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Bramford to Twinstead Reinforcement

Volume 7: Other Documents

Document 7.3.3: Draft Statement of Common Ground Environment Agency

Final Issue A
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Infrastructure Planning (Applications, Prescribed Forms and Procedure) Regulations 2009 Regulation 5(2)(q)



nationalgrid

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1. Introduction

1.1 Overview

- 1.1.1 A Statement of Common Ground (SoCG) is a written statement produced as part of the application for development consent and is prepared jointly between the applicant and another party. It sets out matters of agreement between both parties, as well as matters where there is not an agreement. It also details matters that are under discussion.
- 1.1.2 The aim of a SoCG is to help the Examining Authority manage the Examination Phase of the application. Understanding the status of the matters at hand will allow the Examining Authority to focus their questioning and provide greater predictability for all participants in examination. A SoCG may be submitted prior to the start of or during Examination, and then updated as necessary or as requested during the Examination Phase.
- 1.1.3 This SoCG is between National Grid Electricity Transmission Ltd ('National Grid') and the Environment Agency relating to the application for development consent for the Bramford to Twinstead Reinforcement ('the project'). It has been prepared in accordance with the guidance published by the Department of Communities and Local Government (Department for Communities and Local Government, 2015).
- 1.1.4 This SoCG has been prepared to identify matters agreed and matters currently outstanding between National Grid and the Environment Agency. The SoCG will evolve as the application progresses to submission and through examination.

1.2 Description of the Project

- 1.2.1 National Grid proposes to reinforce the transmission network between the existing Bramford Substation in Suffolk, and Twinstead Tee in Essex. This would be achieved by the construction and operation of a new electricity transmission line over a distance of approximately 29km. The project meets the threshold as a Nationally Significant Infrastructure Project, as defined under Part 3 of the Planning Act 2008, hence National Grid requires a development consent order.
- 1.2.2 The reinforcement would comprise approximately 18km of overhead line (consisting of approximately 50 new pylons, and conductors) and 11km of underground cable system (with associated joint bays and above ground link pillars).
- 1.2.3 Four cable sealing end (CSE) compounds would be required to facilitate the transition between the overhead and underground cable technology. The CSE would be within a fenced compound, and contain electrical equipment, support structures, control building and a permanent access track.
- 1.2.4 Approximately 27km of existing overhead line and associated pylons would be removed as part of the proposals (25km of existing 132kV overhead line between Burstall Bridge and Twinstead Tee, and 2km of the existing 400kV overhead line to the south of Twinstead Tee). To facilitate the overhead line removal, a new grid supply point (GSP) substation is required at Butler's Wood, east of Wickham St Paul, in Essex. The GSP substation would include associated works, including replacement pylons, a single circuit sealing end compound and underground cables to tie the substation into the existing 400kV and 132kV networks.

- 1.2.5 Some aspects of the project, such as the underground cable sections and the GSP substation, constitute 'associated development' under the Planning Act 2008.
- 1.2.6 Other ancillary activities would be required to facilitate construction and operation of the project, including (but not limited to):
- Modifications to, and realignment of sections of existing overhead lines, including pylons;
 - Temporary land to facilitate construction activities including temporary amendments to the public highway, public rights of way, working areas for construction equipment and machinery, site offices, welfare, storage and access;
 - Temporary infrastructure to facilitate construction activities such as amendments to the highway, pylons and overhead line diversions, scaffolding to safeguard existing crossings and watercourse crossings;
 - Diversion of third-party assets and land drainage from the construction and operational footprint; and
 - Land required for mitigation, compensation and enhancement of the environment as a result of the environmental assessment process, and National Grid's commitments to Biodiversity Net Gain.

