



Suffolk County Council (20041323)
Babergh and Mid Suffolk District Councils (20041302)

Local Impact Report
Bramford to Twinstead (EN020002)

Deadline 1

25 September 2023

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Annexes (Additions to the Main LIR Document)

- A Babergh and Mid Suffolk District Councils and Suffolk County Council Position Statement on the Bramford to Twinstead Project - Assessment of Effects in the Brett Valley, 2013
- B Babergh and Mid Suffolk District Councils and Suffolk County Council Position Statement on the Bramford to Twinstead Project - Assessment of Effects in the Brett Valley (Addendum – Detailed Alignment Options, Hintlesham Hall, Hintlesham, Suffolk), 2013
- C Design Principles for the Bramford to Twinstead 400kV Project, 2023
- D Traffic and Transport (Chapter 12), Detailed Comments, 2023
- E Traffic and Transport (Chapter 12), Short Description of the Local Highway Network within the Study Area, 2023
- F Traffic and Transport (Chapter 12), Review of Site Accesses, 2023

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- 1 Order Limits
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Glossary

AONB	Area of Outstanding Natural Beauty
AQMA	Air Quality Management Area
CoCP	Code of Construction Practice
DCO	Development Consent Order
B2T	Bramford to Twinstead 400kV grid reinforcement
BDC	Babergh District Council
BNG	Biodiversity Net Gain
BMV	Best and Most Versatile (agricultural land) [which is defined as Grades 1, 2 and 3a under the Agricultural Land Classification system]
BMSDC	Babergh and Mid Suffolk District Councils
DVAONB	Dedham Vale Area of Outstanding Natural Beauty
EA	Environment Agency
EAG / N2T	[Formerly] East Anglia Green / [Presently Named] Norwich to Tilbury 400kV grid reinforcement
EIA	Environmental Impact Assessment
FRA	Flood Risk Assessment
GIS	Gas Insulated Substation
HDD	Horizontal Directional Drilling
HGV	Heavy Goods Vehicles
kV	Kilovolt
LIR	Local Impact Report
LLFA	Lead Local Flood Authority
LPA	Local Planning Authority
LVIA	Landscape and Visual Impact Assessment
MSDC	Mid Suffolk District Council
NGET	National Grid Electricity Transmission
NPPF	National Planning Policy Framework
OCTMP	Outline Construction Traffic Management Plan
OTP	Outline Travel Plan
OWSI	Outline Written Scheme of Investigation
PINS	Planning Inspectorate
PRoW	Public Right of Way
SCC	Suffolk County Council
SMP	Shoreline Management Plan
SoCG	Statement of Common Ground
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest

SuDS	Sustainable Drainage System
TP	Travel Plan
UKPN	United Kingdom Power Networks
WSI	Written Scheme of Investigation

Overview

1 Introduction

- 1.1 This Local Impact Report (LIR) is a joint report by Suffolk County Council, Babergh District Council, and Mid Suffolk District Council, referred to as “the Councils”. The Councils have written this as a joint report to assist the Examining Authority (ExA) and to avoid duplication or repetition. The Councils have considerable experience of the Nationally Significant Infrastructure Project (NSIP) regime, and the LIR has been prepared by a wide group of officers from the Councils with a wealth of experience in their respective technical areas.
- 1.2 The Councils are statutory consultees for Nationally Significant Infrastructure Projects. Officers have scrutinised the proposals submitted by National Grid Electricity Transmission (NGET) and have spoken with local communities, local Councillors, colleagues from Essex County Council, Braintree District Council and the Dedham Vale Area of Outstanding Natural Beauty Project.
- 1.3 There are a number of aspects of the proposal which are not yet satisfactorily addressed, including the impact upon skills and tourism which have not been assessed fully within the Environmental Statement. In addition, there needs to be further consideration given to strategic landscaping around Bramford Substation and to the mitigation of heritage impacts at and around Hintlesham Hall. The Councils also have significant concerns about the adequacy of the Applicant’s assessment of construction traffic impacts and expect to see substantial improvements in the information provided and in the content of control documents to be secured by the Development Consent Order.
- 1.4 It is important for the Councils to clearly set out their concerns to the ExA at this stage, in order to influence changes and improvements to the proposals before the ExA makes its recommendations to the Secretary of State.
- 1.5 The Councils recognise that, whilst the development of infrastructure to enable the decarbonisation of energy supply is supported in principle, there are still significant shortcomings within the submitted proposals which need to be addressed.

