise that only scientific survey activities designed to directly inform HPMA monitoring, reporting and evaluation should be undertaken within, or within close proximity, to these sites.

We note that Table 22-4 identifies a preliminary list of relevant sites that will be considered in the HRA Screening and MCZ Assessment Screening and approve of the offshore sites listed given their proximity to the cable route.

### **Marine Physical Processes (Chapter 23)**

We believe that Section 23.7.5 should be expanded to specifically include North East of Farnes Deep HPMA as a potential receptor of changed / impacted marine physical processes. The bullet point “*Nationally or internationally designated sites with seabed/sedimentary or geological interest features below Mean High Water Spring (MHWS)*” does not encompass the whole site, whole ecosystem approach of the new HPMA as highlighted in our previous consultation response.

### **Intertidal and Subtidal Benthic Ecology (Chapter 24)**

JNCC notes that the following impacts which had previously been scoped out have now been scoped in:

- Temporary habitat loss / seabed disturbance from; boulder clearance, PLGR, pre-sweeping of sand waves; cable burial and trenching; anchoring/jack-up foundations; and deposit of external cable protection with regards subtidal broadscale habitats;
- Permanent habitat loss from deposition of external cable protection with regards subtidal broadscale habitats, and;
- Temporary increase and deposition of suspended sediments from; boulder clearance, PLGR, pre-sweeping of sand waves; cable burial and trenching; anchoring/jack-up foundations; and deposit of external cable protection with regards broadscale habitats and Annex I *Sabellaria spinulosa* reefs.

We note that electromagnetic changes / barrier to species movement from presence of cables with regards to subtidal species has not been scoped in which aligns with the MMO Scoping Opinion. JNCC recommend that this be scoped in due to the EGL 4 cable route passing through Holderness Offshore MCZ for which ocean quahog is a protected benthic feature and therefore, should be scoped into benthic ecology receptors, rather than being captured exclusively in the Fish and Shellfish Chapter.

### **Fish and Shellfish (Chapter 25)**

See note above regarding EMF changes / barrier to species.

### **Intertidal and Offshore Ornithology (Chapter 26)**

We note that in Table 26-5, in the “Protected feature SPA” column for the Greater Wash SPA, common tern is mistakenly listed as a non-breeding feature when it is a breeding feature.

Within Table 26-9, auks have not been considered despite being identified as present within the study area in Table 26-4. In the previous scoping reports for both EGL3 and EGL4, auks have been scoped in for “*visual / physical disturbance / displacement*” and scoped out for “*temporary increase and deposition of suspended sediments*”, which we were in agreement with.

We advise that works occurring within or around the Greater Wash SPA are carried out outside of the wintering period for common scoter and red-throated diver. Common scoters and red-throated divers are present in the Greater Wash SPA between September and April (inclusive). Please see seasonality tables here: <https://designatedsites.naturalengland.org.uk/Marine/Seasonality.aspx?SiteCode=UK9020329&SiteName=greater%20wash&SiteNameDisplay=Greater+Wash+SPA&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=&NumMarineSeasonality=6>

Should this not be possible, or the timing of works unknown at this stage, then we advise that a vessel disturbance assessment is carried out as described in **Annex A** below.

The Conservation Objectives of the Greater Wash SPA should be noted, and impacts should be assessed relative to the Conservation Objectives. The CO for the red-throated diver feature of the Greater Wash SPA is to “*Reduce the frequency, duration and / or intensity of disturbance affecting roosting, foraging, feeding, moulting and / or loafing birds so that they are not significantly disturbed*”. The CO for the common scoter feature of the Greater Wash SPA is to “*Restrict the frequency, duration and / or intensity of disturbance affecting roosting, foraging, feeding, moulting and / or loafing birds so that they are not significantly disturbed*”. Disturbance to red-throated diver and common scoter needs to be managed and limited as far as possible to avoid impacts on these species. Please see the COs here: <https://designatedsites.naturalengland.org.uk/Marine/SupAdvice.aspx?SiteCode=UK9020329&SiteName=greater%20wash&SiteNameDisplay=Greater+Wash+SPA&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=&NumMarineSeasonality=6>

## **Marine Mammals and Marine Reptiles (Chapter 27)**

Table 27-6 lists the potential impacts to marine mammals and whether they have been scoped in or out of the assessment. JNCC recommends that “*Collision with project vessels*” is either scoped in, or reassessed whilst considering the increase in the number of vessels relative to the baseline.

We also note that within Table 27-6, it is stated that as geophysical surveys are exempt from requiring a Marine Licence and the EIA shall not consider their effects. Given that this activity is most likely to have an impact on marine mammals, as it results in underwater noise, these impacts should be assessed, and the appropriate marine mammal mitigation should be carried out.

## **Cumulative Effects (Chapter 35)**

Overall, we are satisfied with the proposed approach to assessing cumulative effects.

We expect to see this approach applied to vessel disturbance for red-throated diver and common scoter SPAs. We do note that in Section 35.4.10, it is stated that a Zone of Influence (Zoi) will be derived from study areas in Part 2 Chapter 6-16 however, this relates to onshore and we presume a similar approach will be applied to offshore areas. We also note that there are two instances of “*Error! Reference source not found*” when referencing other documents in Sections 35.4.12 and 35.4.14.

JNCC also agree with the methodology for the assessment of intra- and inter-project cumulative effects, and request that in relation to marine mammals, the Zoi is the Effective Deterrent Range (EDR) for high order unexploded ordnance (UXO clearance), which is 26km. This is the largest EDR for any activity, and therefore using this as the Zoi for marine mammals shall allow any projects that may have a cumulative noise disturbance effect on marine mammals to be identified.

Please contact me with any questions regarding the above comments.

Yours sincerely,

**Olivia Ross**

**Offshore Industries Adviser**

Email: [REDACTED]@jncc.gov.uk

## References

- Burger, C., Schubert, A., Heinänen, S., Dorsch, M., Kleinschmidt, B., Žydelis, R., Morkūnas, J., Quillfeldt, P. & Nehls, G. (2019). A novel approach for assessing effects of ship traffic on distributions and movements of seabirds. *Journal of Environmental Management*, Vol. 251, Article 109511 <https://doi.org/10.1016/j.jenvman.2019.109511>
- Burt, M.L., Mackenzie, M.L., Bradbury, G. & Darke, J. (2022) Investigating effects of shipping on common scoter and red-throated diver distributions in Liverpool Bay SPA. Report number: CREEM-15198-2017-2. Provided to Natural England (Project ref. 23732) August 2017 <https://publications.naturalengland.org.uk/publication/6581005841596416>
- Fliessbach K.L., Borkenhagen K., Guse N., Markones N., Schwemmer P., Garthe S. (2019) A Ship Traffic Disturbance Vulnerability Index for Northwest European Seabirds as a Tool for Marine Spatial Planning. *Frontiers in Marine Science*, Vol. 6, pp. 192 <https://doi.org/10.3389/fmars.2019.00192>
- Jarrett, D., Calladine, J., Cook, A.S.C.P., Upton, A., Williams, J., Williams, S., Wilson, J.M., Wilson, M.W., Woodward, I. & Humphreys E.M. (2022) Behavioural responses of non-breeding waterbirds to marine traffic in the near-shore environment. *Bird Study*, Vol. 68, No. 4, pp. 443-454 <https://doi.org/10.1080/00063657.2022.2113855>
- Kaiser, M.J., Galanidi, M., Showler, D.A., Elliot, A.J., Caldow, R.W.G., Rees, E.I.S., Stillman, R.A. & Sutherland, W.J. (2006) Distribution and behaviour of Common Scoter *Melanitta nigra* relative to prey resources and environmental parameters. *Ibis*, Vol. 148, pp. 110-128 <https://doi.org/10.1111/j.1474-919X.2006.00517.x>
- Larsen, J.K. & Laubek, B. (2005) Disturbance effects of high-speed ferries on wintering sea ducks. *Wildfowl*, Vol. 55, pp. 99-116
- Lawson, J., Kober, K., Win, I., Allcock, Z., Black, J., Reid, J.B., Way, L. & O'Brien, S.H. (2015b) An assessment of the numbers and distributions of wintering red-throated diver, little gull and common scoter in the Greater Wash, JNCC Report No. 574, JNCC, Peterborough, ISSN 0963-8091. <https://hub.jncc.gov.uk/assets/c35b649e-f3bd-42d0-b6c4-96ed66cc2fc2>
- Mendel, B., Schwemmer, P., Peschko, V., Müller, S., Schwemmer, G., Mercker, M. & Garthe, S. (2019) Operational offshore wind farms and associated ship traffic cause profound changes in distribution patterns of Loons (*Gavia* spp.). *Journal of Environmental Management*, Vol. 231, pp. 429-438 <https://doi.org/10.1016/j.jenvman.2018.10.053>
- Schwemmer, P., Mendel, B., Sonntag, N., Dierschke, V. & Garthe, S. (2011) Effects of ship traffic on seabirds in offshore waters: implications for marine conservation and spatial planning. *Ecological Applications*, Vol. 21, pp. 1851-1860 <https://doi.org/10.1890/10-0615.1>

## **Annex A**

There is evidence of a behavioural response of seabirds to the presence of vessels, including taking flight and escape diving (Jarrett et al., 2022). Certain species appear to be more sensitive to vessel presence, showing avoidance behaviours at greater distances from vessels and moving further away from vessels (Kaiser et al., 2006; Fliessbach et al., 2019; Mendel et al., 2019). Red-throated divers and common scoter in particular have been observed to be displaced from vessels (Larsen & Laubek, 2005; Kaiser et al., 2006; Schwemmer et al., 2011; Burger et al., 2019; Fliessbach et al., 2019; Mendel et al., 2019; Burt et al., 2022; Jarrett et al., 2022).

In terms of carrying out a vessel disturbance assessment, we recommend that the following steps are taken. In light of evidence of vessel displacement, we advise that a 2km buffer around vessels is used for the assessment of 100% displacement of red-throated diver (Burt et al., 2022, Burger et al., 2019). We also advise that a 2.5km buffer around vessels is used for the assessment of 100% displacement of common scoter (Fliessbach et al., 2019). We recommend that the area of impact should be calculated and put into context of the SPA area by calculating the proportion of the SPA area impacted. We also advise that the number of birds impacted are calculated. Crucially, this should be done by using distribution maps of the relevant features in the relevant SPA. The distribution maps per species should be overlain with the area of impact per species to calculate the number of birds potentially impacted. This can then be put into context of the SPA population by calculating the proportion of the SPA population impacted.

An estimate of the number of vessel-days occurring within the SPA between September and April should also be provided, and ideally on a monthly basis if that information is available. Should these vessels be in different locations around the SPA, this also should be accounted for in the calculation of area and number of birds potentially affected.

For an assessment of the Greater Wash SPA, we advise that the distribution maps within Lawson et al. (2015) are used. The data contained within Lawson et al. (2015) consists of individual distribution maps per species from a combination of data from multiple surveys. Therefore, a vessel disturbance assessment should be made using data from the individual species distribution maps and a number of birds potentially displacement presented. Density distribution shapefiles for use in an assessment can be requested from JNCC.

The Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Justine Proudler  
Infrastructure Manager  
Planning Services  
Lincolnshire County Council  
County Offices  
Newland  
Lincoln LN1 1YL  
Tel: 01522 782070  
E-Mail: [nsips@lincolnshire.gov.uk](mailto:nsips@lincolnshire.gov.uk)

Sent by E-Mail to:  
[easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk)

Ref: EN0210003

Date: 23 August 2024

Dear Sir/Madam

**Proposal: Scoping Consultation under The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by National Grid Electricity Transmission (the Applicant) for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 (the Development)**

Thank you for your letter dated 29 July 2024 consulting Lincolnshire County Council (LCC) on the Environmental Impact Assessment Scoping Report produced by National Grid dated July 2024.

LCC have reviewed the information in the Scoping Report and accompanying appendices and have the following comments to make in respect of the English Onshore elements of the scheme and scoping boundary shown on figure 1.7 in the Scoping Report.

**Planning Policy Overview (Chapter 2 of the Scoping Report)**

Chapter 2 of the Scoping Report sets out relevant national and local planning policies that are proposed to be reviewed within the Environmental Statement (ES). Reference is made to the Lincolnshire Minerals and Waste Local Plan 2016 (LMWLP) in table 2.2. LCC is currently reviewing its Minerals and Waste Local Plan, and a Preferred Approach consultation commenced on 30 July 2024 which can be found here:

<https://www.letstalk.lincolnshire.gov.uk/minerals-and-waste-local-plan>

## **Minerals and Waste Safeguarding**

The scoping boundary is not located within any Minerals Safeguarding Areas (MSA). Section 5: Sibsey Northlands – Hubbert’s Bridge comes within 1 kilometre (km) of a sand and gravel MSA located to the northwest of Boston. There are however a number of waste sites within the scoping boundary, as listed in appendix A. The proposals will need to ensure that the safeguarded waste sites are not prejudiced in accordance with Policy W8: Safeguarding Waste Management Sites of the LMWLP.

## **Consideration of Alternatives (Chapter’s 3 and 19)**

It is of great concern to LCC that the focus of the consideration of alternatives is land-based routes in England from a landfall on the Lincolnshire coast. The preferred option being via a landfall on the Lincolnshire coastline and to a connection at Walpole in Norfolk (EGL OPP6) which would require approximately 100 Km’s of co-located underground cables predominantly through the Lincolnshire countryside. LCC are of view that the consideration of alternatives should also include upgrades to the existing network and continuation of the cable connections subsea to alternative landfalls on the Norfolk coast.

LCC has reviewed the Strategic Options Report (SOR). The ESO recommendation is for the Eastern Green Link 3 and Eastern Green Link 4 (EGL 3 and EGL 4) to connect in the South Humber area. The obvious connection point in the South Humber area, in terms of distance, would be Grimsby West. However, no details or assessment of what these work would require have been provided. The SOR states that this option would not provide substantive benefits compared to other connection points but no information or assessment is provided to support this claim. The Scoping Report also does not given consideration to upgrades to such existing infrastructure as part of its consideration of alternatives.

LCC of the view that a continuation of the subsea cable and landfall in Norfolk should also be appraised as a separate strategic option with accompanying environmental, socio-economic, technical and cost appraisals as for the other options.

The continuation of the cable connections subsea to the Norfolk coast is stated as being discounted due to environmental, socio-economic, technical and cost differentiators in the SOR. However, no detailed information or environmental assessment has been provided as to how this conclusion has been reached. Whilst it is noted that a landfall option on Norfolk coast (between Blakeney Point and Cromer) is referred to as Landfall Option B under the assessment of EGL 006 in chapter 12 of the SOR, LCC are of the view that a continuation of the subsea cable and landfall in Norfolk should have been appraised as a separate strategic option with accompanying environmental, socio-economic, technical and cost appraisals as for the other options.

The potential option EGL 007 to create a three ended HVDC link is noted. This proposal would require an additional converter station located near Bilsby at the new Lincolnshire Connection Substation(s) which are proposed as part of the Grimsby to Walpole scheme. At this stage, this proposal is being presented as a potential option, if required, to increase capacity from the new Lincolnshire Connection Substation(s) in the future. Both options should therefore be fully scoped in the Environmental Statement (ES).



Overall, the Council are of the opinion that the consideration of alternatives is lacking in detail and without any clear methodology as to the selection of the strategic option sites or how the conclusions were reached to adopt the EGL OPP6 as the preferred option and discount the other options.

Whilst it is acknowledged that the various options that have been provided in the SOR is helpful in setting out National Grid's position, it is considered essential that a more comprehensive and cohesive evidence base is provided, to show that other options such as the reinforcement of existing Grid infrastructure, and continuation of the off-shore subsea cable to the connection are not feasible or a desirable alternative.

### **Approach to EIA (Chapter 5)**

LCC wishes to raise concern about the temporal scope over which the impacts of the development are proposed to be assessed. It is stated in Chapter 5, paragraph 5.4.11, that the English Onshore Scheme is expected to operate for 40 years; however, it is anticipated that rather than be decommissioned, parts would be replaced to extend the operational life. There is an assumption at paragraph 5.4.12 that the English onshore elements would need to be removed if it cannot be re-purposed and that this process would be similar to the construction but in reverse. However, it is further stated that decommissioning effects are not to be assessed at this stage.

For the ES to be an open and robust assessment of the likely significant effects it should provide an assessment over the anticipated life of the development, as far as reasonably possible, so that the full impact of the development can be understood. LCC are of the opinion that the impacts of the decommissioning phase should therefore be included in the assessment.

The timeframe over which impacts could occur during the operational phase are not clear. Consideration should be given to any likely significant effects that may occur as a result of not decommissioning the site at the 40 year point. Would a longer operational phase (timeframe unknown) and later decommissioning period or the development becoming a permanent feature change any of the assessed effects or introduce any other or different effects not considered?

LCC would wish to see a clearly defined timescale over which the impacts of the development are being assessed, rather than it being open ended.

### **Biodiversity (Chapter 6)**

#### **General comments**

The biodiversity and ecological elements of the Applicant's ES are broadly divided into offshore and onshore. LCC has focused its resources on reviewing the onshore ecological elements of the scheme and would expect Natural England and / or the Marine Management Organisation to lead on offshore elements.

Part 2, Chapter 6 of the Scoping Report discusses onshore biodiversity. Having reviewed this and other sections of the report relevant to onshore ecology and biodiversity, subject to the comments below, LCC supports the approach to the assessment of ecological impacts.

## Baseline Conditions

### Study Area

LCC agrees that the study area and associated Zones of Influence are appropriate.

### Current Baseline

No field surveys have been conducted at this stage of the project and information presented in the report results solely from desk-based studies.

A suite of important ecological sites ranging from internationally designated sites to locally important sites have been identified. The Applicant will need to identify potential impact pathways for these sites and their interest features and present an analysis of potential impacts, along with associated avoidance and mitigation measures at PEIR stage.

Desk based studies have also indicated the presence of a range of habitats and species within the study area. Surveys to establish the precise locations of these habitats and presence / absence of species will be required to identify any impacts and to inform mitigation and enhancement opportunities.

Paragraph 6.4.15 states that “Areas of ancient woodland which are logged on the Ancient Woodland Inventory (Ref 6.25) have largely been avoided...” . LCC welcomes this approach and advises that ancient woodland data for the county is currently being updated by the Greater Lincolnshire Nature Partnership. The Applicant may already have access to this data but should ensure that the most up to date information is being used to assess impacts including from field surveys commissioned in support of the application.

Paragraph 6.4.20 identifies a range of species that may potentially be present within the study area. This includes Natterjack toad. This species was previously confined to coastal sand dune habitats but is now thought to be expanding to more inland areas. LCC recommends further information on the species’ current distribution is obtained from local Natural England and Lincolnshire Wildlife Trust officers who manage the Saltfleetby Theddlethorpe Dunes NNR.

### Scope of the assessment

LCC agrees with the list of potential ecological receptors presented at 6.6.1.

Para 6.6.3 and 6.6.4 set out a series of receptors which the Applicant proposes to scope out of further assessment. This is based on an assertion that significant effects are not predicted upon these sites due to a combination of design and control measures relating dust and pollution prevention, and distance. Whilst general details of design and control measures are presented in the report, LCC considers it is premature to scope these sites out at this stage until more detail of these measures is presented in proposed Outline Code of Construction Practice.

### Assessment methodology

LCC agrees with the list of proposed ecological surveys set out in Table 6-10 and notes that surveys will follow best practice guidance unless otherwise agreed with relevant stakeholders.

Given the presence of a suite of ecologically important sites designated for their international importance for migratory bird populations in the vicinity of the proposal, the Applicant will need to ensure they have access to sufficient data to determine potential impacts on these populations. Consideration should be given to appropriate timing of surveys during the year to detect areas outside the designated site boundaries used by birds i.e. Functionally Linked Land. Ornithological surveys should also cover more than a single year to help ensure that results are not skewed by any particularly harsh weather patterns.

### Assessment of Cumulative Impacts and Effects

The requirement for assessment of cumulative effects is identified at paragraph 6.7.13 and is covered in more detail in Chapter 35 of the Scoping Report. There are a number of development proposals of varying scales in the vicinity of this proposal. These range from small scale housing developments to NSIP scale energy developments. The combined implications for habitat loss, land-use change, and associated impacts on species will need careful consideration in the final DCO application. In respect of Ecology and biodiversity LCC is satisfied with the proposed outline methodology for the assessment of cumulative effects as set out in Chapter 35.

### Other Biodiversity Assessments

Given the potential for impacts on statutorily designated sites, the Applicant should provide the information reasonably required for a Habitats Regulations Assessment (HRA). The Planning Inspectorate will need to undertake a HRA and satisfy itself that sufficient information has been submitted by the Applicant to enable this to be completed.

### Biodiversity Net Gain

LCC welcomes the Applicant's commitment at paragraph 6.7.18 to undertake a Biodiversity Assessment. LCC also notes and welcomes commitments in made in paragraphs 1.10.1 to 1.10.4 relating the delivery of "10% Net Gain in Environmental value including as a minimum 10% Biodiversity Net Gain (BNG)...".

Given the scale of the proposed development LCC will expect the project to deliver significantly in excess of 10% BNG.

No details of how any gains will be achieved are presented at this stage and the Applicant will need to ensure that habitat surveys are carried out to appropriate standards to allow the population of the Statutory Biodiversity Metric and calculation of the level of gains achieved. The current best practice method for this is set out in the Statutory Biodiversity Metric User Guide. A MoRPH assessment will be required to calculate baseline river units where watercourses (with the exception of ditches) are present in or adjacent to the proposed DCO boundary.

LCC encourages the Applicant to work with other developers and stakeholders in the area to identify opportunities to deliver BNG strategically including by keeping up to date with emerging local strategies such as the Greater Lincolnshire Local Nature Recovery Strategy.

Commitments to deliver BNG will need to be secured in the DCO and the Applicant will need to demonstrate that the commitments made to delivering BNG are achievable.

Future engagement and consultation

LCC welcomes the Applicant's intention at paragraph 1.11.9 to establish Technical Working Groups and confirms that LCC's Infrastructure Ecologist will be happy to engage in this process.

## **Cultural Heritage (Chapter 7)**

### **Archaeology**

LCC has grave concerns regarding the proposed scope of archaeological assessment as set out in Chapter 7 and we do not agree with the Scoping Report.

We are concerned with the flawed methodological approach put forward for archaeology, both by the lack of archaeological baseline evidence being proposed through the extremely limited approach to evaluation; and by the proposed scoping out of a number of 'potential for significant effects' which must remain scoped in to be in accordance with national and local policy and guidance.

Until the site-specific details of the development including the cable routes are known it will be necessary to assess and evaluate the entire study area to a sufficient and agreed level. Indeed the necessary work both to identify archaeological remains and assess their significance should be a factor in determining the course of the cable routes. The purpose of the Environmental Impact Assessment (EIA) process is to identify significant impacts and mitigate them; this must be achieved through proportionate evaluation to inform adequate mitigation. The Scoping Report proposes neither of these.

The standard suite for archaeological evaluation consists of a competent desk based assessment (DBA) followed by geophysical survey and trenching programme across the full impact zone. Scaling up the size of the development and therefore the developmental impact means that evaluation must proportionally scale up in order to provide sufficient baseline evidence. This is the basis for reasonable mitigation of the developmental impact across the redline boundary.

As archaeologists we are guided by our professional Chartered Institute for Archaeology (CIfA) Guidance and Standards and their definition of a field evaluation which is '*to determine the presence or absence of archaeology, to define their character, extent, quality and preservation, and enable an assessment of their significance.*'

We note from details in the Scoping Report, vol 1, part 1: Introduction that EGL 3 and EGL 4 are to be considered as one scheme. For Lincolnshire and East Lindsey district the impacts will include the associated groundworks impacts for construction of over 200km of new

underground cable as well as landfall impacts, a new converter station and a new Direct Current Switching Station.

These impacts are considerable and sufficient field evaluation will be an essential aspect of effective project management, particularly as unevaluated areas of unknown archaeological potential leave a high degree of risk to the development. Failure to adequately evaluate the site at the application stage could lead to unnecessary destruction of heritage assets, potential programme delays and excessive cost increases that could otherwise be avoided and may ultimately lead to a scheme which is undeliverable. There is no public benefit in the destruction of unknown heritage assets.

Section 5.3 in Part 2, Chapter 5: EIA Approach and Methodology cites the Rochdale Envelope. We would like to point out the Advice Note states that *'Implementation of the Rochdale Envelope assessment approach should only be used where it is necessary and should not be treated as a blanket opportunity to allow for insufficient detail in the assessment. Applicants should make every effort to finalise details applicable to the Proposed Development prior to submission of their DCO application. Indeed, as explained earlier in this Advice Note, it will be in all parties' interests for the Applicant to provide as much information as possible to inform the Pre-application consultation process.'* [\(5.2\)](#)

Where the developer proposes the Rochdale Envelope in dealing with their application, it is essential that a full understanding of the archaeological resource is achieved in the EIA to allow for informed and appropriate mitigation of the unknown and/or undecided elements of the development at a later date. This can only be achieved through evaluation, including a robust trenching programme, to understand where areas of significant archaeology are across the impact zone.

Specific aspects of the Cultural Heritage Chapter 7.

Regarding [Table 7-2: Planning Policy relevant to Cultural Heritage](#), the National Policy Statement for Electricity Networks Infrastructure (EN-5) listed here also states that *'Applicants must take into account Schedule 9 to the Electricity Act 1989, which places a duty on all transmission and distribution licence holders...to "have regard to the desirability of...protecting sites, buildings and objects of architectural, historic or archaeological interest; and...do what [they] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.'*" [\(2.2.10\)](#)

Mitigation is not possible without enough evaluation to understand the site-specific archaeological potential and the developmental impact upon it.

As stated in Table 7-2, EN-5 section 2.9.25 states that *'Development of underground cables should consider the potentially very disruptive effects on archaeological and historical assets.'*

The cable trenching works may be temporary in nature but they will cause permanent damage and destruction to archaeology remains which are a non-renewable and finite resource.

Regarding section 7.3 Consultation and Engagement, LCC's NSIP Archaeologist attended a general presentation of the scheme on 25 April 2024 but have not been contacted since. We are also concerned that consultation is proposed for only two key points (7.3.2). Consultation with the stakeholders should be on-going throughout the EIA process to ensure appropriate outcomes.

There are a number of concerns in section 7.4 Baseline Conditions.

*In Section 7.4.1, 500m 'is deemed to be an appropriate distance from the Scoping Boundary to describe the historical and archaeological baseline, and to undertake an assessment of archaeological potential.'*

This is far too limited. Our standard guidance for undertaking large schemes in Lincolnshire states that HER data for a 2km radius is required from the redline boundary and includes any proposed options.

*Section 7.4.39 'At this stage, the future baseline for cultural heritage is based upon assumptions relating to types of development and activity that might reasonably be expected.'*

This is deeply concerning. The future baseline for cultural heritage needs to be based on evidence from evaluation. On another NSIP in Lincolnshire, when evaluation trenching commenced unexpected Saxon skeletons were found within 20cm of the ground surface. Without trenching these individuals would have been destroyed without recording by developmental impacts.

Without sufficient evaluation there will be inevitably be unidentified unexamined archaeology which will be damaged or destroyed by the development process. Mitigation requires enough baseline evidence for site-specific mitigation measures to be deployed effectively in an appropriate and reasonable way. This is not possible where trenching has not been undertaken across the impact zone.

The same section goes on to say that *'Most of the study area is located within arable agricultural land and some degradation of extant earthworks and shallowly buried archaeological deposits may be expected to occur.'*

The shallowness or otherwise of surviving archaeology does not necessarily affect its significance. We are disappointed by the presumption that agricultural techniques have diminished the archaeological potential of these sites without investigation or intrusive evaluation. This is an erroneous approach which is ill-informed: Lincolnshire is an agricultural county with a wealth of archaeological sites some of which are regionally, nationally and even internationally significant, and the vast majority of sites in this county are in arable land.

Section 7.5.3 states that *'Where adverse effects to heritage assets cannot be avoided through design and control measures, secondary mitigation will be identified as part of the assessment process. It is anticipated that an overarching Project Design (formerly known as Written Scheme of Investigation (WSI)) would be produced and agreed with relevant consultees to set out a programme of archaeological investigation to mitigate effects to buried archaeological remains and built heritage. The scope of the project design would be agreed through the assessment process. Other additional measures will be identified as appropriate for mitigating effects to the settings of heritage assets.'*

Heritage assets must be identified before they can be avoided. We do not understand how mitigation can be proposed for sites unless there has been sufficient evaluation to identify where they are and how significant they are. On a scheme such as this we would expect to see an iterative programme of evaluation tied in to the refinement of cable route options. In the absence of such a nuanced approach we would expect to see evaluation to an appropriate level across the full redline boundary.

As it is, woefully inadequate evaluation has been proposed to allow for an understanding of the archaeological potential or to provide the basis for reasonable mitigation to deal with the impacts of this development.

Sufficient baseline information on the archaeology to be impacted across the site is required by NPPF, EIA Regulations and National Policy Statement EN-1 which states *"The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents (5.8.10)."*

Table 7-5 Likely Significant Cultural Heritage Effects under Maintenance and Decommissioning the Potential for Significant Effects states that there will be no impact as *'archaeological remains within the Scoping Boundary will have been removed, following appropriate mitigation, during the construction phase.'* This is not possible unless archaeology is Scoped In, adequately evaluated and subject to effective proportionate mitigation. This is not possible given the limited evaluation work proposed in section 7.7.3.

Archaeology will undoubtedly be found across the scheme. A work programme where archaeology is identified and must be dealt with while the work is ongoing is an unacceptably high risk approach which will inevitably lead to delays and open-ended costs.

Archaeological field evaluation by trial trenching is required as trenching results are essential for effective risk management, project management, programme scheduling and budget management. Failing to do so could lead to unnecessary destruction of heritage assets, potential programme delays and excessive cost increases that could otherwise be avoided. Please be advised that large areas of the redline boundary may not be suitable for trenching over the wet winter months so it is pragmatic to ensure there is sufficient time during those seasons where evaluation work particularly trenching can be effectively undertaken.

While we appreciate there will be challenges for any large scheme, for example land access, we strongly recommend that field evaluation be undertaken at the earliest opportunity to allow the work to be undertaken and the results to be available in good time to inform the baseline information and the subsequent agreed mitigation.

While as stated above we appreciate there will be access issues there must at some point be access so that the scheme can be built. In the event that no trenching can occur before the commencement of groundworks these areas will carry a very high level of risk which will need to be accommodated by incorporating flexibility in the work schedule and budget. Any unevaluated areas will need to be subject to stronger archaeological mitigation as the potential hasn't been determined, the mitigation of areas of unknown potential may need archaeological strip, map and record where the topsoil stripping is under archaeological control to allow the area to be opened up from the first archaeological horizon and the archaeology to be planned, investigated and recorded before the groundworks move on. It is therefore much preferred that sufficient trenching is undertaken across the full redline boundary to provide the essential baseline evidence to design a reasonable and fit for purpose mitigation strategy.

Regarding section 7.7.2: Further Data to be Gathered/Processed there are standard desk based sources are not included in this section. The DBA should include as a minimum all reasonably available desk based information for the full extent of the proposed impact zone. In the absence of a known or preferred route this will need to be the entire study area.

The section includes LiDAR but does not mention aerial photography. A full competent LiDAR and air photo analysis, interpretation and assessment is required with full aerial photo coverage using all available oblique and vertical air photos including the Historic England Archive, what Cambridge University Collection of Air Photos (CUCAP) are available as well as RAF and Ordnance Survey photos including those held by LCC.

Map regression should include all available maps to provide a reasonable understanding of the development and time depth of the sites.

While '*a detailed interrogation*' is proposed for the relevant county HER's, only '*a review*' is proposed for a number of the data sets including the Portable Antiquities Scheme (PAS) Database. Please clarify what is meant by '*a review*' and also what is meant by '*A review of readily available regional and local contextual studies.*' Local sources and archives are an essential source of information and should be included in a competent DBA.

Section 7.7.3 says that '*consideration will be given to the undertaking of: A desk-based geoarchaeological assessment and deposit model; and Archaeological evaluation of areas of medium to high archaeological potential likely to be directly impacted by construction activities. Evaluation may include non-intrusive geophysical survey and targeted intrusive survey through trial trenching. The archaeological evaluation programme would be agreed through consultation.*'



Phrases such as *'consideration will be given'* and *'may include'* are unacceptable and unenforceable. This is a totally inadequate commitment to undertaking sufficient evaluation to provide sufficient baseline evidence.

Geoarchaeological assessment is now standard on large schemes and has been for some years. Limiting archaeological evaluation to *'areas of medium to high potential'* will provide further information on what is already known. While this is useful for informing the mitigation strategy it provides no information on areas where the archaeological potential has not yet been determined and it pushes risk into the work programme. On other NSIPs within Lincolnshire, the Heckington Fen Solar NSIP for example, most of the areas identified to move forward into mitigation were identified solely from trenching results.

Standard archaeological practice for field evaluation also requires geophysical survey to inform a reasonable and appropriate programme of trial trenching.

Geophysical survey must be undertaken of the full redline boundary including any options until they have been selected or descoped. The results are required to identify site-specific archaeological potential and to inform a programme of archaeological trial trenching and subsequent mitigation. Pre-determination evaluation is essential in informing a decision on the most cost effective and viable route.

Curators across the country are on a steep learning curve regarding the extent of the impact across these schemes as the specific impacts across the redline boundary are not included in the submission documents. It's clear to us now that 1% or 2% trenching isn't sufficient to undertake an adequate assessment and this has informed the emerging regional guidance requiring 3 – 5% trenching, while understanding that this percentage will mean that significant archaeology is lost.

As well as targeting known and potential archaeology the trenching strategy will need to target those areas where earlier evaluation phases have not been successful in locating archaeology. Targeting blank areas is an essential part of determining the archaeological potential across a proposed development as different types of archaeology and geology may limit or mask the effectiveness of non-intrusive evaluation techniques.

The proposed evaluation work set out in this document is inadequate, particularly given that Table 7-5: Likely Significant Cultural Heritage Effects proposes that *'archaeological remains within the Scoping Boundary will have been removed, following appropriate mitigation, during the construction phase'* as the reason for descoping potential for significant impacts.

The EIA will require the full suite of comprehensive desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed impact. The results should be used to minimise the impact on the historic environment through informing the project design and an appropriate programme of archaeological mitigation. The provision of sufficient baseline information to identify and assess the impact on known and potential heritage assets is required by Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulation 5 (2d)), National Planning Statement Policy EN1 (Section 5.8),

National Policy Statement for Electricity Networks Infrastructure (EN-5) and the National Planning Policy Framework.

Sufficient information on the archaeological potential must include evidential information on the depth, extent and significance of the archaeological deposits which will be impacted by the development. The results will inform a fit for purpose mitigation strategy which will identify what measures are to be taken to minimise or adequately record the impact of the proposal on archaeological remains which must be submitted with the EIA.

This is in accordance with The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 which states *"The EIA must identify, describe and assess in an appropriate manner...the direct and indirect significant impacts of the proposed development on...material assets, cultural heritage and the landscape."* (Regulation 5 (2d))

### **Built and Landscape Heritage**

LCC acknowledge the work undertaken on built and landscape heritage set out in the Scoping Report and make the following comments regarding these areas:

#### General

EIA Approach and Methodology - we are satisfied with the approach set out in chapter 5 Section 5.2 of the Scoping Report in respect of the assessment of built and landscape heritage and expect all built heritage assets (designated and non-designated) and the historic landscape to be assessed ahead of the DBA and ES.

#### Chapter 7- Cultural Heritage

Paragraph 7.2.4 provides a summary of the relevant Technical Guidance that has been used to inform the Scoping Report and will be used to inform the PEIR. LCC wish to draw your attention to the following guidance documents specific to Lincolnshire, which do not appear in the Scoping Report:

The Historic Landscape Character Project for Lincolnshire

<https://www.lincolnshire.gov.uk/downloads/file/2205/the-historic-character-of-lincolnshire-pdf>

Greater Lincolnshire Farmsteads Characterisation Statement

<https://historicengland.org.uk/images-books/publications/greater-lincolnshire-farmstead-character-statement/heag053-lincs-farmstead-character-statement>

The proposed 3km study area specified at Paragraph 7.4.2 is welcomed for the scheme's above-ground elements and LCC agree this coverage is adequate for built heritage and historic landscape. Regarding the LCS and converter station area, LCC suggest the study area can be revised to 1km for non-designated heritage assets (above ground).

Paragraph 7.4.9 - Data Gathering Methodology. Please see comments above for paragraph 7.2.4. LCC also consider the following publication to be a useful source of reference:

Land on the Edge: The Landscape Evolution of the Lincolnshire Coastline

<https://business.visitlincolnshire.com/wp-content/uploads/sites/2/2023/09/Land-On-The-Edge-Full-Report-FINAL-low-res.pdf>

In respect of Designated Heritage Assets, which are considered at paragraphs 7.4.12; 7.4.21;7.4.22; 7.4.23; 7.4.24 7.4.25; 7.4.26; 7.4.31 and 7.4.32. LCC defer to Historic England and have no further comments at this stage.

Non-designated heritage assets, study area zones 1-3, paragraphs 7.4.17; 7.4.27 and 7.4.33. For built heritage and historic landscape features, we await a comprehensive itemised schedule of all assets, together with the distance/proximity of each asset to the proposed cable route/LCS and converter station area. A map detailing non-designated heritage assets within the scoping boundary is also required (comparable to the mapping available for designated assets).

Paragraph 7.6.4. Likely Significant Effects. Until such time that the location of the above-ground infrastructure is decided, the potential for significant effects on built heritage during the construction phase should be scoped in (and not scoped out).

Any former railway lines within the study area, paragraph 7.7.2, should be included in a detailed interrogation of HER data. If the cable route bisects a former railway line, reinstatement of extant earthworks should be undertaken to preserve the integrity of the historic landscape.

With regard to the Assessment of Heritage Significance, Table 7-6, LCC are of the opinion that historic landscape character areas should also be part of this assessment. We expect to see historic landscape character areas represented separately in this table. For example, the significance of well-preserved historic landscape character areas would be classed as high, and lesser preserved historic landscape character areas would be classed as 'medium' or 'low' value.

#### Chapter 8- Landscape and Visual Amenity

Paragraph 8.4.5 Study Area. LCC are satisfied with the proposed study area distances for built and landscape heritage.