1.3 This Statement of Common Ground

- 1.3.1 This SoCG has been prepared jointly by National Grid as the 'Applicant' and the Environment Agency as a prescribed consultee.
- 1.3.2 For the purpose of this SoCG, National Grid and the Environment Agency will jointly be referred to as the 'Parties'. When referencing the Environment Agency alone, they will be referred to as 'the Consultee'.
- 1.3.3 This SoCG is structured as follows:
- Section 1 provides an introduction to this SoCG and a description of its purpose;
 - Section 2 states the role of the Consultee in the application process and details engagement undertaken between the Applicant and the Consultee;
 - Section 3 sets out matters agreed between the Applicant and the Consultee;
 - Section 4 sets out matters not agreed between the Applicant and the Consultee;
 - Section 5 sets out matters where agreement is currently outstanding between the Applicant and the Consultee; and
 - Section 6 includes the signing off sheet.

2. Record of Engagement

2.1 Role of the Consultee in the Process

- 2.1.1 The Consultee is a prescribed consultee for the purpose of section 42(1)(a) of the Planning Act 2008 and is named as such in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.
- 2.1.2 The Consultee is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs with the stated purpose '*to protect or enhance the environment, taken as a whole*'. Within England it is responsible for:
- Regulating major industry and waste;
 - Treatment of contaminated land;
 - Water quality and resources;
 - Fisheries;
 - Conservation and ecology; and
 - Managing the risk of flooding from Main Rivers, reservoirs, estuaries and the sea.
- 2.1.3 The Consultee has been encouraged to discuss and work with National Grid to provide a local perspective at the pre-application stage of the application process for the project.

2.2 Summary of Pre-application Discussions

- 2.2.1 Pre-application discussions were held with the Consultee between 2009 and 2013 prior to the project pause. A record of these discussions can be found in options appraisal reporting, such as the Connections Option Report (**application document 7.2.4**). Due to the lapse in time since these original discussions took place and as key staff may have changed, the SoCG only records the meetings and matters agreed since the project restarted, with the first meeting held between the Applicant and Consultee in January 2021.
- 2.2.2 Table 2.1 summarises the consultation and engagement that has taken place between the Parties prior to submission of the application.

Table 2.1 – Pre-application Discussions

Date	Topic	Discussion points
28 January 2021	Introductory meeting	Joint meeting with the South East Anglia (SEA) Link project to introduce both the Bramford to Twinstead reinforcement and SEA Link, the needs case in the region and the options appraisal that will be undertaken going forward.
8 March 2021	Approach to Scoping (meeting)	The Applicant outlined the approach to data collection and the topics that would be included within the Scoping Report for the Bramford to Twinstead reinforcement.
1 April 2021	Draft Code of Construction Practice (CoCP)	The Applicant emailed a copy of the draft CoCP to the Consultee for comment on the good practice measures.

Date	Topic	Discussion points
6 May 2021	Response to the non-statutory consultation	The Consultee provided a response to the non-statutory consultation that was held for the project outlining their current position.
8 June 2021	Response to the Scoping Report	The Consultee provided a response to the Planning Inspectorate on the Scoping Report.
12 July 2021	Water Thematic Meeting	The Consultee attended the water thematic meeting where the approach to the water assessment, the Water Framework Directive (WFD) Assessment (in relation to the Water Environment Regulations), flood risk, and hydrogeology were discussed.
13 September 2021	Water Thematic Meeting	The Consultee attended the water thematic meeting where the updated scope of the water assessment, following receipt of the scoping opinion, was discussed.
11 March 2022	Response to statutory consultation	The Consultee sent their response to the statutory consultation that was held for the project outlining their current position.
18 October 2022	Response to targeted consultation	The Consultee sent their response to the targeted consultation that was held for the project outlining their current position.
15 November 2022	Response to issue of Flood Risk Assessment (FRA)	The Consultee provided feedback on the draft FRA that was issued for comment.
30 December 2022	Response to consultation on the management plans	The Consultee provided feedback on the draft Construction Management Plan (CEMP), the draft Landscape and Ecological Management Plan (LEMP), the draft Material and Waste Management Plan and the CoCP.
17 January 2023	Meeting to discuss project updates and SoCG status	The Consultee attended the meeting which included a project update, responses to feedback on the documents issued for consultation and generic designs of the bridge and culvert crossings.
21 February 2023	Response to issue of WFD Assessment	The Consultee provided feedback on the draft WFD Assessment that was issued for comment.