2 Terms of Reference

Introduction

- 2.1 National Grid Electricity Transmission (referred to as NGET or the Applicant) has submitted a DCO application for 400kV grid reinforcement between Bramford Substation in Suffolk and Twinstead Tee in Essex. This Local Impact Report addresses the local impacts of the proposals.

Scope

- 2.2 The LIR relates to the impacts of the proposed schemes as they affect the administrative areas of Suffolk County Council and Babergh and Mid Suffolk District Councils. Suffolk County Council is an upper tier local authority and both Babergh and Mid Suffolk District Councils are lower tier local authorities. Although the two district councils remain as separate entities, each with its own administrative area, they operate jointly as a single body for all practical purposes in the discharge of their functions.
- 2.3 The report specifically describes the impact of Works (described in full in the Development Consent Orders (DCO) application) namely:
- 2.3.a Construction, operation and decommissioning of a 400kV grid reinforcement including lattice towers, overhead lines, sealing end compounds and underground cables;
 - 2.3.b connection to Bramford substation;
 - 2.3.c removal of existing 132kV UKPN lattice towers and overhead lines;
 - 2.3.d temporary construction consolidation sites for the project, and;
 - 2.3.e other construction activities and temporary works associated with the above works.
- 2.4 This LIR does not describe the Works any further, relying on the Applicant's descriptions as set out in the DCO application documents.
- 2.5 The Councils have experience with the DCO process and post-consent phases of other projects, including those which connect to the Bramford substation. These include East Anglia One (EA1) offshore wind farm that was consented in 2014 and is operational and the East Anglia Three (EA3) offshore wind farm that was consented in 2017 and is under construction. Suffolk County Council also has experience in dealing with other significant energy DCOs, including the East Anglia One North (EA1N), East Anglia Two (EA2) offshore wind farms, and Sizewell C nuclear power station (all consented), and the Sunnica Energy Farm DCO (decision awaited). Suffolk County Council is also familiar with a promoter's

responsibilities under the PA 2008 regime, having successfully promoted the Lake Lothing Third Crossing DCO at Lowestoft, now under construction as the Gullwing Bridge, with an opening planned for early 2024.

- 2.6 The Order Limits largely encompass greenfield land other than where they encompass mineral workings, watercourses or the public highway.
- 2.7 The Councils continue to engage with the Applicants through the draft Statement of Common Ground (SoCG) process, with a view to narrowing the issues in dispute.

Purpose and Structure of the LIR

- 2.8 S60(3) of the 2008 Planning Act defines Local Impact Reports as:
 - 2.8.a “a report in writing giving details of the likely impact of the proposed development on the authority’s area (or any part of that area).”
- 2.9 The Planning Inspectorate (PINS) Advice note one: Local Impact Reports, which advises:
 - 2.9.a “In coming to a decision, the Secretary of State must have regard to any LIRs that are submitted by the deadline. Local authorities are therefore strongly encouraged to produce LIRs when invited to do so.”
 - 2.9.b “Local authorities should cover any topics they consider relevant to the impact of the proposed development on their area.”
- 2.10 This Local Impact Report has been jointly prepared by Suffolk County Council, Babergh District Council, and Mid Suffolk District Council. As a joint report by the Councils, the Local Impact Report (LIR) generally reflects the assessment and views of all three Councils. If there is a divergence in specific topic areas, the report clearly sets out the views of each Council on these topic areas. If this is not specified, it can be assumed that all of the Councils agree. All of the Councils have an interest in all matters in this report. The Councils have divided the responsibility for leading responses to the ExA by topic area, and in respect of each topic have indicated which is the lead authority, although in some cases there are joint leads.
- 2.11 This LIR provides details of the likely impact of the proposals under topic-based headings reflecting the likely nature of the impacts. The key issues for the Councils under each topic are identified, followed by commentary on the extent to which the Applicants has sufficiently addressed these issues by reference to relevant policy, and the application documentation as relevant. The Relevant Representations in relation to the topic are then identified, together with further amplification of the concerns of the Councils, where relevant, along with the required remedy, where applicable.