The review of the Landscape Character Area (LCA) assessments, paragraph 8.4.12, the Historic Landscape Character Project for Lincolnshire as referred to above should also be part of this review.

Visual receptors, paragraph 8.6.6, there is no mention of designations relevant to or influencing landscape value, such as registered parks and gardens, scheduled monuments, listed buildings, etc.

The visual assessment, paragraph 8.7.4, concerning a series of representative viewpoints should account for observations through different seasons and conditions. Similarly, regarding photomontages from agreed viewpoints discussed in paragraph 8.7.6.

## **Landscape and Visual (Chapter 8)**

A review has been carried out by AAH Consultants (AAH) on behalf of LCC and relates to landscape and visual issues and elements only. It is based upon a review of the relevant sections of the following documents:

- *National Grid; Eastern Green Link 3 and Eastern Green Link 4; Environmental Impact Assessment Scoping Report; Volume 1 Main Text; Part 1 Introduction; July 2024;*
- *National Grid; Eastern Green Link 3 and Eastern Green Link 4; Environmental Impact Assessment Scoping Report; Volume 1 Main Text; Part 2 English Onshore Scheme; July 2024 (split into three separate pdf documents: part 2.1, part 2.2 and part 2.3);*
- *National Grid; Eastern Green Link 3 and Eastern Green Link 4; Environmental Impact Assessment Scoping Report; Volume 1 Main Text; Part 3 English Offshore Scheme; July 2024;*
- *National Grid; Eastern Green Link 3 and Eastern Green Link 4; Environmental Impact Assessment Scoping Report; Volume 1 Main Text; Part 4 Project Wide; July 2024;*
- *National Grid; Eastern Green Link 3 and Eastern Green Link 4; Environmental Impact Assessment Scoping Report; Volume 2 (Appendices); July 2024;*

We expect the production of a Landscape and Visual chapter to be included within the ES, which would be in the form of a Landscape and Visual Impact Assessment (LVIA), which should, along with any supporting information (such as plans, photographs, visualisations or figures), reflect current best practice and guidance from, as a minimum, the following sources:

- *'Guidelines for Landscape and Visual Impact Assessment', (GLVIA3), April 2013 by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA);*
- *'An Approach to Landscape Character Assessment', Natural England (2014);*
- *'Technical Guidance Note (TGN) 06/19 Visual Representation of Development Proposals', 17th September 2019 by the Landscape Institute (LI);*
- *Technical Guidance Note (TGN) 1/20 Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs)', 10th January 2020 by the Landscape Institute (LI);*
- *'Technical Guidance Note (TGN) 04/20 Infrastructure', April 2020 by the Landscape Institute (LI); and*
- *'Technical Guidance Note (TGN) 2/21 Assessing landscape value outside national designations', May 2021 by the Landscape Institute (LI).*

Overall, we would expect that the assessment of potential Landscape and Visual effects and evolving proposals relating to the scheme, as a NSIP, follow an iterative process of

engagement and consultation to ensure the following are not fixed at this stage and are discussed, developed and agreed at subsequent technical meetings with LCC and other appropriate stakeholders:

- LVIA Methodology;
- Development, and subsequent ZTV, parameters;
- Study Area extents (distance);
- Viewpoint quantity and locations;
- Photomontage/Accurate Visual Representations (AVRs):
  - Quantity and location;
  - Phase depiction;
  - AVR Type and Level.
- Mitigation Measures/Landscape Scheme/Site Layout;
- Cumulative effects, including surrounding developments to be considered; and
- The extent as to which a Residential Visual Amenity Assessment (RVAA) should be considered (based on the Landscape Institute TGN 2/19) if there are residential properties with receptors likely to experience significant effects to their visual amenity.

While the focus of this review is on Landscape and Visual matters, other information provided within the report, and any associated Appendices, has also been considered, providing background and context to the site. This review covers the elements of the “*English Onshore Scheme*” only.

The following should be considered in the evolving assessment and layout:

### **Viewpoints**

The final locations of viewpoints are to be reviewed and agreed with LCC and other relevant stakeholders. The final viewpoint selection should also consider views of taller and more conspicuous elements, once the scheme layout is more developed, as well as consider potential key, or sensitive, viewpoints or visual receptors. We would welcome an initial discussion and subsequent workshop (on site if appropriate) with the applicant’s team in regards to proposed viewpoints.

### **Photomontages**

To gain an understanding of the visibility of the scheme and how the development would appear in the surrounding landscape, Photomontages/AVRs should be produced. The number and location of the agreed viewpoints to be developed as Photomontages/AVRs should be agreed with LCC and other relevant stakeholders and produced in accordance with *TGN 06/19 Visual Representation of Development Proposals*. At this stage, it is deemed

appropriate that these should be produced to illustrate the proposals at different phases: Existing Situation (baseline), Operational (year 1) and Residual with planting established (10 to 15 years). The Photomontage/AVR Level and Type is to be discussed and agreed.

### **Methodology**

As stated previously, the LVIA should be carried out in accordance with GLVIA3 and associated guidance, and undertaken by suitably qualified personnel. The overview of the proposed methodology provided at Section 8.7 is typical of those used for ES Chapters where potential significant effects can be considered and reflects the guidance in GLVIA3. We would request that the most up to date technical guidance be used and the full methodology is provided to allow further interrogated at the next phases of the project.

### **Scope of the Study Area**

It is acknowledged in Paragraph 8.4.5 that a preliminary study area of 2km from underground cable corridor scoping boundary, and 3km study area from above ground infrastructure scoping boundary have been allowed for. At this early stage, we recommend these extents are discussed and further reviewed as the full extent of potential visibility of the development is not yet fully known, and there is the potential that visibility beyond these study area extents may ultimately be identified.

Once the study area has been defined, the LVIA should also provide a justification for the full extent/distance, which would be further refined as part of the iterative process.

### **Landscape**

A range of published landscape character assessments have been identified *in paragraphs 8.4.11 to 8.4.12*, from National Landscape Character Areas to regional and local assessments. Paragraph 8.6.5 lists 20 LCAs as potential landscape receptors. To align with GLVIA3 the LVIA should include an assessment of landscape effects at a range of scales and needs to include both relevant published landscape character assessments and the LVIA authors own judgements of the landscape character of the site and study area. This potentially should include a finer grain landscape character assessment that considers individual landscape elements or features that make up the wider character, particularly where areas of above ground infrastructure are proposed such as the substation and converter station siting areas, and the proposed landfalls.

### **Visual**

A range of visual receptors are identified within paragraph 8.5.49 along with several visual receptors with potential for significant effects that are identified in paragraphs 8.6.7 to 8.6.9. However, at this early stage of the project we request these be reviewed, refined and consulted upon further once proposals have been developed: we are not in a position to confirm their inclusion or omission at this stage.

The scoping out of potential visual receptors beyond the initial 2km and 3km study area extents within Table 8-6 cannot be confirmed at this stage as the full extent of the scheme is yet to be established, and it may be that long range views from more sensitive receptors are possible. While these may not ultimately be judged as significant, the consideration of these should be included to aid clarity and ultimately transparency of the assessment. This would

be further explored once the scheme is more developed and ZTVs produced. This would allow for us to carry out site work to begin verifying identified receptors, as well as proposed representative viewpoints.

We would expect that the visual assessment would clearly identify the visual receptors, which would subsequently be the focus of the visual assessment. The LVIA should not just contain an assessment of any agreed viewpoints, it must focus on receptors. The viewpoints are to illustrate the visual effects, and the visual assessment should clearly reference receptors to representative viewpoints to aid this.

The visual assessment should take account of the 'worst case scenario' in terms of winter views, and effects at construction, Operational Phase (year 1), Residual Phase with mitigation planting having established (10 to 15 years), and at the Decommissioning Phase.

### **Cumulative impacts**

Cumulative Landscape and Visual effects should be assessed in regards to other major developments, and in particular similar energy infrastructure or renewable energy developments, as appropriate in regards to proximity and scale. This should consider both Combined (in same view) or Sequential (when the observer has to move to another viewpoint to see the same or different developments) effects.

### **Residential Visual Amenity Assessment**

Paragraph 8.8.1 of *Volume 1 Main Text; Part 2* identifies that a residential visual amenity survey is not proposed to be carried out. We disagree that this should be scoped out of the assessment at this stage as it is currently unclear if there are residential properties with receptors likely to experience significant effects to their visual amenity. If there are potential significant effects, due to the scale of some of the above ground elements of the scheme, these may ultimately meet the visual amenity threshold and a Residential Visual Amenity Assessment (RVAA), based on the Landscape Institute TGN 2/19), may be required. The scale of the scheme has the potential to give rise to significant effects to local residents, including effects on residents private amenity. The layout should also respond to potential views and proximity to any properties to mitigate any potential adverse effects

### **Mitigation and Layout**

As this is an iterative process, at this stage it is not relevant to comment on any potential mitigation or layout of the development. However, best practice guidance, relevant published landscape character assessment's and Local and County Council Policy and Guidance shall be referred to and implemented as appropriate.

We would also expect the landscape and planting scheme is coordinated with other relevant disciplines, such as ecology, heritage or civils (e.g. SuDS features), to improve the value of the landscape and reflect appropriate local and regional aims and objectives. Planting should be well considered and not just placed to screen proposals, as this may have a negative effect such as appearing out of character or foreshortening open or panoramic views. A Landscape Scheme and associated Outline Landscape and Ecological Management Plan should accompany the ES which should cover as a minimum the establishment period, which is assumed would be up to 15 years to cover the period up to the residual assessment.

The management plan should provide for both new planting and existing retained vegetation and how it will be managed and protected through all phases of the development. Any vegetation loss to facilitate development, including access and wider highways works or abnormal vehicular routes for construction, must be clearly identified in the submission.

### **Agriculture and Soils (Chapter 11)**

Chapter 11 essentially covers the main points for drainage, soils and agriculture and this will need to be expanded upon in the PEIR and ES. Provisional ALC mapping for the study area is presented Figure 11.2: Provisional ALC Mapping. The southern half of the Scoping Boundary is comprised largely of Grade 1 land (excellent quality agricultural land). There is also a large proportion of land identified as Grade 2 (good quality agricultural land) in the central part of the Scoping Boundary, with the northern third being largely mapped as Grade 3 (good or moderate quality agricultural land).

The loss of best and most versatile agricultural land, which is critical to national food security, is a particular concern for Lincolnshire. As a result of the number of large scale energy proposals that are coming forward in the county, many thousands of hectares of BMV could potentially be lost. The ES should clearly identify how much of the land is assessed to be grade 3a and above (Best and Most Versatile (BMV) land). The Council will wish to see built infrastructure located in areas that are not classified as BMV land.

Landscape Land and Property Consultants on behalf of LCC have reviewed the Agriculture and Soils chapter of the Scoping Report. At this stage as the scheme is preliminary and no Agricultural Land Classification (ALC) work has been done, general advice is provided as a separate report 'Review of Soils and Agricultural Land Classification Cable Route for Eastern Green Links 3 & 4' as appendix B. LCC will expect the ES to include a detailed ALC assessment.

### **Traffic and Transport (Chapter 12)**

The Scoping Report, in respect of Traffic and Transport, is considered to be acceptable. The Highway Authority will be seeking to ensure the traffic impact is acceptable with regards to highway capacity and safety and promotion of sustainable modes in line with National Planning Policy Framework. We will therefore be seeking a Transport Assessment and Construction Traffic Management Plan (including Travel Plan) to address these issues and ensure that any mitigation necessary is proposed.

Comments on the cumulative impacts associated with traffic and transport are referred to under Chapter 35 below.

### **Socio Economics, Recreation and Tourism (Chapter 15)**

Tables 15-10 and 15-11 and therefore the rest of chapter 15 seem to ignore the permanent effects in terms of land take and access on the range of land uses mentioned under the construction phase. Presumably, many of the construction phase effects would be mirrored in the long-term and it is assumed there would need to be access rights above the cabling to allow maintenance and other operational needs. Depending on the exact route of the English Onshore Scheme within the proposed corridor, this could be more or less significant



and could potentially affect land uses with significant socio-economic benefits to local communities.

### Employment Generation

LCC acknowledge the two study areas (local and regional) to be used for construction employment generation. Whilst this maybe the area that is most likely to be the 'travel to work' area, it comprises of vast rural areas and areas of poor connectivity to work. We would ask that that EIA considers the following key points:

- Accessibility of employment sites to rural communities: What mitigation will be put in place for travel in a rural area to these sites? How will employment be made accessible (in terms of travel) for local people to be able to access employment. We would consider mitigating factors to include:
  - Funded travel to work schemes
  - engagement and partnership with local transport providers
  - Support for local people to access private transport at reduced cost, where the above solutions are not possible (last resort).
- An approach that prepares the local labour market for the forthcoming opportunities. This could include:
  - Local provider engagement at an early opportunity.
  - Sector development support, to allow local supply chain to prepare existing workforce, and build and encourage opportunities to grow the workforce.
  - Bespoke activity that encourages our evidenced 'hard to reach' and opportunity potential workforce (over 50's, retired military etc) to access new skills and jobs.
- Raising aspirations within the local communities: Evidence shows that low aspirations in the communities is a key blocker to accessing employment. Such an intense, high profile project can help raise aspirations in local communities by supporting local incentives and schemes. This will support the project by unblocking barriers to local people accessing employment. This will need to be funded activity by the developer.

### Impact on local businesses

Some of the businesses identified within the scope are seasonal (Visitor Economy) businesses. Where possible, any construction work that takes place should account for the seasonality of these businesses, and plan accordingly in consultation with the business owners.

The local area relies heavily on the Visitor Economy, particularly Green Tourism. Impacts to Public Rights of Way (PRoW) should be restricted to low seasonality periods.

### **Health and Well-being (Chapter 16)**

The Equality Impact Assessment (EIA) approach and methodology set out in Chapter 5 of the main text will provide sufficient to assess the environmental and human health impacts from the proposal. This recognises 'humans' as a receptor and proposes a chapter dedicated

to human health and wellbeing. This should bring together all aspects related to health and wellbeing from other chapters into one place and pick up other bespoke health and wellbeing issues, both to mitigate against possible adverse health effects and to maximise the potential to enhance opportunities for people to engage in healthy lifestyle activities, etc. We would like to see a health impact assessment approach taken to writing this chapter. This should take account of the demographic and health profiles of the populations in the health and wellbeing study area (as per the maps on Chapter 16).

Principle concerns relating to physical health from this development would be disruption, dust, and noise, etc., during construction (digging trenches, laying the cables, and building the associated infrastructure) as well as noise and Electromagnetic Fields from cables and associated infrastructure when in use. The document notes that all equipment that generates, distributes, or uses electricity produces Electromagnetic Fields. Up-to-date exposure limits set by the Government on advice from the UK Health Security Industry (UKHSA), originating from the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines must be adhered to. However, it is important to also consider possible impacts on mental health through both a physical and mental health, health impact assessment. Further public engagement events should be utilised to inform this assessment.

The Cumulative Effects Assessment should take account of the cumulative effect of this project (Offshore) and the Grimsby to Walpole (Onshore) proposal where the routes converge, but also any other 'similar' NSIP's (e.g., large scale solar farms) that are approved or proposed along the corridor route(s).

The Biodiversity Assessment is important and could contribute to the Greater Lincolnshire Nature Recovery Strategy that is in development. This can not only contribute to biodiversity net gain but could also improve public access to green space for recreational benefit. Potential enhancements to the PRoW network may be possible through the creation of a new route along the cable corridor connecting habitats for both nature and humans. It is noted that the corridor impacts on several long-distance cycle routes and footpaths (The South Wolds Cycle Route, National Cycle Network Route 1 (NCN1), and The Macmillan Way, Cross Britain Way, and Nene Way Long Distance Footpaths) – the development should enhance these (e.g., provide new routes connecting to them) and certainly not impede them.

Landscape and Visual Amenity (Chapter 8) is important as what people have got to look at will influence their mental health. It also provides the opportunity for screening through planting trees and hedgerows on a large scale. The study area passes several important sites (Gunby Hall Estate, Well Hall, and Welton Low Wood Ancient Woodland) where special consideration needs to be given.

Agriculture and Soils are not considered as part of human health, but it should be noted that the arable land in Lincolnshire is central to national and local food security and consequently of significant importance to population health. It is, therefore, crucial that high-grade agricultural land is retained and that the lower grade land used for the project might still be considered for grazing or creation of new habitats (e.g., wildflower meadows).

Potential impacts (positive and negative) from Traffic and Transport, Noise and Vibration, Air Quality, and Socioeconomics, Tourism, and Recreation chapters should be drawn out from these into the human health chapter.

Chapter 16, Health, and Wellbeing:

- The local authority plans referenced omit the Joint Health and Wellbeing Strategy for Lincolnshire.
- There are several references to plans that require or express a desire to see health impact assessments and technical guidance on carrying these out. However, the Chapter then seems to be restricted to Determining Significance for Human Health in EIA and Effective Scoping of Human Health in EIA. We would like to see a full health impact assessment covering both physical and mental health and considering both negative and positive health impacts.
- The Chapter has some limited data on demographics and population health profiles. LCC suggest this needs to be refined down to Wards within the health and wellbeing study area rather at district (Boston and East Lindsey) level. The significance of these profiles in respect of the proposal then needs to be drawn out in this EIA chapter.
- The Chapter does not appear to be covering positive impacts that could be achieved through mitigation, enhancement (e.g., planting), or community gain.

### **Scoped Out Aspects (Chapter 17)**

Chapter 17 sets out the topics the applicant proposes to scope out from the EIA.

Waste

Waste has been scoped out of the EIA which LCC considers to be reasonable given the commitment to produce a Site Waste Management Plan (preceded by an Outline SWMP) (Section 17.2 of Scoping Report, Volume 1, Part 2.3). LCC will wish to review these documents in more detail when available.

At end of life (“If the English Onshore Scheme ceases to operate”), it is proposed to follow a hierarchy of leaving the cables in-situ, recycling if possible, and only disposal as a last resort. This seems reasonable and aligns with the waste hierarchy (Paragraph 4.10.6 of Scoping Report, Volume 1, Part 2.1). Paragraph 33.5.1 of Scoping Report, Volume 1, Part 4, references applying the waste hierarchy which is welcomed and that waste would be segregate in order to facilitate this.

### **Cumulative Effects (Chapter 35)**

The applicants approach to the assessment of cumulative effects set out in chapter 35 of the Scoping Report and the inclusion of a separate chapter on cumulative assessment in the PEIR and ES, in addition to the assessment of cumulative impacts in each technical topic chapter is welcomed. The cumulative assessment should cover both intra project and inter projects effects which in addition to setting out the approach and methodology clearly identifies other relevant projects and the potential for cumulative effects, any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources. It should also provide an assessment of the

significance of the potential cumulative impacts identified, likely duration of the impacts (including phasing details) and mitigation measures.

LCC wishes to highlight the potential for significant cumulative effects with other NSIP's. The applicant should take into consideration the geographical scale of the NSIP projects in Lincolnshire in combination and consequently the scale of the study area that will be necessary to identify the full extent of the developments and the potential significant cumulative impacts which could occur over a wide geographical area.

Whilst it is noted that EGL3 and EGL4 are separate projects to other proposed energy projects in this part of Lincolnshire such as the Grimsby to Walpole Scheme, also part of the Great Grid upgrade, and the Outer Dousing scheme, the Council are very concerned about the cumulative impact of these projects which have the potential to overwhelm the local communities, and significantly adversely impact on the environment, in particular the character and appearance of the Lincolnshire Countryside including impact on the Lincolnshire Wolds National Landscape, an Area of Outstanding Natural Beauty (AONB).

The Council are also very concerned about the potential for significant transport related impacts during the construction phase as a result of multiple NSIP schemes being developed over a similar time period, in an area of Lincolnshire that is rural in nature with limited network capacity.

A traffic and transport assessment is publicly available for the Outer Dousing scheme and the Council in its capacity as Highway Authority has reviewed this assessment as part of DCO application process for this scheme. If the Great Grid Upgrade schemes were to generate traffic of a similar scale to the Outer Dousing proposal and occur at the same time, the County could potentially see a 20%-40% uplift of traffic on key existing A roads in the east of the County. This would be a major concern and critical routes such as the A16 through Boston and the A158 through Horncastle could not accommodate such changes.

A further concern is the impact that this project and cumulatively with the other NSIP projects could have on tourism in the area. Greater Lincolnshire has a high-quality and varied visitor economy offer across city, coast and countryside. Up to 50 miles of coastline, an AONB, and hundreds of visitor attractions contribute. The Greater Lincolnshire's Visitor Economy in 2022 was estimated to be worth over £2.49bn per annum and supports approximately 30,000 full time equivalent jobs.

LCC will expect full consideration to be given to the cumulative impacts with all other proposals in the PEIR and ES as they are progressed and will welcome the opportunity to input in the 'Short List' of other developments in due course.

Yours faithfully



**for Neil McBride**  
**Head of Planning**

**Appendix A – Existing Waste sites located in the Scoping Boundary , as referenced in the Lincolnshire Minerals and Waste Local Plan, 2016.**

**Existing Waste Sites**

- 20 - Agri-Cycle Ltd (PE23 4AY)
- 40 - Composting Facility (PE22 8LA)
- 42 - Department of Trucking Vehicle Depollution (PE22 7HR)
- 45 - Reed Point (PE20 2EP)
- 87 - Greenaway Green Waste Services (LN13 0LW)
- 96 - Grange Farm (PE23 5DD)
- 104 - Station Farm Anaerobic Digestion Facility (PE22 0SE)
- 111 - Wildmore Renewables Ltd (PE22 7AN)
- 118 - Westville Farm Transfer Station (PE22 7HR)
- 119 - Boardsides Recycling (PE21 7PB)
- 146 - The Grey House (PE21 7JD)
- 147 - Alford Road TS (LN13 9RB)

**Existing Sewage Treatment Works**

- AW04 - Alford STW (LN13 9BN)
- AW10 - Spilsby STW (PE23 5PF)
- AW11 - Stickney STW (PE22 8DG)
- AW78 - Welton Le Marsh (WTW) STW (PE23 5TA)
- AW79 - Strubby STW (LN13 0DZ)
- AW80 - Mablethorpe STW (LN12 2QN)
- AW81 - Anderby-Sea Road STW (PE24 5XY)
- AW86 - Sutterton-Wigtoft STW (PE20 2EN)
- AW119 - Sibsey STW (PE22 0SG)
- AW136 - Fiskney STW (PE22 8NU)
- AW168 - Holbeach STW (PE12 8AD)

**Appendix B - Review of Soils and Agricultural Land Classification Cable Route for Eastern Green Links 3 & 4 August 2024**

Provided as a separate report.

**Review of Soils  
and Agricultural  
Land  
Classification  
Cable Route for  
Eastern Green  
Links 3 & 4**

**Lincs County Council**

August 2024



## **Contents**

1. Introduction
2. The importance of agriculture and soils in Lincolnshire  
Geology and Soils
3. Agricultural Land Classification
4. Alternative Cable Routes
5. Soil Management Plan
6. Conclusions



## **Introduction**

This report focuses on soils and Agricultural Land Classification issues. Landscape have considered the Statement and a number of documents as part of the application including Chapter 11, together with the Soils and Drainage document from April 2024.

## **The importance of agriculture and soils in Lincolnshire**

Soil and Agricultural Land Quality Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 180 of the NPPF and a recent Government Circular of 15th May 2024.

The Framework at paragraph 180 recognises the economic and other benefits of the best and most versatile agricultural land. Footnote 62 within paragraph 181 of the NPPF requires where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. In addition, the availability of agricultural land used for food production should be considered, alongside the other policies in the Framework, when deciding what sites are most appropriate for development.

Lincolnshire is home to 10 percent of English agricultural production. Its combination of climate, soil type and topography make the county ideal for a variety of crops. There are significant proportions of wheat, oilseed rape, sugar beet and potatoes, with the county producing 12 percent of England's arable crops.

Lincolnshire is also home to around 25% of the UK's vegetable production, and 21% of ornamental crop production. This high level of production is vital to the county's economy, generating a Gross Value Added of £446m in 2012. To preserve fresh produce and minimise supply chain distance, highly productive food hubs have built up in the south of the county. The importance of this sector for the local economy is reflected in the number of jobs it generates: if this food supply chain is included alongside food retail and catering in the county, the number of employees exceeds 100,000.

The routes pass across and will be buried under mainly open countryside that is largely arable farmland with some areas of pasture. Most of this land is Provisionally Best and Most Versatile.

## **Agricultural Land Classification**

The route has not yet been surveyed in detail for ALC. Most of it follows land in higher ALC grades including Grades 1 and 2. As part of the process the applicant states that they have sought to avoid BMV where possible. The Soils and Drainage document confirms that ALCs will be completed for the final route. It confirms:-

*Soil and land quality assessments will be carried out along the route with soil sampling and analysis to comprehensively assess the topsoil and subsoil impacted by construction. A soil resources survey will establish a baseline record of the condition of the affected land and will include:*

- *information collected from landowner meetings*
- *a detailed soil survey in each field using handheld tools carried out by independent soil scientists and in accordance with published guidelines*

- *topsoil in each field will be sampled and tested at an accredited laboratory for pH, major plant nutrients, organic matter and particle size distribution and the results shared with each landowner*

- *Agricultural Land Classification (ALC) grades will be mapped across each affected land parcel and the land will be returned to its baseline ALC, therefore ensuring no loss or degradation of agricultural land.*

*This information will be developed into a comprehensive SMP for the project which will be submitted as part of the Development Consent Order (DCO) application and will be agreed with the Local Planning Authority (LPA) in advance of site work.*

*The SMP will be developed in accordance with published guidelines, in particular the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (which requires a SMP to be developed and implemented) and the Institute of Quarrying's Good Practice Guide for Handling Soils in Mineral Workings (which is guidance recommended for all construction projects by Natural England).*

*This approach is in accordance with National Policy EN-5 and the National Policy Statement for Electricity Networks Infrastructure.*

## **Schedule of Condition**

A schedule of condition will be essential in the first instance. A full record of condition on a plot-by-plot basis should be undertaken including photos pre and post construction.

Prior to and post construction, a competent person should be employed to ensure that information on existing agricultural management and soil/land conditions is obtained, recorded and verified by way of a detailed pre and post construction condition survey.

Where Agricultural Land Classification surveys and British Standard soil testing are to be undertaken across the areas in which construction activities are proposed, then survey points should be made at least every 100m and in each field where the field is less than 100m in length.

National Grid confirm:-

*The installation of underground electricity cables has the potential to affect agricultural land, soils and drainage systems. We understand the importance of soils and drainage and will prioritise them from the start of the project. We will consult, investigate, assess, design and install high quality land drainage and soil management, in collaboration with the landowner.*

*Reinstatement generally refers to restoring conditions and features to their previous condition once construction work for the Projects are complete. For example, reinstating soil or land drains to ensure that ground conditions are the same as before the Projects commenced.*

They also confirm that:-

*Consultation and Engagement*

*11.3.1 To date no engagement has been undertaken in relation to agriculture and soils. It is anticipated that feedback in relation to this topic and the full scope of works will be gained following consultation on this Scoping Report, both for the agriculture and soils chapter, and those related chapters identified in Section 11.1. 11.3.2 Natural England will be specifically consulted on the scope of the assessment and the soil and ALC survey methodology prior to the survey commencing.*

It is expected that detailed consultation will occur with professional organisations representing farmers and landowners. Such bodies include, CLA, NFU and CAAV

## **Alternative Routes**

Chapter 11 sets out the Agricultural Land and Soils section and states:-

*11.1.1 The agriculture and soils assessment will consider the potentially significant effects on soils, agricultural land and agricultural land holdings that may arise from the construction and operation of the English Onshore Scheme.*

*11.1.2 This chapter of the Scoping Report sets out the relevant legislation, planning policy context and technical guidance used to inform the scope of the assessment and summarises any consultation and engagement in relation to agriculture and soils undertaken to date. It provides an overview of the baseline conditions relevant to agriculture and soils within/around the Scoping Boundary, the measures which will be incorporated into the English Onshore Scheme to mitigate effects on agricultural and soil receptors, the likely significant effects to be considered within the assessment, and how these likely significant effects will be assessed for the purpose of an EIA.*

The Applicant notes that National Planning Policy advocates schemes to avoid Best and Most Versatile (BMV) land classification where there are suitable alternatives. While the Applicant is not able to avoid impacting BMV land, it considers that the adoption of the alternative route option supports these policy requirements.

## **Soil Management Plan**

At the moment this is an outline document, but it appears to be a sensible proposal which needs to be conditioned so that it forms part of the work programme. An agricultural liaison officer would need to supervise works as they proceed.

A suitable SMP sets out the principles and procedures for general good practice mitigation for soil management during the onshore construction works to minimise the adverse effects on the nature and quality of the soil resource. In populating the document it will be necessary to identify the individual areas of land and the route for soil stripping, trenching, restoration and similar.

Chapter 11 identifies a number of soil based challenges including high grade land, running sand soil handling and drainage issues which will need to be addressed in detail.

The Cables will generally be laid so as to avoid continued interference with normal agricultural operations as far as reasonably practicable. The Cables should be laid to contour with a depth of cover of not less than 1.2 metres from the original surface to the top of the protective tile above the Cables, except where necessary for good engineering reasons and with the agreement of the Landowner and/or occupier.

## **Drainage**

Impacts in agricultural drainage have been assessed in the Chapter 11, with any relevant impacts or mitigation used to inform the process, where necessary. The Project may consider appointing a local drainage contractor to ensure the Project's pre and post construction drainage schemes are designed in a harmonic way with existing drainage systems.

## **Conclusions**

It is noted that no ALC survey has been undertaken regarding the cable routes, though a full ALC of the final route is proposed. The details of this with soil assessment will be invaluable.

The proposed development is likely to have a mainly temporary impact on agriculture and soils that will result in the temporary loss of agricultural production in the development area generally and/or the possible more permanent loss of production from mostly very good and excellent quality agricultural land.

Land Drainage issues remain of concern to farmers and landowners in restoring the land after cable burial.

In considering the impact on the overall farming enterprises both locally and across the Cable Route, it may be necessary to seek additional information on the impact on the individual farms themselves. Chapter 11 is fairly comprehensive in setting out the situation and measures needed.

**From:** SM-MMO-SH - MFA Marine Consents (MMO)  
<marine.consents@marinemangement.org.uk>  
**Sent:** 30 July 2024 09:49  
**To:** Eastern Green Link 3 and 4  
**Subject:** RE: EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

## **Marine Licensing, Wildlife Licences and other permissions**

Dear Sir/Madam,

Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

### **Response to your consultation**

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

### **Marine Licensing**

#### **Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.**

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence

<https://www.gov.uk/guidance/make-a-marine-licence-application>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the [coastal concordat](#) and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: [check if you need a marine licence](#) and asked to quote the following information on any resultant marine licence application:

- local planning authority name,
- planning officer name and contact details,

- planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

### **Environmental Impact Assessment**

With respect to projects that require a marine licence the [EIA Directive \(codified in Directive 2011/92/EU\)](#) is transposed into UK law by [the Marine Works \(Environmental Impact Assessment\) Regulations 2007 \(the MWR\), as amended](#). Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <http://www.legislation.gov.uk/ukxi/2017/571/contents/made> may be applicable.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

<https://www.gov.uk/guidance/make-a-marine-licence-application>

### **Marine Planning**

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

A [map](#) showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our [Explore Marine Plans](#) service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the [Marine and Coastal Access Act](#) and the [UK Marine Policy Statement](#) unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our [online guidance](#) and the [Planning Advisory Service soundness self-assessment checklist](#). If you wish to contact your local marine planning officer you can find their details on our [gov.uk page](#).

### **Minerals and waste plans and local aggregate assessments**

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below;

- The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.
- The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.

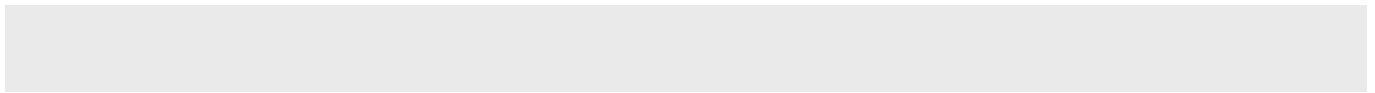
- The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions – including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play – particularly where land based resources are becoming increasingly constrained.

If you require further guidance on the Marine Licencing process, please follow the link <https://www.gov.uk/topic/planning-development/marine-licences>

Kind regards,  
Hannah

---



,  
.  
,



---

 [@PINSgov](https://twitter.com/PINSgov)  [The Planning Inspectorate](https://www.linkedin.com/company/the-planning-inspectorate/)  [planninginspectorate.gov.uk](https://www.planninginspectorate.gov.uk)

Ensuring **fairness**, **openness** and **impartiality** across all our services

This communication does not constitute legal advice.  
Please view our [Information Charter](#) before sending information to the Planning Inspectorate.  
Our [Customer Privacy Notice](#) sets out how we handle personal data in accordance with the law.



Katherine King  
Senior EIA Advisor  
Eastern Green Link 3 and 4 Case Team  
Planning Inspectorate

Email: [easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk).

**By email only**

23 August 2024

Dear Ms King,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**MMO scoping consultation response on the application by National Grid Electricity Transmission (the Applicant) for an Order granting Development Consent for Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development)**

Thank you for your scoping consultation dated 29 July 2024 and for providing the Marine Management Organisation (MMO) with the opportunity to share our comments with you on the Eastern Green Link 3 and Eastern Green Link 4 Scoping Report.

The MMO's role in Nationally Significant Infrastructure Projects

The MMO was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to contribute to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence<sup>1</sup>. Inshore waters include any area which is submerged at mean high water spring ("MHWS") tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area. In the case of Nationally Significant Infrastructure Projects ("NSIPs"), the 2008 Act enables Development Consent Order's ("DCO") for projects which affect the marine environment to include provisions which deem marine licences<sup>2</sup>.

As a prescribed consultee under the 2008 Act, the MMO advises developers during preapplication on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or

<sup>1</sup> Under Part 4 of the 2009 Act

<sup>2</sup> Section 149A of the 2008 Act





removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works. Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (“dML”) enable the MMO to fulfil these obligations. Further information on licensable activities can be found on the MMO’s website<sup>3</sup>. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note<sup>4</sup>.

Please find attached the scoping opinion of the MMO. In providing these comments, the MMO has sought the views of our technical advisors at the Centre for Environment, Fisheries and Aquaculture Science (Cefas) and the MMO East and North East Coastal Offices.

The MMO reserves the right to make further comments on the project throughout the preapplication process and may modify its present advice or opinion in view of any additional information that may come to our attention. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

If you require any further information, please do not hesitate to contact me using the details provided below.

Yours Sincerely

  
Emma Shore  
Marine Licensing Case Manager

D   
E  [@marinemanagement.org.uk](mailto:emma.shore@marinemanagement.org.uk)

---

<sup>3</sup> <https://www.gov.uk/planning-development/marine-licences>

<sup>4</sup> <http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf>

# Scoping consultation response

**Title:** Eastern Green Link 3 (EGL3) and Eastern Green Link 4 (EGL4)

**Applicant:** National Grid Electricity Transmission (NGET)

**MMO Reference:** DCO/2024/00009

## Contents

1. Proposal .....	4
2. Location .....	5
3. Scoping Consultation Response .....	6
3.1 Benthic Ecology .....	6
3.2 Coastal Processes .....	6
3.3 Dredge and Disposal .....	7
3.4 Fisheries and Fish Ecology .....	7
3.5 Shellfish.....	8
3.6 Underwater Noise .....	9
3.7 Nature Conservation.....	10
3.8 Marine Archaeology.....	10
3.9 Navigation / Other Users of the Sea .....	10
4. Conclusion.....	10
5. References .....	11

# 1. Proposal

## 1.1 Project Background

National Grid Electricity Transmission (NGET) and Scottish Hydro Electric Transmission Ltd (SHE-Transmission), who are operating and known as Scottish and Southern Electricity Networks Transmission (SSEN Transmission), are jointly developing proposals for a 2 Gigawatt (GW) High Voltage Direct Current (HVDC) link between Peterhead, Aberdeenshire in Scotland, and King's Lynn and West Norfolk, Norfolk in England, known as EGL3. In parallel with EGK3, NGET is also developing proposals with Scottish Power Transmission (SPT), who are operating and known as Scottish Power Transmission (SPEN), for a 2 GW HVDC link between Westfield, Fife in Scotland and King's Lynn and West Norfolk, Norfolk in England.

EGL3 and EGL4 are separate projects, independent of one another. However, they have a common landfall on the Lincolnshire coastline, a common connection point to the existing transmission network in Norfolk and they also follow the same onshore cable route for the majority of their length. Therefore, the MMO understands that EGL3 and EGL4 are being consented by a single Development Consent Order.

