



National Grid Energy Transmission
Response sent by email: contact@n-t.nationalgrid.com

ECC reference: N020027 – SC1

25 July 2024

Dear Catrin,

RE: Norwich to Tilbury- statutory public consultation by National Grid Energy Transmission Limited.

1.1 Thank you for consulting and providing briefing sessions for Essex County Council (ECC), councillors and officers in relation to the 2024 preferred route draft alignment and detailed design for the proposed nationally significant infrastructure project (NSIP) Norwich to Tilbury (N2T). ECC welcomes first sight of the draft Order limits and Preliminary Environmental Impact Report (PEIR). However, ECC retains our position of having strong 'in-principle' objections which have not been addressed.

Project description: a new 400 kV electricity transmission connection of approximately 184 kilometre (km) overall length from Norwich Main Substation to Tilbury Substation via Bramford Substation comprising:

- approximately 159 km of new overhead line supported on approximately 510 steel lattice pylons (approximately 50 m in height) some of which are gantries (typically up to 15m in height) within proposed cable sealing end (CSE) compounds, or existing or proposed substations.
- approximately 25 km of 400 kV underground cabling through the Dedham Vale Area of Outstanding Natural Beauty (AONB). In Essex, the proposed alignment crosses the border north from Suffolk into Colchester, running east of Langham and crossing the A12 into Tendring. Once in Tendring, it would run east to the Tendring Peninsula, pass north of Ardleigh, and cross the railway to the site of the proposed new connection node.
- six new CSE compounds, each with a permanent access, to connect the overhead lines to the underground cables.
- a new 400 kV East Anglia Connection Node (EACN) substation, with a new permanent access, on the Tendring Peninsula.
- substation extension works at the existing Norwich Main, and Bramford substations and works within the existing Tilbury Substation to connect and support operation of the new transmission connection; and
- temporary works associated with construction, mainly haul roads and construction compounds.

1.2 As part of this statutory consultation, ECC has reviewed its previous grounds for objecting in principle to the strategic proposal for N2T. ECC understands that no changes have been made to the strategic proposal and it remains reliant on onshore reinforcement technology that predominately includes the construction of

OHL and pylons, and a programme delivery date of 2030. ECC acknowledges that changes have been made to the 2024 preferred draft alignment in response to comments made as part of previous non statutory consultation and has reviewed its technical objections accordingly.

- 1.3 ECC would take this opportunity to reiterate our adopted nationally significant infrastructure policy¹ position that states we will only support NSIPs that create resilience in Essex and not those that exacerbate existing or create new vulnerabilities. This applies to NSIPs in isolation or cumulatively with other development. ECC would take this opportunity to remind NGET of its overarching and unwavering commitment to deliver sustainable growth that reduces geographical inequalities to economy, environment and health and wellbeing of communities across Essex.
- 1.4 ECC is unable to conclude that there is sufficient information in the 2024 statutory consultation documents to be certain about how much additional electricity transmission capacity is required in the east, and by what date, to evidence the strategic proposal for N2T or a programme delivery date of 2030.
- 1.5 Like most nationally significant energy transmission infrastructure projects, N2T will deliver very little local benefits unless NGET specifically creates social value at all stages of the project lifecycle. ECC also expects a financial package of community benefits that is separate to social value. ECC can find no reference in the 2024 statutory consultation documents to local social value or community benefits. ECC must therefore maintain its in-principle objection to N2T on the following grounds, which are discussed in more detail below:
 - i. Object to the lack of evidence provided by NGET to support the need and timing of N2T by 2030.
 - ii. Object to NGET undertaking an accelerated programme of consultation to meet an uncertain 2030 programme delivery date on what ECC considers to be a predetermined strategic proposal and 2024 preferred draft alignment using predominately harmful OHL and pylon technology, and prior to the conclusion of the Offshore Coordination Support Scheme (OCSS) and conscious consideration of Hiorns Smart Energy Network Report (November 2023) and Electricity Systems Operator (ESO) East Anglia Study Report (March 2024).
 - iii. Object to the lack of consideration by NGET to the creation of beneficial social value outcomes in Essex that relate to reducing geographical inequalities in education, skills, supply chain, employment, and climate action.
 - iv. Object to the lack of any consideration by NGET to a package of financial benefits for local communities in Essex to support equity of engagement in the development consent process and that recognises the vital role that local communities have in hosting energy infrastructure in the national interest of securing cheaper, greener, and more secure electricity.
- 1.6 ECC also maintains a technical objection to the lack of assessment by NGET in relation to the impact and likely significant effects (LSE) from the strategic proposal (2024) preferred route to the principles of an allocated and post planning committee application for Dunton Hills Garden Village: the viability impact in relation to affordable housing and community infrastructure delivery in and around Dunton

¹ <https://www.essex.gov.uk/planning-land-and-recycling/planning-and-development/growth-development-and-nationally-significant>

Hills and the delivery of the Brentwood Local Plan and emerging Basildon Local Plan. ECC would also add an additional technical objection to the lack of baseline evidence in the PEIR to fully understand the impacts and LSE of N2T, which are discussed further below. Further, no information is provided by NGET on compulsory acquisition for the purposes of land rights for access, construction, operation, or mitigation, which includes compensation.