2.12 Where reference is made in this LIR to Essex Place Services, this is a reference to comments made by that entity, which the Councils have engaged to provide technical advice and support to the Councils in a number of environmental disciplines. Unless otherwise stated, the Councils have endorsed those comments.

3 Description of the Area with Reference to the Proposed Development

- 3.1 The character of the area is predominantly rural with a dispersed pattern of small towns, villages and farmsteads. The proposed development straddles the Suffolk – Essex border which follows the River Stour (Stour is generally pronounced as in ‘tour’ rather than as in ‘flour’). The affected parts of the Stour Valley are of high landscape value and parts of it are statutorily designated as the Dedham Vale AONB.
- 3.2 The proposed development would be connected to the established Bramford substation, west of Ipswich, which already provides a connection point for a number of overhead powerlines and underground cables.
- 3.3 In the area around the Bramford Substation, other DCO consents already exist for adjacent substations for the EA1 and EA3 offshore windfarms.
- 3.4 The area around the substation is also subject to proposals and permissions under the Town & Country Planning Act regime for other energy developments including photovoltaic cells, battery storage, and a flywheel energy storage facility.
- 3.5 The proposed route of the new 400kV for much of its route follows that of an existing 132kV overhead line. Where the proposed route crosses the AONB and candidate AONB part of the Stour Valley, the proposals are to route the cables underground via sealing end compounds.
- 3.6 The tributary valley of the Brett is also crossed by overhead line sections of the route.
- 3.7 There are two separate proposed lengths of undergrounding. One is where the route crosses the Dedham Vale AONB including the Box Valley and the other is under the non-designated section of the River Stour into Essex towards Twinstead Tee and onto a Grid Supply Point which already has planning permission under the Town and Country Planning Act 1990.
- 3.8 Appendix 1 Maps showing proposed Order Limits (in red) show the general layout of the proposed development.

4 Policy Context

Powering up Britain

- 4.1 The Powering Up Britain document sets out how the Government will enhance our country's energy security, seize the economic opportunities of the transition, and deliver on our net zero commitments.¹

A Green Future: Our 25 Year Plan to Improve the Environment

- 4.2 The "A Green Future: Our 25 Year Plan to Improve the Environment" document is the Government's high level environmental strategy which includes targets in a number of relevant areas.²

The UK's Industrial Strategy

- 4.3 The aim of the Industrial Strategy was "to boost productivity by backing businesses to create good jobs and increase the earning power of people throughout the UK with investment in skills, industries and infrastructure."³
- 4.4 The Industrial Strategy includes the Offshore Wind: Sector Deal which outlines support for a massive increase in offshore wind electricity off the east coast (and the consequent requirement to increase onshore infrastructure to cope with this).⁴

National Policy Statements

- 4.5 When considering NSIP proposals under the Planning Act 2008 the relevant Secretary of State will refer to National Policy Statements (NPS).
- 4.6 NPS (EN-1) is the overarching national policy statement for energy and was published in July 2011. This sets out the UK Government's commitment to increasing renewable generation capacity and recognises that in the short to medium term, much of the new capacity is likely to come from onshore and offshore wind.⁵
- 4.7 NPS (EN-3) is the UK Government's strategy for renewable energy infrastructure.⁶

