



Bramford to Twinstead National Significant Infrastructure Project (NSIP)

Relevant Representation Submission

Essex County Council (ECC) and Braintree District Council (BDC) have been engaged alongside the adjoining Authorities who share the route of this development proposal, hence are automatically registered as interested Parties in the Bramford to Twinstead NSIP submission to the Planning Inspectorate (PINS) application, under section 102(1)(c) of the Planning Act 2008. Therefore ECC's and BDC's comments will be a material consideration in the consideration of the Development Consent Order (DCO) submission.

Essex County Council has recently published its Policy on how it will engage on NSIP projects to provide clarity and certainty about ECC's position in relation to NSIPs and how and when it will engage in the development consent process, to ensure that decisions made by government in the national interest consider fully the impacts, both positive and negative, to the local economy, environment and health and wellbeing of communities across Essex.

An application for this DCO proposal was received by PINS on the 27 April 2023. Following this a decision was made, and as set out in the letter as dated 23 May 2023, that the submission had passed the test of Adequacy of Consultation test, following responses on the same from the Authorities impacted by the proposal.

As statutory consultees ECC and BDC have important parts to play in shaping these proposals and will continue to engage throughout the DCO process including the forthcoming Hearing in Public and beyond, should consent be granted by the Secretary of State for the Department for Energy Security and Net Zero (DESNZ).

ECC and BDC have been working closely with Babergh & Mid Suffolk District Councils, Suffolk County Council, and the Dedham Vale Area of Outstanding Natural Beauty (AONB) Project in responding to and engaging on this development proposal.

At the outset it is important to state that both ECC and BDC consider that the principle of development, as far as it relates to the distribution of energy within the East Anglian region, is acceptable, with the recognition that grid reinforcement is necessary to enable the decarbonisation of the UK's energy supply and help deliver the Government targets of net zero.

However, it is equally important to state that the grid reinforcement as proposed by this DCO should not however come forward at any environmental cost. The impact of the proposal must be fully assessed in order to complete a full, fair and detailed planning balance assessment and provide mitigation to minimise environmental impact and provide a project legacy going forward.

ECC and BDC, having given due consideration to the proposals, and being minded of the stakeholder consultation which has taken place prior to submission, considers that the main issues arising at this stage from the proposal which need to be weighed in the planning balance are as follows:

a) Traffic and Transport (including Public Rights of Way)

- a. Impacts of temporary and permanent accesses on the local highway network.
- b. Impacts of temporary and permanent haul/access routes – minimising the impacts on the efficient and effective operation of agricultural land and businesses.
- c. Impacts on Public Rights of Way (PRoW) across the entire route. It is noted with some disappointment that PRoW's (which provide access to the countryside, for wellbeing and within national planning policy) are not treated as a separate topic, as requested during consultation, but split up over a number of disciplines that makes it difficult to see the full picture.
- d. Effective mitigation is needed for the impacts on recreational users of the PROW network, especially during the construction period where impacts could be the most significant.
- e. For proposed construction traffic, the Traffic and Transport section should include a statement around requiring more extensive monitoring, controls and enforcement for construction traffic, currently almost absent from the documents, as well as further information on the assessment method. The transport impacts of the pre-commencement operations including the creation of temporary site accesses and construction compounds are also not referred to.
- f. Site accesses and haul routes should minimise impacts on ecological and landscape features and minimise impacts on the efficient and effective operation of agricultural land, businesses and the free and safe passage of traffic.

b) Socio Economics

- a. ECC and BDC considers that there are significant positive opportunities that the project alone will bring to the county and the wider region, in addition there is a synergy with other like projects within the Essex region, including but not limited to Norwich to Tilbury, Five Estuaries Wind Farm, and North Falls Wind Farm (all current DCO projects in the system) alongside further transmission, distribution, infrastructure and generation projects which would benefit from a shared skill set. ECC and BDC wish the applicants to coordinate their projects in Essex and actively engage with ECC via a Memorandum of Understanding, with other projects to combat what could amount to a skills shortage with the other projects, to secure benefits for and investment in local businesses, the supply chain and employment networks.
- b. For tourism ECC and BDC note that this was originally Scoped from the development proposals hence this is not covered specifically in the Environmental Statement (ES). ECC and BDC retain the view that this as an omission, and that an assessment of the impacts upon Tourism should have been undertaken, particularly giving the proposals location across the Dedham Vale AONB which could have significant impacts upon visitor perception and ultimately visitor numbers for which the area places large weight due to its reliance on tourism for economic growth. ECC and BDC would therefore request the applicant to assess the impact of the development on tourism and put forward initiatives to counter act and mitigate against the negative impacts upon tourism.

c) Landscape and Visual Impact

- a. The landscape and visual impact of the new overhead line(s), cable sealing end compounds, grid supply point and haul routes.
- b. The cumulative landscape and visual impacts of the development with other developments including Norwich to Tilbury.
- c. The scope and character of proposed landscape and visual compensation, mitigation and enhancement.
- d. The impact of not decommissioning/removing overhead lines which will be redundant and no longer serve a purpose following completion of the development (in particular, the stretch of 132kV overhead line between the Twinstead Tee and the proposed Grid Supply Point).

d) Arboricultural and Ecological Impact

- a. Tree/hedgerow protection from construction & operation.
- b. Arboricultural and biodiversity impacts from any unavoidable tree/hedgerow loss.
- c. Ensuring sufficient compensatory planting/habitat for any unavoidable tree/hedgerow loss, including long term monitoring of said planting.
- d. Delivery of biodiversity net gain for all biodiversity losses resulting from the development more generally. Ensuring that this is secured via an appropriate mechanism (e.g S106 Agreement) and not just through the DCO requirements.