## 1.2 Proposed Development

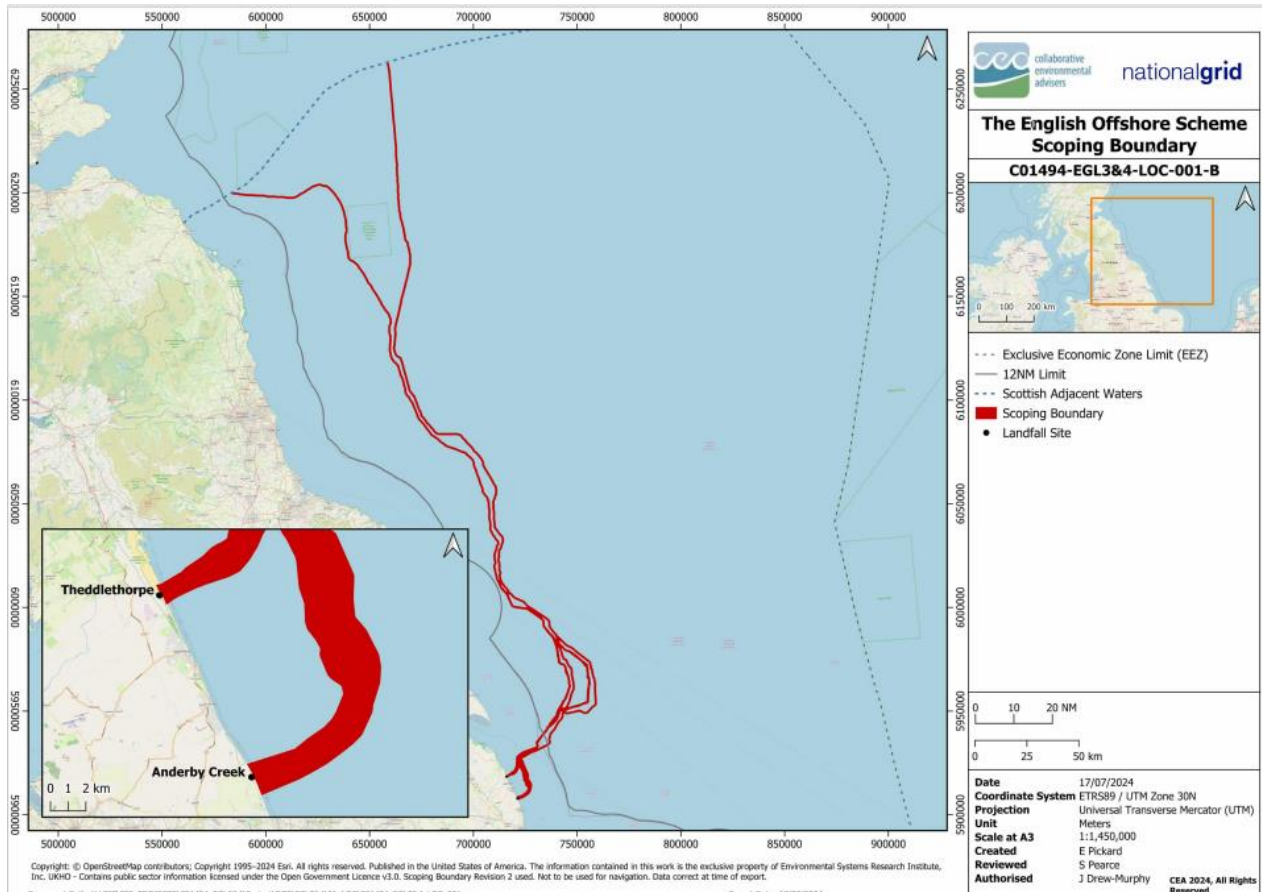
As described above, EGL3 and EGL4 each comprise a 2 GW HVDC system linking Scotland and Norfolk in England, making landfall in Lincolnshire. The English and Scottish Offshore Schemes comprise:

- EGL3 is proposed to be approximately 575 kilometres (km) of subsea HVDC cable from a proposed landfall at either Anderby Creek or Theddlethorpe, Lincolnshire, to a proposed landfall at Sandford Bay, Peterhead. The submarine cable system will consist of two HVDC cables and fibre optic cable.
- EGL4 is proposed to be approximately 525 km of subsea HVDC cable from a proposed landfall at either Anderby Creek or Theddlethorpe, Lincolnshire, to a proposed Fife landfall at either Kinghorn or Largo Bay. The submarine cable system will consist of two HVDC cables and a fibre optic cable.

The English Offshore Scheme will comprise two power cables and a fibre optic cable. It has been assumed by NGET that the HVDC links will each comprise of two single core metallic conductors (one positive, one negative) and a fibre optic cable. The cables will be installed either as a single bundle of two conductors and the fibre optic cable, or with the conductors laid separately in parallel, with the fibre optic cable bundled to one of the conductors.

## 2. Location

EGL3 and EGL4 are proposed to link Scotland and Norfolk in England, making landfall in Lincolnshire. See Figures 1 and 2 below for the Scoping Boundary of the English Offshore Scheme.



**Figure 1:** Location of the proposed development, including English Offshore Scoping Boundary.

### 3. Scoping Consultation Response

NGET has asked the Planning Inspectorate on behalf of the Secretary of State for its opinion (a Scoping Opinion) as to the information to be provided in an Environmental Statement (ES) relating to the Proposed Development. The Planning Inspectorate has consulted the MMO on the Scoping Report titled 'Eastern Green Link 3 and Eastern Green Link 4 Environmental Impact Assessment Scoping Report' and asked that the MMO identifies the information that should be provided in the ES.

The MMO has reviewed the Scoping Report and agrees with the topics outlined, however has the following comments that should be considered before the Planning Inspectorate issues its Scoping Opinion.

#### 3.1 Benthic Ecology

- 3.1.1. The MMO, in consultation with Cefas, considers that all relevant impacts on benthic ecology receptors have been scoped in. The benthic ecology receptors (broad-scale habitats and sensitive/protected features) described in the baseline characterisation are appropriate. The list of receptors should be revisited/updated as additional data on the benthic ecology of the study area become available, for example from the site-specific surveys.
- 3.1.2. No specific mitigation measures have been proposed for benthic ecology receptors in the Scoping Report, which is to be expected at this stage of the application. The MMO, in consultation with Cefas, considers that the broad approach to mitigation outlined in the Scoping Report is appropriate with regards to benthic ecology.

#### 3.2 Coastal Processes

- 3.2.1. The MMO, in consultation with Cefas, considers that all relevant or likely impacts have been scoped in for coastal processes during the construction phase and we agree that these can be scoped out during the operational phase.
- 3.2.2. The appropriate data sources and new surveys have been correctly identified and specified at a high level. Cone Penetrator Testing should be undertaken along the cable route to evidence the Cable Burial Risk Assessment as well as the usual swath bathymetry and sub-bottom profiling.
- 3.2.3. Regarding Section 20.6.3, the MMO, in consultation with Cefas, concurs with the Statutory Nature Conservation Bodies (SNCBs) opinion that a trenchless cable connector across the intertidal is the preferred option as this involves less sediment disturbance and is rapidly becoming good industry practice.
- 3.2.4. Table 20-3 should be updated to identify potential scour protection options along the whole cable route (for example rock/mattress or protection) if the cable burial depth is not reached.

- 3.2.5. The MMO, in consultation with Cefas, does not recommend the use of fronded mattresses as detailed in Table 20-3 as they introduce plastics into the marine environment.
- 3.2.6. The impact of tidal surges should also be assessed within Section 23.5.18 as well as wave and tidal activity on transport.
- 3.2.7. Within Section 23.6.11 the use of the word “*may*” should be clarified in terms of quantitative numerical modelling.

### **3.3 Dredge and Disposal**

- 3.3.1. Disturbance and subsequent release of sediment-bound contaminants have been scoped into the assessment, as well as suspended sediments. The MMO, in consultation with Cefas, considers these scoping decisions are appropriate and comprehensive of what we would expect to be scoped into the assessment with regards to dredge and disposal.
- 3.3.2. The Applicant has committed to bespoke baseline surveying of the physicochemical properties of the sediments as is evidence by their seeking of a sample plan for the works (SAM/2024/00044). In this regard the approach for data gathering and how the data will be used, for example through comparison to relevant criteria such as Action Levels, is appropriate.

### **3.4 Fisheries and Fish Ecology**

- 3.4.1. The potential impacts to fish during the construction, operation and decommissioning stages have been appropriately identified in Table 25-9. Generally, the MMO, in consultation with Cefas, are content with the scoping decision made, however, please see point 3.4.2 below.
- 3.4.2. Temporary increase and deposition of suspended sediments arising from seabed preparation (e.g., boulder clearance, PLGR), HDD duct excavation, cable burial and trenching, anchoring / jack-up foundations, and the deposit of external cable protection has been scoped out for all stages of development for all fish species. It is noted in Table 25-9 that the most significant contributor to the temporary increase and deposition of suspended sediment will come from the sediment plume generated by cable trenching, with the size of the area affected being influenced by the trenching technique employed. However, it has not yet been confirmed which trenching technique will be employed, and sediment plume modelling has yet to be carried out for the project, there is therefore uncertainty over the extent of the sediment plume and the expected concentrations of sediment in the water column that will be generated (in contrast to typical background levels). The Scoping Report has identified that the cable routes pass through herring spawning grounds and has recognised that herring are sensitive to any seabed disturbance. The sensitivity of herring includes the risk to their eggs and larvae at the spawning grounds which can be smothered from the deposition of fine sediments. Given the sensitivity of herring eggs and larvae, and the uncertainties over the extent of the sediment plume and the concentrations of sediment in the water column, the MMO recommends that the

impacts from the temporary increase and deposition of suspended sediments arising from cable burial and trenching during the construction and decommissioning stages is scoped in for herring only. For all other fish species, we are content for this impact to be scoped out.

- 3.4.3. The MMO also recommends that the list of projects scoped into the cumulative impact assessment includes all projects in the planning, construction and operational stages of development in the Central North Sea Region.

### **3.5 Shellfish**

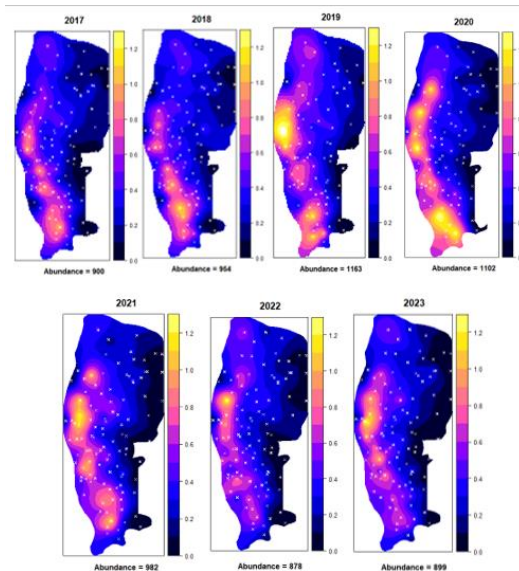
- 3.5.1. Table 25-9 indicates that '*Temporary increase and deposition of suspended sediments*' is scoped out for shellfish receptors. This should be scoped in for all shellfish species dominant in the area such as *Nephrops*, Lobster, Edible Crab, Whelk, Scallop as well as cockles. Some shellfish have more sedentary parts to their life cycle that make them more vulnerable to impact from suspended sediments and smothering, i.e. gravid female *Nephrops* and berried crabs burrow during winter months (November to February).
- 3.5.2. Additionally, cumulative effects during operation should be considered for inclusion, especially the timing with respect to more vulnerable shell life phases, i.e. winter.
- 3.5.3. The MMO, in consultation with Cefas, considers that Table 25-3 should be amended to include main shellfish species reflecting commercial fishing landings, i.e. Lobster, Edible Crab, *Nephrops*, Whelk, Scallop and Cockle.
- 3.5.4. The Fish Nursery and spawning maps (C014940-EGL3&4-FISH-003-B) should be amended to include shellfish species. Spawning grounds will relate to rectangles of fisheries capture, see references (Eaton, 2003; Cefas stock assessments Edible crab and Lobster, 2023; ICES WGNAPS, 2023).
- 3.5.5. Within Section 25.2.9, electromagnetic (EMF) field studies or desk-based research should include shellfish species that move distances such as Edible crab to verify no boundary effects caused by the EMF field.
- 3.5.6. The MMO, in consultation with Cefas, suggests that the timing of works should be considered as a mitigation measure to minimise any impacts upon berried/spawning/overwintering shellfish or larval phases where possible, especially *Nephrops*, Lobster, Crab and cockle. These species are deemed to be of high vulnerability, medium sensitivity, with medium to high recoverability and of significant regional importance within the North Sea. Mitigation should be considered through consultation with the fishing industry and relevant stakeholders.
- 3.5.7. Shellfish fisheries monitoring does not appear to be proposed, but information of pre-/post-construction/operation will be valuable to inform any further reporting and support the validation of the expected minimal significant impact.
- 3.5.8. Table 25-2 notes '*Edible crab and Lobster have been considered in Section 25.4.1.6*'. The MMO, in consultation with Cefas, were unable to locate this section within the

Report and it should be clarified whether this was a typo, or sign posting of the relevant section should be provided.

3.5.9. Table 29-2 should be updated to include the seasonality of Nephrops (Farne Deep's high season s October to March and low season is April to September).

3.5.10. Shellfish dominate the landings within the region and the Fisheries Liaison and Mitigation Action Plan needs to ensure that the Shellfish industry is appropriately contacted, informed and included. Additionally, the related information within the Fish and Shellfish chapters should reflect this important fishery as well as more detail for the major shellfish species dominant in the area.

3.5.11. Maps of the main Farn Deep's Nephrops fishery (see example image below) can be used as the spawning maps (females remain in muddy burrows within the fishery bounds). These are contained within the WGNEPS 2023 report or can be supplied by the MMO, in consultation with Cefas.



### 3.6 Underwater

3.6.1. The MMO, in recommends surveys that are in and potential

3.6.2. Table 25-9 in underwater the presence of equipment, for all fish and shellfish species during all stages of the project. The following justification is provided:

### Noise

consultation with Cefas, that any geophysical not exempt are also scoped considered in terms of underwater noise impacts.

Chapter 25 scoped out noise changes, including project vessels and

**Construction:** “All of the operations involved in the preparation and construction of subsea cable generate underwater sound. The presence of vessels creates a continuous sound. The Projects will be a one-off event set against a background of existing shipping noise. Any effects will be localised and short-term and are not predicted to be significant”.

**Operation:** “If the cable is installed correctly the likelihood of it requiring maintenance and repair is significantly reduced. However, there remains the potential that localised repair works may be required. In these circumstances the significance of the effect will be of lower magnitude than during construction and has therefore been scoped out of the assessment for the same reasons”.



The MMO, in consultation with Cefas, considers that this is not sufficient justification for scoping out underwater noise, particularly during the construction phase. Further evidence should be submitted to demonstrate why the effects will be localised and short term. In general, cable laying operations tend to present a lower risk to marine fauna than other noise-generating activities. Nonetheless, any noise general activities should still be appropriately considered.

- 3.6.3. It should be noted that there is little information to date on the potential effects of noise due to the installation (or removal) and operation of subsea cables (OSPAR Commission, 2023). The OSPAR report concludes that “*sound emissions related to cable survey and installation activities generally do not exceed the background levels of shipping and other anthropogenically-induced emissions and are limited in time (i.e., restricted to survey and installation periods). There are no clear indications that noise impacts related to the installation (or removal) and operation of subsea cables pose a high risk of harming marine fauna*” (OSPAR Commission, 2023).

Thus, while noise impacts are unlikely to pose a high risk of harming marine fauna, some impacts may still be expected, and these should be adequately considered, especially when considering the potential for cumulative effects, where impacts considered “low risk” in a single impact pathway assessment may become significant. The MMO, in consultation with Cefas, would expect underwater noise to be scoped in and some form of an assessment to be undertaken. The assessment does not have to include (complex) underwater noise modelling necessarily, but it should, at the very least, draw upon relevant literature where appropriate to support the assessment conclusions.

### **3.7 Nature Conservation**

- 3.7.1. The MMO defers to Natural England and the Joint Nature Conservation Committee as the Statutory Nature Conservation Bodies (SNCBs) on the suitability of the scope of the assessment with regards to designated sites.

### **3.8 Marine Archaeology**

- 3.8.1 The MMO defers to Historic England on the suitability of the scope of the assessment with regards to marine archaeology impacts.

### **3.9 Navigation / Other Users of the Sea**

- 3.9.1. The MMO notes that the works may cause a range of impacts on shipping and navigational features and other users of the sea during construction, operation and maintenance, and decommissioning phases of the Projects.
- 3.9.1. The MMO defers to the Maritime Coastguard Agency, Trinity House and Chamber of Shipping, on the suitability of the scope of the assessment with regards to navigation of vessels.

## **4. Conclusion**

The MMO has reviewed the Scoping Report and has provided advice for the applicant, and also included comments that the MMO would expect to be addressed in the ES.

This consultation response, however, should not necessarily be seen as a definitive list of all EIA requirements. Given the scale and programme of the proposed development, other work may prove necessary.

Yours Sincerely

[REDACTED]  
Emma Shore  
Marine Licensing Case Manager

D [REDACTED]  
E [REDACTED] [@marinemanagement.org.uk](mailto:[REDACTED]@marinemanagement.org.uk)

## 5. References

Eaton, D.R., Brown, J., Addison, J.T., Milligan, S.P., Fernan, L.J., 2003. Edible crab (*Cancer pagurus*) larvae surveys off the east coast of England: implications for stock structure. Fisheries Research 65 (2003) 191–199

Edible crab (*Cancer pagurus*). Cefas stock status report, Crown Copyright, 2023

Lobster (*Homarus gammarus*). Cefas stock status report, Crown Copyright, 2023

ICES (2023). Working Group on Nephrops Surveys (WGNEPS; outputs from 2022 meeting). ICES Scientific Reports. Report. <https://doi.org/10.17895/ices.pub.22211161.v1>  
<https://www.ices.dk/community/groups/Pages/WGNEPS.aspx>

OSPAR Commission. (2023). Subsea Cables within the OSPAR Maritime Area: Background document on technical considerations and potential environmental impacts. 83 pp.



Maritime &  
Coastguard  
Agency

Helen Croxson  
**Maritime and Coastguard Agency**  
Bay 2/24  
Spring Place  
105 Commercial Road  
Southampton  
SO15 1EG

[www.gov.uk/mca](http://www.gov.uk/mca)

Your Ref: EN0210003

The Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

26 August 2024

Via email: [easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk)

Dear Planning Inspectorate,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.**

**Application by National Grid Electricity Transmission (the Applicant) for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development).**

**Scoping opinion as to the information to be provided in an Environmental Statement (ES) relating to the Proposed Development.**

Thank you for your letter dated 29<sup>th</sup> July 2024 inviting the Maritime and Coastguard Agency (MCA) to comment on the Scoping Report for the Eastern Green Link (EGL) 3 project between Aberdeenshire in Scotland and Lincolnshire in England and the Eastern Green Link 4 project between Fife in Scotland and Norfolk in England.

The MCA has an interest in the works associated with the marine environment, and the potential impact on the safety of navigation, access to ports, harbours and marinas and any impact on our search and rescue obligations. The scoping report for the offshore scheme for EGL 3&4 have been considered by representatives of UK Technical Services Navigation and we would like to comment as follows;

We note the English offshore scheme for EGL 3 comprises of approximately 575km of subsea HVDC cable from the MHWS mark at a proposed landfall at either Theddlethorpe or Anderby Creek, Lincolnshire, England to where it meets the marine boundary between English and Scottish waters. The submarine cable system would consist of two HVDC cables and a fibre optic cable. EGL 4 comprises of approximately 525 km of subsea HVDC cable from the MHWS mark at a proposed landfall at either Theddlethorpe or Anderby Creek, Lincolnshire, England to where it meets the marine boundary between English and Scottish waters. The submarine cable system would consist of two HVDC cables and a fibre optic cable.

The development area carries a significant amount of through traffic to major ports with a number of important international shipping routes in close proximity, and a significant amount of other marine users e.g. offshore windfarms, dredging sites, ports, and crossing interconnector cables. Attention needs to be paid to changes in vessel routing, particularly in heavy weather ensuring shipping can continue to make safe passage without large-scale deviations, and any reduction in navigable depth referenced to chart datum.

We note that in 2023/24 the applicant has acquired geophysical, geotechnical, and environmental survey data, including vessel and fishing activity along the proposed submarine cable corridor which will be used for route engineering. Section 20.4 of the Scoping Report states that collected data would also inform the Cable Burial Risk Assessment (CBRA) which would define the minimum depth that the cables must be buried to protect them from external influences (e.g., dropped anchors, fishing gear interaction). The data would be used to identify which cable burial tools may be selected. All potential construction methodologies would be assessed to identify if any should be excluded due to the potential for significant impacts, and whether mitigation is required. The scoping report also mentions the potential use of guard vessels to warn mariners of any lengths of unprotected cable during cable lay.

We note the commitment in Chapter 28 Shipping and Navigation to complete a Navigation Risk Assessment (NRA), including a baseline study which will summarise the available background navigation data and focus on any key shipping routes and/or anchorage/disposal areas and fishing activity in the vicinity of the Project. With supporting marine traffic surveys, the NRA will establish how the phases of the project are managed to a point where risk is reduced and considered to be 'as low as reasonably practicable' (ALARP). The MCA welcomes the commitment in Chapter 28 to undertake a Marine Hazard Identification workshop, including local ports, harbours, wind farm developers, fishing federations amongst other stakeholders.

A range of potential project impacts on shipping and navigation and other marine users have been identified which could occur during the construction, operation, and decommissioning phases of the project. We note the assessment will follow the International Maritime Organization (IMO) Formal Safety Assessment (FSA) methodology, which we welcome. This is the internationally recognised approach for assessing the impact to shipping and navigation users. The MCA would expect the EIA report to detail the possible impact on navigational issues for both commercial, fishing and recreational craft, specifically:

- Collision Risk
- Navigational Safety
- Visual intrusion and noise
- Risk Management and Emergency response

- Marking and lighting of site and information to mariners
- Effect on small craft navigational and communication equipment
- The risk to drifting recreational craft in adverse weather or tidal conditions
- The likely squeeze of small craft into the routes of larger commercial vessels.

As stated in Section 28.5.2, we are content that the applicant has listed the above potential impacts to be included in the EIA.

Under Keel Clearance. We note the potential for a reduction of under keel clearance, which will be scoped into the assessment. Safe realistic under keel clearance (UKC) assessment should be undertaken for the maximum drafts of vessel both observed and anticipated in accordance with the industry standards and common practices.

Cable Burial Assessment. Attention should be paid to cabling routes and burial depth for which a Burial Protection Index study should be completed and subject to the traffic volumes, an anchor penetration study may be necessary. Section 20.4 of the Scoping Report states that the applicant will undertake a CBRA and indicates that burial depth will typically be 1-2.5 m below chart datum. The final target burial depth will be determined by the CBRA which will take into consideration location specific factors such as ground conditions (i.e., ability to bury), intensity of shipping and fishing activity. The results of the CBRA will be used to inform the ES and NRA which we welcome.

If cable protection measures are required e.g., rock bags or concrete mattresses, the MCA would be willing to accept a 5% reduction in surrounding depths referenced to Chart Datum. This will be particularly relevant where depths are decreasing towards shore, and at cable crossings, and potential impacts on navigable water increase. Where this is not achievable, the applicant must discuss further with the MCA. We note in the report that as the design progresses, further assessments will be undertaken in order to assess the subsea cables protection against shipping and fishing activities. Rock protection could potentially be utilised to cover the cable pending assessment from marine traffic and the NRA.

We note that whilst avoiding the River Humber Approaches Traffic Separation Scheme (TSS) they would require a cable crossing of the Hornsea 1 and 2 offshore wind farm export cables (amongst other wind farm cable crossings detailed in Table 30.3) within an area of high-frequency shipping in relatively shallow water. We are content that the OWF owners will be consulted on the project with regard to cable crossings as noted in section 30.3 of the Other Marine Users chapter.

Electromagnetic Deviation. In Section 28.2.13, we are content that a study will be undertaken to establish the electromagnetic deviation affecting ship compasses and other navigating systems, of the high voltage cable route. This will be presented with the PEIR and ES. The MCA would be willing to accept a three-degree deviation for 95% of the cable route and for the remaining 5% of the cable route there must be no more than a 5 degree electromagnetic compass deviation. On receipt of the study, the MCA reserves the right to request a deviation survey of the cable route post installation. The applicant should then provide this data to UKHO via a hydrographic note (H102), as they may want a precautionary notation on the appropriate Admiralty Charts. We note this has been scoped in for the operational phase of the project, which we welcome.

Hydrographic Surveys. The MCA would welcome any survey data being submitted as third-party data to the UK Hydrographic Office (UKHO) for the update of nautical charts and publications to improve safety. Further information can be found in MGN 654 Annex 4 supporting document titled 'Hydrographic Guidelines for Offshore Developers', available on our website: <https://www.gov.uk/guidance/offshore-renewable-energy-installations-impact-on-shipping>. We would like to highlight the need to provide the data in either GSF or CARIS format and that Total Vertical and Horizontal Uncertainty (TVU & THU) calculations are provided.

The MCA welcomes that all aspects related to shipping and navigation have been scoped in to the assessment, and only the interference with marine navigation equipment is proposed to be scoped out for the construction and decommissioning stages.

The MCA is satisfied with the scoping report at this stage as the basis for the ES and the proposals for the NRA from the shipping and navigation perspective.

I hope you find this information useful at Scoping Stage.

Yours faithfully,

██████████

Helen Croxson  
Marine Licensing Lead  
UK Technical Services Navigation



Defence  
Infrastructure  
Organisation

Jon Wilson  
Senior Safeguarding Manager  
Ministry of Defence  
Safeguarding Department  
Defence Infrastructure Organisation  
St George's House  
DIO Head Office  
DMS Whittington  
Lichfield  
Staffordshire WS14 9PY

Telephone: [REDACTED]

E-mail: [REDACTED]@mod.gov.uk

Your ref: EN021003

Our Reference: DIO10064060

The Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

23rd August 2024

Dear Sir/Madam,

**Eastern Green link 3 and Eastern Green Link 4 Projects**

**Planning Act 2008 (as amended) and the Infrastructure Planning - Environmental Impact Assessment) Regulations 2017**

**Application for an Order Granting Development Consent - Scoping Consultation**

Thank you for consulting the Ministry of Defence (MOD) with respect to the above scoping consultation.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage areas, air weapon ranges, and technical sites or training resources such as the UK Military Low Flying System.

The proposed development is to reinforce the electricity transmission system between Scotland and England through two projects. The Eastern Greenlink 3 (EGL3) project will establish a high voltage direct current (HVDC) link between Peterhead in Scotland and Kings Lynn in England. The Eastern Greenlink 4 (EGL4) project will establish a HVDC link between Westfield in Scotland and Kings Lynn in England.

Both projects feature the installation of HVDC subsea cables (offshore); fibre optic subsea cables (offshore); subterranean HVDC cabling (onshore), subterranean high voltage alternating current cable connections (onshore), convertor stations (onshore) and a new substation (onshore). A new onshore switching station is also included in EGL4.

## English Onshore Development Scheme

The Scoping Report defines a Scoping Boundary extending from two landfall locations at Theddlethorpe and Anderby Creek in Lincolnshire where HVDC cables would come ashore and then be conveyed underground to connect to electricity grid infrastructure at Walpole in Norfolk. This scoping boundary has been divided into 8 sections some which occupy MOD statutory safeguarding zones.

Section 1: Landfalls – Bilby, is located immediately south of the MOD Theddlethorpe Range training estate and it also occupies the statutory safeguarding zone surrounding the Air Weapons Range at Donna Nook located further north on the coast.

Section 4: Little Steeping – Sibsey Northlands, extends through the MOD statutory aerodrome safeguarding zone surrounding RAF Coningsby and the statutory technical site safeguarding zones protecting a microwave transmission link forming part of the East 1 Wide Area Multilateration Network (WAM) Network that provides air traffic navigational services.

Section 5: Sibsey Northlands – Hubbert's Bridge, extends through the MOD statutory aerodrome safeguarding zone surrounding RAF Coningsby; the statutory technical site safeguarding zones protecting a microwave transmission link(s) forming part of the East 1 Wide Area WAM Network and the statutory safeguarding zone surrounding the Air Weapons Range at Holbeach.

Section 6: Hubbert's Bridge – Moulton Seas End, extends through the MOD statutory safeguarding zone surrounding the Air Weapons Range at Holbeach.

Section 7: Moulton Seas End – Foul Anchor, extends through the MOD statutory safeguarding zone surrounding the Air Weapons Range at Holbeach and the statutory technical site safeguarding zones protecting a microwave transmission link(s) forming part of the East 1 Wide Area WAM Network.

Section 8: Foul Anchor – Walpole, extends through the MOD statutory safeguarding zone surrounding the Air Weapons Range at Holbeach.

The height and form of new structures (temporary or permanent) and the materials used in their construction may be of relevance to the safeguarding criteria defined in the safeguarding zones identified above (as may be applicable). Accordingly, the applicant is advised to consider this in the preparation of their application.

It should also be recognised that the Scoping Boundary occupies Low Flying Areas (LFAs) 5, 6 and 11 that form part of the UK Military Low Flying System in which military aircraft may conduct low level flying training. In this respect, the installation of tall or narrow profile structures (temporary or permanent) such as masts or lattice tower that are 50 metres or greater in height may be of relevance. The applicant is advised to consider this in the preparation of their application.

## English Offshore Development Scheme

The Scoping Report defines a Scoping Boundary extending from the northern boundary of English waters through the North Sea to the landfall sites at Theddlethorpe and Anderby Creek on the Lincolnshire coastline.

This scoping boundary crosses through the following MOD Practise and Exercise Areas (PEXA);

Danger Areas D513A, D513 B and D513 C – Druridge Bay.



Danger Area D412 – Staxton

Danger Area D307 – Donna Nook

Danger Areas – D323A, D323B, D323C, D323D and D323E

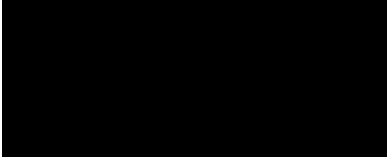
The applicant has identified these PEXA areas and the general nature of the types of military training activities that they can support in the Scoping Report (ref. Volume 1, Part 3, Chapter 30 - Table 30-6).

The MOD also has maritime navigational interest that the Scoping Boundary affects.

The applicant will need to consider all these issues in their preparation of their application.

I trust this makes our position on this consultation clear. Please do not hesitate to contact me should you require further information.

Yours faithfully,



Jon Wilson  
Senior Safeguarding Manager

Submitted via email to: [easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk)

13<sup>th</sup> August 2024

Dear Sir/Madam,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by National Grid Electricity Transmission (the Applicant) for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 Project (the Proposed Development)**

I refer to your email dated 29/07/24 regarding the above proposed DCO. This is a response on behalf of National Gas Transmission (NGT). Having reviewed the scoping consultation documents, NGT wishes to make the following comments regarding gas infrastructure which may be affected by proposals.

NGT has 5 feeder mains and property located within or in proximity to the Order limits. Details of this infrastructure is as follows:

- Feeder Main – FM17 – Theddlethorpe to Hatton
- Feeder Main – FM08 – Theddlethorpe to Hatton
- Feeder Main – FM07 – Gosberton to Tydd St Giles
- Feeder Main – FM04 – Kings Lynn Comp to Wisbech Nene West
- Feeder Main – FM02 – Brisley to Wisbech Nene West
- NG Property – LL294970
- NG Property – LL257295
- NG Property – LL173680
- NG Property – S3392
- Cathodic Protection Groundbeds/TR
- Ancillary apparatus

Please note that NGT has existing easements for these pipelines which provides rights for ongoing access and prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip.

You should also be aware of NGT's guidance for working in proximity to its assets, further guidance and links are available as follows.

## CATHODIC PROTECTION SYSTEM

To ensure a high level of safety and reliability in operation, National Gas Transmission's assets are protected by a cathodic protection system. It is essential that buried steel pipework associated with the transmission and distribution of natural gas is designed, installed, commissioned and maintained to withstand the potentially harmful effects of corrosion and that the corrosion control systems employed are monitored to ensure continued effectiveness. Installations in the vicinity of National Gas Transmission's assets which may potentially interfere with the cathodic protection system must be assessed and approved by National Gas Transmission, and appropriate control measures must be put in place where required.

Installations which have the potential to interfere with National Gas Transmission's Cathodic protection system include (but are not limited to):

1. High voltage cable crossings and parallelism
2. High voltage ac pylon parallelism
3. Battery Energy Storage Systems
4. Third party pipelines with cathodic protection systems
5. PV Solar arrays

Further information on D.C interference can be found in UKOPA/GPG/031 Edition C Microsoft Word - UKOPA GPG 031 DC Interference Ed 1.docx

[Microsoft Word - UKOPA GPG 031 DC Interference Ed 1.docx](#) (hold ctrl and click to access) Further information on A.C. interference can be found in UKOPA/GPG/027 UKOPA Good Practice Guide [UKOPA Good Practice Guide](#) (hold ctrl and click to access)

The safe limits for transfer voltage and impressed current that a high-pressure gas pipeline can be exposed to are outlined in T/PL/ECP/1, T/PL/ECP/2 and BS EN 50122-1. These are the safe limits for non-electrically trained personnel.

**Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGT's apparatus, NGT will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. A Deed of Consent will also be required for any works proposed within the easement strip.**

### Key Considerations:

- NGT has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.
- Please be aware that written permission is required before any works commence within the NGT easement strip. Furthermore a Deed of Consent will be required prior to commencement of works within NGT's easement strip subject to approval by NGT's plant protection team.
- Any large installations which may result in a large population increase in the vicinity of a high pressure gas pipeline must comply with the HSE's Land Use Planning methodology, and the HSE response should be submitted to National Gas Transmission for review

- The below guidance is not exhaustive and all works in the vicinity of NGT's asset shall be subject to review and approval from NGT's plant protection team in advance of commencement of works on site.

#### General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and NGT's Dial Before You Dig Specification for Safe Working in the Vicinity of NGT Assets. There will be additional requirements dictated by NGT's plant protection team.
- NGT will also need to ensure that its pipelines remain accessible during and after completion of the works.
- Our pipelines are normally buried to a depth cover of 1.1 metres, however actual depth and position must be confirmed on site by trial hole investigation under the supervision of a NGT representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of NGT High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a NGT representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Below are some examples of work types that have specific restrictions when being undertaken in the vicinity of gas assets therefore consultation with NGT's Plant Protection team is essential:
  - Demolition
  - Blasting
  - Piling and boring
  - Deep mining
  - Surface mineral extraction
  - Landfilling
  - Trenchless Techniques (e.g. HDD, pipe splitting, tunnelling etc.)
  - Wind turbine installation - minimum separation distance of 1.5x the mast/hub height is required, and any auxiliary installations such as cable or track crossings will require a deed of consent.
  - Solar farm installation
  - Tree planting schemes

#### Traffic Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at agreed locations.
- Permanent road crossings will require a surface load calculation, and will require a deed of consent.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with NGT prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the NGT pipeline without the prior permission of NGT
- NGT will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to NGT.
- An NGT representative shall monitor any works within close proximity to the pipeline to comply with NGT specification T/SP/SSW22

#### New Asset Crossings:

- New assets (cables/pipelines etc) may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- The separation distance for a cable >33kV is 1000mm and pre and post energisation surveys may be required at National Gas Transmission's discretion. A risk assessment/method statement will need to be provided to, and accepted by National Gas Transmission prior to the deed of consent being agreed. Where a new asset is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.
- A new service should not be laid parallel within an easement strip
- Clearance must be at least 600mm above or below the pipeline
- An NGT representative shall approve and supervise any cable crossing of a pipeline.
- A Deed of Consent is required for any cable crossing the easement

**Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGT apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO. NGT requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection.**

**Adequate access to NGT pipelines must be maintained at all times during construction and post construction to ensure the safe operation of our network.**

Yours Faithfully

Asset Protection Team

### **Further Safety Guidance**

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<https://www.hse.gov.uk/pubns/books/hsg47.htm>

Working Near National Gas Assets

<https://www.nationalgas.com/land-and-assets/working-near-our-assets>

Specification for Safe Working in the Vicinity of National Gas High Pressure Pipelines and Associated Installations

<https://www.nationalgas.com/document/82951/download>

Tree Planting Guidance

<https://www.nationalgas.com/document/82976/download>

Excavating Safely

<https://www.nationalgas.com/document/82971/download>

Dial Before You Dig Guidance

<https://www.nationalgas.com/document/128751/download>

Essential Guidance:

<https://www.nationalgas.com/gas-transmission/document/82931/download>

Solar Farm Guidance

<https://www.nationalgas.com/document/82936/download>

**From:** Emma Stevenson <[REDACTED]@nationalgrid.com>  
**Sent:** 05 August 2024 12:23  
**To:** Eastern Green Link 3 and 4  
**Subject:** Eastern Green Link 3 and 4 Consultations

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from [REDACTED] [Learn why this is important](#)

Good afternoon

Having reviewed the proposals for EGL3 & 4 it appears both projects will interact offshore with our North Sea Link Interconnector, and possibly our Viking Link Interconnector. To date, other than late notification of surveys, we haven't received any information regarding these works. We will require offshore crossing agreements putting in place in advance of any work taking place, and also NDAs prior to the sharing of information.

It is also possible there will be an onshore crossing of Viking Link, and again, we will require a crossing agreement to be put in place prior to any works taking place.

To progress these agreements, I will be NGV's main point of contact.

Kind regards

Emma

Emma Stevenson  
Senior Land and Consents Officer (Operational Assets)

nationalgrid Ventures

This e-mail, and any attachments are strictly confidential and intended for the addressee(s) only. The content may also contain legal, professional or other privileged information. If you are not the intended recipient, please notify the sender immediately and then delete the e-mail and any attachments. You should not disclose, copy or take any action in reliance on this transmission.

You may report the matter by contacting us via our [UK Contacts Page](#) or our [US Contacts Page](#) (accessed by clicking on the appropriate link)

Please ensure you have adequate virus protection before you open or detach any documents from this transmission. National Grid plc and its affiliates do not accept any liability for viruses. An e-mail reply to this address may be subject to monitoring for operational reasons or lawful business practices.

For the registered information on the UK operating companies within the National Grid group please use the attached link: <https://www.nationalgrid.com/group/about-us/corporate-registrations>

**From:** Alice Lawman [REDACTED]@nationalhighways.co.uk>  
**Sent:** 22 August 2024 11:14  
**To:** Eastern Green Link 3 and 4  
**Subject:** EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - National Highways Consultation Response to EIA Scoping

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from [REDACTED] [Learn why this is important](#)

## National Highways Scoping Opinion Consultation Response

National Highways welcomes the opportunity to respond to the consultation for a Scoping Opinion for the application for Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 project.

On behalf of the Secretary of State for Transport, National Highways is responsible for managing and operating a safe and efficient Strategic Road Network (SRN) under the provisions of the Infrastructure Act 2015 and is the highway authority for the Strategic Road Network (SRN). The Department for Transport (DfT) Circular 01/2022 (Strategic road network and the delivery of sustainable development) sets out how National Highways will work with developers to ensure that specific tests are met when promoting a scheme. This includes ensuring the transport impact is understood, any mitigation (or other infrastructure) is designed in accordance with the relevant standards and that environmental impacts are appraised and mitigated accordingly. In addition, National Highways are responsible for ensuring the SRN serves its purpose as a part of a national system for through traffic in accordance with Section 10 of the Highways Act 1980, and to satisfy the reasonable requirements of road safety.