¹ <https://www.gov.uk/government/publications/powering-up-britain>

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

³ <https://www.gov.uk/government/topical-events/the-uks-industrial-strategy>

⁴ <https://www.gov.uk/government/publications/offshore-wind-sector-deal/offshore-wind-sector-deal#infrastructure-2>

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/47854/1938-overarching-nps-for-energy-en1.pdf

⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1147382/NPS_EN-3.pdf

- 4.8 NPS (EN-5) is the UK Government’s strategy for electricity network infrastructure. This policy statement applies to not only transmission systems but also associated infrastructure such as substations and converter stations. This policy statement sets out the general principles that should be applied in the assessment of development consent application across the range of energy technologies.⁷
- 4.9 A review of NPS EN-1, EN-3 and EN-5 is underway and the updated NPS were due to be designated by quarter two of 2023. However, as at the date of preparation of this LIR, the updated NPS have not yet emerged, with further consultation being undertaken between 30 March and 23 June 2023.
- 4.10 It is noted that the applicant's cover letter [APP-001], dated 27 April 2023, states:
- 4.10.a **“National Policy Statements**
 - 4.10.b On March 2023 the Minister for Energy security and Net Zero published a written statement entitled “Powering Up Britain”. This included a consultation on revisions to National Policy Statements EN-1 & EN-5 and on Community Benefits for Electricity Transmission Network Infrastructure. At this point the application was in the late stages of preparation and it was not possible to amend the application documentation to refer to the new documents. The consultation will close on 25 May 2023. We would be happy to provide a commentary on the implications of the draft NPS if requested, or indeed the final NPS when designated.
 - 4.10.c We also note that the consultation document states:
 - 4.10.d *‘The Secretary of State has decided that for any application accepted for examination before the designation of the updated energy NPSs, the original suite of energy NPS should have effect. The amended energy NPSs will therefore only have effect in relation to those applications for development consent accepted for examination after the designation of the updated energy NPSs. However, any emerging draft energy NPSs (or those designated but not having effect) are potentially capable of being important and relevant considerations in the decision-making process. The extent to which they are relevant is a matter for the relevant Secretary of State to consider within the framework of the Planning Act and with regard to the specific circumstances of each development consent order application.’*
 - 4.10.e It is therefore likely that this application will be determined in accordance with the original NPS and that the new NPS will not have

⁷https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1015238/en-5-draft-for-consultation.pdf

effect but will be important and relevant considerations in the decision-making process.”

National Planning Policy Framework

4.11 The National Planning Policy Framework (NPPF) was last updated in September 2023 and provides national policy in respect of proposals under the Town & Country Planning Act 1990. It is however also a material consideration when considering NSIP proposals.⁸

Horlock Rules

4.12 The Horlock Rules are National Grid’s guidelines for the siting and design of substations (see Appendix 2).

Holford Rules

4.13 The Holford Rules are National Grid’s guidelines for the routing of new high voltage overhead transmission lines (see Appendix 3).

Community Benefits Consultation

4.14 The Government recently consulted on a recommended approach to community benefits for electricity transmission network.⁹ The consultation period was extended to 15 June 2023.

Development Plan

4.15 The relevant documents that comprise the Development Plan are identified below in Table 1 and where the policies they contain are relevant is shown in Tables 2 and 3.

4.16 The full text of the relevant Development Plan policies can be founded in Appendices 4 - 15.

4.17 The general presumption in favour of sustainable development is noted in the following policies and its operation, in relation to development plan policies, is explained in the NPPF. Therefore, it is not discussed any further below:

4.17.a Babergh District Council Policy CS1 Applying the presumption in favour of sustainable development;

4.17.b Babergh District Council Policy CS15 Implementing sustainable development in Babergh;

⁸https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf

⁹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1146742/community_benefits_for_electricity_transmission_network_infrastructure.pdf

- 4.17.c Mid Suffolk Core Strategy Focused Review Policy FC1 Presumption in favour of sustainable development, and;
- 4.17.d Mid Suffolk Core Strategy Focused Review Policy FC1.1 Mid Suffolk approach to delivering sustainable development.