2.3 Summary of Post-submission Discussions

2.3.1 Table 2.2 summarises the consultation and engagement that has taken place between the Parties post-submission of the application.

Table 2.2 – Post-submission Discussions

Date	Topic	Discussion points

3. Matters Agreed

Table 3.1 – Matters Agreed

SoCG ID	Matter	Agreed position	Date agreed
3.1 The Project			
3.1.1	Consultee engagement	The Applicant's approach to engagement and consultation has been proactive and professional.	15 November 2022
3.1.2	Need for the project	That the need for the project has been identified and understood.	15 November 2022
3.1.3	Route selection	That chosen Corridor 2 identified in the Project Development Option Report (National Grid, 2022) is a suitable route corridor and that the chosen route alignment has been designed to avoid Main Rivers and areas of Fluvial Flood Risk, where practicable.	08 March 2023
3.1.4	Policies and legislation	That appropriate relevant national policies and legislation have been included and the proposals demonstrate an awareness of the statutory obligations.	15 November 2022
3.1.5	Main Rivers	The following Main Rivers lie within or adjacent to the Order Limits; the Belstead Brook, the River Brett, the River Box, the River Stour (and unnamed tributary) and the Henny Meadow Fleet.	15 November 2022
3.1.6	Main River crossings	That the opportunity has been provided to feedback on the proposals for trenchless crossing or other methods in relation to Main Rivers.	15 November 2022
	Overhead line crossings of Main Rivers	That the project would construct overhead lines at the Belstead Brook and River Brett. Therefore, there would be limited effects on the watercourses during construction.	15 November 2022
	Temporary access route crossings	That temporary bridges would be used for the temporary access route crossings of the following Main Rivers during construction: <ul style="list-style-type: none"> • River Brett; • River Box; and • River Stour. <p>These bridges will be clear span and raised 600mm above flood level. Detailed design drawings will be supplied to the Consultee to confirm the crossings have been designed satisfactorily as part of the Flood Risk Activity Permits (FRAP).</p> <p>There is currently no proposed temporary access route crossing of either the Belstead Brook or Henny Meadow Fleet.</p>	08 March 2023
3.2 Assessment Approach and Methodology			
3.2.1	Otter and water vole	Water vole and otter surveys have been completed for watercourses within the Order limits and up to 250m either side. Draft European Protected Species licences will be prepared and submitted to Natural England if required.	15 November 2022