- 1.7 NGET did not consult ECC or any key local stakeholder about its strategic proposal prior to pre-application and have made very few changes to the 2022 preferred draft alignment. ECC accepts that N2T has critical national priority (CNP) infrastructure status to meet legally binding net zero targets and to provide affordable and secure energy, but ECC expect the assessment principles outlined in Section 4 of National Policy Statement EN-1 (overarching principles) and Section 2 of National Policy Statement EN-5 (electricity networks infrastructure) to be applied. ECC does not consider that NGET have provided sufficient detail in the PEIR or shown how all LSE would be avoided, reduced, mitigated, or compensated for using the mitigation hierarchy.
- 1.8 In a letter to NGET dated 1 March 2024 (Appendix 9) ECC requested that NGET 'pause' its statutory consultation due to the lack of constructive engagement in the preliminary environmental impact assessment work that has been used to inform the PEIR. ECC remains of the opinion that statutory consultation is premature and are further concerned at what appears to be an accelerated and narrow programme of engagement for the 2024 preferred draft alignment that is dependent on a single statutory consultation.
- 1.9 ECC does not consider that the PEIR provides sufficient baseline information to fully understand the LSE of N2T, either in isolation or cumulatively with other energy NSIPs or large-scale development. Further that NGET did not provide adequate information or timescales prior to statutory consultation for ECC or other host local authorities to consider and respond to the environmental assessment methodologies or proposed mitigation that has then been included in the PEIR. Conversely, the same concern applies to NGET that they did not give sufficient time prior to statutory consultation to constructively consider any comments that ECC were able to make about the PEIR. The inadequacy of consultation and the poor quality of the PEIR, which ECC notes does not include any detail on haul roads and associated development, is to the detriment of statutory consultation. ECC considers that to meaningfully influence the design or mitigation required to minimise the impacts and maximise the benefits from N2T for local people, business, and place that an additional round of statutory consultation is required. Otherwise, how does ECC or local people feed into the development consent process of commenting on the design, assessment, and mitigation, which should include compensation that is required with little to no information on key issues.
- 1.10 ECC welcome reassurance from NGET that more stringent project management is now in place for environmental assessment but would once again highlight the need for clear and comprehensive environmental assessment that provides local authority partners with meaningful opportunity to constructively engage with the assessment and mitigation of local impacts. This should include robust application of the mitigation hierarchy, including compensation and consideration of post consent impact monitoring, management, and auditing. Due to the substantive and ongoing concerns about inadequate engagement prior to statutory consultation and the large volume of assessment work still required, ECC considers that additional statutory consultation is essential to ensure robust environmental impact

assessment and a high-quality development consent application. Without additional consultation, ECC could only conclude that it has not been given meaningful opportunity to influence the design or mitigation required to minimise the impacts and maximise the benefits from N2T for local people, business, and place.

2. ECC's in principle objection to the strategic proposal for N2T

- 2.1 ECC welcomed further information that supported greater transparency on the assessment of need for additional electricity transmission capacity in the south east, and the appraisal of strategic options to meet this need was provided in the Design Development Report (June 2023) and Strategic Options Back Check and Review (June 2023). ECC understands that this work was undertaken by NGET prior to the first round of non-statutory consultation in 2022 and informed by ESO's assessment of future transmission requirements and network capability, as detailed in the 10 Year Electricity Statement 2022 and refreshed Network Option Assessment 2021/22 (NOA). ECC notes in paragraph 4.2.5 of the Design Development Report (April 2024) that the Strategic Options Back Check and Review (April 2024) remains materially unchanged from the 2023 iteration. ECC can only conclude that the strategic proposal has not changed, and the 2024 preferred route remains substantively the same as in 2022.
- 2.2 ECC maintain that there are significant uncertainties and sensitivities around the need and timing of N2T that would have been evident to NGET and ESO during the appraisal of strategic options and choice of strategic proposal in 2022, and that these still remain in 2024. This is a position that is further supported by Hiorns Smart Energy Network Report (November 2023) and the ESO's East Anglia Study Report (March 2024).
- 2.3 In considering its in principle objection to N2T, ECC accepts that NGET has reviewed the strategic proposal and 2024 preferred route against the new national policy statements for energy that were published in November 2023, and its existing connection contracts. ECC understands that NGET has contracts with offshore wind developers at North Falls and Five Estuaries, and with Tarchon Energy for an interconnector with Germany that require connection at the proposed new EACN substation in Tendring by 2030. ECC do not consider that NGET have provided any new evidence in its 2024 statutory consultation to refute the conclusion of the Hiorns report that N2T is not needed by 2030. ECC would also continue to challenge ESO's assumption that 100% of contracted projects in the east will be successfully awarded Contract for Difference and require connection to the network by this date.
- 2.4 It is not clear beyond the existence of these contracts why N2T was included in the government's Accelerated Strategic Transmission Investment (ASTI), which then made it out of scope for Holistic Network Design (HND) as part of the Offshore Transmission Network Review (OTNR). ECC remains concerned that N2T has been scoped out of HND and into the OTNR Early Opportunities workstream without reasonable justification. ECC can find no mention of this issue in the 2024 statutory consultation, despite it being raised in the previous 2nd round of non-statutory consultation. An explanation is needed.
- 2.5 ECC are concerned that NGET have proceeded with statutory consultation on a strategic proposal and 2024 preferred draft alignment for N2T without providing any evidence to dispute the conclusions around need and timing made in the Hiorns report and prior to any meaningful outcome from the OCSS, which includes the