Suffolk County Council

- 4.18 Suffolk County Council adopted the Suffolk Minerals and Waste Local Plan in 2020 (see Appendix 4).

Babergh and Mid Suffolk District Councils

- 4.19 The adopted development plan documents were developed at a time before the planning services of the Babergh District and Mid Suffolk District Councils were merged in April 2019. Joint development plan documents are currently being developed (see Appendices 5 and 6), at the time of writing these have not been adopted as planning policy, although these draft policies are discussed below.

Neighbourhood Plans

- 4.20 The following Neighbourhood Plans cover areas which are affected by the proposals in some way:
 - 4.20.a Assington
 - 4.20.b Boxford
 - 4.20.c Elmsett
 - 4.20.d Leavenheath
 - 4.20.e Little Cornard

Further Information

- 4.21 Further consideration of how the proposals interact with the adopted and draft development plan policies is provided in the issue-based chapters below.

Item	Area	Subject	Comment
1a	Suffolk CC	Suffolk Minerals & Waste Local Plan ¹⁰	Adopted July 2020
1b	Babergh DC	Core Strategy (Part 1 of new Local Plan) ¹¹	Adopted February 2014
1c	Babergh DC	Local Plan	Adopted 2006 (saved)
1d	Mid Suffolk DC	Core Strategy	Adopted 2008
1e	Mid Suffolk DC	Core Strategy Focused Review *	Adopted 2012
1f	Mid Suffolk DC	Local Plan	Adopted 1998 (saved)
1g	Mid Suffolk DC	Local Plan Alteration (affordable housing) *	Adopted 2006 (saved)
1h	Mid Suffolk DC	Stowmarket Area Action Plan *	Adopted February 2013
1i	Babergh and Mid Suffolk DC	Draft Joint Local Plan	Report & Main Mods September 2023
1j	Lavenham PC	Lavenham Neighbourhood Plan *	Made July 2016
1k	East Bergholt PC	East Bergholt Neighbourhood Plan *	Made July 2016
1l	Mendlesham PC	Mendlesham Neighbourhood Plan *	Made March 2017
1m	Lawshall PC	Lawshall Neighbourhood Plan *	Made October 2017
1n	Debenham PC	Debenham Neighbourhood Plan *	Made March 2019
1o	Stradbroke PC	Stradbroke Neighbourhood Plan	Made March 2019
1p	Stowupland PC	Stowupland Neighbourhood Plan *	Made June 2019
1q	Haughley PC	Haughley Neighbourhood Plan *	Made October 2019

¹⁰ <https://www.suffolk.gov.uk/planning-waste-and-environment/minerals-and-waste-policy/>

¹¹ <https://www.babergh.gov.uk/planning/planning-policy/>

1r	Thurston PC	Thurston Neighbourhood Plan *	Made October 2019
1s	Elmsett PC	Elmsett Neighbourhood Plan	Made December 2019
1t	Botesdale & Rickinghall PC	Botesdale & Rickinghall Neighbourhood Plan *	Made January 2020
1u	Aldham PC	Aldham Neighbourhood Plan *	Made January 2020
1v	Fressingfield PC	Fressingfield Neighbourhood Plan *	Made March 2020
1w	Assington PC	Assington Neighbourhood Plan	Made March 2022
1x	Little Cornard PC	Little Cornard Neighbourhood Plan	Made July 2022
1y	Boxford PC	Boxford Neighbourhood Plan	Made October 2022
1z	Leavenheath PC	Leavenheath Neighbourhood Plan	Made July 2023