National Highways have reviewed the Scoping Reports and would require the following information to be included within the Environmental Statement:

- a vision as per the Circular 01/2022,
- outline relevant National and Local Policies;
- summarise existing baseline conditions;
- provide details of the Proposed Project;
- sets out the distribution of the construction traffic;
- details the construction trip generation;
- assesses the impact of local committed developments;
- Carryout a cumulative assessment for the other NSIPs that are coming through around the project area and
- summarises the findings and provide an overall conclusion.

National Highways suggest the following documents are referenced within the policy review for the project:

- National Policy Statements EN-1 and EN-5;
- National Planning Policy Framework (NPPF) (2023);
- Department for Transport Planning Policy Paper (DfT Circular 01/2022);
- National Highways 'The Strategic Road Network: Planning for the Future Guide' (2015);



In addition to the above, National Highways have the following comments to make.

National Highways consider AIL's would need to be scoped in and considered at EIA stage. National Highways would advise that the Applicant directly discusses any matters pertaining to AIL movements with the National Highways Abnormal Indivisible Loads team ([AbnormalIndivisibleLoadsTeam@nationalhighways.co.uk](mailto:AbnormalIndivisibleLoadsTeam@nationalhighways.co.uk)). Increased congestion and increased journey times/distance due to road closures/diversions for abnormal load access on the receptor 'Road user' would need to be scoped in due to the cumulative impact of other developments on the SRN.

National Highways trusts its response provides clarification of its concerns and identify other matters which National Highways considers need to be addressed at this stage of the project. However, if you have any questions or comments regarding the contents of the letter then please do not hesitate to contact me on the details provided. National Highways looks forward to continuing positive engagement with National Grid as the project progresses.

Kind regards  
Alice

**Alice Lawman** MRTPI

**Spatial Planner**

Operations (East) | National Highways  
Woodlands | Manton Lane | Bedford | MK41 7LW

Web: [www.nationalhighways.co.uk](http://www.nationalhighways.co.uk)

For any planning related matters please email [PlanningEE@nationalhighways.co.uk](mailto:PlanningEE@nationalhighways.co.uk)

This email may contain information which is confidential and is intended only for use of the recipient/s named above. If you are not an intended recipient, you are hereby notified that any copying, distribution, disclosure, reliance upon or other use of the contents of this email is strictly prohibited. If you have received this email in error, please notify the sender and destroy it.

**National Highways Limited** | **General enquiries: 0300 123 5000** | **National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF** | <https://nationalhighways.co.uk> | [info@nationalhighways.co.uk](mailto:info@nationalhighways.co.uk)

*Registered in England and Wales no 9346363 | Registered Office: Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ*

Consider the environment. Please don't print this e-mail unless you really need to.

**From:** NATS Safeguarding <NATSSafeguarding@nats.co.uk>  
**Sent:** 30 July 2024 10:52  
**To:** Eastern Green Link 3 and 4  
**Cc:** NATS Safeguarding  
**Subject:** RE: EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from natssafeguarding@nats.co.uk. [Learn why this is important](#)

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains the LPA's responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours Faithfully

**NATS**

NATS Safeguarding

E: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)

4000 Parkway, Whiteley,  
Fareham, Hants PO15 7FL  
[www.nats.co.uk](http://www.nats.co.uk)



## NATS Internal

**From:** Eastern Green Link 3 and 4 <EasternGreenLink3and4@planninginspectorate.gov.uk>  
**Sent:** Monday, July 29, 2024 4:11 PM  
**Subject:** [EXTERNAL] EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

**CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Date: 23 August 2024  
Our ref: 483901  
Your ref: EN0210003



FAO Katherine King

The Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square Bristol  
BS1 6PN

Consultations  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 900

## **BY EMAIL ONLY**

Dear Katherine King

### **Environmental Impact Assessment Scoping Consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11**

#### **Proposal: Application by National Grid Electricity Transmission (the Applicant) for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.**

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 29 July 2024, received on 29 July 2024.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order (DCO).

**Please note** this letter is provided in the absence of detailed review of the supporting Scoping Report documentation given resource constraints due to the timing of this consultation.

### **Offshore ecology**

For Natural England's advice on the offshore scoping elements of the proposals, we refer you to Natural England's recent responses to the Marine Management Organisation (MMO) on the non-statutory scoping consultations to inform the applications for a Marine Licence for the Eastern Green Link 3 Project and Eastern Green Link 4 Project (our refs 28003 463696

on 29 February 2024 and 28003 464757 on 07 March 2024, respectively).

The advice contained in these previous responses remain relevant to this consultation and are attached alongside this letter for ease of reference.

We also refer you to Natural England's advice regarding onshore and offshore elements in our Relevant/Written Representations to the National Planning Inspectorate on the Outer Dowsing proposals, on the 13th June 2024, available [here](#)<sup>1</sup> (Planning Inspectorate Reference EN010130). Given grid capacity issues within Lincolnshire it is highly probable that a similar onshore cable corridor may be required for Eastern Green Link 3 & 4.

## **Onshore ecology**

Natural England has provided recent initial advice to the Applicant in response to their non-statutory public consultation on early proposals for Eastern Green Link 3 and Eastern Green Link 4, in our letter dated 15 July 2024 (our ref 481789), which has informed this response.

Please see Annex A to this letter which provides Natural England's further advice for the onshore scoping elements (including intertidal) of the Environmental Impact Assessment (EIA) for the proposed development. A summary of key issues for the onshore elements is also given below.

## **Summary (onshore ecology)**

We note the proposals include potential options for landfall near Theddlethorpe and Anderby Creek on the Lincolnshire coast, and a preferred working corridor for the underground cabling routes and associated infrastructure towards the Bilsby and Walpole areas. The proposed landfall locations and cabling routes cross or are near several designated sites and protected landscape.

Overall, we would expect the ES to set out how the proposals have followed the 'avoid, mitigate, compensate' hierarchy as set out in the National Planning Policy Framework (NPPF) and the government's Overarching National Policy Statement for Energy (EN-1)<sup>2</sup>. Particular focus should be given to avoiding sensitive sites, with alternatives robustly considered.

Considering this, Natural England can highlight the following key areas of concern in relation to the proposed landfall options and cabling route (this is not exhaustive):

- ***Landfall – impacts on designated sites***

The proposed Theddlethorpe landfall location is of particular concern given its location within the Saltfleet to Theddlethorpe Dunes Site of Special Scientific Interest (SSSI) and Saltfleetby to Theddlethorpe Dunes and Gibraltar Point Special Area of Conservation (SAC). Given the importance and sensitivity of the features and slow/limited recoverability, our default advice is for all cable landfall options is to avoid this location. And if, once all alternative options have been exhausted, avoidance is found not to be possible, we advise that only trenchless options which have been rigorously demonstrated to be technically feasible should be progressed. However, from our experience of other marine cable projects along the Lincolnshire coast, Natural England has significant concerns regarding the efficacy and feasibility of the use of Horizontal Directional Drilling (HDD) for cable installation in this area. Therefore, we advise that

---

<sup>1</sup> [EN010130-000700-Binder1.pdf \(planninginspectorate.gov.uk\)](#)

<sup>2</sup> [National Policy Statements for energy infrastructure - GOV.UK \(www.gov.uk\)](#)

comprehensive **pre-consent** geotechnical investigations will be required to support any application. And that these surveys in their own right are likely to have a significant effect on designated site features and will need to be heavily mitigated as part of any marine licence application.

We therefore strongly advise alternative landfall options including Anderby Creek are progressed. The ES should clearly set out how the mitigation hierarchy has been followed when considering the options.

- ***Cabling route – impact on protected landscape, habitat severance and functionally linked land***

The underground cable route preferred corridor crosses part of the Lincolnshire Wolds National Landscape. Even with underground cabling, significant adverse effects on the national landscape could occur during construction. A Landscape and Visual Impact Assessment (LVIA) for the scheme should include assessment of potential construction and operational effects on the defined special qualities of the national landscape, as set out in the Management Plan: [Management Plan - Lincolnshire Wolds Countryside Service \(lincswolds.org.uk\)](https://www.lincswolds.org.uk)<sup>3</sup>.

The ES should include robust assessment of alternative route options along with proposed construction methods and their feasibility, such as use of HDD, and their efficacy in terms of mitigation. Robust justification will be needed where the proposed cable corridor route cannot avoid the national landscape or its setting.

The ES should also include assessment of impact of severance on biodiversity and the functionality of habitats at a landscape scale, as well as impact on the national landscape setting. This should include how impacts to these features will be avoided.

- ***Cumulative impacts***

Natural England is aware there are multiple separate proposed energy schemes seeking landfall along this section of the Lincolnshire coast which will need to be assessed in combination. We would strongly encourage an overall coordinated and holistic approach is adopted for the projects to minimise environmental impacts, and would welcome strategic discussions with the Applicant on this.

For any further advice on this consultation please contact the case officer Julia Coneybeer on [REDACTED] [@naturalengland.org.uk](mailto:[REDACTED]@naturalengland.org.uk) and copy to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

[REDACTED]

Julia Coneybeer  
Principal Officer, National Planning Delivery/ Flexible Casework Team

---

<sup>3</sup> <https://www.lincswolds.org.uk/our-work/management-plan>

## **Annex A – Natural England’s advice on EIA Scoping for the onshore ecology elements of the proposals**

### **1. General principles**

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an ES to assess impacts on the natural environment. We would expect the following principles to be applied in this case including:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided<sup>4</sup>.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- An outline of the structure of the proposed ES

### **2. Cumulative and in-combination effects**

The ES should include a thorough assessment of potential cumulative and ‘in combination’ effects of the whole scheme, including all supporting infrastructure, with other proposals. These should include:

- a. existing completed projects
- b. approved but uncompleted projects
- c. ongoing activities
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before

---

<sup>4</sup> National Infrastructure Planning [Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements](#) (see Insert 2 – information to be provided with a scoping request)

completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

The proposed development overlaps or is near other plans or projects which should be considered in combination particularly for impacts on designated sites and functionally linked land (FLL), protected landscape and landscape-scale impacts on habitat severance. Results of surveys undertaken for other projects should be considered as far as possible to understand whether there is a cumulative loss of FLL.

Other plans or projects which should be considered but not limited to include:

- Viking Carbon Capture and Storage pipeline
- National Grid Grimsby to Walpole project
- National Grid North Humber to High Marnham project
- Outer Dowsing Offshore Windfarm
- Lincs Node
- Ossian Offshore Wind Array cable transmission
- Meridian Solar Project

More broadly, Natural England strongly recommends an overall coordinated and holistic approach is adopted for the projects to minimise environmental impacts in this region, and we would welcome strategic discussions with the Applicant on this.

### **3. Environmental data**

National datasets held by Natural England are available at:  
<http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at [www.magic.gov.uk](http://www.magic.gov.uk). This includes Marine Conservation Zone GIS shapefiles. Further detailed information on Sites of Special Scientific Interest (SSSIs) are publicly available at <https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#) and [SSSI Impact Risk Zones \(England\) - data.gov.uk](#).

The [Bird Migration Atlas](#)<sup>5</sup> may also be a helpful source of records showing presence of ringed Special Protection Area bird species to help inform proposed survey effort.

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, National Trust, Lincolnshire Wildlife Trust for local ecological data, and the Lincolnshire Wolds AONB Partnership in relation to protected landscape.

---

<sup>5</sup> [Bird Migration Atlas](#)

#### **4. Biodiversity and geodiversity – general principles**

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) and an [EclA checklist](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

##### **4.1 Habitat severance**

Given the nature of the proposals, in particular the linear underground cabling route, the ES should include robust assessment of habitat severance at landscape-scale on biodiversity and the functionality of habitats.

This is particularly with regard to protected species (see section 6), priority and irreplaceable habitats (see sections 7 and 8), and also in relation to the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) nationally protected landscape and its setting (see section 10). This should include robust assessment of alternative route options along with proposed construction methods and their feasibility, such as use of HDD, and their efficacy in terms of mitigation. Cumulative impacts with other projects should also form part of the assessment (see section 2).

#### **5. Designated nature conservation sites**

The ES should thoroughly assess the potential for the proposal to directly or indirectly affect nationally and internationally designated sites of nature conservation importance, including marine sites where relevant. This should be in accordance with the ‘avoid, mitigate, compensate’ hierarchy requirements as set out in the National Planning Policy Framework (NPPF) (paragraph 186) and the Overarching National Policy Statement for Energy (EN-1) (Section 5.4.42). If impacts cannot be avoided, the options with the least impact should be fully explored.

Further information on designated sites within the National Sites Network is provided below.

##### **5.1 Special Protection Areas (SPAs), Ramsars and Special Areas of Conservation (SACs)**

The ES should thoroughly assess the potential for the proposal to affect designated sites of nature conservation importance, including marine sites where relevant.

The development site is within or may impact on the following **designated nature conservation sites**:

- Saltfleetby to Theddlethorpe Dunes & Gibraltar Point SAC
- The Wash SPA
- The Wash Ramsar
- The Wash & North Norfolk Coast SAC
- Greater Wash SPA
- Humber Estuary SPA



- Humber Estuary Ramsar site

For information, the proposals also fall within the tentative East Coast Flyway World Heritage Site<sup>6</sup>, submitted by the UK in April 2023 for consideration by UNESCO as ‘a *globally important site for migratory waterbirds and for its nearly contiguous complex of ecologically connected and immensely variable coastal wetlands*’.

Further information on the location of designated sites and their special interest features can be found at [www.magic.gov.uk](http://www.magic.gov.uk). Further information on European site special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available at <http://publications.naturalengland.org.uk/category/6490068894089216> and <https://designatedsites.naturalengland.org.uk>.

### *Habitats Regulations Assessment*

Article 6 (3) of the Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant effect upon a SPA, SAC or Ramsar, either individually or in combination with other plans or projects.

European sites fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended 2019) (the ‘Habitats Regulations’). Under Regulation 63 of the Habitats Regulations, an appropriate assessment must be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically.

Should a likely significant effect on a designated site be identified (either alone or in combination) or be uncertain, the competent authority (in this case the Secretary of State) may need to prepare an appropriate assessment in addition to the consideration of impacts through the EIA process.

This should also take into account any agreed strategic mitigation solution that may be being developed or implemented in the area to address recreational disturbance, nutrients, or other impacts.

Key potential impact pathways and issues are included in the table below (please note this is not exhaustive).

We would encourage the Applicant to use an Evidence Plan to agree what information should be provided to support the Habitats Regulations Assessment (HRA), early in the process. Further information on Evidence Plans is available at <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/an-eleven-annex-h/>.

<b><i>Key potential impact pathways affecting designated sites and functionally linked land</i></b>
---

<sup>6</sup> [East Atlantic Flyway: England East Coast Wetlands - UNESCO World Heritage Centre](#)

(not exhaustive)

<p><b>Habitat loss/ degradation</b></p> <p><b>and</b></p> <p><b>Disturbance/ displacement of species</b></p>	<p><b><i>Landfall and associated infrastructure</i></b></p> <p>Natural England has significant concerns regarding the efficacy and feasibility of the use of HDD for cable installation particularly at the proposed Theddlethorpe landfall area, which may have impacts on designated sites in terms of habitat loss and/ or degradation.</p> <p>This includes intrusive geotechnical investigations required to support the HDD approach such as boreholes and cone penetration tests (CPT) and the access requirements for the equipment.</p> <p>We are also concerned about the construction and operation of the associated landfall infrastructure including the permanent compound which may impact on functionally linked land for SAC natterjack toads and SPA birds in the surrounding area, including temporary and permanent habitat loss and disturbance or displacement from noise and vibration.</p> <p><b><i>Cabling route and associated infrastructure</i></b></p> <p>Potential impacts from temporary and permanent habitat loss, noise and visual disturbance, and air and water quality/ hydrological changes (see below) arising from the proposals may affect notified bird species and assemblages associated with the Greater Wash SPA, the nearby The Wash SPA/ Ramsar site and Humber Estuary SPA/ Ramsar site. These impact pathways should be fully addressed within the HRA. This should include functionally linked land outside the designated site boundaries which may be used and relied on by SPA/ Ramsar birds for foraging habitat and roosts.</p> <p>To note, Natural England has provided initial advice to the Applicant regarding proposed onsite ornithological survey effort, in response to the non-statutory public consultation in July 2024.</p> <p>We also refer you to Natural England’s advice regarding onshore and offshore ornithology in our Relevant Representations to the National Planning Inspectorate on the Outer Dowsing proposals, on the 13th June 2024, available <a href="#">here</a><sup>7</sup> (Planning Inspectorate Reference EN010130).</p>
<p><b>Air quality</b></p>	<p>For the sections of the cable route/ landfall site options which will involve construction traffic movements within 200m of the designated sites, the potential air quality impacts due to road traffic during the construction phase will need to be considered. Ammonia emissions from road traffic could make a significant difference to nitrogen deposition close to roads and should be included within the assessment.</p> <p>See Section 13 of this letter for further general information.</p>
<p><b>Water Quality and Hydrology</b></p>	<p>Any potential for a hydrological connection between the landfall options, cable route and the designated sites should be considered, during construction and operation.</p> <p>See Section 14 of this letter for further general information on water quality.</p>

<sup>7</sup> [EN010130-000700-Binder1.pdf \(planninginspectorate.gov.uk\)](#)

## 5.2 Sites of Special Scientific Interest

Sites of Special Scientific Interest (SSSIs) are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on the SSSI and its special interest features can be found at [www.magic.gov.uk](http://www.magic.gov.uk).

The development site is within or may impact on the following **Sites of Special Scientific Interest**:

- Saltfleetby to Theddlethorpe Dunes SSSI
- Sea Bank Clay Pits SSSI
- Wolla Bank SSSI
- Candlesby Hill SSSI
- The Wash SSSI
- The Humber Estuary SSSI

The proposed development also occurs within the Lincolnshire Coronation Coast National Nature Reserve (NNR).

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

The ES should include a full assessment of the direct and indirect effects of the development on the notified features of special interest within the SSSIs and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and amphibians. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

The assessment should include consideration of the key issues/ impact pathways raised in section 5.1 above for SPAs, Ramsars, and SACs. .

## 5.3 Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local sites are identified by the local Wildlife Trust, geoconservation group or other local group. The ES should set out proposals for mitigation of any impacts and if appropriate, remediation measures and opportunities for enhancement and improving connectivity with wider ecological networks. They may also provide opportunities for delivering beneficial environmental outcomes.

## 6. Protected species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

The ES should assess the impact of all phases of the proposal on protected species

(including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species.

Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

Natural England has had some engagement to date with the Applicant regarding protected species, in particular great crested newt (GCN). GCN District Level Licensing is not currently available in the Lincolnshire area. The NE Wildlife and Licensing Service (NEWLS) is able to engage with the Applicant on GCN and other protected species licensing matters through a Pre-Submission Screening Service, whereby they assess a draft licence application and provide a Letter of No Impediment (LoNI). Further information on this process is set out within [Advice Note 11, Annex C](#).

## 7. Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The ES should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species

- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

## 8. Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on any ancient woodland and ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 186 of the National Planning Policy Framework (NPPF) sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

Natural England maintains the [Ancient Woodland Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

## 9. Biodiversity net gain

The Environment Act 2021 includes NSIPs in the requirement for Biodiversity Net Gain (BNG). The biodiversity net gain objective for NSIPs is defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It's the intention that BNG should apply to all NSIPs accepted for Examination from November 2025.

This includes the intertidal zone but excludes the subtidal zone (an approach to marine net gain is being developed but this will not form part of mandatory BNG). Projects that span both offshore and onshore will be subject to BNG requirements for the onshore components only.

We also note and welcome National Grid's biodiversity commitments in its [RIIO-ED2](#) report including a commitment to achieve a 10% biodiversity net gain for new major projects.

The biodiversity baseline should include all land contained within the site's red line. We encourage developers to:

- Develop BNG proposals in adherence with well-established BNG principles:
  - BS 8683:2021 Process for designing and implementing Biodiversity Net Gain
  - CIEEM/IEMA/CIRIA good practice principles (2016) and guidance (2019).
- Use the statutory metric to calculate BNG and adhere to the rules and principles set out within the metric guidance<sup>8</sup>.

Biodiversity gains should be secured for a minimum of 30 years and be subject to adaptive management and monitoring. BNG plans should be secured as a requirement in the DCO.

---

<sup>8</sup> <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>

## 10. Landscape

### 10.1 Nationally designated landscapes

The development site is within or may impact on the setting of the Lincolnshire Wolds National Landscape; formally known as the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB).

The development site is also within the proposed Lincolnshire Heritage Coast Designation (see section 10.2).

Public bodies have a duty to seek to further the statutory purposes of designation in carrying out their functions (under section 245 of the Levelling Up and Regeneration Act 2023). This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The overarching [Energy National Policy Statement EN-1](#)<sup>9</sup> (section 5.10) provides significant protection for these nationally designated landscapes including their settings.

Assessment should be made of the direct and indirect effects on this designated landscape and in particular the effect upon its special qualities and purpose for designation – conserving and enhancing natural beauty. The management plan for the designated landscape may also have relevant information that should be considered in the EIA (see section 10.3).

As part of the proposals, the underground cable route preferred corridor crosses part of the Lincolnshire Wolds National Landscape. Even with underground cabling, significant adverse effects on the national landscape could occur as a result of construction works. The ES should provide robust assessment of alternative route options along with proposed construction methods and their feasibility, such as use of HDD, and their efficacy in terms of mitigation. Robust justification will be needed where the proposed cable corridor route cannot avoid the Lincolnshire Wolds National Landscape or its setting.

The ES should also include assessment of impact of severance on biodiversity and the functionality of habitats at a landscape scale in the national landscape setting. This should include how impacts to these features will be avoided.

Natural England would also encourage the Applicant to engage the Lincolnshire Wolds National Landscape Partnership to discuss potential impacts of the proposals national landscape.

We also recommend the Applicant refers to Natural England and Lincolnshire Wolds AONB Partnership working advice provided to the Outer Dowsing Offshore Windfarm Section 42 draft application consultation (20 July 2023), in relation to Development of Lincs Node. This is provided alongside this letter for ease of reference (Labelled Annex H).

### 10.2 Heritage Coast

The proposals are also located within an area which Natural England has assessed as meeting the criterion for definition as a Heritage Coast. Whilst this assessment process does not confer any additional planning protection, the impact of the proposal on the special

---

<sup>9</sup> <https://assets.publishing.service.gov.uk/media/65bbfbd709fe1000f637052/overarching-nps-for-energy-en1.pdf>

character of this area may be a relevant matter in the determination of the proposal. Natural England considers the Lincolnshire Heritage Coast to be a valued landscape in line with paragraph 180 of the National Planning Policy Framework (NPPF).

An assessment of the landscape and visual impacts of the proposal on this area should be undertaken, with opportunities taken to avoid or minimise impacts on the landscape and secure enhancement opportunities. Any infrastructure development should consider its impact on the area, reflect and enhance its intrinsic character and natural beauty and be in line with relevant National Policy Statements and development plan policies.

A new Heritage Coast is formally defined once a Memorandum of Agreement is signed by Natural England and the local authorities which cover the area. Following signing of the agreement, planning policies and decisions should be consistent with the special character of the area and the importance of its conservation, in line with NPPF Paragraph 184 and NPS EN-1 sections 5.6.13, 5.10.10 and 5.10.11.

### 10.3 Landscape and visual impacts

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA) in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A Landscape and Visual Impact Assessment (LVIA) should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in Guidelines for Landscape and Visual Impact Assessment 2013 (3rd edition) produced by LI and IEMA. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status. The Lincolnshire Wolds AONB Management Plan 2018 – 2023 can be found here: [Management Plan - Lincolnshire Wolds Countryside Service \(lincswolds.org.uk\)](#)<sup>10</sup>.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area (see section 2 above). This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

---

<sup>10</sup> <https://www.lincswolds.org.uk/our-work/management-plan>

The National Infrastructure Commission has also produced [Design Principles for National Infrastructure - NIC](#) endorsed by Government in the National Infrastructure Strategy.

## 11. Connecting people with nature

The ES should consider the potential impacts on the King Charles III England Coast Path National Trail. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides further information.

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the King Charles III England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 104 and there will be reference in the relevant National Policy Statement. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

## 12. Soils and agricultural land quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

The following issues should be considered and, where appropriate, included as part of the ES:

- The degree to which soils would be disturbed or damaged as part of the development.
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any BMV agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see [www.magic.gov.uk](http://www.magic.gov.uk).

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and



maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Temporary displacement of soils because of the underground cable installation and temporary haul roads/ construction compounds can also result in permanent land quality change and soil damage if undertaken inappropriately. Degradation or permanent loss of BMV agricultural land should be considered in the EIA.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

### 13. Air quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)<sup>[1]</sup>. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO<sub>x</sub> and SO<sub>2</sub> against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)).

Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001](#)

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) –

---

[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

England <http://www.airqualityengland.co.uk/laqm>

#### **14. Water quality and hydrology**

The planning system plays a key role in determining the location of developments which may give rise to water pollution or hydrological changes, and hence planning decisions can have a significant impact on water quantity and quality, and land. The assessment should take account of the risks of water pollution and changes to hydrology, and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels.

#### **15. Climate change**

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES/Application should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 180), which should be demonstrated through the ES/Application.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

#### **16. Landfall**

We advise that the Applicant should consider how the coast may alter throughout the lifetime of the project, both in terms of vertical change in beach profile and coastal retreat.

We also advise that the landfall assessment needs to consider the effects on the hydrodynamic regime due to the presence of cable protection, equipment such as jack-up rigs, cable-laying vessels, and cofferdams etc. Plus, potential impact of intertidal access and/or vehicle traffic on foreshore profile change over all phases of the project.

**Lincolnshire Wolds Area of Outstanding Natural Beauty (LW AONB) - Natural England and The Lincolnshire Wolds AONB Partnership joint working response highlighting identified concerns for the Development of Lincs Node and associated plans/projects – July 2023**

This note sets out the current, shared views of Natural England and the Lincolnshire Wolds AONB partnership to help inform **landscape** impact discussions on future plans or projects proposed along the Lincolnshire coast.

This position pertains to the potential implications on the designated landscape of the Lincolnshire Wolds AONB and Lincolnshire Heritage Coast from the proposed development of the Lincs Node grid connection point and ‘*Energy Hub*’ (Natural England terminology) on the Lincolnshire coast to meet national energy security demands and the governments Net Zero targets.

**Lincolnshire Wolds Area of Outstanding Natural Beauty (LW AONB)**

The Lincolnshire Wolds was statutorily designated an AONB in 1973. This recognised the area as one of England’s finest landscapes, unique and with a distinctive ‘sense of place’. The Landscape Character Assessment (CCP414, 1993) acknowledged the following outstanding qualities:

- **A unique physiography (geology and topography)** – The physical geography of the Lincolnshire Wolds is unusual and distinctive. The Wolds is the highest upland landscape in eastern England between Yorkshire and Kent and has a complex geology; nowhere else in Britain has a chalk landscape been so extensively modified by glaciations. These have given rise to some of its most striking features including numerous steep-sided and open-ended combes (valley systems). The Lincolnshire Wolds - A Special Landscape Lincolnshire Wolds AONB Management Plan 14 ([Link](#))
- **A scenic, working landscape** – The high scenic quality of the Wolds depends almost entirely upon the area’s use for agriculture. Much of its charm is derived from the seasonally changing field and cropping patterns; the rural scenes of farming activity; and the traditional villages and farmsteads in brick and pantile. Overall, approximately 76% of the AONB is in arable cultivation, with 14.5% as pasture or rough grazing and 5.4% woodland cover (Defra Agricultural Census 2013 & Forestry Commission stats, 2015). It is widely recognised that much of the attractiveness of the Wolds today is a result of the activities of generations of landowners and farmers.
- **A major archaeological resource** – The Wolds has a rich legacy of prehistoric sites and a wealth of historic landscape features. Most of Lincolnshire’s long barrows are

in the Wolds, with a high concentration of round barrows, together with many important ancient trackways including the ridge-top routes of the Bluestone Heath Road and the Caistor High Street. The Wolds also has one of the largest densities of deserted and shrunken medieval villages (DMVs and SMVs) in the country.

- **A valued cultural landscape** – The Wolds' landscape has been a source of cultural inspiration. The Tennyson family has a strong association with the area. Alfred, Lord Tennyson - the Poet Laureate - spent much of his formative years in the Wolds and it is featured in many of his works including 'The Brook'. The landscape has offered inspiration to many artists and writers over the years including the mid-19th century landscape painter Peter de Wint and more recently the author A. S. Byatt in the Booker Prize-winning novel 'Possession'.

### **Prospective Lincolnshire Heritage Coast**

Natural England and the local planning authority have ambitions for a Lincolnshire Heritage Coast, However, planning for this is still at a very early stage so we cannot provide any certainty about the geographical extent of a finally defined Heritage Coast or about the specific special characteristics that it would seek to protect and how it would be served by local planning policies. Whilst a fully defined Heritage Coast is supported by planning policy in paragraph 178 of the National Planning Policy Framework, a speculative Heritage Coast confers no additional planning protection. Subject to progression we advise appropriate consideration may need to be given to a prospective Heritage Coast in progressing plans and assessing their landscape and seascape effects.

If more definitive information about the Heritage Coast emerges in time to further inform our response, it will be shared.

### **Lincs Node**

As part of the Offshore Transmission Network Review (OTNR) a new national grid substation is proposed to be located on the edge of the LW AONB, known as 'Lincs Node'. In order to transmit electricity across the grid to Lincs Node, a new 400kv power line running the length of Lincolnshire that would connect to the existing grid from Grimsby in the North to Walpole in Norfolk is required. A distance of at least 70 miles which passes either directly through the LW AONB or the settings thereof. and impacts on functionally linked land to designated nature conservation sites.

Outer Dowsing Offshore Windfarm (ODOW) is the first of the marine energy generation projects currently considering a grid connection at Lincs Node. Each individual project will require its own substation before connecting to Lincs Node unless a cross-scheme strategic

approach is possible to enable shared facilities. Due to technical constraints associated with existing infrastructure and designated sites in the vicinity, there are limited viable landfall locations for marine sustainable development projects to connect to. Currently landfall is focused around Anderby Creek, which, in itself, has nature conservation implications.

In addition, because of existing infrastructure and environmental conditions, there are also other marine/coastal industries which currently have an interest in locating in this area of the Lincolnshire coast. These industries include but are not limited to, carbon capture and underground storage, hydrogen and nuclear. It is probable that not only will these industries utilise existing infrastructure, but that new infrastructure will also be required for any plans/projects brought forward for application, which will undoubtedly have an additional cumulative impact on sites designated for nature conservation as well as the settings of the AONB.

Whilst there are currently limited project specific details, based on our experience from other projects and due to the location of the developing Energy Hub (which includes the Lincs Node) on low lying land near to the coast, it is highly likely for there to be a requirement for any infrastructure to be 'housed' within new c.20m high buildings on elevated ground to address coastal conditions and mitigate flood risk. There is also likely to be increased traffic and transport within the more remote areas of Lincolnshire and its coast, which could also impact on the settings and special qualities of the LW AONB and Heritage coast.

### **Timeframes**

The Lincs Node and any associated plans to connect it to the existing grid are at a very early stage in the planning process and the formal consultation process/es with interested parties are yet to commence. However, experience from similar schemes is that the totality of the pre-application, consenting and construction phases is between 6 and 10 years. It should also be noted that these projects were less complex than Lincs Node and proposed extension of the 400kv may be. There were also minimal challenges and/or requirements for mitigation and compensation to overcome for those projects.

We note that for all commercial enterprises a high degree of certainty is required. We assume that there will be a requirement for assurances that the Lincs Node project will not only be consented, but sufficiently constructed prior to the energy projects becoming operational. Whilst we recognise that the Lincs Node is designed to help facilitate meeting the Government's 2030 Green energy and current offshore windfarm delivery targets; we query if this is achievable within the current planning timeframes. The project will also need to allow for due processes to be followed including the necessary stakeholder engagement

on this high risk and complex project. Both Natural England (as the statutory consultee) and the LW AONB partnership (as a non statutory consultee with detailed local knowledge) would seek to be involved in the pre application stage of Lincs Node and the proposed connection between Grimsby and Walpole.

We note that with uncertainty around grid connection at the Lincs Node, ODOW is also exploring within their consultation under Section 42 of the Planning Act 2008 an alternative grid connection with a cable route extending south from Wolla Bank (on the Lincs Coast) to the existing Weston Marsh substation. While avoiding the requirement to connect to Lincs Node, the alternative cable route has similar LW AONB setting implications and environmental implications.

### **Impacts to the LW AONB**

As interested parties, we wish to outline our collective concern in relation to the reliance for energy transmission via a new connection between Grimsby and Walpole and the Lincs Node, and the resulting impact these developments could have on the LW AONB and Heritage coast.

Crossing through the LW AONB and impacting the settings thereof represents a significant challenge in the context of avoiding or reducing significant adverse impacts to the special qualities of the LW AONB: notably to the landscape character (scenic beauty and rural charm, expansive sweeping views, peace and tranquillity), Earth Heritage (chalk upland, geological and glacial) features and archaeology (deserted medieval villages, burial mounds and monuments) special qualities of the Lincolnshire Wolds AONB.

The 2018 to 2023 management plan for Lincolnshire Wolds AONB (The Lincolnshire Wolds Countryside Service, 2018) states specifically within its description of pressures and threats to the special quality of '*Expansive Sweeping Views*' that there is "*particular potential threat from hilltop or skyline developments including overhead powerlines*".

We note that for other projects impacting on designated landscapes the National Grid have avoided areas of high amenity value, such as AONBs, in their adoption of the 'Holford Rules' for undergrounding of new high voltage overhead transmission lines. But this has delivery timeframe implications and still requires considerable stakeholder engagement. And whilst we would expect similar mitigation measures to be implemented for any proposed connections to the existing grid, this doesn't mitigate for the potential changes to the settings and special qualities of the LW AONB and the defining characteristics of a new Heritage Coast from the construction of Lincs Node, the energy hub and associated infrastructure

within a part of Lincolnshire which primarily consists of rural communities and low-lying arable farming and grazing practices.

Whilst we advise that every effort should be made to minimise designated landscape impacts, there remains a risk this will not be sufficient to avoid adverse impacts on special qualities of the LW AONB.

Date: 07 March 2024  
Our ref: 28003 464757  
Your ref: ENQ/2023/00061



Harriet Tyley  
Marine Management Organisation  
Lancaster House  
Hampshire Court  
Newcastle Upon Tyne  
NE4 7YH

Consultations  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 900

## **BY EMAIL ONLY**

Dear Harriet,

### **ENQ/2023/00061 – Consultation Request on Eastern Green Link 4 Non-Statutory Scoping (Not EIA).**

**Application by National Grid Electricity Transmission (NGET) and Scottish Hydroelectric Transmission Ltd (SHE-T), who are operating, and known as, Scottish and Southern Electricity Networks Transmission (SSEN Transmission), (the ‘Applicants’) for a non-statutory scoping opinion to inform the application for a Marine Licence for the Eastern Green Link 4 Project (the Proposed Development)**

#### **Scoping consultation and notification of the Applicant’s contact details.**

Thank you for your letter dated 26 January 2024 consulting Natural England on the Eastern Green Link 4 project’s request for non-statutory scoping opinion. The following constitutes Natural England’s formal response; however, this is without prejudice to any comments we may wish to make considering further submissions on the presentation of additional information.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Under Section 1 (3) of the NERC Act, 2006, Natural England’s functions are exercisable in relation to England and the territorial sea adjacent to England up to 12 nautical miles.

As the Application is also located in offshore waters outside English territorial waters, JNCC the statutory nature conservation body in offshore UK waters (beyond 12 nautical miles) have been requested to respond to this consultation. Natural England and the JNCC will submit separate responses which will advise on areas within our statutory remit. Therefore, we defer to JNCC’s expertise for offshore elements (beyond 12 nm). Where designated sites or mobile features span this boundary, our response is aligned.

The MMO has determined that the Eastern Green Link 4 Project does not constitute an EIA development. The project is proceeding with a voluntary Marine Environmental Assessment (MEA) and Marine Environmental Appraisal (MEAp) to submit alongside its Marine Licence



Application. Natural England's advice in relation to this scoping request is presented in line with our advice to projects where an Environmental Impact Assessment would be required to ensure consistency between large infrastructure projects in the marine environment. To ensure that the MEA meets the Applicants' obligations and is presented in a clear and concise manner, Natural England recommends that the project incorporates all relevant guidance principals for EIAs within its appraisal as provided in Annex A. Case law<sup>1</sup> and guidance<sup>2</sup> has stressed the need for a scientifically robust set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant permission.

In Annex B we provide detailed comments on the project-specific aspects of the scoping report.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

## Summary of Main Points

### 1. Approach to Scoping.

It is noted that, due to the timing of the scoping report, the information contained within it is high level and based on a large area of search. The rationale for the inclusion of these large boundaries is due to substantial components of the project remaining undetermined at the point of scoping, but also other aspects including incomplete data collection.

This makes it difficult to provide targeted advice on the scope of the assessments at this stage and creates consenting risks further down the line with identifying and resolving environmental impacts and concerns.

Additionally, we highlight that, because we are unable to confirm with a high level of confidence that the data collection proposed will be sufficient to inform the assessments, we are also unable to advise on the potential scale and level of risk this project may pose to nature conservation receptors. Without having this understanding, it is unclear to Natural England how this project will progress towards application and ensure that there is sufficient time in the pre-application phase to identify and address all potential environmental concerns.

### 2. Focus of the Scoping Report

When scoping a project, developers, or their consultants, should satisfy themselves that they have addressed all the potential impacts and the concerns of all organisations and individuals with an interest in the project. Due to the capacious scoping envelope, it is challenging to scope impacts out at this stage and therefore difficult for Natural England to comment meaningfully. Further consideration is likely needed in relation to the cable corridor and need for further scoping or ongoing discussions. However, due the timing of 'the scoping' we have focused our advice the known issues of greatest importance/risk considering the likelihood of significant effects on the environment.

---

<sup>1</sup> Harrison, J in *R. v. Cornwall County Council Ex parte Hardy* (2001)

<sup>2</sup> *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/noteenvironmental/>

In these scenarios we also advise that the focus of the MEA consultation to be on the characterisation survey methodology and approach to the assessment as there is currently insufficient evidence presented to enable us to agree impacts being scoped out.