proposed offshore wind developments at North Falls and Five Estuaries and the Tarchon Interconnector. There is little information available on Early Opportunities, including the OCSS, but ECC is aware how complex contractually the coordination of North Falls, Five Estuaries and Sea Link would be. Nevertheless, in the absence of any meaningful output from OCSS being available, ECC can only conclude that NGET cannot have conscientiously considered the ESO's East Anglia Study Report (March 2024) prior to statutory consultation.

- 2.6 It remains unclear how ESO can be considering network options for electricity transmission in the east that are based on the premise that OCSS will conclude with the successful coordination of North Falls and Five Estuaries connecting into the proposed offshore electricity transmission infrastructure provided by Sea Link, whilst in parallel NGET are continuing with promoting a network option and preferred route for onshore electricity transmission infrastructure in the east that it argues is needed to support connection contracts with North Falls, Five Estuaries and Tarchon by 2030. This further adds to the concerns of ECC that the strategic option and choice of strategic proposal has been predetermined and will remain an example of the uncoordinated and inefficient approach to energy transmission that the previous administration, which had cross party consensus, accepted requires urgent improvement and was reviewing.
- 2.7 ECC wishes to reiterate that its preferred strategic option for N2T remains an integrated offshore technology that minimises onshore transmission infrastructure and does not include OHLs and pylons. ECC recognises that this option would need to be delivered at pace and without risk to national net zero, renewable energy and decarbonisation targets, and energy security.

3. Social value and community benefits

- 3.1 ECC considers N2T will have residual impacts that adversely affect the local economy, environment and health and wellbeing of communities in Essex that cannot be sufficiently mitigated or compensated through the planning regime. Furthermore, that N2T will deliver significant benefits at the national level, but not at the local level, which is unacceptable.
- 3.2 ECC considers that the likely beneficial socio-economic effects from N2T should be significant and have not been fully assessed by NGET. N2T would be one of a number of energy NSIPs located in or neighbouring Essex that are required to provide secure, clean, and affordable energy as part of the transition to net zero. Given the national and local skills shortage to deliver these ambitions, the benefits to education, skills, and employment from N2T during construction and operation, alone and cumulatively with other NSIPs, is significant and should provide benefits across Essex, with a particular focus on its areas of greatest deprivation.
- 3.3 ECC stated in its response to NGET's second round of non-statutory consultation that as part of statutory consultation and in accordance with ECC's NSIP policy, it required NGET to undertake a social value self-assessment and to submit a Social Value Statement (SVS). This statement would explain how NGET will work in partnership with ECC to ensure that the design, procurement, and construction of every stage of N2T improves the economic, environmental, and social wellbeing of local communities in Essex. ECC's main social value priorities are centred around the support of entry level employment, local employment, employment of disadvantaged groups and environmental measures to address both the climate and environment.