e) Heritage Impacts

- a. The impact of the development on the setting of heritage assets along the route.
- b. The impact of the development on non-designated heritage assets along the route.
- c. Any indirect heritage impacts including those during construction (e.g from vibration from the haul road).
- d. Any additional harmful impacts that could arise from the Limits of Deviation (set out in dDCO) and whether in sensitive areas the Limits of Deviation should be reduced/require approval.
- e. The archaeological implications of the development.

f) Geology, Hydrogeology and Drainage

- a. Impacts on geology and hydrogeology from construction activities including directional drilling, and surface water run off during construction.
- b. Historical mapping has been assessed using the National Library of Scotland's (NLS) online resource and Google Earth imagery. However, the NLS mapping typically only extends to the 1960s/70s and Google Earth imagery typically from 2000 onwards. There is therefore the possibility that any potentially contaminative land use that has occurred between these dates may have been missed.
- c. Ensuring that any unforeseen contamination is appropriately dealt with.
- d. As submitted, there does not appear to be a regulatory mechanism to approve the post consent assessment of the effects of directional drilling on ground water.

- e. Ensuring suitable SuDS features to capture any increase in surface water run-off, especially around cable sealing end compounds and the grid supply point.

g) Impact on Agriculture and Soils

- a. Assessing all losses of agricultural land and long term effects on soil from installation of equipment.

h) Minerals and Waste

- a. The as submitted minerals resource assessment at DCO Document reference APP-132 is considered acceptable and available mineral resources will not be unduly prejudiced in Essex by this submission.

i) Carbon and Climate Change

- a. In accordance with the Essex Climate Action Commission, the landscaping and planting across the project should be designed, planted and maintained in such a way that it is responsive to local conditions and adaptable to the impacts of climate change.

j) Noise and Vibration

- a. Noise and vibration impacts of the development on neighbouring properties including proposed haul routes (temporary and permanent).
- b. ECC and BDC object to the working hours set out in the Draft Development Consent Order (dDCO) at Requirement 7 to allow any construction on Saturday afternoons, Sundays and Bank Holidays, along with 7am to 7pm working during weekdays. The dDCO also allows for a multitude of work outside of core construction hours – this requires further refinement / mitigation as a lot of the works would have significant adverse effects on receptors.
- c. Impacts on air quality particularly during construction.
- d. Impacts of the electromagnetic fields arising from the development.

k) dDCO – Other Matters

- a. Ensuring that all relevant/necessary requirements are covered within the final DCO.
- b. Ensuring that operations which do not trigger the commencement of development are acceptable.
 - i. *The dDCO proposes a broad range of works of which some should be excluded from the commencement of development.*
- c. Ensuring that sufficient provisions are made so that any changes to the scheme, or indeed maintenance to the equipment, are assessed to ensure they do not give rise any materially new or materially different environmental effects to those identified in the Environmental Statement.
- d. Delivery of the project in its entirety and decommission any infrastructure if no longer required.
- e. The extent and limit of deviation as proposed.
- f. The extent of 'associated development' and who determines its acceptability.
- g. The way in which works to the River Stour will be carried out and communicated.

- h. The way in which street works are controlled under article 11 (and under the corresponding requirement, Requirement 11).
- i. Proposals for stopping up streets and public rights of way under article 15.
- j. Proposals for constructing, altering and maintaining streets under article 17.
- k. Proposals for regulating traffic under article 47.
- l. The drafting of article 48, which concerns the felling or lopping of trees.
- m. The drafting of certain requirements (including Requirement 7 (regarding archaeology), Requirement 8 (construction hours), Requirement 10 (planting schemes), and Requirement 11 (highway works)).
- n. At Schedule 4, the timeframes for determining applications by the host Authorities should Consent be granted should be extended as they are unworkable at this time, and the fees proposed for determining application(s) are considered woefully low and need to be increased. However, the Project Promoters stated commitment to affected Authorities about extending the existing Planning Performance Agreement (PPA) post decision are noted.

l) dDCO - Discharge of Requirements

- a. Ensuring that sufficient time is allowed to suitability consider all discharge of requirement requests.
 - i. dDCO proposes 28 days which is too short to be able to adequately consider the discharge of requirement request, especially when deemed consent is proposed at the end of this period.*
 - ii. dDCO proposes 3 business days to request further information which is too short for consultees to review the documentation*
- b. Ensuring that a suitable fee is secured to allow consideration of the discharge of requirement request.
 - i. dDCO proposes a fee of £116 per discharge of requirement; this is insufficient to cover ECC's and BDC's costs especially in the absence of a PPA.*
- c. Ensuring that there is sufficient time built into the process to request further information for a discharge of requirements.

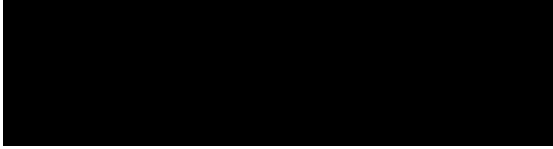
m) Community Benefits and Social Value

- a. This NSIP proposal will have significant beneficial and adverse impacts on the local economy, the environment and health and wellbeing of local communities. The Councils expect the project promoters to voluntarily commit to a community benefits package, and to work in partnership to plan and deliver this package to maximise benefits for local communities to mitigate against the impact and provide a legacy going forward.

Without prejudice to the above, ECC and BDC undertake to, at the required time produce a Local Impact Report (LiR) which will set out its position in full on the above and any other relevant matters.

ECC and BDC will continue to engage with both the applicant, and our neighbouring Host Authorities, Babergh Mid Suffolk District Council and Suffolk County Council regarding the Development Consent Order.

Yours Sincerely,



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