### 3. Wider Marine Environment Impacts vs. Impacts to designated site features.

Natural England is concerned that the sections of the scoping document covering Designated Sites, Marine Processes, Intertidal and Subtidal Ecology and Fish and Shellfish are not suitably aligned. We believe that there are impacts potentially being scoped out without regard to whether the receiving habitat / species is the feature of a designated site and/or supporting habitat for mobile features. It is Natural England's view that where a feature of a site, such as a broadscale habitat, has a clear Source-Impact Pathway then it should be scoped into full assessment at the MEA / MEAp. Natural England's Advice on Operations for each designated site within the cable route corridor and Zol give a clear, high-level view of what we consider sensitive to various activities.

Further project specific detail on the scoping considerations can be found in Annex B of this response.

### 4. Impacts to Subtidal Benthic Designated Sites

The development of the Project is likely to result in cabling through Holderness Offshore MCZ designated site. If impacts are found to cause lasting change, then without prejudice MEEB is likely to be required. Similarly, if the project design changes and Inner Dowsing Race Bank and North Ridge SAC can't be avoided then without prejudice compensation is likely to be required. Please see Annex A for more information.

### 5. Proposed Project Landfall Locations

The scoping boundary for the landfall location covers the area between Theddlethorpe and Anderby Creek. At its northern limit, the scoping boundary would result in landfall across Saltfleetby to Theddlethorpe Dunes & Gibraltar Point SAC/ Saltfleetby – Theddlethorpe Dunes SSSI. These sites overlap with the intertidal areas and should therefore be scoped into the marine licence application. We also advise that project design decisions made within the marine environment will impact on where the landfall occurs. As advised to the Applicant Natural England advises that every effort should be made to avoid this site as part of embedded mitigation measures to ensure no adverse effect to the features of this site.

Further to this, we would like to raise the MMO's attention to the number of development projects that are currently seeking to make landfall within this section of the Lincolnshire coastline north of Wolla Bank SSSI between Anderby Creek and Theddlethorpe. There is a need to consider each of these projects collectively to ensure that each has sufficient space without collectively conflating any nature conservation concerns. We would therefore welcome a coordinated holistic network design approach at this location.

### 6. Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards

Natural England has been leading the 'Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards' project, funded by Defra's Offshore Wind Enabling Actions Programme (OWEAP).

The project is providing up-front best practice advice on the way data and evidence is used to support offshore wind farm development and consenting in English waters, focussing on the

key ecological receptors which pose a consenting risk for projects, namely seabirds, marine mammals, seafloor habitats and species and fish.

The project aims to facilitate the sustainable development of low impact offshore wind by increasing clarity for industry, regulators and other stakeholders over data and evidence requirements at each stage of offshore wind development, from pre-application through to post-consent.

However, we advise that this best practice guidance is also applicable to other marine major casework. The advice documents are currently stored on a SharePoint Online site, access to needs to be requested from: [neoffshorewindstrategicsolutions@naturalengland.org.uk](mailto:neoffshorewindstrategicsolutions@naturalengland.org.uk). Please allow up to three working days for requests to access the site to be granted. Natural England is currently reviewing ways of making the advice more accessible and open access.

The application should be fully informed by the recommendations in the Best Practice Advice, and we will increasingly be appraising applications with respect to the extent to which the guidance has been followed.

In addition we refer the applicant to our [Cabling Lessons Learnt guidance](#)


In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again if the proposal is amended in any way which significantly affects its impact on the natural environment.

**Please note that Natural England must be consulted on Environmental Statements/Application documents. And advise that sufficient time should be given to thoroughly assess the survey data, have ETG consultation on and implement actions where necessary prior to submission.**

Please send any new consultations or further information on this consultation to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

For any queries relating to the specific advice in this letter please contact us using the details below.

Yours sincerely,

Adam Chambers – Marine Lead Advisor (Major Casework)  
Norfolk and Suffolk Area Team  
@naturalengland.org.uk

## **Annex A – Advice related to Scoping Requirements**

Please Note – Natural England advises that whilst the MMO have determined that the Project does not constitute an EIA development, Natural England recommends that the Applicants adhere to the EIA guidance in producing their MEA and MEAp documentation. Guidance presented below is generic and applicable to EIA assessments. The project should apply the relevant aspects to its MEA and MEAp assessments.

### **1. General Principles**

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 / Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (Regulation 10) sets out the necessary information to assess impacts on the natural environment to be included in an Environmental Statement (ES), specifically:

- A description of the development – including physical characteristics and the full marine use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape/seascape, and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects.
- Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the ‘in combination’ effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure and activities should be included within the assessment.

Natural England’s advice on the scope and content of the Environmental Statement is given in accordance with the National Infrastructure Planning Advice Notes:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

### **2. Biodiversity and Geology**

#### **2.1 Ecological Aspects of an Environmental Statement**

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included

within this assessment in accordance with appropriate guidance on such matters. [Guidelines](#) for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The [National Planning Policy Framework \(NPPF\)](#) sets out guidance on how to take account of biodiversity interests in planning decisions and the framework that the responsible authority should provide to assist developers. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

## **2.2 Use of EIA Matrices**

Natural England notes that the approach to the assessment is proposed to align with EIA approaches used on other projects. This matrix approach has been used throughout ESs to date to support the assessment of the magnitude and significance of impacts. Natural England notes numerous instances where significance has been presented as a range (i.e., slight, or moderate, or large) and it is nearly always the lower value that has been taken forward. Indeed, to date no offshore windfarm has identified ecological impacts that are assessed as significant in EIA terms, either cumulatively or in-combination which is surprising. In the absence of evidence to support the use of the lower value in a range, Natural England's view is that the higher value should always be assessed in order to ensure that impacts on features are not incorrectly screened out of further assessment. This is in line with the principles of the Rochdale envelope approach.

## **2.3 Impact Risk Zones**

Natural England advises that scoping area should be based on the potential for species to be present within the area, the Impact Risk Zone (IRZ) for designated sites as available on Magic, the ecology, i.e., foraging areas of designated species of sites in proximity to the proposed development area.

## **2.4 Designated Sites – Special Protection Areas (SPAs) and Special Areas of Conservations (SACs)**

The application documents should thoroughly assess the potential for the proposal to affect designated sites. Internationally designated sites (e.g., designated Special Areas of Conservation (SAC) and Special Protection Areas (SPA)) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition, paragraph 181 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential, or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites. (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017).

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Regulation 28 of the Conservation of Offshore Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Further information on the special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/> ; and the JNCC website.

The cable corridor area of search overlaps with the following designated nature conservation sites within 12 nautical miles:

- Greater Wash SPA
- Humber Estuary SPA and RAMSAR
- Saltfleetby to Theddlethorpe Dunes & Gibraltar Point SAC
- The Wash and North Norfolk Coast SAC – supporting habitat for the designated feature harbour (common) seal (*Phoca vitulina*) only.
- Berwickshire and North Northumberland Coast SAC
- River Tweed SAC
- Tweed Estuary SAC

**Please note:** As there is only an area of search for the cable corridor at this stage, we are unable to provide a definitive list of sites and features relevant to the project, but these should be identified and fully considered within the application documents. We note that the EGL 4 environmental survey programme has not yet been undertaken and therefore the possibility of habitats being present within the survey corridor outside of those listed exists.

The application documents should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required to avoid, minimise, or reduce any adverse significant effects.

Internationally designated site conservation objectives are available on our internet site: <http://publications.naturalengland.org.uk/category/6490068894089216>

## 2.5 Habitats Regulations Assessment

If the proposal outlined within the scoping document has the potential to significantly affect features of the designated sites and the activity is not directly connected to the management of any designated site it should be assessed under regulation 63 the Conservation of Species and Habitats Regulations (2017)/ regulation 28 of the Conservation of Offshore Species and Habitats regulations (2017). Should a Likely Significant Effect on an Internationally designated site be identified or be uncertain, the competent authority (e.g., the Marine Management Organisation or Local Planning Authority or Government Department) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the Application process.

If during the EIA/Application process the potential for a Likely Significant Effect on the conservation objectives of the sites cannot be ruled out the competent authority for the licence/consent (MMO / Government Department/LPA) should undertake an Appropriate Assessment of the implications for the site in view of its conservation objectives. Noting recent case law (*People Over Wind*<sup>3</sup>) measures intended to avoid and/or reduce the likely harmful effects on an internationally designated sites cannot be taken into account when determining whether or not a plan or project is likely to have a significant effect on a site, therefore consideration is required at Appropriate Assessment. Natural England wishes to be consulted on the scope of the Habitats Regulations Assessment and the information that will be

---

<sup>3</sup> *People Over Wind and Sweetman vs Coillte Teoranta* (ref: C 323/17).

produced to support it and should be formally consulted on any Appropriate Assessment provided for the proposal (Regulation 63/28).

The consideration of Likely Significant Effects should include any functionally linked habitat outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically. Further guidance is set out in Planning Practice Guidance on appropriate assessment here: <https://www.gov.uk/guidance/appropriate-assessment>

Further information on the special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/>; and the Joint Nature Conservation Committee (JNCC) website [About Marine Protected Areas | JNCC - Adviser to Government on Nature Conservation](#).

## **2.6 Marine Conservation Zones (MCZs), Highly Protected Marine Areas (HPMAs) and Sites of Special Scientific Interest (SSSI)**

### Marine Conservation Zones (MCZs)

Marine Conservation Zones are areas that protect a range of nationally important, rare, or threatened habitats and species. You can see where MCZs are located and their special interest features on [www.magic.gov.uk](http://www.magic.gov.uk). Factsheets that establish the purpose of designation and conservation objectives for each of the MCZ's are available at <https://www.gov.uk/government/collections/marine-conservation-zone-designations-in-england>

The red line boundary of the Project is within or adjacent to the following MCZ within 12 nautical miles:

- Holderness Offshore MCZ
- Farnes East MCZ

The application should consider including information on the impacts of this development on MCZ interest features, to inform the assessment of impacts on habitats and species of principle importance for this location. Further information on MCZs is available via the following link: <http://publications.naturalengland.org.uk/category/1723382>

Further information on the special interest features, the conservation objectives, and relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/>

**Please note:** As there is only an area of search for the cable corridor at this stage, we are unable to provide a definitive list of sites and features relevant to the project, but these should be identified and fully considered within the application documents. We note that the EGL 4 environmental survey programme has not yet been undertaken and therefore the possibility of habitats being present within the survey corridor outside of those listed exists.

### Highly Protected Marine Areas (HPMAs)

The red line boundary of the Project does not fall within or adjacent to any HPMA located within 12 nautical miles.

Further information on the location of existing HPMA's can be found at [Highly Protected Marine Areas \(HPMA's\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk). The MEA should include a full assessment of the direct and indirect effects of the development on the features of any HPMA and should identify such mitigation measures as may be required in order to avoid, minimise, or reduce any adverse significant effects.

#### Sites of Special Scientific Interest (SSSIs)

Further information on the location of SSSIs and their special interest features can be found at [www.magic.gov.uk](http://www.magic.gov.uk). The application should include a full assessment of the direct and indirect effects of the development on the features of special scientific interest and should identify such mitigation measures as may be required in order to avoid, minimise, or reduce any adverse significant effects.

The red line boundary of the Project is within or adjacent to the following SSSIs:

- Saltfleetby – Theddlethorpe Dunes SSSI
- Chapel Point to Wolla Bank SSSI
- The Lagoons SSSI
- Humber Estuary SSSI
- Sea Bank Clay Pits SSSI
- Teesmouth and Cleveland Coast SSSI

**Please note:** As there is only an area of search for the cable corridor at this stage, we are unable to provide a definitive list of sites and features relevant to the project, but these should be identified and fully considered within the application documents. We note that the EGL 4 environmental survey programme has not yet been undertaken and therefore the possibility of habitats being present within the survey corridor outside of those listed exists.

#### **2.7 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended)**

The Application should assess the impact of all phases of the proposal on protected species (including, for example, pinnipeds (seals), cetaceans (including dolphins, porpoises, and whales), fish (including seahorses, sharks, and skates), marine turtles, birds, marine invertebrates, bats, etc.). Information on the relevant legislation protecting these species can be reviewed on the following link <https://www.gov.uk/government/publications/protected-marine-species>. Natural England does not hold comprehensive information regarding the locations of species protected by law but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, [NBN Atlas](#), groups, and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#). The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.



In order to provide this information, there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants.

## **2.8 Habitats and Species of Principal Importance**

The Application should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity> .

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration in the making of planning decisions. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the application. Consideration should also be given to those species and habitats included in the relevant Local BAP.

## **3. Nationally Designated Landscapes**

Consideration should be given to any potential direct or indirect impacts to designated landscapes.

**Please note:** As there is only an area of search for the cable corridor at this stage, we are unable to provide definitive advice on specific designated landscapes at this time. However, we note that the settings of the Lincolnshire Wolds National Landscape may require further consideration once the final cable corridor is confirmed.

## **4. Water Quality**

Increases in suspended sediment concentrations (SSC) during construction and operation (e.g., future dredging works) have the potential to smother sensitive habitats. The Application should include information on the sediment quality and potential for any effects on water quality through suspension of contaminated sediments. The EIA/Application should also consider whether increased suspended sediment concentrations resulting are likely to impact upon the interest features and supporting habitats of the designated sites as listed above.

The Application should consider whether there will be an increase in the pollution risk as a result of the construction or operation of the development.

For activities in the marine environment up to 1 nautical mile out at sea, a Water Framework Directive (WFD) assessment is required as part of any application. The Application should draw upon and report on the WFD assessment considering the impact the proposed activity may have on the immediate water body and any linked water bodies. Further guidance on WFD assessments is available here: <https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters>

## 5. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example, over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water, and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

## 6. Climate Change Adaptation

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The Application should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPF requires that the planning system should contribute to the enhancement of the natural environment by establishing coherent ecological networks that are more resilient to current and future pressures which should be demonstrated through the Application.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

## 7. Contribution to Local Environmental Initiatives and Priorities

Due to the lack of detail available at this stage, Natural England is unable to provide any information on how this development fits with local initiatives and priorities such as the delivery of green/blue infrastructure, biodiversity opportunity areas or biodiversity enhancements.

## 8. Cumulative and In-combination Effects

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the Application. All supporting infrastructure and activities should be included within the assessment.

The Application should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects.
- b. approved but uncompleted projects.
- c. ongoing activities.
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and

- e. plans and projects which are reasonably foreseeable, i.e., projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Natural England's advice on the scope and content of an Environmental Statement is given in accordance with the National Infrastructure Planning Advice Notes: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/> . We advise that all Applications use this as a template.

## **9. Use of the Rochdale Envelope**

Natural England recognises the need to use a Rochdale Envelope approach to allow flexibility in project design to ensure that changes in available technologies and project economics can be considered post consent. However, Natural England has concerns over the extent to which uncertainty in ground conditions is driving the extent of the project envelope, and that the Rochdale Envelope approach is resulting in the provision of insufficient baseline information to inform both project design and assessment of impacts. The lack of understanding of the ground conditions results in the use of Maximum Design Scenarios (MDSs) that are conservative enough to make up for that lack of understanding and allow for all eventualities. This in turn translates into a vast number of variables, causing difficulties in assessment, as it is difficult to identify and assess a realistic worst-case scenario for each of the relevant receptors with any certainty, which in turn necessitates precautionary assessments given this uncertainty. That presents challenges when it comes to identifying appropriate mitigation measures.

## **10. Ecological Join up Between Marine Receptor Assessments**

Natural England advises that changes to marine processes and benthic ecology could cause an indirect impact on mobile interest features from designated sites through changes to supporting habitats and prey availability. Ecosystem impacts should be thoroughly considered within the relevant receptor chapters throughout the Application documents.

## **11. Landfall**

Coastal environments are subject considerable historic and future change. Therefore, should trenchless techniques be considered then a feasibility study informed by geotechnical investigations will be required at the time of consent, particularly within the boundary of a designated site. We would also advise that the Applicant should consider how the coast may alter throughout the lifetime of the project, both in terms of vertical change in beach profile and coastal retreat. In other words, how will cable burial and siting of infrastructure be managed throughout the lifespan of the project?

We advise that the landfall assessment needs to consider the effects on the hydrodynamic regime due to the presence of cable protection, equipment such as jack-up rigs, cable-laying vessels, and cofferdams etc. Plus, potential impact of intertidal access and/or vehicle traffic on foreshore profile change or cliff erosion over all phases of the project.

## **12. Cable protection – Including Secondary Scour**

In addition, Natural England's position provided for Hornsea Project Three, Norfolk Vanguard and Norfolk Boreas in relation to Adverse Effects on Integrity from the placement of cable protection remains unchanged and therefore cable protection within benthic marine protected areas should be avoided and where that is not possible every effort should be made to mitigate the impacts. To achieve this, we advise that a cable burial risk assessment is undertaken as part of the application process informed by comprehensive geotechnical and geophysical

surveys. If cable protection is required options that have the greatest success of removal with least impact to interest features should be taken forward. A site integrity plan could then be used to determine the risk to the conservation objectives for the site and determine the requirements for any compensation measures.

Please note that impacts from secondary scouring around cable protection should also be factored into both marine processes and benthic assessment.

### **13. Marine Mammals Impact Assessments**

If not already considered, we advise Applicants to include reference to the following:

- *IAMMWG. 2022. Updated abundance estimates for cetacean Management Units in UK waters (Revised 2022)* <https://hub.incc.gov.uk/assets/3a401204-aa46-43c8-85b8-5ae42cdd7ff3>
- *Scientific Advice on Matters Related to the Management of Seal Populations: 2021* <http://www.smru.st-andrews.ac.uk/files/2022/08/SCOS-2021.pdf>
- *Carter et al. (2022)* <https://www.frontiersin.org/articles/10.3389/fmars.2022.875869/full>

### **14. Red-Throated Divers**

Natural England highlights our increasing concerns in relation to disturbance and/or displacement of red-throated divers features from the more persistent presence of offshore wind farm and oil and gas related vessel activity which could make a meaningful contribution to in-combination effects to the Greater Wash SPA and indeed the adjacent Outer Thames Estuary SPA depending on the transit route. As such, we advise appropriate consideration of both seasonal timing of construction and O&M works, and vessel transit route is included within the Application.

Natural England recommends that where possible, any construction and O&M activities avoid the months of November to March inclusive. Vessel transit routes outside of existing navigation routes through the Greater Wash SPA and Outer Thames Estuary, depending on the port of origin, should also be avoided during these winter months. Natural England advises as minimum use of best practice measures between 1st November and 31st March to mitigate and therefore minimise disturbance to red-throated diver namely:

- Selecting routes (when transiting to site) that avoid aggregations of red-throated diver and common scoter, where practicable.
- Restricting (to the extent possible) vessel movements when transiting to the site to existing navigation routes (where the densities of divers are typically relatively low).
- Avoidance of over-revving of engines (to minimise noise disturbance); and
- Briefing of vessel crew on the purpose and implications of these vessel management practices (through, for example, toolbox talks).

Although, we do highlight that dependent on the level of proposed activity across the designated site the best practice protocol as set out above still may not minimise the in-combination impacts to an acceptable level.

### **15. Outline Plans**

Natural England advises that outline documents and/or assessment will need to be included in the Application to ensure that all impacts have been considered and appropriately managed.

## Annex B: Detailed Comments

### Structure/Framework for Natural England advice in relation to risk and potential to resolve -

- **Red:** Natural England considers these issues to be showstoppers i.e., unless baseline data; significant design changes; and/or significant mitigation is provided, then we advise that a lasting and significant adverse effect on protected sites, species, landscape/seascape, or the wider environment cannot be ruled out meaning the EIA will have significant unresolved challenges.
- **Amber:** Natural England considers that if these are not addressed/resolved then they would have the potential to become a RED risk as set out above. Likely to relate to fundamental issues with assessment methodology which could be rectified, preferably before assessment.
- **Yellow:** These are issues/comments where NE doesn't agree with the Applicant's position and/approach. Unless otherwise stated, we are satisfied for this particular project that it will not make a material difference to our advice or the outcome of the decision-making process. However, it should be noted that this may not be the case for other projects.

### Marine Environmental Appraisal Non-Statutory Scoping Report

Point No.	Section	Para/Table	Topic	Comments	Recommendations
1.	2.5.4	Final Paragraph	Scoping Boundary	This paragraph states that the longer route option " <i>avoids the Holderness Offshore MCZ but crosses the northern tip of the Silver Pit glacial tunnel valley feature outside of the site</i> ". Based on the map on Pg. 55, it appears that this route option does pass through a section of the MCZ. The northern tip of the glacial tunnel valley feature that the route crosses is a protected feature within the MCZ.	Please clarify whether the statement or the map is correct and adjust scoping assessment accordingly.

Point No.	Section	Para/Table	Topic	Comments	Recommendations
2.	6.4.1.9	Para. 2	Marine Processes	<p>Farnes East MCZ is designated for benthic features for benthic broadscale habitats, ocean quahog and seapen and burrowing megafauna communities. These features have conservation objectives of either maintain or recover to favourable condition.</p> <p>Farnes East MCZ is 6.29km from the cable corridor and therefore within the 15km preliminary search area, so must be considered within the wider English study area for this section. Marine processes and benthic impacts such as sediment deposition are of relevance.</p>	Farnes East MCZ should be screened in for this receptor as a designated site within the wider English Study Area.
3.	6.6	Tab. 6-5	Marine Processes	Impacts of disturbance of subtidal seabed morphology and disturbance of intertidal morphology by decommissioning has been scoped out due to being considered as having an impact of similar or lower magnitude significance of effect as the construction activity. Construction activity for both impacts was scoped in.	Whilst uncertainty remains on decommissioning methods, decommissioning impacts should be scoped in for these impacts.
4.	6.6	Tab. 6-5	Marine Processes	The project has not yet been able to rule out open cut trenching for landfall locations. Therefore, there is potential for the project to cause modifications to tidal and wave regimes and potentially alter sediment transport particularly within the intertidal zone. The Humber Estuary SAC and Saltfleetby to Theddlethorpe Dunes SAC are within the zone of influence for the scoping boundary. Both sites contain	The project should scope in modification to tidal and wave regimes from construction activities within the intertidal zone.

Point No.	Section	Para/Table	Topic	Comments	Recommendations
				features which rely on sediment transport along the coast.	
5.	7.6	Tab. 7-6	Benthic and Intertidal Ecology	<p>Temporary increase and deposition of suspended sediments from; boulder clearance, PLGR, pre-sweeping of sand waves; cable burial and trenching; anchoring/jack-up foundations; and deposit of external cable protection with regards broadscale habitats and Annex I <i>Sabellaria spinulosa</i> reefs has been scoped out.</p> <p>These habitats, including Annex I <i>Sabellaria spinulosa</i> reef, have a medium sensitivity to heavy smothering which the applicant has identified as a likely impact within a 100m corridor of operations.</p>	Natural England recommends these potential impacts continue to be scoped in.
6.	7.6	Tab. 7-6	Benthic and Intertidal Ecology	The impact of temporary habitat loss / seabed disturbance on Subtidal broadscale habitats during construction and operation have been scoped out. Subtidal coarse sediments, sands and mixed sediment are all protected broad-scale features of the Holderness Offshore MCZ which support a wide range of infauna and have 'Recover' conservation objectives. One of the cable route options passes through 21km of the Holderness Offshore MCZ.	Scope in the potential impacts of temporary habitat loss / seabed disturbance during construction and operation on subtidal broadscale habitats.

Point No.	Section	Para/Table	Topic	Comments	Recommendations
7.	7.6	Tab 7-6	Benthic and Intertidal Ecology	Impacts from permanent habitat loss through external cable protection on subtidal broadscale habitats has been scoped out. One of the cable route options passes through 21km of the Holderness Offshore MCZ and use of cable protection hinders the 'Recover' conservation objectives of the protected broadscale habitat features.	Scope in the potential impacts of permanent habitat loss through external cable protection on subtidal broadscale habitats during operation.
8.	8.4.2.3	Para.5	Fish and Shellfish	<p>The River Tweed SAC has been screened into the assessment, yet the Tweed Estuary SAC, which is of similar distance away from the scoping boundary, has not been screened into this section.</p> <p>The Tweed Estuary SAC is designated for sea and river lamprey, which was identified in Section 8.4.1.3 of the MEA.</p>	Natural England advises the Tweed Estuary SAC should be screened into the MEA.
9.	9.6	Tab. 9-10	Intertidal and Offshore Ornithology	Impacts of temporary increases and deposition of suspended sediments for all phases of development have been scoped out as an impact for bird species which dive for prey. The scoping document acknowledges an impact pathway but rules out significant impact based on rapidly dissipating sediment plumes and a narrow and relatively small area of impact. The area of search for the cable corridor crosses the Greater Wash SPA and the wider area is potentially considered as foraging habitat for designated sites in the wider region.	We advise that depending on whether or not there will be seasonal restriction for cable installation further assessment of the areas to be impacted due to the risk of localised displacement from preferred feeding grounds and changes to prey availability. This is particularly pertinent for Red Throated Divers. Therefore, this impact should be scoped in where source and receptor pathways exist.



Point No.	Section	Para/Table	Topic	Comments	Recommendations
10.	10.4.3.2	N/A	Marine Mammals	<p>Teesmouth and Cleveland Coast SSSI and National Nature Reserve are designated for common/harbour seal (<i>Phoca vitulina</i>). Section 10.4.2.3 states the: '<i>harbour seal foraging area is within 40 – 50 km of their haul out site.</i>'</p> <p>This population has not been screened into the MEA.</p>	Natural England advises that this population is screened into the MEA.

Date: 29 February 2024  
Our ref: 28003 463696  
Your ref: ENQ/2023/00060



Harriet Tyley  
Marine Management Organisation  
Lancaster House  
Hampshire Court  
Newcastle Upon Tyne  
NE4 7YH

Consultations  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 900

## **BY EMAIL ONLY**

Dear Harriet,

### **ENQ/2023/00060 – Consultation Request on Eastern Green Link 3 Non-Statutory Scoping (Not EIA).**

**Application by National Grid Electricity Transmission (NGET) and Scottish Hydroelectric Transmission Ltd (SHE-T), who are operating, and known as, Scottish and Southern Electricity Networks Transmission (SSEN Transmission), (the ‘Applicants’) for a non-statutory scoping opinion to inform the application for a Marine Licence for the Eastern Green Link 3 Project (the Proposed Development)**

#### **Scoping consultation and notification of the Applicant’s contact details.**

Thank you for your letter dated 15 January 2024 consulting Natural England on the Eastern Green Link 3 project’s request for non-statutory scoping opinion. The following constitutes Natural England’s formal response; however, this is without prejudice to any comments we may wish to make considering further submissions on the presentation of additional information.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Under Section 1 (3) of the NERC Act, 2006, Natural England’s functions are exercisable in relation to England and the territorial sea adjacent to England up to 12 nautical miles.

As the Application is also located in offshore waters outside English territorial waters, JNCC the statutory nature conservation body in offshore UK waters (beyond 12 nautical miles) have been requested to respond to this consultation. Natural England and the JNCC will submit separate responses which will advise on areas within our statutory remit. Therefore, we defer to JNCC’s expertise for offshore elements (beyond 12 nm). Where designated sites or mobile features span this boundary, our response is aligned.

The MMO has determined that the Eastern Green Link 3 Project does not constitute an EIA development. The project is proceeding with a voluntary Marine Environmental Assessment (MEA) and Marine Environmental Appraisal (MEAp) to submit alongside its Marine Licence

Application. Natural England's advice in relation to this scoping request is presented in line with our advice to projects where an Environmental Impact Assessment would be required to ensure consistency between large infrastructure projects in the marine environment. To ensure that the MEA meets the Applicants' obligations and is presented in a clear and concise manner, Natural England recommends that the project incorporates all relevant guidance principals for EIAs within its appraisal as provided in Annex A. Case law<sup>1</sup> and guidance<sup>2</sup> has stressed the need for a scientifically robust set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant permission.

In Annex B we provide detailed comments on the project-specific aspects of the scoping report.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

## Summary of Main Points

### 1. Approach to Scoping.

It is noted that, due to the timing of the scoping report, the information contained within it is high level and based on a large area of search. The rationale for the inclusion of these large boundaries is due to substantial components of the project remaining undetermined at the point of scoping, but also other aspects including incomplete data collection.

This makes it difficult to provide targeted advice on the scope of the assessments at this stage and creates consenting risks further down the line with identifying and resolving environmental impacts and concerns.

Additionally, we highlight that, because we are unable to confirm with a high level of confidence that the data collection proposed will be sufficient to inform the assessments, we are also unable to advise on the potential scale and level of risk this project may pose to nature conservation receptors. Without having this understanding, it is unclear to Natural England how this project will progress towards application and ensure that there is sufficient time in the pre-application phase to identify and address all potential environmental concerns.

### 2. Focus of the Scoping Report

When scoping a project, developers, or their consultants, should satisfy themselves that they have addressed all the potential impacts and the concerns of all organisations and individuals with an interest in the project. Due to the capacious scoping envelope, it is challenging to scope impacts out at this stage and therefore difficult for Natural England to comment meaningfully. Further consideration is likely needed in relation to the cable corridor and need for further scoping or ongoing discussions. However, due the timing of 'the scoping' we have focused our advice the known issues of greatest importance/risk considering the likelihood of significant effects on the environment.

---

<sup>1</sup> Harrison, J in *R. v. Cornwall County Council Ex parte Hardy* (2001)

<sup>2</sup> *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/noteenvironmental/>

In these scenarios we also advise that the focus of the MEA consultation to be on the characterisation survey methodology and approach to the assessment as there is currently insufficient evidence presented to enable us to agree impacts being scoped out.

### 3. Wider Marine Environment Impacts vs. Impacts to designated site features.

Natural England is concerned that the sections of the scoping document covering Designated Sites, Marine Processes, Intertidal and Subtidal Ecology and Fish and Shellfish are not suitably aligned. We believe that there are impacts potentially being scoped out without regard to whether the receiving habitat / species is the feature of a designated site and/or supporting habitat for mobile features. It is Natural England's view that where a feature of a site, such as a broadscale habitat, has a clear Source-Impact Pathway then it should be scoped into full assessment at the MEA / MEAp. Natural England's Advice on Operations for each designated site within the cable route corridor and Zol give a clear, high-level view of what we consider sensitive to various activities.

Further project specific detail on the scoping considerations can be found in Annex B of this response.

### 4. Impacts to Subtidal Benthic Designated Sites

The development of the Project is likely to result in cabling through Holderness Offshore MCZ designated site. If impacts are found to cause lasting change, then without prejudice MEEB is likely to be required. Similarly, if the project design changes and Inner Dowsing Race Bank and North Ridge SAC can't be avoided then without prejudice compensation is likely to be required. Please see Annex A for more information.

### 5. Proposed Project Landfall Locations

The scoping boundary for the landfall location covers the area between Theddlethorpe and Anderby Creek. At its northern limit, the scoping boundary would result in landfall across Saltfleetby to Theddlethorpe Dunes & Gibraltar Point SAC/ Saltfleetby – Theddlethorpe Dunes SSSI. These sites overlap with the intertidal areas and should therefore be scoped into the marine licence application. We also advise that project design decisions made within the marine environment will impact on where the landfall occurs. As advised to the Applicant Natural England advises that every effort should be made to avoid this site as part of embedded mitigation measures to ensure no adverse effect to the features of this site.

Further to this, we would like to raise the MMO's attention to the number of development projects that are currently seeking to make landfall within this section of the Lincolnshire coastline north of Wolla Bank SSSI between Anderby Creek and Theddlethorpe. There is a need to consider each of these projects collectively to ensure that each has sufficient space without collectively conflating any nature conservation concerns. We would therefore welcome a coordinated holistic network design approach at this location.

### 6. Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards

Natural England has been leading the 'Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards' project, funded by Defra's Offshore Wind Enabling Actions Programme (OWEAP).

The project is providing up-front best practice advice on the way data and evidence is used to support offshore wind farm development and consenting in English waters, focussing on the key ecological receptors which pose a consenting risk for projects, namely seabirds, marine mammals, seafloor habitats and species and fish.

The project aims to facilitate the sustainable development of low impact offshore wind by increasing clarity for industry, regulators and other stakeholders over data and evidence requirements at each stage of offshore wind development, from pre-application through to post-consent.

However, we advise that this best practice guidance is also applicable to other marine major casework. The advice documents are currently stored on a SharePoint Online site, access to needs to be requested from: [neoffshorewindstrategicsolutions@naturalengland.org.uk](mailto:neoffshorewindstrategicsolutions@naturalengland.org.uk). Please allow up to three working days for requests to access the site to be granted. Natural England is currently reviewing ways of making the advice more accessible and open access.

The application should be fully informed by the recommendations in the Best Practice Advice, and we will increasingly be appraising applications with respect to the extent to which the guidance has been followed.

In addition we refer the applicant to our [Cabling Lessons Learnt guidance](#)


In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again if the proposal is amended in any way which significantly affects its impact on the natural environment.

**Please note that Natural England must be consulted on Environmental Statements/Application documents. And advise that sufficient time should be given to thoroughly assess the survey data, have ETG consultation on and implement actions where necessary prior to submission.**

Please send any new consultations or further information on this consultation to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

For any queries relating to the specific advice in this letter please contact us using the details below.

Yours sincerely,

Adam Chambers – Marine Lead Advisor (Major Casework)  
Norfolk and Suffolk Area Team  
@naturalengland.org.uk

## **Annex A – Advice related to Scoping Requirements**

Please Note – Natural England advises that whilst the MMO have determined that the Project does not constitute an EIA development, Natural England recommends that the Applicants adhere to the EIA guidance in producing their MEA and MEAp documentation. Guidance presented below is generic and applicable to EIA assessments. The project should apply the relevant aspects to its MEA and MEAp assessments.

### **1. General Principles**

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 / Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (Regulation 10) sets out the necessary information to assess impacts on the natural environment to be included in an Environmental Statement (ES), specifically:

- A description of the development – including physical characteristics and the full marine use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape/seascape, and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects.
- Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the ‘in combination’ effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure and activities should be included within the assessment.

Natural England’s advice on the scope and content of the Environmental Statement is given in accordance with the National Infrastructure Planning Advice Notes:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

### **2. Biodiversity and Geology**

#### **2.1 Ecological Aspects of an Environmental Statement**

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included

within this assessment in accordance with appropriate guidance on such matters. [Guidelines](#) for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The [National Planning Policy Framework \(NPPF\)](#) sets out guidance on how to take account of biodiversity interests in planning decisions and the framework that the responsible authority should provide to assist developers. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

## **2.2 Use of EIA Matrices**

Natural England notes that the approach to the assessment is proposed to align with EIA approaches used on other projects. This matrix approach has been used throughout ESs to date to support the assessment of the magnitude and significance of impacts. Natural England notes numerous instances where significance has been presented as a range (i.e., slight, or moderate, or large) and it is nearly always the lower value that has been taken forward. Indeed, to date no offshore windfarm has identified ecological impacts that are assessed as significant in EIA terms, either cumulatively or in-combination which is surprising. In the absence of evidence to support the use of the lower value in a range, Natural England's view is that the higher value should always be assessed in order to ensure that impacts on features are not incorrectly screened out of further assessment. This is in line with the principles of the Rochdale envelope approach.

## **2.3 Impact Risk Zones**

Natural England advises that scoping area should be based on the potential for species to be present within the area, the Impact Risk Zone (IRZ) for designated sites as available on Magic, the ecology, i.e., foraging areas of designated species of sites in proximity to the proposed development area.

## **2.4 Designated Sites – Special Protection Areas (SPAs) and Special Areas of Conservations (SACs)**

The application documents should thoroughly assess the potential for the proposal to affect designated sites. Internationally designated sites (e.g., designated Special Areas of Conservation (SAC) and Special Protection Areas (SPA)) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition, paragraph 181 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential, or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites. (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017).

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Regulation 28 of the Conservation of Offshore Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Further information on the special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/> ; and the JNCC website.

The cable corridor area of search overlaps with the following designated nature conservation sites within 12 nautical miles:

- Greater Wash SPA
- Humber Estuary SPA and RAMSAR
- Saltfleetby to Theddlethorpe Dunes & Gibraltar Point SAC
- The Wash and North Norfolk Coast SAC – supporting habitat for the designated feature Harbour (common) seal (*Phoca vitulina*) only.

**Please note:** As there is only an area of search for the cable corridor at this stage, we are unable to provide a definitive list of sites and features relevant to the project, but these should be identified and fully considered within the application documents. We note that the EGL 3 environmental survey programme has not yet been undertaken and therefore the possibility of habitats being present within the survey corridor outside of those listed exists.

The application documents should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required to avoid, minimise, or reduce any adverse significant effects.

Internationally designated site conservation objectives are available on our internet site: <http://publications.naturalengland.org.uk/category/6490068894089216>

## 2.5 Habitats Regulations Assessment

If the proposal outlined within the scoping document has the potential to significantly affect features of the designated sites and the activity is not directly connected to the management of any designated site it should be assessed under regulation 63 the Conservation of Species and Habitats Regulations (2017)/ regulation 28 of the Conservation of Offshore Species and Habitats regulations (2017). Should a Likely Significant Effect on an Internationally designated site be identified or be uncertain, the competent authority (e.g., the Marine Management Organisation or Local Planning Authority or Government Department) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the Application process.

If during the EIA/Application process the potential for a Likely Significant Effect on the conservation objectives of the sites cannot be ruled out the competent authority for the licence/consent (MMO / Government Department/LPA) should undertake an Appropriate Assessment of the implications for the site in view of its conservation objectives. Noting recent case law (*People Over Wind*<sup>3</sup>) measures intended to avoid and/or reduce the likely harmful effects on an internationally designated sites cannot be taken into account when determining whether or not a plan or project is likely to have a significant effect on a site, therefore consideration is required at Appropriate Assessment. Natural England wishes to be consulted on the scope of the Habitats Regulations Assessment and the information that will be produced to support it and should be formally consulted on any Appropriate Assessment provided for the proposal (Regulation 63/28).

---

<sup>3</sup> *People Over Wind and Sweetman vs Coillte Teoranta* (ref: C 323/17).



The consideration of Likely Significant Effects should include any functionally linked habitat outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically. Further guidance is set out in Planning Practice Guidance on appropriate assessment here: <https://www.gov.uk/guidance/appropriate-assessment>

Further information on the special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/> ; and the Joint Nature Conservation Committee (JNCC) website [About Marine Protected Areas | JNCC - Adviser to Government on Nature Conservation](#).