- 3.5 ECC notes that the 2024 consultation does not contain a SVS or any information about how NGET will ensure benefits from N2T, both direct and indirect, are maximised from all possible sources, or how the cumulative effects of N2T have been assessed in relation to other energy NSIPs. The absence of any reference to social value is to the overall detriment of N2T and the local economy, environment and health and wellbeing of communities across Essex. There are significant socio-economic disparities between local communities across Essex, particularly in relation to the equity of opportunity to access education, skills, and employment opportunities from the growth of the energy sector in Essex, and ability to adapt to climate change. ECC considers the absence of NGET directly providing social value through N2T would exacerbate these disparities and that this constitutes an unacceptable LSE.
- 3.6 The construction of N2T will result in an increased demand for the skills necessary to deliver the pipeline of nationally significant and major infrastructure projects that are proposed in Essex or neighbouring counties. Given a national and local skills shortage, ECC would welcome working with NGET and other stakeholders to develop an infrastructure skills base for the East. This base will be required to understand and practically address potentially national and local skills shortages, whilst also mitigating any potential further impact that could disrupt infrastructure delivery and/or adversely affect the local labour market. ECC expect that long term opportunities for local people to access the necessary education, skills, supply chain and employment on the construction and operation of N2T and/or other energy infrastructure projects are maximised. This will require NGET to agree meaningful and timely investment in further education, apprenticeships and with local training providers. ECC would further welcome working with NGET and other stakeholders to find high-quality suppliers to the main contractors for N2T, as well as stimulating readiness and competitiveness within the supply chain for other nationally significant and major infrastructure projects.
- 3.10 ECC notes the potential for N2T and other energy NSIPs to provide power to local people and place in support of sustainable economic growth. ECC can find no reference in any of the 2024 consultation documentation to the energy transmitted through N2T being used locally.
- 3.11 ECC is aware of the content of the scoping opinion for the environmental impact assessment but would remind NGET that scoping is not static and strongly encourage it to move beyond such a narrow focus in its assessment work and commit to identifying opportunities to maximise local social value benefits. In accordance with ECC's NSIP policy, ECC expects N2T to provide a positive legacy beyond construction, but also wants to ensure that its local communities benefit directly from hosting energy transmission infrastructure that supports national objectives.
- 3.12 ECC would welcome working in partnership with NGET to plan and deliver a generous and innovative community benefits package for N2T. This should include any emerging requirements from the former government's draft community benefits guidance for electricity transmission network infrastructure and explore opportunities to coordinate with other energy NSIPs and major infrastructure projects.
4. Dunton Hills Garden Village (DHGV), Basildon and Thurrock – the outstanding need for assessment and consideration of rerouting or undergrounding

- 4.1 ECC consider that the 2024 preferred draft alignment is contrary to the principles of good design and impact mitigation for energy infrastructure as required by NPS EN-1 and NPS EN-5 and is also contrary to garden community principles of Policy R01: Dunton Hills Strategic Allocation of the adopted Brentwood Local Plan 2016 – 2033. Further ECC considers that the 2024 preferred draft alignment materially undermines the local plan-making process in Basildon, Brentwood, and Thurrock to the detriment of housing and infrastructure delivery.
- 4.2 ECC accepts that N2T has CNP infrastructure status but expects the assessment principles outlined in Section 4 of NPS EN-1 and Section 2 of NPS EN-5 to continue to apply. ECC does not consider that the PEIR meets the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 in describing the aspects of the environment likely to be significantly affected by N2T. This includes likely significant cumulative effects.
- 4.3 ECC welcomes NGET assurances that it has developed N2T having regard to national and local policy but would challenge the assertion that ‘...the project has been designed to avoid planning applications and local plan allocations, where practicable, to reduce the potential effects on land planned for future development’ (paragraph 15.8.16 of the PEIR). Dunton Hills and West Basildon have not been adequately considered in relation to an area designated as an allocated Garden Community which is being planned to meet the highest Town and Country Planning Association (TCPA) Garden Town standards.
- 4.4 The 2022 preferred draft alignment was system engineered and NGET had little to no regard for the Brentwood Local Plan, or it could not have failed to miss the allocation of a Garden Village and a strategic housing allocation at Dunton Hills, or the outline planning application to develop 75% of the site that had been submitted in 2021 and was subsequently considered by Brentwood Borough Councils Planning Committee in November 2023 (planning application reference: 21/01525/OUT). NGET were made aware of DHGV by ECC and local authority partners at Brentwood Borough Council and Basildon Borough Council during the first round of non-statutory consultation in 2022.
- 4.5 ECC strongly refutes NGET’s repeated inference throughout the 2024 statutory consultation and in previous discussions that N2T would have no LSEs on housing and infrastructure delivery in the East Housing Market Area. There is no evidence to support this assertion and ECC would defer to local authority partners Basildon Borough Council, Brentwood Borough Council and Thurrock Council who have provided detailed rebuttal to such claims.
- 4.6 Paragraph 15.6.33 of the PEIR briefly mentions that DHGV is allocated in the Brentwood Local Plan as a garden village. The PEIR in total mentions DHGV 16 times and the Design Development Report 2024 (DDR 2024) 10 times, but nowhere in any of the consultation documentation is there a description of this garden village. Paragraph 4.7.8 of EN-1 advocates the consideration of design guidance developed by the local planning authority. Neither document makes any reference to consideration having been given to Policy R01 of the Brentwood Local Plan or the associated DHGV Supplementary Planning Document (SPD), which describes in detail the extensive work that has been undertaken at the national and local level to plan, design and develop a viable garden village.
- 4.7 The same documents are also silent on the strategic importance of DHGV for housing delivery, including affordable housing, and supporting infrastructure, in Brentwood, Basildon and the South Essex Housing Market Area. ECC would have

expected all preferred draft alignment to have been informed by the relevant local development plans and specifically in relation to Basildon, the absence of an up-to-date local plan and five-year housing land supply.