* Not directly affected by the proposed development

Table 2: Adopted Local Plan Policy Interactions										
	Landscape and visual	Biodiversity	Historic environment	Water environment	Geology and hydrogeology	Agriculture and soils	Traffic and transport	Air quality	Noise and vibration	Economic development., skills and tourism
Suffolk Minerals & Waste Local Plan Policies										
MS9 Safeguarding of port and rail facilities , and facilities for the manufacture of concrete, asphalt and recycled materials										
MS10 Minerals consultation and safeguarding areas										
WP18 Safeguarding of waste management sites										
MS5 Layham										
Babergh District Council Core Strategy Policies										
CS1 Applying the presumption in favour of sustainable development										
CS13 Renewable/low carbon energy										
CS14 Green infrastructure										
CS15 Implementing sustainable development in Babergh										
CS17 The rural economy										

Babergh District Council Local Plan Policies										
EN22 Outdoor lighting – lighting pollution	■									
CR02 AONB Landscape	■									
CR03 Special Landscape Areas	■									
CR07 Landscaping schemes	■	■								
CR08 Hedgerows	■									
CN01 Design standards	■									
CN06 Listed buildings – alteration/extension/change of use			■							
CN08 Development in or near conservation areas			■							
CN10 Overhead lines in conservation areas			■							
CN14 Historic Parks and gardens – national			■							
CN15 Historic Parks and gardens - local			■							
RE06 Small and medium – scale recreation										■
RE07 Large scale recreation										■
TP15 Parking standards – new development							■			
TP16 Green travel plans							■			
Mid Suffolk Core Strategy Policies										
CS2 Development in the countryside	■	■								
CS4 Adapting to climate change		■						■	■	■
CS5 Mid Suffolk’s Environment	■	■	■							■
Mid Suffolk Core Strategy Focused Review Policies										
FC1 Presumption in favour of sustainable development										
FC1.1 Mid Suffolk approach to delivering sustainable development										

Mid Suffolk Local Plan Policies										
HB1 Protection of historic buildings										
HB14 Ensuring archaeological remains are not destroyed										
CL1 Guiding principle to development in the countryside										
CL3 Major utility installations and powerlines in the countryside										
CL5 Protecting existing woodland										
CL6 Tree preservation orders										
CL7 Green Lanes										
CL8 Protecting wildlife habitat										
CL9 Recognised wildlife sites										
T2 Minor highways improvements										
T4 Planning obligations and highways infrastructure										
T9 Parking standards										
T10 Highways considerations										
T11 Facilities for pedestrians and cyclists										
SC4 Protection of groundwater supplies										

Table 3: Draft Local Plan Policy Interactions										
	Landscape and visual	Biodiversity	Historic environment	Water environment	Geology and hydrogeology	Agriculture and soils	Traffic and transport	Air quality	Noise and vibration	Economic development., skills and tourism
Draft Babergh & Mid Suffolk Submission Draft Joint Local Plan										
LP17 Environmental Protection										
LP18 Biodiversity & Geodiversity										
LP19 Landscape										
LP20 Area of Outstanding Natural Beauty										
LP21 The Historic Environment										
LP25 Sustainable Construction and Design										
LP26 Design and Residential Amenity										
LP27 Energy Sources, Storage and Distribution										
LP28 Water Resources and Infrastructure										
LP29 Flood Risk and Vulnerability										
LP32 Safe, Sustainable and Active Transport										
Assington Neighbourhood Plan										
ASSN7 Area of Local Landscape Sensitivity										

ASSN8 Protected Views										
ASSN9 Dark Skies										
ASSN11 Biodiversity										
ASSN12 Heritage Assets										
ASSN13 Assington Special Character Area										
ASSN14 Design Considerations										