## **2.6 Marine Conservation Zones (MCZs), Highly Protected Marine Areas (HPMAs) and Sites of Special Scientific Interest (SSSI)**

### Marine Conservation Zones (MCZs)

Marine Conservation Zones are areas that protect a range of nationally important, rare, or threatened habitats and species. You can see where MCZs are located and their special interest features on [www.magic.gov.uk](http://www.magic.gov.uk) . Factsheets that establish the purpose of designation and conservation objectives for each of the MCZ's are available at <https://www.gov.uk/government/collections/marine-conservation-zone-designations-in-england>

The red line boundary of the Project is within or adjacent to the following MCZ within 12 nautical miles:

- Holderness Offshore MCZ

The application should consider including information on the impacts of this development on MCZ interest features, to inform the assessment of impacts on habitats and species of principle importance for this location. Further information on MCZs is available via the following link: <http://publications.naturalengland.org.uk/category/1723382>

Further information on the special interest features, the conservation objectives, and relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/>

**Please note:** As there is only an area of search for the cable corridor at this stage, we are unable to provide a definitive list of sites and features relevant to the project, but these should be identified and fully considered within the application documents. We note that the EGL 3 environmental survey programme has not yet been undertaken and therefore the possibility of habitats being present within the survey corridor outside of those listed exists.

### Highly Protected Marine Areas (HPMAs)

The red line boundary of the Project does not fall within or adjacent to any HPMA.

Further information on the location of existing HPMAs can be found at [Highly Protected Marine Areas \(HPMAs\) - GOV.UK \(www.gov.uk\)](#). The MEA should include a full assessment of the direct and indirect effects of the development on the features of any HPMA and should identify

such mitigation measures as may be required in order to avoid, minimise, or reduce any adverse significant effects.

#### Sites of Special Scientific Interest (SSSIs)

Further information on the location of SSSIs and their special interest features can be found at [www.magic.gov.uk](http://www.magic.gov.uk) . The application should include a full assessment of the direct and indirect effects of the development on the features of special scientific interest and should identify such mitigation measures as may be required in order to avoid, minimise, or reduce any adverse significant effects.

The red line boundary of the Project is within or adjacent to the following SSSIs:

- Saltfleetby – Theddlethorpe Dunes SSSI
- Chapel Point to Wolla Bank SSSI
- The Lagoons SSSI
- Humber Estuary SSSI
- Sea Bank Clay Pits SSSI

**Please note:** As there is only an area of search for the cable corridor at this stage, we are unable to provide a definitive list of sites and features relevant to the project, but these should be identified and fully considered within the application documents. We note that the EGL 3 environmental survey programme has not yet been undertaken and therefore the possibility of habitats being present within the survey corridor outside of those listed exists.

#### **2.7 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended)**

The Application should assess the impact of all phases of the proposal on protected species (including, for example, pinnipeds (seals), cetaceans (including dolphins, porpoises, and whales), fish (including seahorses, sharks, and skates), marine turtles, birds, marine invertebrates, bats, etc.). Information on the relevant legislation protecting these species can be reviewed on the following link <https://www.gov.uk/government/publications/protected-marine-species> . Natural England does not hold comprehensive information regarding the locations of species protected by law but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, [NBN Atlas](#), groups, and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#). The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information, there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants.

## 2.8 Habitats and Species of Principal Importance

The Application should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration in the making of planning decisions. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the application. Consideration should also be given to those species and habitats included in the relevant Local BAP.

## 3. Nationally Designated Landscapes

Consideration should be given to any potential direct or indirect impacts to designated landscapes.

**Please note:** As there is only an area of search for the cable corridor at this stage, we are unable to provide definitive advice on specific designated landscapes at this time. However, we note that the settings of the Lincolnshire Wolds National Landscape may require further consideration once the final cable corridor is confirmed.

## 4. Water Quality

Increases in suspended sediment concentrations (SSC) during construction and operation (e.g., future dredging works) have the potential to smother sensitive habitats. The Application should include information on the sediment quality and potential for any effects on water quality through suspension of contaminated sediments. The EIA/Application should also consider whether increased suspended sediment concentrations resulting are likely to impact upon the interest features and supporting habitats of the designated sites as listed above.

The Application should consider whether there will be an increase in the pollution risk as a result of the construction or operation of the development.

For activities in the marine environment up to 1 nautical mile out at sea, a Water Framework Directive (WFD) assessment is required as part of any application. The Application should draw upon and report on the WFD assessment considering the impact the proposed activity may have on the immediate water body and any linked water bodies. Further guidance on WFD assessments is available here: <https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters>

## 5. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example, over 97% of sensitive habitat area in England is predicted to exceed the

critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water, and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

## **6. Climate Change Adaptation**

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The Application should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPF requires that the planning system should contribute to the enhancement of the natural environment by establishing coherent ecological networks that are more resilient to current and future pressures which should be demonstrated through the Application.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

## **7. Contribution to Local Environmental Initiatives and Priorities**

Due to the lack of detail available at this stage, Natural England is unable to provide any information on how this development fits with local initiatives and priorities such as the delivery of green/blue infrastructure, biodiversity opportunity areas or biodiversity enhancements.

## **8. Cumulative and In-combination Effects**

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the Application. All supporting infrastructure and activities should be included within the assessment.

The Application should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects.
- b. approved but uncompleted projects.
- c. ongoing activities.
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e., projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Natural England's advice on the scope and content of an Environmental Statement is given in accordance with the National Infrastructure Planning Advice Notes: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/> . We advise that all Applications use this as a template.

## **9. Use of the Rochdale Envelope**

Natural England recognises the need to use a Rochdale Envelope approach to allow flexibility in project design to ensure that changes in available technologies and project economics can be considered post consent. However, Natural England has concerns over the extent to which uncertainty in ground conditions is driving the extent of the project envelope, and that the Rochdale Envelope approach is resulting in the provision of insufficient baseline information to inform both project design and assessment of impacts. The lack of understanding of the ground conditions results in the use of Maximum Design Scenarios (MDSs) that are conservative enough to make up for that lack of understanding and allow for all eventualities. This in turn translates into a vast number of variables, causing difficulties in assessment, as it is difficult to identify and assess a realistic worst-case scenario for each of the relevant receptors with any certainty, which in turn necessitates precautionary assessments given this uncertainty. That presents challenges when it comes to identifying appropriate mitigation measures.

## **10. Ecological Join up Between Marine Receptor Assessments**

Natural England advises that changes to marine processes and benthic ecology could cause an indirect impact on mobile interest features from designated sites through changes to supporting habitats and prey availability. Ecosystem impacts should be thoroughly considered within the relevant receptor chapters throughout the Application documents.

## **11. Landfall**

Coastal environments are subject considerable historic and future change. Therefore, should trenchless techniques be considered then a feasibility study informed by geotechnical investigations will be required at the time of consent, particularly within the boundary of a designated site. We would also advise that the Applicant should consider how the coast may alter throughout the lifetime of the project, both in terms of vertical change in beach profile and coastal retreat. In other words, how will cable burial and siting of infrastructure be managed throughout the lifespan of the project?

We advise that the landfall assessment needs to consider the effects on the hydrodynamic regime due to the presence of cable protection, equipment such as jack-up rigs, cable-laying vessels, and cofferdams etc. Plus, potential impact of intertidal access and/or vehicle traffic on foreshore profile change or cliff erosion over all phases of the project.

## **12. Cable protection – Including Secondary Scour**

In addition, Natural England's position provided for Hornsea Project Three, Norfolk Vanguard and Norfolk Boreas in relation to Adverse Effects on Integrity from the placement of cable protection remains unchanged and therefore cable protection within benthic marine protected areas should be avoided and where that is not possible every effort should be made to mitigate the impacts. To achieve this, we advise that a cable burial risk assessment is undertaken as part of the application process informed by comprehensive geotechnical and geophysical surveys. If cable protection is required options that have the greatest success of removal with least impact to interest features should be taken forward. A site integrity plan could then be

used to determine the risk to the conservation objectives for the site and determine the requirements for any compensation measures.

Please note that impacts from secondary scouring around cable protection should also be factored into both marine processes and benthic assessment.

### **13. Marine Mammals Impact Assessments**

If not already considered, we advise Applicants to include reference to the following:

- *IAMMWG. 2022. Updated abundance estimates for cetacean Management Units in UK waters (Revised 2022)* <https://hub.jncc.gov.uk/assets/3a401204-aa46-43c8-85b8-5ae42cdd7ff3>
- *Scientific Advice on Matters Related to the Management of Seal Populations: 2021* <http://www.smru.st-andrews.ac.uk/files/2022/08/SCOS-2021.pdf>
- *Carter et al. (2022)* <https://www.frontiersin.org/articles/10.3389/fmars.2022.875869/full>

### **14. Red-Throated Divers**

Natural England highlights our increasing concerns in relation to disturbance and/or displacement of red-throated divers features from the more persistent presence of offshore wind farm and oil and gas related vessel activity which could make a meaningful contribution to in-combination effects to the Greater Wash SPA and indeed the adjacent Outer Thames Estuary SPA depending on the transit route. As such, we advise appropriate consideration of both seasonal timing of construction and O&M works, and vessel transit route is included within the Application.

Natural England recommends that where possible, any construction and O&M activities avoid the months of November to March inclusive. Vessel transit routes outside of existing navigation routes through the Greater Wash SPA and Outer Thames Estuary, depending on the port of origin, should also be avoided during these winter months. Natural England advises as minimum use of best practice measures between 1st November and 31st March to mitigate and therefore minimise disturbance to red-throated diver namely:

- Selecting routes (when transiting to site) that avoid aggregations of red-throated diver and common scoter, where practicable.
- Restricting (to the extent possible) vessel movements when transiting to the site to existing navigation routes (where the densities of divers are typically relatively low).
- Avoidance of over-revving of engines (to minimise noise disturbance); and
- Briefing of vessel crew on the purpose and implications of these vessel management practices (through, for example, toolbox talks).

Although, we do highlight that dependent on the level of proposed activity across the designated site the best practice protocol as set out above still may not minimise the in-combination impacts to an acceptable level.

### **15. Outline Plans**

Natural England advises that outline documents and/or assessment will need to be included in the Application to ensure that all impacts have been considered and appropriately managed.

## Annex B: Detailed Comments

### Structure/Framework for Natural England advice in relation to risk and potential to resolve -

- **Red:** Natural England considers these issues to be showstoppers i.e., unless baseline data; significant design changes; and/or significant mitigation is provided, then we advise that a lasting and significant adverse effect on protected sites, species, landscape/seascape, or the wider environment cannot be ruled out meaning the EIA will have significant unresolved challenges.
- **Amber:** Natural England considers that if these are not addressed/resolved then they would have the potential to become a RED risk as set out above. Likely to relate to fundamental issues with assessment methodology which could be rectified, preferably before assessment.
- **Yellow:** These are issues/comments where NE doesn't agree with the Applicant's position and/approach. Unless otherwise stated, we are satisfied for this particular project that it will not make a material difference to our advice or the outcome of the decision-making process. However, it should be noted that this may not be the case for other projects.

### Marine Environmental Appraisal Non-Statutory Scoping Report

Point No.	Section	Para/Table	Topic	Comments	Recommendations
1.	2.5.4	Final Paragraph	Scoping Boundary	This paragraph states that the longer route option " <i>avoids the Holderness Offshore MCZ but crosses the northern tip of the Silver Pit glacial tunnel valley feature outside of the site</i> ". Based on the map on Pg. 55, it appears that this route option does pass through a section of the MCZ. The northern tip of the glacial tunnel valley feature that the route crosses is a protected feature within the MCZ.	Please clarify whether the statement or the map is correct and adjust scoping assessment accordingly.

Point No.	Section	Para/Table	Topic	Comments	Recommendations
2.	6.6	Tab. 6-5	Marine Processes	Impacts of disturbance of subtidal seabed morphology and disturbance of intertidal morphology by decommissioning has been scoped out due to being considered as having an impact of similar or lower magnitude significance of effect as the construction activity. Construction activity for both impacts was scoped in.	Whilst uncertainty remains on decommissioning methods, decommissioning impacts should be scoped in for these impacts.
3.	6.6	Tab. 6-5	Marine Processes	The project has not yet been able to rule out open cut trenching for landfall locations. Therefore, there is potential for the project to cause modifications to tidal and wave regimes and potentially alter sediment transport particularly within the intertidal zone. The Humber Estuary SAC and Saltfleetby to Theddlethorpe Dunes SAC are within the zone of influence for the scoping boundary. Both sites contain features which rely on sediment transport along the coast.	The project should scope in modification to tidal and wave regimes from construction activities within the intertidal zone.
4.	7.6	Tab. 7-6	Benthic and Intertidal Ecology	Temporary increase and deposition of suspended sediments from; boulder clearance, PLGR, pre-sweeping of sand waves; cable burial and trenching; anchoring/jack-up foundations; and deposit of external cable protection with regards broadscale habitats and Annex I <i>Sabellaria spinulosa</i> reefs has been scoped out.  These habitats, including Annex I <i>Sabellaria spinulosa</i> reef, have a medium sensitivity to heavy smothering which the	Natural England recommends these potential impacts continue to be scoped in.



Point No.	Section	Para/Table	Topic	Comments	Recommendations
				applicant has identified as a likely impact within a 100m corridor of operations.	
5.	7.6	Tab. 7-6	Benthic and Intertidal Ecology	The impact of temporary habitat loss / seabed disturbance on Subtidal broadscale habitats during construction and operation have been scoped out. Subtidal coarse sediments, sands and mixed sediment are all protected broad-scale features of the Holderness Offshore MCZ which support a wide range of infauna and have 'Recover' conservation objectives. One of the cable route options passes through 21km of the Holderness Offshore MCZ.	Scope in the potential impacts of temporary habitat loss / seabed disturbance during construction and operation on subtidal broadscale habitats.
6.	7.6	Tab 7-6	Benthic and Intertidal Ecology	Impacts from permanent habitat loss through external cable protection on subtidal broadscale habitats has been scoped out. One of the cable route options passes through 21km of the Holderness Offshore MCZ and use of cable protection hinders the 'Recover' conservation objectives of the protected broadscale habitat features.	Scope in the potential impacts of permanent habitat loss through external cable protection on subtidal broadscale habitats during operation.

<b>Point No.</b>	<b>Section</b>	<b>Para/Table</b>	<b>Topic</b>	<b>Comments</b>	<b>Recommendations</b>
7.	9.6	Tab. 9-10	Intertidal and Offshore Ornithology	Impacts of temporary increases and deposition of suspended sediments for all phases of development have been scoped out as an impact for bird species which dive for prey. The scoping document acknowledges an impact pathway but rules out significant impact based on rapidly dissipating sediment plumes and a narrow and relatively small area of impact. The area of search for the cable corridor crosses the Greater Wash SPA and the wider area is potentially considered as foraging habitat for designated sites in the wider region.	We advise that depending on whether or not there will be seasonal restriction for cable installation further assessment of the areas to be impacted due to the risk of localised displacement from preferred feeding grounds and changes to prey availability. This is particularly pertinent for Red Throated Divers. Therefore, this impact should be scoped in where source and receptor pathways exist.

# Norfolk County Council's Comments to the Planning Inspectorate on the: Eastern Green Link 3&4 – Scoping Opinion

August 2024

## 1. Introduction

1.1. The County Council welcomes the opportunity to comments on the above Environmental Impact Assessment (EIA) Scoping Opinion/Report. The comments below are made on a without prejudice basis and the County Council reserves the right to make further additional comments on the Development Consent Order (DCO) application during the statutory consultation stages; and at the Public Examination.

## 1.2. Socio - Economic

1.3. The County Council would expect National Grid to fully engage with those local communities affected by this development; and for the EIA and Environmental Statement (ES) to reflect that engagement. Whether through the formal DCO process or post DCO, there would be an expectation that National Grid will provide and take forward a Community Benefit Fund. Reference to a community benefit fund specifically designed to mitigate and compensate for any local impacts to residents and businesses should be scoped into the ES as part of any wider consideration of impacts on business and local communities.

1.4. The Environmental Impact Assessment (EIA) / Preliminary Environmental Information Report (PEIR) will need to assess the wider economic benefits arising from the above development both in terms of the scheme coming forward on its own and in combination with other major energy projects in the area, particularly the Grimsby to Walpole (G2W) project given the location and twin tracking of the substation application process. The EIA will need to indicate:

- Likely number of jobs created on this project – the County Council welcomes reference in paragraph 2.3.1 of the Scoping Report to the draft NPS for Energy (EN-1) and reference to job creation;
- Jobs likely to be generated locally (i.e. within Norfolk) – welcome the reference to the employment effects on Tourism, which can also be scoped into the ES;
- An indication of the type of jobs created e.g. construction; engineering; and opportunities for training should be scoped into the ES. The County Council would expect the applicant to prepare a skills and employment plan/strategy as part of the DCO process and reference to this should be scoped into the ES;
- Likely duration of any construction work – should be scoped into the ES;
- Potential to use local supply chains.

The County Council agree that routine maintenance and facilities will be carried out by NGET (table 5-12) and therefore can be scoped out of the ES. However, the 6 full time staff to be employed by the substation has the opportunity to be generated locally and therefore could be scoped into the ES.

1.5. The ES will need to consider the potential impacts on existing businesses; and the compensation needed. The County Council welcomes reference to this being included in the ES in table 15-11 of the Scoping Report.

1.6. **Energy Statement**

1.7. The County Council would expect National Grid to produce an Energy Statement post consent, secured through a Planning Requirement / Condition attached to the DCO, in the same way the County Council expects an Employment and Skills Strategy and a Supply Chain Strategy.

1.8. Energy Statements will need to address / cover-off the following issues:

- Demonstrate how the proposal will provide a secure and resilience supply of electricity within the County – avoiding any potential power outages/shortages/interruption of supply;
- Demonstrate how the project aligns with the County Council’s approved Climate Strategy; and emerging Energy Plan;
- Opportunities for delivering power locally using the local 132kV network (UKPN). There will need to be evidence that the developer has engaged, or will be engaging, with the local Distribution Network Operator (DNO) to explore distributing electricity generated locally;
- Exploring opportunities to deliver electricity to those areas of the County where there are demonstrable deficits in energy which is known to be holding back development; or causing local problems;
- Consider wider opportunities for decarbonising the grid within the County to deliver:
  - (a) planned housing and employment growth; and/or
  - (b) Local Projects - including self-build in rural areas;
- Consideration of delivering wider sustainable projects including:
  - (a) Electric Vehicle (EV) charging hubs
  - (b) Commercial EV charging hubs including for buses;
  - (c) Providing / unlocking additional power to local businesses and proposed growth in commercial sector – such as Lotus at Hethel.
  - (d) Localised off-grid energy solutions for housing and commercial Projects

1.9. Should you have any queries with the above comments please contact: Stephen Faulkner [REDACTED] [@norfolk.gov.uk](mailto:[REDACTED]@norfolk.gov.uk)

## 2. Highways

- 2.1 The Environmental Impact Assessment (EIA) scoping report states that the precise alignment of the project, location of construction compounds and the haul roads are not yet known and are still under development. Accordingly, there is insufficient detail at present to enable the Local Highway Authority to provide a full assessment of the project and the highway comments below are therefore of a general nature.
- 2.2 Works within Norfolk are identified as two new converter stations in the vicinity of the existing Walpole substation in King's Lynn and West Norfolk District. It is noted that the applicant intends to consult with the LPAs in relation to cumulative impact from committed development.
- 2.3 The Highway Authority would ask that specific regard is made to the Grimsby to Walpole application, whose works will include overhead pylons and new substation in the locality. The Grimsby to Walpole project will be going through the Examination stage in early / mid 2025 and as yet does not have a DCO granted. However, for the purposes of the EGL 3 & 4 project it is felt that the Grimsby to Walpole Project must be considered in cumulative impact terms (i.e. presumed consent).
- 2.4 As part of our initial discussion with the applicant the Highway Authority have asked that the formal DCO application be accompanied by a Transport Assessment (TA) and a Construction Traffic Management Plan (CTMP). It is noted that the volume of construction traffic is not yet known but that a commitment is provided within the EIA scoping report to provide a TA and CTMP. The TA needs to assess the effects of the anticipated traffic upon driver delay; severance; pedestrian delay; pedestrian amenity; accidents; road safety; and impact from abnormal loads.
- 2.5 It is also noted that the project will consider the removal / diversion of existing National Grid infrastructure and third-party utilities, again the scope of which is not known. The Highway Authority ask that the highway impact of any associated works of this nature forms part of the TA so that a comprehensive view can be taken as to overall impact.
- 2.6 It is noted that the traffic and transport effects during operation (including maintenance) are out of scope and the Highway Authority is happy to agree on that point.
- 2.7 As a general point, the overall thrust of the EIA scope relates to examining increases in traffic volumes (in particular represented as a percentage figure) and the Highway Authority wish to point out that the public highways leading to the cable corridor in Norfolk are predominantly narrow minor rural lanes. Accordingly, even a small volume of traffic on these routes can have a significant impact if vehicles are unable to physically pass each other and this point needs to be considered within the CTMP.

2.8 The Environmental Statement will need to consider emergency access (to blue light services) associated with any temporary road closures; and/or temporary roadworks.

2.9 For further Information on highway related matters please contact John Curtis (Engineer Major and Estate Development - NSIP) Email: [REDACTED]@norfolk.gov.uk

### 3. **Public Rights of Way**

3.1 At this stage the County Council would recommend that the applicant takes the following into account in the ES:

- Impacts during construction- If any Public Rights of Way need to be crossed; or are impacted by any construction of supporting infrastructure; or will require a temporary closure, then this would require consultation in advance to the Highway Authority;
- Impacts during operation- If any Public Right of Way will be impacted during the operation and servicing of the project then details should be provided in advance and any proposed mitigation measures be put in place.

The DCO will likely need a Planning Requirement to address the above matters along the lines:

*Public Rights of Way Strategy.—(1) No phase of the on shore works that would affect a public right of way specified in Schedule 4 (public rights of way to be temporarily stopped up) is to be undertaken until a public right of way strategy in respect of that phase and in accordance with the outline public rights of way strategy, including the specification for making up of an alternative right of way (where appropriate) has been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority.*

*(2) Any alternative public rights of way must be implemented in accordance with the approved public rights of way strategy.*

3.2 Should you have any queries with the above comments please contact: Natural Environment Team [NET1@norfolk.gov.uk](mailto:NET1@norfolk.gov.uk)

### 4. **Historic Environment**

In general the Historic Environment team concur with the broad conclusions of the scoping report. The proposed scheme is an underground cable route and two converter stations. There will be considerable impacts on below ground archaeology which will require evaluation prior to the determination of the NSIP and mitigation if consent is granted.

At present this scheme presents potential issues that could be characterised as 'chicken and egg'. The swathe presented in Figure 7.2 is very large. Paragraph 7.5.1 mentions avoiding impact on undesignated heritage assets, presumably including below-ground archaeology, through design. Arguably this can much more effectively be achieved if geophysical survey is undertaken at a point evolution of the scheme

where the results of geophysical survey can also be used to inform design decisions alongside existing baseline data. This applies especially to the converter stations.

In terms of specific comments

#### Section 7.4.9

- Historic England's Aerial Archaeology Mapping Explorer is not a live dataset and has been stripped of accompanying interpretative information contained within HER records and is therefore unsuitable for use in relation to any form of development-led archaeology. Aerial Investigation Mapping (hereafter AIM) plot data should have been requested when HER data was obtained. A quick check indicate there has not been Historic England funded AIM (formerly NMP) survey of the Eastern Green Links 3 and 4 swathe in Norfolk.

#### Section 7.7.2;

- *A review of locally listed buildings and conservation areas provided by the unitary authorities.* The Borough Council of King's Lynn and West Norfolk is not a unitary authority. Undesignated buildings locally listed at district/borough level are not necessarily the same those recorded on the Norfolk Historic Environment Record.
- *Analysis of Environment Agency Light Detection And Ranging (LiDAR) and satellite imagery.* This needs to be in specialist project specific AIM survey.
- Adherence to the standard for development-led archaeological projects in Norfolk is also required.
- Any DBA produced in relation to this scheme needs to contain and take into account data from a project specific Aerial Investigation Mapping survey carried out by a recognised specialist. The AIM survey will need to examine all existing physical and digital aerial images including Norfolk Air Photo Library collections (which can be accessed via our HER team), the Historic England Archive collection in Swindon and Environment Agency LiDAR data. Digital source include Google Earth, Bing and Apple Maps (See section 5.1.2 of the Standards for Development-Led Archaeology in Norfolk). The Cambridge University Collection of Aerial Photography (CUCAP) is still closed for physical searches, some images are available online.

As previously commented from a purely Norfolk perspective the swathe currently being consulted on in relation Eastern Green Links 3 and 4 and the Grimsby to Walpole NSIP is very similar. The Historic Environment team suggest a joint technical working group for Eastern Green Links 3 and 4 and the Grimsby to Walpole, including the archaeological the advisors for Norfolk and Lincolnshire.

- 4.1 Should you have any queries with the above comments please contact John Percival (Historic Environment Senior Officer) [REDACTED] [@norfolk.gov.uk](mailto:john.percival@norfolk.gov.uk)

## 5. Public Health

- 5.1 Public Health Norfolk will comment only on the impact of the project as it pertains to population health in Norfolk. Public Health Norfolk would expect to see a full health impact assessment (HIA) using an appropriate methodology carried out for the proposal to cover both the impacts during both the construction phase and operational phases of the project, and to set out appropriate mitigation measures if required. This would be expected to particularly identify costs and benefits to vulnerable communities both immediately adjacent to the proposal and those in the surrounding area. Any assessment should consider both direct impacts on health from changes in air quality, dust, noise, vibration and increased traffic during construction, but also discuss the wider determinants of health such as temporary changes and disruption to public rights of way, for example, and consider both physical and mental wellbeing amongst local populations.
- 5.2 The UK Health Security Agency is the lead agency with responsibility for health threats from radiation in the UK and is a statutory consultee for Nationally Significant Infrastructure Projects. It should be consulted regarding the appropriateness of scoping out of the health impacts of Electro Magnetic Fields (EMF) from the Environmental Statement as stated in table 16-7. The report recognises public concern regarding EMFs (table 16-7) and says it will provide comprehensive information on EMFs and compliance of the proposed project with legal guidelines. As alluded to, the scheme could give rise to potential anxiety in local populations therefore Norfolk Public Health requests that a mental health assessment (MHA) is carried out to evaluate this, and that appropriate mitigation measures are set out within the Environmental Statement. Furthermore, 16.4.4 refers to a 200m study area based on evidence indicating that equipment operating at the proposed voltage and rating does not produce EMF levels exceeding typical background levels beyond 200 meters. However, public perception may differ and as such potential mental health impacts could still arise. As such, Norfolk Public Health requests that the MHA is undertaken using an appropriate study area encompassing affected communities.
- 5.3 16.4.16 recognises the existing electricity transmission and distribution equipment in the study area near Walpole. Norfolk Public Health expects that the cumulative mental and physical health impacts of both the existing infrastructure and the proposed infrastructure within the study area – specifically, the two proposed converters and one substation near the current infrastructure in Walpole – will be given due consideration in the HIA.
- 5.4 Norfolk Public Health welcomes the inclusion of a specific chapter on human health as part of the Environmental Statement, drawing together all of the assessment's health elements into one chapter. It is expected that this is supported by a full HIA and a MHA, with appropriate mitigation measures detailed.
- 5.5 Should you have any queries with the above comments please contact Jane Locke – Prevention Policy Manager – Places (Public Health) [REDACTED] [@norfolk.gov.uk](mailto:jane.locke@norfolk.gov.uk)



## 6. Minerals and Waste

- 6.1 At this stage ahead of any detailed Environmental Statement the County Council, as Minerals and Waste Planning Authority, does not have any substantive comments to make on the scoping boundary for the proposed underground cabling, converter stations and a substation regarding minerals and waste planning policy. This is largely because while the proposed infrastructure in Norfolk would consist of underground cabling, two converter station, and a substation the area covered by the scoping boundary and Preferred Siting Zone does not contain any safeguarded mineral resource.
- 6.2 Should you have any queries with the above comments please contact Caroline Jeffery (Principal Planner) at [REDACTED] [@norfolk.gov.uk](mailto:[REDACTED]@norfolk.gov.uk)

## 7. Lead Local Flood Authority (LLFA)

- 7.1 The LLFA have focused our review primarily on the elements of the EGL3 and EGL4 which relate to Norfolk (as outlined in **Section 1** of the Scoping Report being two separate projects which are independent of one another (but with a common landfall). The two schemes are seeking consent under one Development Consent Order DCO to reinforce the transmission network by connecting a marine cable from Scotland to north Lincolnshire, before making landfall with an underground cable connecting to two new converter stations and a new substation in the Walpole area of Norfolk (near the existing Walpole substation)). This is referred to as Section 8: Foul Anchor to Walpole (Figure 1-7: English Onshore Scheme Scoping boundary) and the Walpole Stations Area.
- 7.2 The LLFA welcomes the inclusion of Section 9 entitled 'Water Environment' within the Scoping Report and note that this focuses on fluvial and coastal flood risk, along with some consideration of other sources of flood risk such as surface water. The current version of NPPF includes the requirement for all sources of flood risk to be fully assessed and this expectation has been included in the updated EN1 (paragraph 5.8.14. Therefore, the LLFA expects all sources including surface water (pluvial) and groundwater to be assessed in this scheme.
- 7.3 The LLFA notes the Local Flood Risk Management Plans have not been referred to in Table 9-3. However, in the technical guidance section the Local Flood Risk Management Plans have been referred to rather than the LLFA developer guidance. These policy and technical guidance references in the scoping report would need to be updated to correctly reflect the appropriate documents.
- 7.4 The document, particularly Section 4.5 refers to construction and installation works, including discussion of permanent works associated with the projects relating to the cable routes, converter stations and substation. There appears to be very limited consideration of the temporary construction works which focuses on the construction compounds. There is also no mention of temporary or permanent surface water drainage until you reach 4.5.71 that states "peripheral landscaping, drainage, and other related works." This is not sufficient inclusion at this early stage that will ensure adequate space is provided for sustainable surface water drainage systems and temporary surface water management features for the temporary construction works to facilitate the proposed development. It is not until section 9.6.7 which mentions

the temporary impermeable areas associated with the construction phase. There is an inconsistency within the scoping report that needs to be addressed due to the significant areas could be affected by these measures and result in a significant impact on the surface water flood risk. Therefore, Norfolk LLFA requires better description of the temporary works structures throughout the report so there is a consistent approach.

- 7.5 The Scoping Report identifies the need to cross watercourses and the need to consult the Environment Agency and the relevant Internal Drainage Board (IDB). However, there is no consideration of ordinary watercourses not within these areas of jurisdiction which would fall to the LLFA. While these are minimal in number, the LLFA would suggest the LLFA is acknowledged as a risk management authority to consultant on this matter should a watercourse outside of the IDB areas is interacted with. All watercourses that require crossing will need to be considered regardless of their size.
- 7.6 The LLFA notes in Section 1, paragraph 1.6.6 that the Scoping Report states that the proposals will constitute EIA development, will be accompanied by an Environmental Statement and welcomes that the applicant has confirmed in Section 1.9.10 that a Flood Risk Assessment FRA, along with a Water Framework Directive Assessment (Section 1.9.11) will also be submitted and prepared in accordance with the requirements of the NPPF and the associated guidance and requirements of the various LLFAs. The LLFA advise that our guidance has been recently updated, with a copy of the available on our website.
- 7.7 The LLFA strongly recommend that any EIA includes, or any planning application for development is accompanied by an FRA and a surface water drainage strategy to address:
- All sources of flood risk, including those from ordinary watercourses, surface water and groundwater to the development.
  - How surface water drainage from the development will be managed on-site and show compliance with the written Ministerial Statement HCWS 161 by ensuring that Sustainable Drainage Systems (SuDS) are put in place.
  - How any phasing of the development will affect the overall drainage strategy and what arrangements, temporary or otherwise, will need to be in place at each stage of the development in order to ensure the satisfactory performance of the overall surface water drainage system for the entirety of the development.
- 7.8 This supporting information would assess the potential for the development to increase the risk of flooding from the proposal or how surface water runoff through the addition of hard surfaces will be managed. It will show how this will be managed to ensure that the development does not increase flood risk on the site or elsewhere, in line with National Planning Policy Framework (NPPF) (Paragraph 173) and the subsequent EN-1 and EN-5.
- 7.9 In this particular case this would include appropriate information on:
- Sustainable Drainage Systems (SuDS) proposals in accordance with

appropriate guidance including “Non-statutory technical standards for sustainable drainage systems” March 2015 by Department for Environment, Food and Rural Affairs.

- Appropriate assessment and mitigation of all sources of surface water flooding onsite/originating from offsite that may affect the development, in addition to risk of groundwater flooding.
- Provision of surface water modelling of overland flow routes and mitigation provided to show how flood risk will not be increased elsewhere. This may include temporary culverts sized for the 1% Annual Exceedance Probability (AEP) plus climate change allowance.
- At least one feasible proposal for the disposal of surface water drainage should be demonstrated and in many cases supported by the inclusion of appropriate information. It is important that the SuDS principles and hierarchies have been followed in terms of:
  - surface water disposal location, prioritised in the following order: disposal of water to shallow infiltration, to a watercourse, to a surface water sewer, combined sewer / deep infiltration (generally greater than 2m below ground level).
  - the SuDS components used within the management train (source, site and regional control) in relation to water quality and quantity.
  - identifying multifunctional benefits including amenity and biodiversity.
  - Onsite, infiltration testing, in accordance with BRE365 or equivalent should be undertaken to find out if infiltration is viable across the site and at the depth and location of any infiltration drainage features. Infiltration testing should be undertaken 3 times in quick succession at each location.
- A surface water drainage system must be provided for the construction, operation and decommissioning of the project, including any temporary construction works.
- The drainage strategy should also contain a maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development.

7.10 Please note, if there are any works proposed as part of this application that are likely to affect flows in an ordinary watercourse, then the applicant is likely to need the approval of the County Council. In line with good practice, the Council seeks to avoid culverting, and its consent for such works will not normally be granted except as a means of access. It should be noted that this approval is separate from planning.

- 7.11 Further guidance for developers can be found on our website at <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/flood-and-water-management/information-for-developers>
- 7.12 Should you have any queries with any of the above LLFA comments please contact the LLFA – [LLFA@norfolk.gov.uk](mailto:LLFA@norfolk.gov.uk)

## 8. **Norfolk Fire and Rescue**

- 8.1 Norfolk Fire & Rescue Service (NFRS) response to emergency incidents should, wherever possible, not be compromised by ongoing construction works, site or road closures relating to the Grimsby to Walpole project works. Specific responses will be made as more detail is received but NFRS would urge that due consideration is given at all times to ensuring that emergency vehicles retain the ability to reach Incidents in the fastest and safest manner to protect anyone in danger.
- 8.2 NFRS as a member of the Local Resilience Forum (LRF) considers that any proposed route should not pass directly over any COMAH or high-risk site; initial look suggests this is not the case, but a more detailed investigation is being carried out currently.
- 8.3 NFRS would ask that National Grid engages with and invests in NFRS to help prepare crews for fires or rescues within high voltage electrical installations or around high voltage pylons, this may include training exercises or equipment purchases. NFRS would be looking at developer funding for these items through a S106 agreement.
- 8.4 Should you have any queries with the above comments please contact: Jennifer Schamp [REDACTED] [@norfolk.gov.uk](mailto:[REDACTED]@norfolk.gov.uk)

## 9. **Norfolk Property Services (NPS)**

- 9.1 If Norfolk County Council (NCC) land is required for the proposed works NPS would request National Grid consults directly with Jenna Browne [REDACTED] [@norfolk.gov.uk](mailto:[REDACTED]@norfolk.gov.uk)) and Simone Crawford [REDACTED] [@norfolk.gov.uk](mailto:[REDACTED]@norfolk.gov.uk)) at NCC County Farms as landowner, with regards to timescale, method of construction, impact on NCC land and compensation. NPS understands that National Grid has recently sent a questionnaire to Norfolk County Council to authorise survey work on their land.
- 9.2 Should you have any queries with the above comments please contact Richard Smith [REDACTED] [@nps.co.uk](mailto:[REDACTED]@nps.co.uk)

## 10. **Natural Environment**

### 10.1 **Arboriculture**

It is accepted that a pragmatic approach needs to be taken to data collection and the authority agree to limiting the collection of all tree data (as per BS 5837) to only Cat A and B trees. Adapting the Root Protection Area (RPA) to suit likely root

morphology is acceptable (e.g. adjacent to roads, ploughed fields, streams etc). Category C trees may have a rooting area greater than 5m diameter. It is not considered overly onerous for an assessment to be made during the walkover survey when the tree / woodland categorisation is made, to determine an appropriate RPA for Cat C trees. If this is not carried out consent may be granted to development that harms trees suitable for retention. This would be particularly problematic for trees that are not in the developer's ownership.

It should also be noted that a review of ancient woodland inventory is taking place so it may be that designations change during the lifetime of this project. It is suggested that noting the location of current trees in the same location of those mapped on the 1st edition OS map (1879 – 1886) would be a reasonable way to filter trees worthy of closer inspection for ancient or veteran tree assessment and not rely on the incomplete records. Site assessment for ancient or veteran trees must be carried out as described in the approach to the walkover survey.

Caution must be taken over the exclusive use of LIDAR (Light Detecting and Ranging) data for initial gathering of information on location of trees and hedges. LIDAR data will not detect the presence of low hedges or tree or hedge features that have recently been managed through coppicing or hedge laying at the time that the LIDAR data was captured.

## 10.2 Ecology

BNG statements in the consultation say that 'The consideration of BNG in detail will form part of the later stages of the Project.' It may be that when this application is submitted that it will be mandatory for NSIPs to follow BNG legislation (November 2025). With the scale of this proposal, it is suggested that BNG is made a major consideration at this stage and that the relevant surveys and assessments are undertaken within the Project timelines. If BNG is to be met off-site the Project will have to gain this information before planning approval.

Within Norfolk the corridors are situated away from statutory sites. However, proximity to Honington House Farm (CWS 528) will need to be considered. Preliminary Ecological Appraisals (more likely built into an Ecological Impact Assessment) will need to be undertaken to identify any protected species constraints exists within the study area. These will decide any secondary phased surveys and appropriate mitigation. Certain species require specialist licenses and specialised surveys to correctly assess the impact the Proposal may have.