- 4.8 It follows that from the outset the 2022 preferred draft alignment and all subsequent minor changes in 2023 and 2024 are contrary to Holford Rule 7, which states that a new high-voltage route alignment should only be chosen after consideration has been given to the effects on the amenity of ‘...existing development and proposals for new development.’ Holford Rule 7 further states that when a new line needs to pass through a ‘development area’ it should be routed to minimise as far as possible effects on development. In this instance the route should be placed underground.
- 4.9 ECC notes that the changes from the 2022 preferred draft alignment through to 2023 and 2024 alignments have been made in response to the two rounds of non-statutory consultation and that DHGV is cited throughout the statutory consultation as being in an area where NGET have made ‘...the most extensive ...’ changes. ECC understands the 2024 preferred draft alignment has been repositioned north of pylon TB225 to run more closely along the eastern edge of an existing gas pipeline. ECC accepts that the 2024 preferred draft alignment is intended to ‘...reduce interaction with Dunton Hills...’ (paragraph 5.4.212 of the DDR 2024) but it is not clear how this change addresses compliance with the Holford Rule 7, or the general presumption in the Holford Rules against routing overhead lines close to residential areas?
- 4.10 Brentwood Borough Council have undertaken extensive viability assessment work as part of Policy R01 and its entire local plan. Basildon and Thurrock, whilst at different stages in plan-making, will be undertaking similar due diligence. Despite being consulted during plan making, at no point did NGET make Brentwood Borough Council aware of N2T. This is a subsequent material change to the allocation and planning committees consideration of DHGV in accordance with Policy R01 and the corresponding Infrastructure Delivery Plan.
- 4.11 ECC appreciate that NGET want to ensure a consistent approach to the assessment of impacts in relation to existing and potential future housing for N2T across all three host counties. ECC would take this opportunity to highlight the commitment of the Chancellor in her maiden speech to housing building in driving economic growth. ECC accepts that Reeves also offered support for energy projects ‘already in the system’ but N2T is one of seventeen projects required as part of the Great Grid Upgrade. It is inevitable that development viability will become an issue for NGET again, especially given the extent of the great Grid Update. ECC does not want to endorse poor precedence in resolving this issue.
- 4.12 ECC consider that the choice by NGET to take forward a 2022 preferred draft alignment that had been systems engineered with little or no regard for local development plan policy at DHGV demonstrates a fundamental lack of due diligence and one that has severely limited the proposed evolution of the design and application of the mitigation hierarchy since. ECC is not aware of an allocated garden village anywhere else along the 2024 preferred draft alignment. Dunton Hills is one of a small number of the 14 Garden Communities that is included in Homes England’s national Garden Communities Programme to be both allocated and consented.

- 4.13 To such an extent that NGET are still to this date, unable to articulate how it has assessed the LSEs from OHL and pylons to the principles of a garden village; to land value or property prices at DHGV; to the viability of affordable housing and supporting infrastructure in and around Dunton Hills, or to the ability of Brentwood Borough Council to deliver Policy R01 and its local housing and infrastructure requirements that underpin its local plan. The PEIR and the DDR 2024 make no reference to the impact of OHL and pylons on land value or property prices in Basildon or Thurrock, or the ability of those local authorities to allocate and deliver viable strategic housing sites.
- 4.14 ECC would reiterate that NGET should give significant weight to the planning significance of Policy R01 and the overall viability of affordable housing and supporting infrastructure provision in the adopted Brentwood Local Plan when considering good design and the application of the mitigation hierarchy, including compensation. Further significant weight should also be given to the planning significance of Brentwood's Planning Committee consideration of the outline permission for the development of DHGV. In accordance with EN-1 and EN-5, this includes full justification for residual impacts. ECC would draw NGET's attention to the Agent of Change principle in Paragraph 193 of the National Planning Policy Framework.
- 4.15 Paragraph 5.4.214 of the DDR 2024 explains why, despite identifying residual landscape and visual impacts, NGET have not chosen to design or cost the use of underground cabling at DHGV as the alternative mitigation. ECC understand that underground cabling was not designed or costed because NGET do not consider it is required by NPS EN-5 as '...(“it is not subject to designation as AONB or similar”)', the ability for detailed masterplanning to reduce potential visual effects and the additional cost implications...and potential loss of development land...' [sic] It is not clear what NGET mean by masterplanning and whether this would require a revision to the approved DHGV masterplan? ECC would reiterate that it's objection to OHL and pylons at DHGV is not based principally on the grounds of visual or amenity impact to individual dwellings, or to just the 19.5 ha part of the site that relates directly to the draft Order limits.
- 4.16 As stated in paragraph 3.2.4 of NPS EN-1, it is not the role of the planning system to compare '...costs...' but ECC does understand that NGET have a commitment through its electricity transmission licence to justify the construction of N2T to the energy regulator (Ofgem) on economic and efficiency grounds. In considering what is economic and efficient, paragraph 3.3.78 of EN-1 states that: 'In considering the 'economic and efficient' approach the network project needs to follow good design, avoidance, and mitigation principles...as referenced in EN-5.'
- 4.17 In reviewing the DDR 2024 against Section 4.7 – Criteria for good design for energy infrastructure in NPS EN-1, ECC considers that the visual appearance of N2T and how OHL and pylons will relate to the landscape in and around DHGV is one of the most important factors in NGET being able to demonstrate good design. ECC has seen no evidence that good design has been embedded within the development of N2T at DHGV and is not aware that any design principles have been established, and certainly not from the outset for N2T to guide the design development from conception to operation.
- 4.18 OHL and pylons offer no potential to enhance the quality of the landscape or the amenity of DHGV. This will degrade the principles of a Garden Village and is highly likely to lead to a reduction in current and future land value and property prices,