SoCG ID	Matter	Agreed position	Date agreed
3.3 Water Framework Directive			
3.3.1	Water Framework Directive (WFD)	That the draft WFD Assessment (January 2023) has been reviewed and that the Consultee provided feedback on this document to National Grid on 21 February 2023.	23 March 2023
3.4 Flood risk			
3.4.1	Flood Risk Assessment (General)	That the draft FRA (November 2022) has been reviewed and that the conclusions are acceptable.	15 November 2022
		This includes confirmation that the project would not need to undertake flood risk modelling due to the limited effects during construction and no anticipated operational effects.	08 March 2023
3.4.2	Flood Risk Assessment (Climate change)	That the approach to be taken to considering the effects of climate change on flood risk is appropriate, agreeing that peak river flow climate change allowances are not relevant to the project given that all permanent above ground infrastructure would be located in Flood Zone 1 and that current climate change allowances (Environment Agency, October 2021) for rainfall will be adopted within the operational drainage design. There are no permanent access routes proposed across Main Rivers.	15 November 2022
3.4.3	Flood risk activity permits	That the Applicant would complete FRAP for the temporary works affecting the Main Rivers after the application for development consent.	15 November 2022
3.5 Management and Monitoring			
3.5.1	Water resources (dewatering)	In the event that any dewatering at rates greater than 20 m ³ /d for a period longer than six months, it is anticipated an abstraction licence will be required; early consultation with the Consultee is essential.	8 March 2023
	Water resources (abstractions and discharges)	That no abstractions or discharges are currently planned on the project but if these were required in the future, that consent would be sought in accordance with good practice measure GG01 in the CoCP.	8 March 2023
3.5.2	Environmental Permit (quarry)	The project will be required to comply with all legislation, consents and permits (GG01), which would include permits and consents at Layham Quarry. If the proposals are likely to impact or require changes to the landfill then this may require a variation to the permit and associated agreed operating techniques.	8 March 2023
3.5.3	Construction Environmental Management Plan (CEMP) and CoCP	That the draft CEMP and CoCP have been reviewed and that the Consultee provided feedback on this document to National Grid on 30 December 2022.	23 March 2023
3.5.4	Landscape and Ecological Management Plan (LEMP)	That the LEMP outlines suitable methods for protecting watercourse habitats and suitable approaches for managing reinstatement. Watercourses will need to be reinstated to a condition which is an improvement compared with the pre-works condition, which is in line with Biodiversity Net Gain principles and which takes account of the wider WFD objectives of the affected watercourses.	8 March 2023

4. Matters Not Agreed

Table 4.1 – Matters Not Agreed

SoCG ID	Matter	The Consultee position	National Grid position
4.1 The Project			
4.1.1			
4.2 Assessment Approach and Methodology			
4.2.1			
4.3 Environmental Impact Assessment			
4.3.1			
4.4 Water Environment Regulations			

5. Matters Outstanding

Table 5.1 – Matters Outstanding

SoCG ID	Matter	The Consultee position	National Grid position
5.1 Environmental Impact Assessment			
5.1.1	Environmental impacts	The Consultee will review the Environmental Statement before commenting further on this aspect.	That the likely significant environmental effects identified are what would be anticipated, and no further likely significant effects are likely to result from the project.
5.1.2	Additional mitigation	The Consultee will review the Environmental Statement before commenting further on this aspect.	The Consultee agrees that the proposed mitigation for avoiding/reducing likely significant effects on the water environment are appropriate
5.1.3	Protective provisions	National Grid will set out its case for any provisions it proposes to disapply. The Consultee is happy to attend a meeting with their legal colleagues to discuss in further detail.	National Grid is not proposing to disapply any provisions. Meeting is proposed to confirm once application documents have been reviewed by the Consultee.
5.1.4	Residual Effects	The Consultee will review the Environmental Statement before commenting further on this aspect.	That the residual likely significant effects are as presented within the Environmental Statement (ES).
5.2 Assessment Approach and Methodology			
5.2.1	Fish and aquatic species	The Consultee will review the Environmental Statement (ES) before commenting further on this aspect.	Propose to use existing data including gathered as part of WFD baseline. No fish and aquatic surveys are proposed due to temporary nature of the works.
5.2.2	Surface water assessment	The Consultee will review the ES before commenting further on this aspect.	The scope of the surface water assessment presented in the ES is appropriate.
5.2.3	Underground cable crossings of Main Rivers	This is only applicable if the trenchless crossing meets the following criteria: 1. It would not alter the hydraulic continuity between the river and the underlying aquifer, or between sediments in the layered aquifer system 2. No significant preferential pathways would be created 3. It would not adversely impact groundwater quality – all drilling fluids and additives must be environmentally-friendly 4. Any drilling would have an adequate monitoring system and mitigation plan in place to deal with drilling fluid breakouts 5. The Stour valley contains an area of chalk aquifer with elevated fracture	That the project approach to use trenchless construction methods at the River Stour and the River Box is acceptable for installing the underground cables subject to the assessment showing no significant effects on groundwater.