## 10.3 Landscape

A full Landscape and Visual Impact Assessment should be undertaken, including where necessary a Townscape Assessment. This should consider all potential impacts, both during construction and in-operation, and the cumulative impacts.

Impacts on the Landscape Character and Visual Amenity should where possible be avoided; this could be through consideration of fine tuning the route. Irreplaceable landscape features such as ancient woodland should be fully avoided.

Cumulative impact should be avoided, and National Grid should consider whether there are opportunities to reconfigure; rationalise or underground any existing electricity network infrastructure (in line with para 2.11.2 – 2.11.6 of NPS EN-5);

Where impacts cannot be avoided then **mitigation measures** will need to be identified. While advanced planting and screening will not minimise all impacts, carefully planned incremental planting can be effective at minimising and softening the appearance of infrastructure in the landscape. Often layered planting starting some distance away can help to break up extensive views. This will be particularly important when considering the screening options for the substation and two converter stations at Walpole where landscape and visual impacts have the potential to be significantly adverse. The massing, location and scale of the substation and converter stations should be considered to ensure both short distance and long-distance views are taken into account. In addition to layered planting consideration should be given to finishes, orientation of elements and siting of elements within the site to avoid continuous change on the horizon.

- 10.4 The above comments from the Ecology and Landscape team were made at the non-statutory consultation stage; these have been reiterated as they require scoping as part of the EIA.

Should you have any queries with the above Natural Environment comments please contact the Natural Environment Team at [neti@norfolk.gov.uk](mailto:neti@norfolk.gov.uk)

**From:** Nick Feltham [REDACTED]@N-KESTEVEN.GOV.UK>  
**Sent:** 30 July 2024 16:24  
**To:** Eastern Green Link 3 and 4  
**Subject:** 24/0328/NSIP EGL3 and 4 EIA Scoping

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Sir, Madam

Thank you for consulting North Kesteven District Council in relation to the above. I can confirm that we have no comments in relation to the submitted Scoping Report.

Regards  
Nick Feltham



**Nick Feltham**  
**Development Manager**

Tel: [REDACTED]  
Email: [REDACTED]@N-KESTEVEN.GOV.UK  
[www.n-kesteven.gov.uk](http://www.n-kesteven.gov.uk)  
Kesteven Street, Sleaford, NG34 7EF

Lots of our services are available at

[www.n-kesteven.gov.uk](http://www.n-kesteven.gov.uk)

*You can apply for help, report a problem,  
find your bin days and lots more,  
all from our website.*



Officer: Matthew Gillyon

Tel: [REDACTED]

Email: [REDACTED]@northlincs.gov.uk

23/08/2024

The Planning Inspectorate,  
Environmental Services,  
Operations Group 3,  
Temple Quay House,  
2 The Square,  
Bristol,  
BS1 6PN

# North Lincolnshire Council

[www.northlincs.gov.uk](http://www.northlincs.gov.uk)

Church Square House  
30-40 High Street  
Scunthorpe  
North Lincolnshire  
DN15 6NL

**Reference: EN0210003**

**Proposal: Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) - Regulations 10 and 11.**

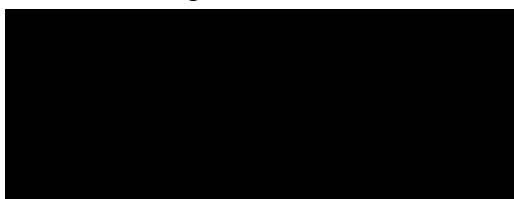
**Application by National Grid Electricity Transmission (the Applicant) for an order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development).**

Thank you for your letter dated 29<sup>th</sup> July 2024 giving North Lincolnshire Council (NLC) the opportunity to comment on EN0210003: Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) - Regulations 10 and 11.

Application by National Grid Electricity Transmission (the Applicant) for an order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 (the Proposed Development).

I can confirm that NLC has objections to raise in respect of this project. The proposed development is not likely to result in any significant impact upon North Lincolnshire.

Kind Regards



Matthew Gillyon



Senior Planning Officer  
North Lincolnshire Council

**From:** BCW Planning <Planning.BCW@northnorthants.gov.uk>  
**Sent:** 30 July 2024 15:38  
**To:** Eastern Green Link 3 and 4  
**Subject:** RE: EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from [planning.bcw@northnorthants.gov.uk](mailto:planning.bcw@northnorthants.gov.uk). [Learn why this is important](#)

Good Afternoon,

Northn Northamptonshire Council – Wellingborough Area Team have no objections or comments to make.

Kind Regards,

**Cerys Walker** | **Administrative/Technical Officer**

North Northamptonshire Council

Swanspool House, Doddington Road Wellingborough, Northants NN8 1BP

T: 0300 126 3000 | [REDACTED]

Twitter: @NNorthantsC

Facebook: @NorthNorthants

Web: [www.northnorthants.gov.uk](http://www.northnorthants.gov.uk)



Creating safe and thriving places

**From:** Eastern Green Link 3 and 4 <EasternGreenLink3and4@planninginspectorate.gov.uk>

**Sent:** Monday, July 29, 2024 4:52 PM

**To:** CBC Planning Services <PlanningServices.cbc@northnorthants.gov.uk>

**Cc:** ENC PLANNING <PLANNING.ENC@northnorthants.gov.uk>; KBC Planning

<planning.kbc@northnorthants.gov.uk>; BCW Planning <Planning.BCW@northnorthants.gov.uk>

**Subject:** EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

**[CAUTION: EXTERNAL EMAIL]** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

**FAO Head of Planning**



**North  
Northamptonshire  
Council**

Development Management Service  
Kettering Office  
Municipal Offices  
Bowling Green Road  
Kettering NN15 7QX  
Tel: 0300 126 3000  
[www.northnorthants.gov.uk](http://www.northnorthants.gov.uk)

K King  
The Planning Inspectorate  
Environmental Services  
Operations Group 3 Temple Quay  
House  
2 The Square  
BRISTOL  
BS1 6PN

Telephone: 01536 534316  
Email: [REDACTED]@northnorthants.gov.uk  
Our Ref: NK/2024/0461  
Date: 19 August 2024  
GEN AGEN

Dear Sir/Madam

### **Town & Country Planning Acts**

**Applicant:** National Grid Electricity Transmission  
**Proposal:** Consultation from Another Council: Eastern Green Link 3 (EGL3) comprises a converter station in the Walpole area of Norfolk along with associated development. Eastern Green Link 4 (EGL4) comprises a converter station in the Walpole area of Norfolk alone or together with a switching station and a converter station in the East Lindsey area of Lincolnshire, along with associated development  
**Location:** Eastern Green Link 3 and Eastern Green Link 4

Dear Sirs

Thank you for your Scoping Opinion request.

On behalf of North Northamptonshire Council, we have no comments to make.

Yours faithfully

Alan Chapman  
Development Management  
North Northamptonshire Council  
Kettering Office

**From:** Before You Dig <BeforeYouDig@northerngas.co.uk>  
**Sent:** 30 July 2024 11:28  
**To:** Eastern Green Link 3 and 4; Before You Dig  
**Subject:** RE: EXT:EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from beforeyoudig@northerngas.co.uk. [Learn why this is important](#)

Good Morning

This is not our area its cadent gas you need to contact regarding this

Regards,

**Kim Richardson**

Admin Assistant - Customer Operations Support  
**Northern Gas Networks**

[www.northerngasnetworks.co.uk](http://www.northerngasnetworks.co.uk)  
[facebook.com/northerngasnetworks](https://facebook.com/northerngasnetworks)  
[twitter.com/ngngas](https://twitter.com/ngngas)



Northern Gas Networks Limited (05167070) | Northern Gas Networks Operations Limited (03528783) | Northern Gas Networks Holdings Limited (05213525) | Northern Gas Networks Pensions Trustee Limited (05424249) | Northern Gas Networks Finance Plc (05575923). **Registered address:** 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU. Northern Gas Networks Pension Funding Limited Partnership (SL032251). **Registered address:** 1st Floor Citypoint, 65 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD. **For information on how we use your details please read our [Personal Data Privacy Notice](#)**

**From:** Eastern Green Link 3 and 4 <EasternGreenLink3and4@planninginspectorate.gov.uk>  
**Sent:** Monday, July 29, 2024 4:11 PM  
**Subject:** EXT:EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

You don't often get email from [easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk). [Learn why this is important](#)

**External email! - Think before you click**

Dear Sir/Madam,

Please see attached correspondence on the proposed Eastern Green Link 3 and Eastern Green Link 4.



## **Proposed DCO Application by National Grid Energy Transmission (NGET) for Eastern Green Link 3 and Eastern Green Link 4**

### **Royal Mail response to ES Scoping Consultation**

Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service.

Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development.

Royal Mail's advisor BNP Paribas Real Estate has reviewed the ES Scoping Report for this scheme dated July 2024. There are numerous operational Royal Mail properties within 10 miles of the scoping area and all of the main roads within it are used by Royal Mail vehicles on a daily basis.

The construction of this infrastructure proposal has been identified as having potential to impact on Royal Mail operational interests. However, at this time Royal Mail is not able to provide a consultation response due to insufficient information being available to adequately assess the level of risk to its operation and the available mitigations for any risk. Consequently, at this point Royal Mail wishes to reserve its position to submit a consultation response/s at a later stage in the consenting process and to give evidence at any future Public Examination, if required.

In the meantime, any further consultation information on this infrastructure proposal and any questions of Royal Mail should be sent to:

**Holly Trotman** [REDACTED] (@royalmail.com), Senior Planning Lawyer, Royal Mail Group Limited

**Daniel Parry Jones** [REDACTED] (@realestate.bnpparibas), Director, BNP Paribas Real Estate

Please can you confirm receipt of this holding statement by Royal Mail.

End

date: 23 August 2024  
your reference: EN0210003  
our reference: PE-00321-24  
ask for: Sam Dewar  
email: [REDACTED]@dpaplanning.co.uk  
[REDACTED]



Council Offices  
Priory Road  
Spalding  
Lincolnshire PE11 2XE

tel: 01775 761161  
fax: 01775 711253  
www.sholland.gov.uk

The Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Sent by email to: easterngreenlink3and4@planninginspectorate.gov.uk

**Statutory Scoping Consultation to South Holland District Council under Section 42 of the Planning Act 2008 and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (10 and 11) prior to the submission of an application for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4.**

Thank you for your recent consultation in relation to the above. Sam Dewar of Dewar Planning Associates has been instructed to act as lead officer on behalf of the three Local Planning Authorities consulted (Boston Borough Council, South Holland District Council and East Lindsey District Council).

An individual response will be provided on behalf of each Local Planning Authority (LPA) detailing how the development within their authority boundary impacts them.

### Introduction

By way of an introduction, I am a chartered member of the RTPI and act as Director and founder of Dewar Planning. I have previously worked as planning officer through to head of planning at local planning authorities and have since formed my own private planning practice submitting applications to over 100 local planning authorities across the UK. These applications have ranged from large wind farms to residential schemes, and various small to major scale commercial developments. We also continue to provide bespoke consultancy assistance for local planning authorities due to the positive relationships we have developed.

The applicant 'National Grid Electricity Transmission' intends to submit an application for Development Consent Order under Section 37 of the Planning Act 2008, comprising details of both proposals Eastern Greenlink 3 (EGL3) and Eastern Greenlink 4 (EGL4) with an Environmental Statement in line with Regulation 14 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 as well as the other relevant policies and legislations.

South Holland District Council are a consultee as part of duty to consult (section 42 of the Planning Act 2008). For an inclusive and robust response an internal consultation process has also been undertaken, seeking internal responses from certain officers, parish councils and Councillors. All consultees have the ability to respond direct to the Applicant as part of this process however we have presented any responses received to date. Responses received after the submission deadline of 23rd August 2024 will be collated and sent on to the Applicant directly where it is hoped that will still be taken into account ahead of any formal submission.

### **List of Consultees**

Please note that some responses may have been received in addition to those listed in the consultee list below. Where appropriate their comments are summarised accordingly:

1. Environmental Protection
2. Planning Policy (Joint with Boston Borough)
3. Conservation Assistant (Tree Preservation)
4. SHDC Conservation Officer
5. Senior Ecologist
6. Councillor Thomas Sneath
7. Councillor Anthony Casson
8. Councillor Andrew Woolf
9. Councillor Bryan Alcock
10. Councillor Jim Astill
11. Councillor Angie Harrison
12. Councillor Henry Bingham
13. Councillor Margaret Geaney
14. Councillor Jane King
15. Councillor Paul Barnes
16. Councillor Jo Reynolds
17. Councillor Laura Eldridge
18. Councillor Nick Worth
19. Councillor Allan Beal
20. Councillor Paul Redgate
21. Councillor Sophie Hutchinson
22. Councillor Tracey Carter
23. Councillor Nanette Chapman
24. Councillor Andrew Tennant
25. Councillor Jack Tyrrell
26. Councillor David Wilkinson
27. Councillor Sally-Ann Slade
28. Councillor James Avery

29. Councillor Elizabeth Sneath
30. Councillor Gary Taylor
31. Councillor Suresh Chauhan
32. Councillor Ingrid Sheard
33. Councillor Manzur Hasan
34. Councillor James Le Sage
35. Councillor Mark Le Sage
36. Councillor David Ashby
37. Councillor Robert Gibson
38. Councillor Glynis Scalese
39. Councillor Jan Whitbourn
40. Councillor Aaron Spencer
41. Councillor Christopher Brewis
42. Councillor Michael Booth
43. Crowland Parish Council
44. Deeping St Nicholas Parish Council
45. Cowbit Parish Council
46. Moulton Parish Council
47. Weston Parish Council
48. Donington Parish Council
49. Fleet Parish Council
50. Gedney Parish Council
51. Gedney Hill Parish Council
52. Gosberton Parish Council
53. Holbeach Parish Council
54. Little Sutton Parish Council
55. Long Sutton Parish Council
56. Lutton Parish Council
57. Moulton Parish Council
58. Pinchbeck Parish Council
59. Quadring Parish Council
60. Surfleet & Whaplode Parish Councils
61. Sutton Bridge Parish Council
62. Sutton St Edmund Parish Council
63. Sutton St James Parish Council
64. Tydd St Mary Parish Council
65. Weston Parish Council



## The Proposal

The Project is of national significance as it forms part of a 2 Gigawatt transmission reinforcement that will transmit low carbon electricity from its point of generation in Scotland to its point of distribution for use in England.

EGL 3 and EGL 4 are separate projects, independent of one another; however, they have a common landfall on the Lincolnshire coastline, a common connection point to the existing transmission network in Norfolk and they also follow the same onshore cable route for the majority of their length. Therefore, EGL 3 and EGL 4 are being consented by a single Development Consent Order, as two coordinated and predominantly co-located projects in England.

The principal elements of the Projects which would constitute authorised development under a Development Consent Order, comprise:

A new converter station in the East Lindsey area of Lincolnshire, in the vicinity of one of two 400 kV Lincolnshire Connection substations (LCS)) as proposed by the Grimsby to Walpole Project13 ( a separate Development Consent Order application for approximately 140km of onshore overhead transmission cable as well as the location of five substations).

A new switching station in the vicinity of one of the proposed LCS in East Lindsey (described in this report as the Direct Current Switching Station (DCSS)).

A new converter station in the vicinity of the existing Walpole substation in Kings Lynn and West Norfolk.

The remaining onshore works are considered to constitute associated development to the above-mentioned principal elements. These elements include:

### Underground cables

EGL3 to have approximately 100km of new underground high voltage direct current cables from the landfall point to the converter station at Walpole. EGL3 will also have approximately 5km of new underground high voltage alternating current cable between the existing Walpole converter and a new Walpole substation.

EGL4 to have approximately 11km of new underground cable from the landfall point to the proposed switching station in the vicinity of the new Lincolnshire Connection Substation. Approximately 90km of new underground cable from the switching station to the existing Walpole converter station is proposed along with approximately 5km of cable to a proposed

new substation and 5km of cable between the Walpole converter station and a new Walpole substation.

### Substation

A new 400 kV substation (in proximity to the existing Walpole substation in King's Lynn and West Norfolk (described in this report as the 'new Walpole substation' but also known as 'Walpole B substation'). The new Walpole substation is a common connection point for both the EGL 3 Project, the EGL 4 Project and the Grimsby to Walpole Project and the need for this new substation exists as a part of either EGL 3 and EGL 4 or the Grimsby to Walpole Project and therefore will form part of their respective DCOs.

### Overhead Lines

Supplementary works to existing 400 kV overhead lines and local changes to the lower voltage distribution networks to facilitate the construction of the new onshore transmission connections in England.

At this stage it is noted that whilst the infrastructure required (cables, switching stations and substations etc) to complete the projects of EGL3 and EGL4 has been identified, the exact siting has not yet been confirmed, therefore the presented design envelope (as defined by the red line on plans) has been used for the EIA Scoping.

We have extensively reviewed the submission topic areas as part of this response. This response primarily focuses on the response for the landscape and visual impact assessment; however, the following topic areas have also been considered as part of this response. The final preferred option for the alignment of the underground cables as well as the siting of the converter stations, switching stations and substations has not therefore been confirmed. The redline (scoping boundary) is a larger area than is likely to be required by any Development Consent Order, allowing the Applicant the flexibility to take account of any feedback through engagement and consultation events as well as engineering and design changes as well as any survey responses such as environmental assessments.

Within South Holland District Council , the sections 7 and 8 of the Scoping Boundary are relevant as detailed below in Figure 1.1. Whilst the elements of work at the Walpole Substation and Converter Station Preferred Siting Zone fall outside of the Council's boundary, they are nevertheless large elements and in close proximity to the boundary and therefore will be considered as part of any further review. It remains to be detailed what the exact works within sections 7 and 8 will be, however at this stage it has been assumed that the predominant works is underground cable routing, associated works to the existing overhead power lines and substation works at Walpole.

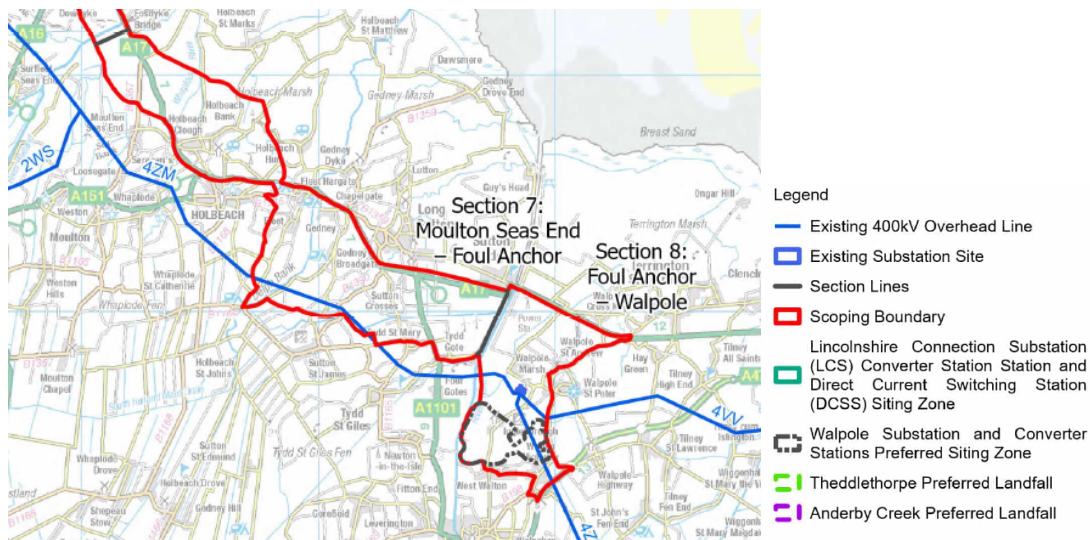


Figure 1.1 Extract from Environmental Impact Assessment Scoping Report Volume 1 Main Text Part 1 Introduction – Figure 1-8 (sheet 1)

## Planning Policy

Whilst the applicant will seek permission for the proposals directly from the Secretary of State for a DCO under section 37 of the Planning Act 2008, there are still a number of local and national planning policies which are considered relevant and should be taken account of as part of the development process. These plans and local knowledge have been formed over several years and have come from a significant evidence base.

The South East Lincolnshire Local Plan 2011-2036 (SELLP) was adopted jointly by South Holland and Boston Borough Council on the 8 March 2019.

The relevant policies within the South East Lincolnshire Local Plan 2011-2036 are:

- Policy 2 'Development Management' – requires proposals to demonstrate sustainable development considerations have been met through a number of criteria.
- Policy 3 'Design of New Development' – requires development to create distinctive places through the use of high quality and inclusive design, demonstrating compliance with a number of considerations.
- Policy 4 'Approach to Flood Risk' – developments must satisfy the sequential test and be supported by a site-specific flood risk assessment covering risk from all sources of flooding including the impacts of climate change. It must be demonstrated that surface water from the development can be managed and will not increase the risk of flooding to third parties.

- Policy 28 'The Natural Environment' – Requires the protection, enhancement and management of natural assets, by ensuring all development proposals provide an overall net gain in biodiversity.
- Policy 29 'The Historic Environment' - Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced.
- Policy 30 'Pollution' Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon:
  - health and safety of the public;
  - the amenities of the area; or
  - the natural, historic and built environment;
  - by way of:
    - air quality, including fumes and odour;
    - noise including vibration;
    - light levels;
    - land quality and condition; or
    - surface and groundwater quality.
  - Planning applications, except for development within the curtilage of a dwellinghouse as specified within Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or successor statutory instrument, must include an assessment of:
    - impact on the proposed development from poor air quality from identified sources;
    - impact on air quality from the proposed development; and
    - impact on amenity from existing uses.
- Policy 31 'Climate Change and Renewable and Low Carbon Energy' - All development proposals will be required to demonstrate that the consequences of current climate change has been addressed, minimised and mitigated.
- Policy 32 'Community, Health and Wellbeing' - Development shall contribute to the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being.
- Policy 33 'Delivering a More Sustainable Transport Network' – reinforces the national approach to promoting sustainable alternatives to the car through new development, making the best use of, and seek improvements to, existing transport infrastructure and services. Solutions that are based on better promotion and management of the existing network and the provision of sustainable forms of travel are supported. To achieve this, a Transport Assessment and associated Travel Plan will be submitted with proposals.

The NPPF does not contain specific policies for NSIPs (for which particular considerations apply, determined in accordance with the decision-making framework set out in the

Planning Act 2008 and relevant NPSs) but may be considered as a relevant consideration as below.

- Paragraph 123 - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land<sup>47</sup>.

Footnote 49 of the NPPF states:

*Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.*

- Paragraph 124 - Planning policies and decisions should:
  - o encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
  - o recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
  - o give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
  - o promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
  - o support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.
- Paragraph 157 - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to

radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

- Paragraph 165 - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- Paragraph 180 - Planning policies and decisions should contribute to and enhance the natural and local environment by:
  - o protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
  - o recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
  - o maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
  - o minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
  - o preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and;
  - o remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

## **Representations Received**

Each Local Planning Authority are a consultee as part of duty to consult (section 42 of the Planning Act 2008). Responses were sought internally from department officers, Parish Councils, Town Councils and Councillors. All consultees have the ability to respond directly to the applicant as part of this process however we have presented any responses received.

South Holland District Council does not have in house specialists or advisers for all topic areas relevant to this response, therefore the below list of representations sets out the comments and advice received from internal consultees as well as external consultants employed by the Council. Where no comments have been received and no external consultant employed, this response will seek to comment generally on the topic areas where appropriate, however it is acknowledged that comments may be sent directly by the County Council and these will be endorsed by the Council, as a two-tier planning authority.

As the Council do not have a Landscape Officer, an external company was sought to respond on behalf of the Council, Terra Loci, who are Landscape Architects and specialise in Landscape Planning.

The comments received from consultees are summarised as follows. Please note that for transparency the wording of each response is as it has been received as it is important that these are taken into account by the Applicant in their entirety:

#### **Planning Policy (Joint with Boston Borough)**

Given your deadlines the only helpful, and obvious comment, is to ask why the two schemes cannot share infrastructure.

I realise one is DC and the other AC and that the Grimsby to Walpole 'New Walpole Substation Location Options report' shows underground DC is very much more expensive than the overhead AC line option. However, in general terms from the point that the EG3 & 4 schemes come on shore they have a similar route to Weston and then the Walpole. I also know that another offshore scheme is likely to come to Lincolnshire from the north. I appreciate these various projects may not be on the same time frame, nonetheless from an environmental and amenity angle NGED need to explain in clear terms why the schemes cannot be more joined up and allow more undergrounding of the overhead line.

#### **Environmental Health**

No comments received during the consultation period.

#### **Terra Loci Landscape Architects**

1. The LVIA notes that a Residential Visual Amenity Assessment is not proposed. If potentially significant effects are anticipated on residential receptors, then a Residential Visual Amenity Assessment should be undertaken.
2. The potential visual receptors have been outlined, however representative viewpoints must be submitted and approved prior to the assessment being undertaken. Supporting Zone of Theoretical Visibility analysis, as defined above, should also be provided to ensure that the proposed study area is sufficient.

3. ZTV methodology is limited, noting that OS DTM or lidar data may be used, clarification required on which OS DTM is to be used, OS Terrain 5 or OS Terrain 50, and justification for the DTM selection. ZTV analysis should at a minimum include a bare-earth scenario to show the potential worst-case, additional accompanying ZTV analysis taking into account surface features would be useful to aid in the understanding of the effectiveness of screening features within the study area.
4. ZTV analysis should be based on the maximum foreseeable height of the development over the proposed area in order to indicate the potential worst-case scenario for visibility. EG 26m height over the proposed 6.7ha area for each of the Walpole Converter Stations as set out in Table 4.1. If parameter plans are developed to set out the maximum heights and approximate massing of individual elements within these areas these would be approximate to use to refine ZTV analysis.
5. The scoping document suggests that the effects on lighting on visual amenity during the construction phase should be scoped out of the assessment. Due to the likely duration of the construction phase, there is potential for significant effects to arise as a result of lighting during construction, therefore this should be scoped into the assessment.
6. The full LVIA methodology, including factors and / or matrices used for determining sensitivity of landscape and visual receptors and magnitude and significance of effects should be submitted and approved prior to the assessment being undertaken.
7. All visual representation with should be in line with The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19 (Landscape Institute, September 2019) to ensure the assessment of visual impact is accurate and in turn an appropriate judgement of the assessed impacts can be made. Locations for proposed Type 3 visualisations, following TGN 06/19 should be submitted and approved prior to being undertaken. Type 1 and 2 visualisations should be provided for all viewpoint locations.
8. The scoping document refers to the relevant National Character Areas as published by Natural England however it does not list this as either scoped in, or out of the assessment. Due to the geographic extent, National Character Areas which have been identified should also be scoped in for assessment to aid in the understanding of effects at a broader scale than local character areas allow. Local landscape character areas identified and scoped into the assessment are appropriate. The LVIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies.
9. In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, the LVIA should consider the character and



distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics. The EIA process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

10. Cumulative impact assessment should include other proposals currently at Scoping stage and onwards. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

#### **Environmental Protection Officer**

With regards to application PE-00321-24 we request to see a copy of the construction management prior to works commencing.

#### **Councillor Angie Harrison**

The fact is that this is the catalyst that will turn this area into a massive industrialised power plant. I am saddened to see the rate at which solar plants and battery storage units, pylons and other energy infrastructure is being forced upon agricultural areas by the current Secretary of State.

#### **Councillor Laura Eldridge**

I will be referring to section 7 of the proposals, which, if taken via the Northeast of Sutton St. James and not via the A17 would fall within the borders of my ward and is detailed as requiring high voltage direct current cabling (HVDC).

As stated within the Project Background Document, the project development is at an early stage and so detail regarding construction methods, their likely temporary and permanent impacts, and the mitigation detail regarding these is not yet available. Therefore, I will submit more in-depth feedback at the next stage of the consultation when a route is identified, and further detail is provided regarding construction.

Pages 48 & 49 of the project background document refers to the methods of laying the onshore underground cabling being via a ducted method or trenchless method. It details that trenchless methods such as Horizontal Directional Drilling (HDD), would in effect be less invasive, minimising the impact on wildlife, traffic, and local communities in comparison to the ducted method which would require a trench, typically 2.5m wide and 0.9m deep. This makes the HD method seem overall more appealing, however, having read through the documentation, an 80m wide construction corridor would seemingly still be required regardless of the method used, to incorporate the cable trenches, soil storage and a temporary haul road. In addition to this, it states that further working areas would be required for site compounds and storage. If the A17 route were to be utilised, a temporary haul road may not be required due to its close proximity to the A17.

It is difficult to see from the interactive map on your website, however I would propose that the route via the A17 would be overall less disruptive as it does not incorporate large swathes of agricultural land or as many residential properties.

Individual fields can be identified on the imagery of the interactive map, and the swathe identified to go to the Northeast of Sutton St. James includes many smaller fields that would be almost completely engulfed by an 80m wide construction corridor and the disruption that would cause. I request that all landowners within the graduated swathe are consulted with at this early stage as they have the crucial in-depth local knowledge of their land and any constraints within it.

I assume, but request confirmation, that all landowners included within the entirety of this project's swathe, should this scheme be granted a DCO (Development Consent Order), are fairly compensated for the loss of crops, the potential disruption in productivity on the land, and any costs incurred as a result of having to relocate livestock as a consequence of the proposals.

One of the questions and answers within the FAQ's on your website is:  
"How will EGL 3 and EGL 4 benefit the community?"

EGL 3 and EGL 4 are set to deliver significant benefits to the community by enhancing the UK's energy security, supporting the transition to a low-carbon energy system, and facilitating the connection of new sources of renewable energy. The projects contribute to the national goal of decarbonisation, which in turn helps combat climate change and reduces reliance on fossil fuels. Local communities will also benefit from the investment in local infrastructure and the potential for biodiversity net gain and environmental improvements associated with the projects."

I dispute that EGL 3 & EGL 4 would deliver significant benefits to our community. Please provide details of what you consider the benefits to our local community to be as well as what investment is proposed for local communities and infrastructure, particularly when the compulsory 10% biodiversity net gain contributions are taken out of the equation.

## **Review of the Scoping Report**

At this stage the following comments are offered in connection with the topic areas as listed. As stated in the aforementioned section, where no opinion has been received from in-house advisors at the Council nor has there been an external consultant employed to provide comment then general observations have been put forward.

### Landscape

The LVIA notes that a Residential Visual Amenity Assessment is not proposed. If potentially significant effects are anticipated on residential receptors, then a Residential Visual Amenity Assessment should be undertaken.

The potential visual receptors have been outlined, however representative viewpoints must be submitted and approved prior to the assessment being undertaken. Supporting Zone of Theoretical Visibility analysis, as defined above, should also be provided to ensure that the proposed study area is sufficient.

ZTV methodology is limited, noting that OS DTM or lidar data may be used, clarification required on which OS DTM is to be used, OS Terrain 5 or OS Terrain 50, and justification for the DTM selection. ZTV analysis should at a minimum include a bare-earth scenario to show the potential worst-case, additional accompanying ZTV analysis taking into account surface features would be useful to aid in the understanding of the effectiveness of screening features within the study area.

ZTV analysis should be based on the maximum foreseeable height of the development over the proposed area in order to indicate the potential worst-case scenario for visibility. EG 26m height over the proposed 6.7ha area for each of the Walpole Converter Stations as set out in Table 4.1. If parameter plans are developed to set out the maximum heights and approximate massing of individual elements within these areas these would be approximate to use to refine ZTV analysis.

The scoping document suggests that the effects on lighting on visual amenity during the construction phase should be scoped out of the assessment. Due to the likely duration of the construction phase, there is potential for significant effects to arise as a result of lighting during construction, therefore this should be scoped into the assessment.

The full LVIA methodology, including factors and / or matrices used for determining sensitivity of landscape and visual receptors and magnitude and significance of effects should be submitted and approved prior to the assessment being undertaken.

All visual representation with should be in line with The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19 (Landscape Institute, September 2019) to ensure the assessment of visual impact is accurate and in turn an appropriate judgement of the assessed impacts can be made. Locations for proposed Type 3 visualisations, following TGN 06/19 should be submitted and approved prior to being undertaken. Type 1 and 2 visualisations should be provided for all viewpoint locations.

The scoping document refers to the relevant National Character Areas as published by Natural England however it does not list this as either scoped in, or out of the assessment. Due to the geographic extent, National Character Areas which have been identified should

also be scoped in for assessment to aid in the understanding of effects at a broader scale than local character areas allow. Local landscape character areas identified and scoped into the assessment are appropriate. The LVIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, the LVIA should consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics. The EIA process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit. Cumulative impact assessment should include other proposals currently at Scoping stage and onwards. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

#### Biodiversity

At this early stage in the development of the Scheme, only limited desk-based information has been presented within the Scoping Report.

The Scoping Report details that on respect of biodiversity, key consultees have been identified for engagement throughout the ore-application stages of the process.

The biodiversity assessment will consider the potentially significant effects on biodiversity receptors that may arise from the construction and operation of the Scheme.

The Councils ecologist has not responded and the Wildlife Trust may have chosen to comment directly on the consultation, however having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have no specific comments to offer other than the importance of achieving a 10% biodiversity net gain for this proposed nationally significant development, in line with The Environment Act 2021.

#### Cultural Heritage

No comments have been received from the Council's Archaeological and Cultural Heritage consultant, however having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have the below comments to offer:

The Council would expect a detailed landscape and visual assessment for any above ground features and for each to be looked at separately pending the final location and scale.

We would expect a scheme of trail trenching to be included as part of the main planning submission.

#### Geology and Hydrogeology

South Holland Council do not have an in-house geologist and the Coal Authority may have chosen to comment directly on the content of the consultation, however having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have the below specific comments to offer:

- Soil management practices may need further evidence

Lincolnshire County Council act as Lead Local Flood Authority and may comment directly to the proposed development. Having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have no specific comments to offer.

#### Agriculture and Soils

The council do not have a specific officer to deal with such matters however this topic area is of fundamental concern to the Council simply due to the amount of land that is associated with the development. The NPPF is clear that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other criteria) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. Natural England provide extensive guidance on the matter and the Applicant is urged to follow this in their preparation of their work as it is acknowledged that this is effectively a desire to challenge the current agricultural classification of the site (please see <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land> ).

These comments are echoed by internal consultees including elected councillors who have significant concern over the impact of the development on Grade 1 agricultural land.

#### Traffic and Transport

Lincolnshire County Council act as highways authority and may comment directly on the proposed development. Having reviewed the information put forward within the Scoping Report, the approach taken appears reasonable in the methodology and we have no specific comments to offer other than the following points:

1. The suitability of the rural roads, many of which are in poor condition (e.g. subsidence), to cope with the loading by heavy construction vehicles. What mechanism is in place for any urgent reinstatement. Is a survey of the roads (and any strengthening needed) to be carried out at the commencement of works?
2. What restrictions will be placed on working hours/days?
3. What is the procedure in place to deal with complaints from residents regarding access, noise, dust etc.?
4. Construction compounds and field accesses in the countryside can have a significant affect and we would therefore welcome a full scheme of remediation and reinstatement after the cable/works have been undertaken.

#### Noise and Vibration

No comments have been received by the Council's Environmental Health Officer has reviewed the information put forward and the following comments are provided:

1. Please provide South Holland Council Environmental Protection with appropriate contact details in event of complaints.
2. Ensure South Holland Council and all relevant Noise sensitive receptors (NSR) in the immediate area are informed of any proposed works outside of normal working hours.
3. Maintain sound barriers in good order.
4. Vibration, ensure South Holland Council & all Vibration Sensitive Receptors in immediate area are informed of operations such as piling where vibration is likely to exceed 0.3mms and ensure appropriate monitoring equipment is used in vicinity of works.

#### Air Quality

The Council's Environmental Health Officer has not yet responded, however the following comments are provided in relevance to the development at this stage:

1. Burning of waste should be avoided. Any burning of waste deemed strictly necessary should be undertaken in accordance with the relevant waste management exemption issued the Environment Agency, and consideration should be given to the timing of such burning, and the prevailing weather conditions to impact emissions to air and nuisance to offsite receptor's
2. Soil stockpiles should be sealed to recued fugitive dust emissions

## Concluding Remarks

Whilst we appreciate many stakeholders will comment directly to the Applicant on the project, we wanted to provide a response based on the submitted Scoping Report with assessment of the proposed onshore cable route and associated switching and convertor stations and substations.

We note your community engagement to date however we would welcome future discussions over any proposed community benefits as well as any proposed employment and skills schemes that could be provided to the local workforce as well as any other potential grid infrastructure improvements that may be facilitated by the development.

This advice is based upon the information available at this time. Please note that the advice is given without prejudice to any future comments made by the Local Planning Authority upon the receipt of further information, whether during or before the submission of a full EIA planning application.

We kindly ask that the comments received from stakeholders listed are taken into consideration as you can see there is in part strong feelings about the proposal.

If you have any queries, please do not hesitate to contact me on the details provided and I would appreciate it if all future correspondence could be made directly to myself as I have been instructed by the Local planning Authority to act on their behalf until the end of the application process. This will avoid any delays in our response as we have struggled to allow internal consultees sufficient time to get back to us.

Yours sincerely,

**Sam Dewar**  
**Consultant Planning Officer**

@dpaplanning.co.uk

Katherine King  
Planning Inspectorate  
[easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk)

BY EMAIL ONLY

Your ref: EN021003  
Our ref: 24\_28719\_P

23<sup>rd</sup> August 2024

Dear Ms King,

**RE: Application by National Grid Electricity Transmission (the Applicant) for an Order granting Development Consent for the Eastern Green Link 3 and Eastern Green Link 4 – Scoping Consultation**

Thank you for consulting Water Management Alliance on the Environmental Impact Assessment (EIA) Scoping consultation for the proposed Eastern Green Link 3 and 4 projects. This response is provided on behalf of two of our members, South Holland Internal Drainage Board (SHIDB), and King's Lynn Internal Drainage Board (KLIDB), because part of the English Onshore Scheme for these projects (sections 7 and 8 of the cable route and the Walpole Stations Area) are located within the Internal Drainage District (IDD) of these Boards.

SHIDB and KLIDB have been aware of the proposed Eastern Green Link projects prior to the current consultation, through direct engagement with the applicant and their agents. We intend to continue this engagement throughout the planning process to discuss matters within the IDB remit, i.e. consideration of land drainage, flood risk and water management infrastructure.