which will be to the detriment of viable housing and infrastructure delivery NGET are not exempt from the duty to balance route selection with good design and impact mitigation. Clearly placing the route underground for the length this runs through the Garden Village would provide the good design principle and minimise the impact.

- 4.19 ECC does not consider that the minor changes to the draft alignment so far and refusal to design and cost an underground alternative meet the policy objective for good design in national or local planning policy. Contrary to paragraph 4.7.8 of EN-1, ECC can find no evidence that NGET have considered Policy R01 and design guidance in the SPD and approved masterplan for DHGV or have taken independent professional advice on the 2024 preferred draft alignment at DHGV. In the absence of any assessment by NGET, ECC consider only re-routing away from DHGV or undergrounding would be sufficient to demonstrate good design. ECC would suggest that the Design Council is asked to provide a design review of the N2T route at DHGV.
- 4.20 ECC understands that NGET will need to agree or acquire compulsory acquisition powers for land and access rights owned by CEG Land Promotions Limited (CEG) at DHGV as part of its application for development consent. It is widely accepted that land subject to the development of OHL and pylons reduces its value and profit that can be made from developing land for housing and mixed uses. ECC has read the two Representations made to NGET by CEG in relation to previous rounds of non-statutory consultation in 2022 and 2023.
- 4.21 It is not clear from the 2024 statutory consultation how NGET would demonstrate adherence to the relevant compulsory acquisition 'tests' set out in the Planning Act 2008 and accompanying guidance. This would include an assessment of public benefit and private loss. In discussions prior to statutory consultation, NGET explained that it had not identified a requirement to consider public-private cost balancing and that its land agent would typically negotiate land rights once a final preferred alignment was chosen.
- 4.22 ECC understands the NGET undertook no consideration of land rights as part of the strategic optioneering process that formed the basis of deciding the 2022 preferred draft alignment. However, the two representations made previously by CEG state that NGET have engaged in discussions since as part of the 2022 and 2023 non statutory consultation. To the extent that CEG highlight the failure by NGET to consider the costs that would be associated with compulsory acquisition of land and rights at DHGV. ECC is aware that NGET recently signed a non-disclosure agreement with CEG in relation to DHGV.
- 4.23 If NGET have engaged in discussions with CEG about land rights this would imply that it has chosen a final preferred alignment for N2T. It follows that there would be a requirement to undertake an assessment of public benefit and private cost as part of negotiations, even if land and rights are eventually negotiated on a voluntary basis. ECC requests that NGET provides confirmation on the timing and sequencing of the negotiations it has had with CEG relating to land rights and the potential undergrounding of existing electricity transmission infrastructure at DHGV. ECC notes on paragraph 2.6.4 of NPS EN-5 that where compulsory acquisition rights are sought, permanent arrangements are strongly preferred over voluntary wayleaves. ECC strongly advocates this position as it provides greater reliability, economic efficiency and reflects not just the importance of delivering CNP infrastructure, but the need for robust assessment and the application of the

mitigation hierarchy which should include compensation (paragraph 2.6.6 of NPS EN-5)

- 4.24 ECC do not consider that NGET have understood or assessed the LSEs of N2T to DHGV, in isolation or cumulatively, correctly in any of the 2024 statutory consultation documentation and so can only disagree with the preliminary effect and level of significance relating to that effect cited in Table 15.18 – Potential Preliminary Effect on Planning and Development within the Local Study Area. ECC do not consider that NGET could demonstrate due process has been followed in establishing economic and efficiency grounds as it cannot demonstrate good design, the assessment of impacts or the application of the mitigation hierarchy, including compensation to sufficiently justify what increasingly sounds like a predetermined argument suggesting that underground cabling would not be supported by Ofgem due to cost. Further, ECC do not agree that NGET can reasonably argue that underground cabling is not economical without having first assessed the impact of the 2024 preferred draft alignment correctly, which should include the potential cost of acquiring land and rights and the application of the mitigation hierarchy, including compensation for prejudicing the delivery of affordable housing and supporting infrastructure in and around DHGV and the delivery of Brentwood Local Plan.
- 4.25 ECC does not consider that there is an inherent conflict between national energy and housing policy or national energy and local plan policy that cannot be overcome through robust assessment and application of the mitigation hierarchy, including compensation.