SoCG ID	Matter	The Consultee position	National Grid position
		<p>density and therefore high transmissivity. Should there be a requirement for horizontal drilling to extend into the chalk aquifer, this will only be acceptable if drilling can be done without significant loss of drilling fluids and additives into aquifer fractures. Such flow routes within the chalk aquifer must not be blocked and an assessment done of whether drilling can be undertaken in these circumstances</p> <p>6. All local abstractions would be identified and Hydrological Impact Assessments prepared in discussion with the EA.</p> <p>7. The potential for mobilisation of contamination around the railway line would be assessed.</p>	
5.2.4a	Groundwater and hydrogeology assessment – groundwater abstractions	<p>The Consultee will review the Environmental Statement before commenting further on this aspect.</p> <p>All groundwater abstractions along the cable excavations will be identified and a Hydrogeological Impact Assessment (HIA) and potentially mitigation may be required for any shallow abstraction identified within close proximity to the cable excavations.</p>	<p>The scope of the geology and hydrogeology assessment based on what is presented in the ES is appropriate. National Grid confirms that a Hydrological Impact Assessment has been completed and this is presented in ES Appendix 10.2: Groundwater Baseline and Assessment (application document 6.3.10.2).</p>
5.2.4b	Groundwater and hydrogeology assessment – Groundwater Dependent Terrestrial Ecosystems (GWDTE)	<p>The Consultee will review the ES before commenting further on this aspect.</p> <p>That the methodologies used for the prediction and assessment of effects of the project on GWDTE, groundwater receptors (including Source Protection Zones) and in relation to working at depth, are appropriate.</p> <p>The scoping in of priority habitats (and indeed other habitats) will include an assessment of the potential impact of undergrounding on the hydrology of groundwater dependent terrestrial ecosystems. This will consider potential impacts of the development on spring flow, seepages and any changes in local groundwater level.</p>	<p>The scope of the geology and hydrogeology assessment based on what is presented in the ES is appropriate. National Grid confirms that a Hydrological Impact Assessment has been completed and this is presented in ES Appendix 10.2: Groundwater Baseline and Assessment (application document 6.3.10.2).</p>
5.2.5	Sensitivity of receptors	<p>The Consultee will review the Environmental Statement before commenting further on this aspect.</p>	<p>That the sensitivity of surface water and groundwater receptors presented in the ES is appropriate and the relevant receptors have been identified within the study area. The River Stour has been amended so that it is high sensitivity in the ES.</p>

SoCG ID	Matter	The Consultee position	National Grid position
5.2.6	Contaminated land	The Consultee will review the ES before commenting further on this aspect.	The scope of the contaminated land assessment based on what is presented in the ES is appropriate and the relevant receptors have been identified within the study area
5.3 Environmental Impact Assessment			
5.3.1	Construction Environmental Management Plan (CEMP)	The Consultee will review the application version of the CEMP (and CoCP) before commenting further on this aspect.	That the appropriate management and monitoring has been set out within the CEMP (and the CoCP) including measure to manage pollution and flood risk.
5.4 Water Environment Regulations			
5.4.1	Water Framework Directive (WFD)	The Consultee will review the application version of the WFD Assessment to confirm whether their comments on the draft version (ref AE/2021/126162/02-L01) have been addressed.	That the draft WFD Assessment conclusions are acceptable. That the residual effects of the project on waterbodies would be negligible, following the implementation of the good practice and embedded measures. The project is compliant with the objectives of the WFD.

6. Approvals

Signed



On Behalf of	National Grid
Name	Sally Rotherham
Position	Consents Officer
Date	

Signed



On Behalf of	Environment Agency
Name	Jo Firth
Position	Team Leader
Date	23/03/23

Reference List

Department for Communities and Local Government (2015) *Planning Act 2008: Guidance for the examination of applications for development consent*. March 2015 (Department for Communities and Local Government, 2015)

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