The Boards wish to provide the following comments relating to the scope of the EIA:

1. There is an extensive network of drainage ditches (including main drains and ordinary watercourses) and piped land drainage across the South Holland and King's Lynn IDD's. It is noted that the project will require crossings of multiple ditches, drains and watercourses for construction access and the installation of underground cables. Construction of the new substation and two converter stations at Walpole also has the potential to affect watercourses. The Boards therefore strongly agree that the water

MEMBER INTERNAL DRAINAGE BOARDS

Broads (2006) IDB, East Suffolk WMB, King's Lynn IDB, Norfolk Rivers IDB, Pevensy and Cuckmere WLMB, South Holland IDB, and Waveney, Lower Yare and Lothingland IDB





environment – in particular, “increased flood risk and detriment to land drainage” should be scoped into the EIA, because of the relatively high flood risk across the entire area and because of the potential for the projects to impact on the existing drainage network that is critical to protecting people, property, infrastructure and businesses in the area.

2. The Boards welcome the applicant’s commitment to reinstatement of any impacted land drainage systems to maintain the land drainage regime, and the formalisation of this commitment in the Outline Code of Construction Practice. Also welcomed is the commitment to manage both quantity and quality of any run-off, to minimise pollution to the water environment from soil stripping, earthworks and examinations and use and refuelling of plant.

SHIDB and KLIDB would also like to highlight that works affecting watercourses (e.g. watercourse crossings, works within 9m of a watercourse, discharges to a watercourse) within the Internal Drainage Districts would require consent from the Boards under the Land Drainage Act 1991 including the Boards Byelaws, in a process separate from the Development Consent Order. The Boards will continue to liaise directly with the applicant in that process, and is likely to require further information (i.e. in addition to that provided in the EIA) to inform our decision-making for such consents.

Yours sincerely,



Judith Stoutt  
National Infrastructure Officer  
Water Management Alliance

**From:** Clerk SKPC <skymepcclerk@outlook.com>  
**Sent:** 13 August 2024 16:31  
**To:** Eastern Green Link 3 and 4  
**Subject:** RE: EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** EST

You don't often get email from skymepcclerk@outlook.com. [Learn why this is important](#)

Good Afternoon,

Please note that South Kyme Parish Council has no contribution to make to the Consultation Process thus far however, we would be grateful for updates as and when they become available.

Kind regards,

James

**James Nadin MBA(Hon)**  
**Clerk, South Kyme Parish Council**  
**01526 869025**

**PARISH COUNCIL LEGAL DISCLAIMER**

Emails and any attachments from South Kyme Parish Council are confidential. If you are not the intended recipient, please notify the sender immediately by replying to the email and then delete it. Please notify the Parish Clerk ([skymepcclerk@outlook.com](mailto:skymepcclerk@outlook.com)) and delete it from your system. Opinions expressed in this email are mine and not those of the Council, unless specifically indicated to that effect.

---

**From:** Eastern Green Link 3 and 4 <EasternGreenLink3and4@planninginspectorate.gov.uk>  
**Sent:** Monday, July 29, 2024 4:28 PM  
**Subject:** EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

Dear Sir/Madam,

We are contacting you at this time in relation to **Eastern Green Link 3 and Eastern Green Link 4**, which is a Nationally Significant Infrastructure Project (NSIP). NSIPs are defined in Part 3, Regulation 14 of the Planning Act 2008, and are projects of certain types, over a certain size, which are considered by the Government to be so big and nationally important that permission to build them needs to be given at a national level, by a responsible Secretary of State. A summary of the NSIP planning process can be found in the list of links at the bottom of this page. This project is currently in the pre-application stage.

To meet the requirements of the Infrastructure Planning Environmental Impact Assessment (EIA) Regulations (2017) ("the EIA Regulations"), NSIPs which are likely to have a significant effect on the environment are required to undertake an EIA and to provide an Environmental Statement (ES) to accompany the application. An ES will set out the potential impacts and likely significant effects of the



# SOUTH WOOTTON PARISH COUNCIL

---

Telephone: 01553 824355  
e-mail: [info@southwoottonpc.co.uk](mailto:info@southwoottonpc.co.uk)

The Parish Office



8<sup>th</sup> August 2024

The Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Dear Sir

Application by National Grid Electricity Transmission for an order granting development consent for the Eastern Green Link 3 and Eastern Green Link 4  
Ref No EN0210003

Thank you for the opportunity to make comment on the above-mentioned application.

Whilst this doesn't affect our Parish directly, we query why the cables over such a long distance have to be over ground on high pylons for a very long time, and not underground where the initial disruption of the ground would very soon disappear.

The cost of the expediency of building unsightly, long term and far-reaching pylons should be secondary to the loss of the countryside aesthetics.

Yours sincerely



Ivan Jordan  
Parish Council Chairman

**From:** [REDACTED]  
**Sent:** 05 August 2024 10:06  
**To:** Eastern Green Link 3 and 4  
**Subject:** Swaby parish Council - Information to be included in Scoping Opinion

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Swaby Group Paish Council is very concerned at the impact these proposals will have on the area, in terms of visual intrusion; wildlife; loss of agricultural land and impact on tourism and economy.

To that end the Swaby Group Parish Council would like to see included with any application:

Compliance with regulation 5(2) of the EIA Regulations to ensure that -

- (2) The EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors—*
- (a) population and human health;*
  - (b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC(14) and Directive 2009/147/EC(15);*
  - (c) land, soil, water, air and climate;*
  - (d) material assets, cultural heritage and the landscape;*
  - (e) the interaction between the factors referred to in sub-paragraphs (a) to (d).*
- (3) The effects referred to in paragraph (2) on the factors set out in that paragraph must include the operational effects of the proposed development, where the proposed development will have operational effects.*
- (4) The significant effects to be identified, described and assessed under paragraph (2) include, where relevant, the expected significant effects arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to that development.*
- (5) The Secretary of State or relevant authority, as the case may be, must ensure that they have, or have access as necessary to, sufficient expertise to examine the environmental statement or updated environmental statement, as appropriate*

In addition details should be included which specifically identify and include:

- 1. A comprehensive and extensive bat survey for the proposed route and the proposed interconnector sites*
- 2. A comprehensive wildlife habitat and species survey for the proposed route and the interconnector sites and up to 10 metres outside the range of the application site(s), together with mitigation measures to protect all wildlife species in the area including flora and fauna.*
- 3. A survey of all local roads and impact thereon in terms of construction traffic both within the parishes affected and along the major routes to be used to access the site(s)*
- 4. Impact Assessment on existing underground infrastructure.*
- 5. Comprehensive study and report on the impact such development will have on the tourist industry, in particular the erection of the interconnector and substations along the main route to the coast and the visual impact from the Wolds Area of Outstanding Natural Beauty.*
- 6. Impact on the loss of agricultural land currently important in helping the UK in its food security measures.*

Regards

J. Cooper

Clerk to Parish Council

Swaby Group

**From:** clerk@theddlethorpeparishcouncil.gov.uk  
**Sent:** 20 August 2024 12:10  
**To:** Eastern Green Link 3 and 4  
**Cc:** 'Stef Bristow'  
**Subject:** RE: EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** EST

You don't often get email from clerk@theddlethorpeparishcouncil.gov.uk. [Learn why this is important](#)

Dear Jack,

I am writing to you on behalf of Theddlethorpe Parish Council, a consultee for the captioned proposal. At our meeting of 19<sup>th</sup> August 2024, the council resolved to ask that the following be included in the EIA:

- Survey of expected impact/effect on wildlife (this project will intrude on the dunes and the King's Coronation Coast)
- Survey of expected impact/effect on the water table
- Survey of expected impact/effect on climate change
- Survey of expected impact/effect on flooding risks
- Expected net carbon footprint of the project
- Electromagnetic compatibility, particularly Radiated emissions (with particular emphasis near primary schools)
- Archaeological study of the planned route
- Economic viability of the project on its own merit; particularly as the proposal assumes the Grimsby to Walpole pylons will be approved, what is the status of the EGL3 and EGL4 if the pylons do not go ahead as proposed?

Thank you

Stef

Kind Regards,

Mrs S Bristow  
Parish Clerk & RFO

Theddlethorpe (All Saints and St Helens) Parish Council

---

**From:** Eastern Green Link 3 and 4 <EasternGreenLink3and4@planninginspectorate.gov.uk>  
**Sent:** Monday, July 29, 2024 4:28 PM  
**Subject:** EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

Dear Sir/Madam,

**From:** Catherine Bransby [REDACTED]@trinityhouse.co.uk>  
**Sent:** 20 August 2024 15:33  
**To:** Eastern Green Link 3 and 4  
**Subject:** RE: EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

You don't often get email from [REDACTED] [Learn why this is important](#)

Good afternoon,

I can confirm that Trinity House is content with the scoping report and have no further comments.

Many thanks.

Kind regards,

**Catherine Bransby**

Navigation Requirements Advisor | Navigation | Trinity House

e: [REDACTED]@trinityhouse.co.uk | t: [REDACTED]

[www.trinityhouse.co.uk](http://www.trinityhouse.co.uk)



TRINITY HOUSE

---

**From:** Eastern Green Link 3 and 4 <EasternGreenLink3and4@planninginspectorate.gov.uk>  
**Sent:** Monday, July 29, 2024 5:11 PM  
**To:** Navigation <navigation.directorate@trinityhouse.co.uk>  
**Cc:** Thomas Arculus [REDACTED]@trinityhouse.co.uk>  
**Subject:** EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

Dear Sir/Madam,

Please see attached correspondence on the proposed Eastern Green Link 3 and Eastern Green Link 4.

Please note the deadline for consultation responses is **26 August 2024**, which is a statutory requirement that cannot be extended.

Kind regards,

Jack Patten



UK Health  
Security  
Agency

Environmental Hazards and Emergencies Department  
Seaton House, City Link  
London Road  
Nottingham, NG2 4LA

[nsipconsultations@ukhsa.gov.uk](mailto:nsipconsultations@ukhsa.gov.uk)  
[www.gov.uk/ukhsa](http://www.gov.uk/ukhsa)

Your Ref: EN0210003  
Our Ref: 70548 CIRIS

Ms Katherine King  
Senior EIA Advisor  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol BS1 6PN

19<sup>th</sup> August 2024

Dear Ms King,

### **Nationally Significant Infrastructure Project**

Eastern Green Link 3 and Eastern Green Link 4 EN0210003  
**Scoping Consultation Stage**

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups, and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

### **Environmental Public Health**

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the Environmental Statement (ES). We believe the summation of



relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions, and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*<sup>1</sup>, setting out aspects to be addressed within the Environmental Statement<sup>1</sup>. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

### **Recommendation**

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e., an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

### **Human Health and Wellbeing - OHID**

This section of OHID's response identifies the wider determinants of health and wellbeing we expect the ES to address to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

---

1

<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

Having considered the scoping report, OHID wishes to make the following specific comments and recommendations. We note the intention to engage further with OHID and given our comments and level of concern we would welcome the opportunity to discuss specific elements of the scheme alongside local Directors of Public Health.

### **Report format and presentation**

We welcome the reporting of assessment details broken down into appropriate sections given the linear nature of the scheme. The scoping report does not explain how the population and human health chapter will be structured. It is assumed the ES will follow the EIA process, e.g. baseline, sensitivity of receptors/communities, determinants of health, then potential impacts and effects, rather than take each scheme section in turn. A format in this way often leads to assessments being difficult to follow. This prevents a clear understanding of the findings of the assessment and in combination effects for each section/community.

### **Recommendation**

The Chapter should be structured such that a reader can consider route wide and then each of the individual scheme sections separately. This avoids the need for repetition and enables the assessment methodology to be followed for each scheme section/wards in turn. This does not require any additional information but just a reformatting of the presented information and assessment for the Preliminary Environmental Information Report (PEIR).

### **Vulnerable populations**

The scoping report references the Institute of Environmental Management and Assessment (IEMA) guidance for Determining Significance for Human Health in Environmental Impact Assessment. The Chapter lists some local health receptors but does not consider any differential impacts on vulnerable populations in addition to the general population, as required by the IEMA guidance.

Some groups of individuals may be particularly vulnerable to changes in biophysical and socio-economic factors (adversely or beneficially) whereby they could experience differential or disproportionate effects when compared to the general population.

While the average local health circumstance across a defined population may be considered good, there may be groups of individuals within that defined population who are particularly sensitive and could experience disproportionate or differential effects. On this basis the IEMA guidance for Determining Significance for Human Health in Environmental Impact Assessment identifies it may be appropriate to consider relevant sub-populations, i.e., groups of more sensitive individuals.

The equalities impact assessment (EqIA) will also identify vulnerable populations, but there is no mention of the findings from this assessment to support the population and human health assessment.

Recommendation

The population and human health chapter should be revised and report any differential or disproportionate effects on vulnerable populations, when compared with the general population, including cross referencing to the EqIA where appropriate.

Yours sincerely

On behalf of UK Health Security Agency

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*



Guildhall  
Marshall's Yard  
Gainsborough  
Lincolnshire  
DN21 2NA

Telephone 01427 676676  
Web [www.west-lindsey.gov.uk](http://www.west-lindsey.gov.uk)

The Planning Inspectorate  
TEMPLE QUAY HOUSE  
2 THE SQUARE  
BRISTOL BS1 6DG

[Planning.customer.care@west-lindsey.gov.uk](mailto:Planning.customer.care@west-lindsey.gov.uk)

Date: 06/08/2024

Sent by email: [easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk)

Dear Sir/Madam

**Application Number:** WL/2024/00591

**Proposal:** PINS consultation on behalf of the Secretary of State for its opinion (a scoping Opinion) as to the information to be provided in an Environmental Statement - EN0210003

**Location:**

Eastern Green Link 3 and Eastern Green Link 4

I can confirm that West Lindsey District Council does not wish to provide comments on the information to be provided in the Environmental Statement for this proposal.

Yours faithfully

D Peck

Danielle Peck

@west-lindsey.gov.uk

On behalf of West Lindsey District Council

If you require this letter in another format e.g. large print, please

contact Customer Services on 01427 676676, by email [customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.

If you want to know more about how we use your data, what your rights are and how to contact us if you have any concerns, please read our privacy notice:  
[www.west-lindsey.gov.uk/planning-privacy](http://www.west-lindsey.gov.uk/planning-privacy)

#### Planning Services Feedback

We value your opinion on our service, as your comments will help us to make improvements. Please visit our website where you may either make your comments online or download our feedback form to fill in and post back: [www.west-lindsey.gov.uk/planning](http://www.west-lindsey.gov.uk/planning)

**From:** Beighton, Dave [REDACTED]@westsuffolk.gov.uk>  
**Sent:** 14 August 2024 15:41  
**To:** Eastern Green Link 3 and 4  
**Subject:** EN0210003 - our reference ENQ/24/1503

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from [REDACTED]@westsuffolk.gov.uk. [Learn why this is important](#)

Good afternoon,

Please accept this e-mail on behalf of West Suffolk Council as Local Planning Authority that it has no comments to make and does not wish to be consulted again in relation to this matter.

Kind regards and many thanks.

---

Dave Beighton  
Principal Planning Officer  
Planning Development  
Direct Dial: [REDACTED]  
Email: [REDACTED]@westsuffolk.gov.uk  
[www.westsuffolk.gov.uk](http://www.westsuffolk.gov.uk)  
**West Suffolk Council**  
#TeamWestSuffolk

West Suffolk Council supports our staff to work flexibly and we respect the fact that you may also be working at different times to suit you and your organisation's needs. Please do not action or respond to this message outside of your own working hours.

[Report, pay and apply online 24 hours a day](#)  
[Find my nearest for information about your area](#)

West Suffolk Council is the Data Controller of the information you are providing. Any personal information shared by email will be processed, protected and disposed of in accordance with the General Data Protection Regulations and Data Protection Act 2018. In some circumstances we may need to disclose your personal details to a third party so that they can provide a service you have requested, fulfil a request for information or because we have a legal requirement to do so. Any information about you that we pass to a third party will be held securely by that party. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: [How we use your information.](#)

\*\*\*\*\* This email is confidential and intended solely for the use of the individual to whom it is addressed. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying

## **West Walton Parish Council response to the scoping consultation and notification in respect of EGL 3 and EGL 4.**

### **Introduction**

For the purposes of this document, the Parish Council will use the terms ‘we’ and ‘our’.

EGL 3 and EGL 4’s proposed main onshore elements in the districts of East Lindsey, Boston, South Holland, and King’s Lynn and West Norfolk are:

- Underground HVDC cables - from proposed landfall to converter stations, approx. 100km long
- Three converter stations
- One proposed converter station located near Bilsby, which could connect one of the projects to National Grid Electricity Transmission's Grimsby to Walpole project's proposed Lincolnshire Connection Substation (LCS) - B, if required
- Two proposed converter stations in the Walpole area for EGL 3 and EGL 4
- One direct current switching station – used by one of the projects to direct power through its cables into its converter station near Bilsby.
- One substation in the Walpole area – both EGL 3 and EGL 4’s Walpole converter stations would connect to this
- Underground HVAC cables – connecting the converter stations to their associated substations.

Accordingly, the proposals are that the “Walpole area” will accommodate the following:

- 2 cable routes
- 2 converter stations
- 1 substation
- All associated structures including access roads, landscaping and ancillary work.

It should also be noted that despite National Grid referring to all the areas as ‘Walpole’ the above proposals and preferences are all in the parish of **West Walton**.

**This is the largest amount of new construction in one area for the entire EGL3 and EGL4 proposal.**

**It must also be noted that there is a concurrent project for Grimsby to Walpole Overhead Pylon Line which adds to the construction issues and is under a separate consultation.**

**Plus two further projects that have been mentioned in National Grid Publications but not presented to the Parish Council**

- **The Stratera Electrolyser and Combined Cycle Gas Turbine (CCGT) mentioned in EGL3 & EGL 4 Corridor and Preliminary Routeing and Siting Study Report April 2024 page 56.**
- **The LRN6 – a new onshore transmission circuit from South West Lincolnshire/Cambridgeshire/North West Norfolk Boundary to Hertfordshire contained in the publicly available document ‘Beyond 2030’ (nationalgrideso.com) published in March 2024 page 100.**

1. The converter stations would comprise large warehouse-type structures measuring approximately 280 m x 230 m, and would occupy an area of approximately 6.7ha including any access, landscaping, drainage and other related works, with a maximum height of up to 26m, excluding lighting and aerials. (Ref 4.5.9). Plus a compound of 4Ha for construction (ref 4.5.13)
2. The Substation will have an area of approximately 16 Ha and be up to 12m in height, a similar height to the existing substation at Walpole Bank. The substation at this moment in time is proposed as AIS (as is less costly than GIS) and will feature more outdoor infrastructure. The suggested 16Ha excludes any access, landscaping, drainage and other related works (ref 4.5.70 & 4.5.71). No reference to size or requirement for a compound for construction.
3. Siting Zones WLP4 and WLP5 have been identified as the emerging preferences for the new substation and converter stations as it is claimed, by National Grid, these best align with the Horlock Rules and the Holford Rules. It is noted that Siting Zone WPL6 is also preferred as it is outside Flood Zone 3 and Siting Zones WLP4 and WLP5 need more road infrastructure. There may be technical challenges with pipelines and solar farms (Ref 3.5.28)

## **Our comments on the EIA**

We believe the Siting Zones WLP4 and WLP5 locations for the converter and sub stations is highly unsuitable as:

- A. **No account has been taken as to the impact of the loss of highly valuable, in terms of productivity and versatility, Grade One farmland (Best and Most Versatile – BMV land) will have on food provision for the UK as a whole.**

Considering the sizes and footprint of both the converter stations and the switching station, this will dominate the current village landscape and create a new industrial landscape.

This project will result in the loss of Grade One BMV, high-quality, highly productive and versatile farmland. It is claimed in the official documentation that “Our planning and construction methodologies are designed to protect and preserve the agricultural value of the land we work on. Where impacts are unavoidable, we implement measures to restore the land to its original – or an improved condition – post-construction, aiming to maintain its agricultural productivity”. This is, of course, impossible in the case of the construction of two converter stations and the switching station which will take up a huge “footprint” of land which will be taken out of food production.

We believe that National Grid are classing all grades of agricultural land (1,2,3a) together as evidenced in their statement in ‘EGL3 & EGL 4 Corridor and Preliminary Routeing and Siting Study Report April 2024 page 131’ - ***“BMV agricultural land (ALC 1,2,3a). BMV agricultural land is present across the identified study areas, apart from those defined as urban areas.”*** This is contrary to their own Horlock Rules which are clear in stating that Grade One Agricultural Land is a category of its own and should not be used for Sub Stations.

It is contrary to statements within the published Government Plan – A Green Future – Our 25 Year Plan to Improve the Environment – published in 2018.

***New development will happen in the right places, delivering maximum economic benefit while taking into account the need to avoid environmental damage. We will protect ancient woodlands and grasslands, high flood risk areas and our best agricultural land. (page 35)***



And the following statement

***Our farms provide so much more than just food. They provide recreational activities to an estimated value of £200m for farms and nearly £300m a year for woods. Furthermore, the way farmland and woodland filter the air is valued at £182m and £794m per annum. (page 42)***

It is also contrary to published Government and Natural England guidance and policy – Guide to assessing development proposals on agricultural land [Guide to assessing development proposals on agricultural land - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/guide-to-assessing-development-proposals-on-agricultural-land)

### **1. Policies to protect agricultural land and soil**

Developers and local planning authorities (LPAs) should refer to the following government policies and legislation when considering development proposals that affect agricultural land and soils. They aim to protect:

- the best and most versatile (BMV) agricultural land from significant, inappropriate or unsustainable development proposals
- all soils by managing them in a sustainable way.

### **1.2 National Planning Policy Framework (NPPF)**

LPAs should use the NPPF to make decisions about the natural and local environment to:

- protect and enhance landscapes, biodiversity, geology and soils
  - recognise soils as a natural capital asset that provide important ecosystem services
  - consider the economic and other benefits of BMV agricultural land, and try to use areas of poorer quality land instead of higher quality land
  - prevent soil, air, water, or noise pollution, or land instability from new and existing development
- NPPF - [Chapter 15: Conserving and enhancing the natural environment](#) (for full details).

**In particular** Paragraph 180

**180.** Planning policies and decisions should contribute to and enhance the natural and local environment by:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

## Scoping Report – Volume 1, Part 2.3 -Section 11 Agriculture and Soils

11.3.1 *“To date no engagement has been undertaken in relation to agriculture and soils. It is anticipated that feedback in relation to this topic and the full scope of works will be gained following consultation on this Scoping Report, both for the agriculture and soils chapter, and those related chapters identified in Section 11.1.”* **This lack of engagement is a serious flaw and this issue must be fully investigated before any decisions are made.**

Fig 11.2 – Provisional Agricultural Land Classification demonstrates Siting Zone WLP4 is Grade 1 (BMV) and Siting Zone WLP5 is Grade 2 (also BMV).

We believe that the Horlock Rule 6 is being overlooked in respect of the Grade 1 agricultural land in WLP4 and Grade 2 in WLP5 (ref Fig 11.2). There are drains and pumping stations in WLP4 and WLP5 and their existence is downplayed in the document.

To install the underground HVAC cables, to the converter stations to the substation proposed at Walpole, it is advised that a construction area, or swathe will be required. This will include a cable trench/ducting, soil storage and a temporary haul road.

It is understood that the swathe for EGL 3 and EGL 4 to be approximately 80m wide, dependent on location. Once the cables have been installed, the swathe is reinstated, with the land returned to its

former use. This will again cause damage to the current infrastructure, the environment, and cause immense inconvenience to farming businesses and residents.

It is extremely unlikely the land will be returned to its former quality with the upheaval of the high quality top soil and disturbance of underlying soil as there is no guarantee that the reinstatement will be carried out replacing the top soil as it was originally. This will have a long lasting impact for the type and quality of food that can be grown. There are concerns that the heat generated by the underground cables will have an effect on the crops grown on top of the route.

We believe Horlock Rule 7 is being bypassed with the suggested design of the Substation and Converter stations in respect of height and footprint.

Rule 7: In the design of new substations or line entries, early consideration should be given to the options available for terminal towers, equipment, buildings and ancillary development appropriate to individual locations, seeking to keep effects to a reasonably practicable minimum.

A proposed height of 26-30m in a landscape that is considered flat and sparsely populated with trees is not reasonable.

There appears to be a lack of scoping in respect of the finished size of the Sub-Station (see item 2).

Horlock Rule 8: Space should be used effectively to limit the area required for development consistent with appropriate mitigation measures and to minimise the adverse effects on existing land use and rights of way, whilst also having regard to future extension of the substation. The proposed completed substation size is unknown and a lack of information regarding landscaping and ancillary requirements.

We believe Holford Rule 6 is being bypassed in respect of both EGL 3 and EGL 4, together with Grimsby to Walpole Overhead Pylon Line

Rule 6: In country which is flat and sparsely planted, **keep the high voltage lines** as far as possible independent of smaller lines, converging routes, distribution poles and other masts, wires and cables, so as to avoid a concentration or 'wirescape'. Note on Rule 6: In all locations minimise confusing appearance.

- B. No account has been taken as to how construction traffic will get from the A17 (or even A47) to the preferred siting zones WLP4 and WLP5. It is considered by the Applicant that the opportunity to utilise routeing along the A17 will “reduce the potential environmental impacts and technical constraints during construction”. The scoping opinion is currently silent on this point. This omission is a serious flaw and this issue must be considered before a decision is made.**

#### Scoping Report – Volume 1, Part 2.3 Traffic and Transport Section 12

12.3.1 Consultation and engagement at a local level with Parish Councils has not been considered or included in the document. Local knowledge is invaluable. **This omission is a flaw.**

Fig 12.1 Sheets 12 & 13 Focuses on the A17 and A47 'triangle'.

Table 12.6 – Data is over two years old and doesn't include data for A47. Has National Grid based this evidence on previous transport routes for projects at Walpole Sub Station?

#### Scoping Report – Volume 1, Part 2.3 Noise and Vibration Section 13

Item 13.3 – Consultation and engagement at a local level with Parish Councils has not been considered or included in the document. Local knowledge is invaluable. **This omission is a flaw.**

13.4.9 The Scoping Boundary ignores C-roads and unclassified roads in the West Walton area which lead to the preferred siting zones WLP4 and WLP5. To reach the currently preferred siting zones WLP4 and

WLP5, all traffic, including abnormal, indivisible loads will need to pass through the small villages of Walpole St Andrew and Walpole St Peter, and the hamlet of Walpole Marsh in order to reach West Walton from the A17.

The roads are very narrow, extremely damaged and poorly maintained. The roads from the A17 currently struggle to accommodate existing traffic loads, and the huge increase in the number of vehicles, together with their weight and complexity, including abnormal, indivisible loads that will need to reach the preferred siting zones WLP4 and WLP5 will without doubt result in substantial additional damage to these roads, with a very high probability that the road network will collapse and be rendered unusable. This will cause great inconvenience to local residents and businesses; in some cases prevent people from accessing their properties as there is no alternative access route. Furthermore, the movement of large vehicles, not of course limited to including abnormal, indivisible loads, may well require the closure of this route to other traffic, and the implementation of diversions. In addition, any diversion route is likely to be unacceptably long. In view of the large amount of construction traffic it is believed will use this proposed route, such closures are likely to be very frequent.

Likewise, any route from the A47 will have to pass through West Walton possibly along School Road, with a nursery school, primary school and secondary school with associated parking on the road, effectively making School Road a single lane road. Salts Road gives a misleading impression of width from a map, to be equivalent in width to the main road through the village. This is a highly false impression as it is extremely narrow, with cars having to pass with care or pull over. It would be detrimental to the community to consider using this road which again is in poor condition. Mill Road damaged and badly maintained in parts and will struggle to accommodate the extra complex traffic generated by any construction or cable laying traffic. Or possibly along West Drove North, which has serious issues in parts with subsidence and in one particular part, a sink hole. Local residents and businesses will be inconvenienced and in some cases may be prevented from accessing their homes and properties.

Again, any routes from either A17 or A47 will not be able to accommodate the amount of construction traffic which will be required during the proposed minimum 5 years of the construction associated with this project. Routes from A47 are residential in large part, routes from the A17 slightly less so; and residents will be impacted for a minimum of 5 years of the proposed construction as unforeseen delays will always be encountered.

It has been stated that the impacts on the local community during the construction of EGL 3 and EGL 4 are primarily temporary, the local residents do not consider a construction period of 5 year to be "temporary". It is also stated that National Grid "takes measures to minimise disruption to residents and the environment during this period, including managing traffic, noise, and visual impacts. Once construction is completed, efforts are made to restore and, in some cases, enhance the affected areas". No information is provided as to how this will be done, if at all, once the project is completed.

Table 13.8, page 490 - has scoped out any receptors within 10m of roads for vibration associated with construction traffic. The document states "vibration from traffic is caused by the road surface assuming the road surfaces are free from irregularities, significant effects would not be expected".

Many properties, including the Church, are approx. 10 metres from the road and many residents have complained about vibration from HGV traffic.

It cannot be assumed that roads are free from irregularities anywhere in the United Kingdom. All roads in the West Walton and Walpole area have irregularities and it can easily be proven by simply visiting the area in a vehicle. Light traffic makes a sound but does not vibrate whole buildings. Heavy traffic makes lots of noise and makes whole buildings vibrate. There is no doubt that there will be an impact to buildings and homes from the heavy construction traffic.

The statement assuming the roads are free from irregularities is clearly ill-thought and it is wrong to make such an assumption. **This assumption needs to be re-visited.**

It has been recorded by Historic England on the Heritage at Risk Register that St Mary the Virgin Church at West Walton suffered severe subsidence, in 2016. This is as a result of daily passage of HGV construction traffic to the onshore substation at Walpole Bank for the off shore wind farm. Soil tests in the churchyard show there is a silt base which makes the church vulnerable to vibration. Repairs and monitoring is ongoing to the building, which is Grade 1 listed as recorded in 4.4.7 of the document. Scoping Report – Volume 1, Part 2.1

The Church dates from 1250, as mentioned earlier, is undergoing repairs and monitoring, any further vibration could increase damage and we may lose a valuable, historic part of our community.

Previous construction projects, such as the onshore substation for the Race Bank wind farm, which affected the village of West Walton with construction traffic were accompanied with undertakings to repair and revert the roads but these have never been honoured.

### C. Considerations for the impacts on our community have been underplayed

#### Scoping Report – Volume 1, Part 2.3 Section 12 Recreation

15.4.23 No references to the Jubilee Walk, a circular route of 7 miles around the parish comprising of green lanes and permissive paths which is popular with the residents in the parish and attracts visiting walkers, cyclists and horse riders have been included in the document. **This must be considered.**

It must also be noted that there is a nature reserve and flood marsh in WPL4 attracting various species of birds and animals, providing breeding ground cover, habitation and food. Again, this important and delicate environment will be severely impacted, if not completely destroyed, by the presence of a huge industrial site. **This must be considered.**

It is also stated by National Grid that “permanent impacts are carefully considered and mitigated through the project design and consultation process, aiming to achieve a net positive outcome for communities and the environment”. There is absolutely no way a “net positive outcome for communities and the environment” can be achieved following the construction of 2 converter stations and associated structures and access roads. Rather, the environment will be destroyed in order to site these structures and the community will be living with a huge industrial site. The official documentation is silent on the details of what this “mitigation” would entail.

## Conclusion

There appears to be a lack of ‘joined up thinking’ in respect of the projects for EGL 3 & 4 and the project for Grimsby to Walpole. The timing of both sets of projects will be concurrent.

The EGL 3 & 4 project is proposing the largest amount of construction in West Walton parish and the proposed Grimsby to Walpole project adding further to this. There appears to be a lack of parity between the projects with EGL 3 & 4 preferring to use underground cabling and Grimsby to Walpole dismissing this consideration entirely. The only link up between the projects appears to be which one will be responsible for the proposed new substation.

The proposed siting zones WLP4 and WLP5 should therefore be urgently reconsidered in order to avoid significant detriment to the environment, farmland, damage to the infrastructure of the village and damage to the church as well as reducing as far as possible inconvenience to the residents and businesses and avoid the creation of dominating industrial landscape in a small rural village as well as reducing as far as possible inconvenience to the residents, businesses and schools.

Serious consideration should be given to designing a route in order that construction traffic can access the proposed site as directly as possible in order to minimise damage to the infrastructure of the village of West

Walton and its environs, damage to the church. Accessing all the proposed construction sites will cause significant disturbance, damage and detriment to the lives of local residents, businesses, the infrastructure of the village/s, farmland, wildlife and the environment. The resulting dominating industrial landscape and any associated wirescape will be detrimental to the intrinsic nature of our flat, open countryside and big skies.

The fact that there are all these projects culminating at the same time, in the same place is unprecedented and there is no consideration of the double impact of this.

Not only a double impact but a quadruple impact is added with the following two proposals:

- the Stratera Electrolyser and Combined Cycle Gas Turbine (CCGT) mentioned in EGL3 & EGL 4 Corridor and Preliminary Routeing and Siting Study Report April 2024 page 56

and

- a further project LRN6 – a new onshore transmission circuit from South West Lincolnshire/Cambridgeshire/North West Norfolk Boundary to Hertfordshire contained in the publicly available document ‘Beyond 2030’ (nationalgrideso.com) published in March 2024, with the rationale that there will be a ‘*reduced impact on environment and local communities*’. National Grid has not even hinted at this proposal for a consultation at present and whilst publicly available, it is only if anyone has time to ‘dig’ within the National Grid website to find it.

National Grid is drip feeding projects to the public. The above statement about reduced impact is wrong if applied to our community as a further two lines of pylons or cabling commencing at either the new substation or the existing one will cause plenty of disturbance and add, possibly, to the wirescape etc. contrary to Rule 6 of the Holford Rules.

A quadruple impact on this community has not been considered by National Grid and the lack of publicity for a third and fourth project is unbelievable. This can also be described as a lack of consideration to the local community and, again, a lack of ‘joined up thinking’ in not presenting all the planned projects to this community that will be forced to bear huge amounts of upheaval during construction and have to live with an enforced Industrial Landscape.

Whilst there may be some comments within this response that are outside the scope of the consultation, we strongly feel that National Grid must take all of these issues on board. They must engage fully with the community and within the community of West Walton, not just host events in other parishes as they have up to now. They must host consultation and information events within West Walton itself. They must ensure the whole of the community of West Walton is aware of the all projects, not just send information only to properties that may be affected, neighbour or be within a certain distance of the project. They must be open and honest with the community and must not drip feed projects. The current ‘drip feed’ is overwhelming to statutory consultees, stakeholders and members of the affected communities. A complete overview of proposals for all projects must be made a priority and conveyed to this community.

Submitted to [easterngreenlink3and4@planninginspectorate.gov.uk](mailto:easterngreenlink3and4@planninginspectorate.gov.uk) 23<sup>rd</sup> August 2024.

**From:** Derek Braddy [REDACTED]  
**Sent:** 20 August 2024 15:55  
**To:** Eastern Green Link 3 and 4  
**Cc:** drainage  
**Subject:** Fw: EN0210003 - Eastern Green Link 3 and Eastern Green Link 4 - EIA Scoping Notification and Consultation

You don't often get email from [REDACTED] [why this is important](#)

To whom it may concern

Witham Fourth District IDB and its officers have been involved with the Non statutory consultation for the above project and have attended meetings hosted by Mott MacDonald to discuss the emerging route and IDB asset interfaces. Since those meeting we have sought a Memorandum of Understanding to be signed by National Grid regarding cable installation below watercourses.

The current route of the proposed National Infrastructure project has a significant impact on the Boards maintained watercourse and operations. At this early stage we don't have a definitive route and design so our comments will be generalised to cover the expected implication. We expect to see the Land Drainage Act disestablished but the necessary provisions will be catered for in a Protected Provisions in the DCO which will be agreed with the Board, and we look forward to continued conversations to minimise the impact on the Board and its operations.

General Comments:

1. There are several Board maintained watercourses that exist within the boundary of the proposed works and to which BYELAWS and the LAND DRAINAGE ACT applies:
  1. No person may erect any building or structure (including walls and fences), whether temporary or permanent, or plant any tree, shrub, willow, or other similar growth within 9 metres of the top edge of the watercourse/edge of the culvert without the prior consent of the Board.
  2. Please note the Board will not consent any permanent or temporary construction within the 9 metres BYELAW easement. Please refer to the Board's Nine Metre Easement Policy for further information: <https://www.w4idb.co.uk/resources/document-library/consent-forms-and-guidance/>
  3. Where proposed cables are to be directionally drilled beneath watercourse consent will be required and must be at agreed depths - the attached MOU details the depths required.
2. There are several Riparian watercourses that exist within the boundary of the proposed works and to which the Land Drainage Act applies:
  1. Under the terms of the Land Drainage Act 1991, the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion.
3. Board's Byelaw consent is required to directly discharge surface water to a watercourse (open or piped). A surface water development contribution (SWDC) will be charged on all rates of

discharges. Please refer to the Board's Development & Consent Control Guidance for more information: <https://www.w4idb.co.uk/resources/document-library/consent-forms-and-guidance/>

4. The Board do not fully support the use of subbase reservoirs and questions their suitability as an effective long term SUDS solution.
5. Board's Byelaw consent is required to discharge treated water to a watercourse (open or piped).
6. Board's Section 23 consent is required to culvert, pipe, or bridge any watercourse riparian or Board maintained.
7. The suitability of new soakaways, as a means of surface water disposal, should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be re-consulted.
8. A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on Site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed. Access should be agreed with the Local Planning Authority, LCC and the third party that will be responsible for the maintenance in consultation with the Internal Drainage Board where a watercourse is subject to Byelaws (see Section 2 & 3)
9. All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development. Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as "ridge and furrow" and "overland flows". The effect of raising Site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.
10. Consideration must be given to the route of flow downstream of the site from the discharge point to an appropriately maintained watercourse. Are there any off site works or the need for increased maintenance required to safeguard the site discharge for the life of the development.

Many Thanks

**Kind Regards**

**Derek Braddy** BSc (Hons) I.Eng MICE  
**Engineering Manager**  
**Witham Fourth District Internal Drainage Board**  
**47 Norfolk Street**  
**Boston**  
**PE21 6PP**

**T: 01205 310099**

**[www.w4idb.co.uk](http://www.w4idb.co.uk)**