5. ECC Transportation and Highways, including Public Rights of Way (PRoW)

- 5.1 ECC is the local highway authority for any part of the 2024 preferred draft alignment that is within the administrative boundary of Essex. ECC has made extensive comments in relation to the PEIR, which have been summarised below but should be read in full at Appendix 1 and should be addressed in full by NGET.
- 5.2 The PEIR does not contain sufficiently detailed baseline information or robust impact assessment to understand the construction impacts and LSEs from N2T fully on the local highway network, including PRoW. This is contrary to the impact assessment principles of NPS EN-1, NPS EN-5 and the requirements of the secondary legislation and guidance determining environmental impact assessment for NSIPs. Due to lack of information, ECC is unable to agree with the conclusions of the PEIR in relation to highways and transportation.
- 5.3 ECC is concerned that the PEIR contains no information on vehicle numbers, which undermines any conclusions it makes on the assessment and mitigation of LSEs, including in combination and cumulative effects. Further concern relates to the apparent under assessment of vehicle movements, including monitoring and management of traffic flow and safety. The PEIR contains little to no information about the monitoring, management and auditing of impacts and LSEs from construction traffic or information relating to temporary associated development.
- 5.4 Despite repeated requests, NGET have refused to provide a separate PRoW chapter in the PEIR, with the assessment of impacts spread over four separate chapters. ECC continues to disagree with this approach as it making reviewing the in-combination and cumulative LSE on PRoW considerably more difficult. This is of particular concern and frustration given the LSEs from N2T on the PRoW network.

Given the LSE to the PRow network, ECC would be expect significant improvements to be provided by NGET as mitigation.

- 5.5 The PEIR does not provide sufficiently detailed assessment of in-combination LSEs from N2T or cumulative LSEs with other proposed or consented major development. This includes but is not limited to the construction of Phase 2 of the Chelmsford Bypass, and the planned upgrade to the A12.
- 5.6 ECC does not support the use of some proposed access locations, which NGET will need to address, and requests further information is provided in relation to the need for road widening and bridge strengthening.
- 5.7 The proposed working hours is far beyond what would ordinarily be accepted as reasonable. In the interests of residential amenity, ECC does not agree with working after 13:00 on Saturday or to working on Sunday or Bank and Public Holidays.
- 5.8 Consideration is needed around the process for ECC to recover costs for any damage to the local highway network from the construction of N2T.
- 5.9 ECC would welcome working with NGET to identify what legacy benefits are achievable where there is interaction between the proposed on-site haul road and DHGV sustainable transport corridor. This could result in temporary development being made permanent and delivered earlier in the development phasing, which would reduce the impact of HGV movements on the site, as well as supporting local infrastructure development. ECC acknowledges that this would subject to NGET obtaining land acquisition agreement from the land owner and requires environmental assessment. ECC would reiterate the point that in the absence of any assessment undertaken by NGET or consideration given to the design and cost of undergrounding at DHGV, it can only conclude that to mitigate the LSEs of the 2024 preferred draft alignment that N2T should be undergrounded for the entire length of DHGV.

6. ECC Minerals and Waste (MWPA)

- 6.1 ECC is the minerals and waste local planning authority for any part of the 2024 preferred draft alignment that is within the administrative boundary of Essex. ECC has made extensive comments in relation to the PEIR which can be read in full at Appendix 2 and should be addressed in full by NGET.
- 6.2 The currently proposed route alignment has resulted in the application site still passing through various Minerals Safeguarding Areas, Mineral Consultation Areas, and Waste Consultation Areas. The MWPA are currently engaged in a Review on its Minerals Local Plan (MLP), which involved a Call for Sites exercise where respondents put forward land in their ownership for consideration for allocation for future extraction. The MWPA welcomes the discussions it has had with NGET about the two Candidate Sites that contain valuable and finite silica sand deposits and would potentially be impacted by the 2024 preferred draft route.
- 6.3 It is noted that paragraph 5.11.28 of EN-1 states that 'Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources'. Active extraction sites are within the MSA and so ensuring the ability of these sites to operate in accordance with their planning permission and therefore make their quantified contribution to the strategic supply of minerals to Essex and beyond is therefore a material planning consideration. The MWPA would also remind NGET of the Agent of Change

principle in Paragraph 193 of the National Planning Policy Framework when assessing the continued extraction of minerals. However, we would reiterate that no decisions have been made on Candidate Sites for the inclusion in the MWLP at this stage and would encourage NGET to continue its engagement with minerals site owners.

- 6.4 In the previous non-statutory consultation, the MWPA have requested the submission of Minerals Infrastructure Impact Assessments (MIIA), Waste Infrastructure Impact Assessments (WIIA) and Minerals Resource Assessments (MRA). Subject to the satisfactory completion of these assessments as part of the pre-application stage and continued engagement with the MWPA, there are no principal areas of disagreement.

7. ECC Sustainable Urban Drainage Systems (SuDS)

- 7.1 ECC is the lead local flood authority for any part of the 2024 preferred draft alignment that is within the administrative boundary of Essex. ECC SuDS does not raise any principal areas of disagreement with NGET.
- 7.2 ECC SuDS can be read in full at Appendix 3 and should be addressed in full by NGET.

7. Essex Place Services – Arboriculture, Archaeology, Ecology, Historic Buildings and Landscape

- 7.1 Essex Place Services (EPS) provides environmental consultancy support to ECC for arboriculture, archaeology, ecology, historic buildings, and landscape for any part of the 2024 preferred draft alignment that is within the administrative boundary of Essex. EPS has made extensive comments in relation to the PEIR, which should be read in full at Appendix 4 and addressed in full by NGET.
- 7.2 ECC are concerned that EPS have highlighted that the PEIR does not contain sufficiently detailed baseline information or robust impact assessment to understand the impacts and LSEs from N2T, particularly in relation to archaeology, ecology, historic buildings, and landscape. This is contrary to the impact assessment principles of NPS EN-1, NPS EN-5 and the requirements of the secondary legislation and guidance determining environmental impact assessment for NSIPs. Further, ECC is concerned at the extent of outstanding assessment work still required, which does not benefit from any overarching programme to enable local authority resource planning. ECC does not consider that such an uncoordinated and patchy approach to environmental assessment for an NSIP of this size and scale when combined with a single round of statutory consultation is sufficiently robust to support a high-quality development consent application.

8. ECC Green Infrastructure (GI)

- 8.1 ECC's GI comments can be read in full at Appendix 5 and should be addressed in full by NGET.

9. ECC Climate

- 9.1 ECC Climate is eager to see that provisions are made and carried by NGET to first reduce, then sufficiently mitigate greenhouse gas emissions generated from the construction and operation of N2T and its associated development. The size and scale of N2T provides a unique opportunity to drive forward and demonstrate leadership in the construction industry in respect of climate change

mitigation. Yet, NGET appears content to draw from the most basic data set available to estimate the associated CO₂e for N2T (PEIR; section 4.4.11). Due to the significance of N2T, it must be iterated that the most detailed calculations available for the project carbon emissions should be presented as part of the environmental impact assessment. This should also include an assessment of the impact of the construction and operation of N2T on ECC's ambitious net zero targets.

- 9.2 ECC Climate unit is optimistic about the climate mitigation measures which can be demonstrated through N2T from the perspective of mitigating climate change in construction and operation. To do this, NGET must address a series of measures that would deliver great mitigation of the climate impact of N2T. Although N2T aspires to contribute to the national drive to net zero through enhancing grid capability for renewable energy transfer, N2T must be strongly reviewed based on the impacts seen through construction and operation to ensure the best feasible development is achieved.
- 9.3 ECC Climate have made extensive recommendations that can be read in full at Appendix 6 and should be addressed in full by NGET.

10. ECC Public Health

- 10.1 ECC Public Health highlight the need for more robust health impact assessment and the need for NGET to focus on actively driving out maximum local benefits to the health and wellbeing of communities across Essex.
- 10.2 ECC Public Health comments can be read in full at Appendix 7 and should be addressed in full by NGET.

12. The removal of obsolete 132kV pylons

- 12.1 ECC considers that there are opportunities for N2T to facilitate the removal of 132kV pylon lines operated by UK Power Networks, to rationalise and improve the network resilience overall, whilst reducing the cumulative visual impact of energy infrastructure, and compensating for the additional LSE to landscape and amenity of the proposed new 400kV power lines.

13. The avoidance of all airfields in Essex

- 13.1 In the interests of amenity, national defence, and the aviation industry, N2T needs to ensure the continued and safe use of all airfields in Essex.

Yours sincerely



Graham Thomas
Head of Planning and Sustainable Development

Appendix 1 – ECC Highways and Transportation, including Public Rights of Way
Appendix 2 – ECC Minerals and Waste
Appendix 3 – ECC Sustainable Urban Drainage Systems
Appendix 4 – ECC Place Services (Arboriculture, Ecology, Landscape, Archaeology and Historic Buildings)
Appendix 5 – ECC Green Infrastructure

- Appendix 6 – ECC Climate
- Appendix 7 – ECC Public Health
- Appendix 8 – ECC Employment and Skills
- Appendix 9 – Letter to NGET dated 1 March 2024