5 Other Relevant Local Policy

Summary

- 5.1 The following paragraphs note several additional documents produced and endorsed by the relevant authorities which represent local policy on specific topics which the Councils consider of relevance to the proposed developments.
- 5.2 All three Councils have declared a climate emergency, each have targets and objectives in relation to this.
- 5.3 Suffolk County Council Cabinet adopted the updated Energy and Climate Adaptive Infrastructure Policy at its meeting on 16 May 2023, which indicates the predisposition of the Council to support projects that are necessary to deliver Net-Zero Carbon for the UK. However, in order to be able to support a project, Suffolk County Council expects that any impacts are appropriately dealt with.¹²
- 5.4 Suffolk County Council, as Local Highway Authority (LHA), published the Suffolk's Local Transport Plan 2011-2031. Part 1 is a twenty-year strategy that highlights the Council's long-term ambitions for the transport network. Part 2 is a four-year implementation plan is also published indicating how the County Council are proposing to address the issues within the longer-term transport strategy.¹³
- 5.5 Suffolk County Council has also published a Green Access Strategy, which is a rights of way improvement plan, covering the period 2020 to 2030.¹⁴
- 5.6 The New Anglia Local Enterprise Partnership (NALEP), which covers Norfolk and Suffolk, and includes the Councils, published The Economic Strategy for Norfolk and Suffolk in 2017 and updated in 2022 (see Appendix 16). The document sets out the ambition for Norfolk and Suffolk to be a centre for the UK's clean energy sector and outlines the plans for future growth identifying the Norfolk and Suffolk coast as an energy coast - a priority place where evidence shows there are significant opportunities and commitments for continued growth.
- 5.7 The Dedham Vale Area of Outstanding Natural Beauty and Stour Valley Management Plan 2021-2026. The plan is drawn up by a partnership of organisations that have an interest in the area. These are drawn from the environmental; agricultural; business; community sectors and local authorities including the Councils. The plan guides the work of these organisations and seeks to balance the need of the different sectors and ensuring that the AONB

¹² [https://committeeminutes.suffolk.gov.uk/DocSetPage.aspx?MeetingTitle=\(16-05-2023\),%20The%20Cabinet](https://committeeminutes.suffolk.gov.uk/DocSetPage.aspx?MeetingTitle=(16-05-2023),%20The%20Cabinet)

¹³ <https://www.suffolk.gov.uk/roads-and-transport/transport-planning/transport-planning-strategy-and-plans>

¹⁴ <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/green-access-strategy>

and Stour Valley remains an example of the finest landscape in the country. It is a statutory duty of the local authorities with part of an AONB in their area to produce and review a management plan every five years. The plan sets out a vision for the area and topic areas offering guidance on how the area should be managed.¹⁵

- 5.8 The AONB - Natural Beauty and Special Qualities Indicators document was published on 20 November 2016. It identifies the features that constitute the natural beauty and special qualities of the whole of the AONB. The document follows a rigorous criteria-based approach for establishing and identifying the special qualities of this nationally important landscape.¹⁶

¹⁵ <https://www.dedhamvalestourvalley.org/wp-content/uploads/2021/12/2021-Management-Plan-Final-Online-version.pdf>

¹⁶ <https://www.eastsuffolk.gov.uk/assets/Planning/Sizewell/Suffolk-Coast-and-Heaths-AONB-Natural-Beauty-and-Special-Qualities-Indicators.pdf>

Impacts by Issue

6 Landscape

(Lead Authority – SCC / BDC will provide separate written evidence)

Summary

- 6.1 Suffolk County Council and Mid Suffolk District Council agree on all landscape matters as outlined below. Babergh District Council diverge in their position on undergrounding, particularly Babergh District Council support the consideration of additional undergrounding between the Dedham Vale Area of Outstanding Natural Beauty (DVAONB) and Stour Valley Project Area; in this instance, SCC and MSDC cannot agree with this position. BDC will provide separate written evidence to support this position.
- 6.2 The proposed route crosses highly sensitive landscapes, in particular the DVAONB and there will be inevitably detrimental impacts upon the statutory landscape area and its setting as a result. A map showing the AONB is appended at Appendix 17.
- 6.3 The route is also sensitive because of the visual impacts upon public visual amenity (for example, sequential effects along recreational PRoW) and residential properties and because of the cumulative visual impacts around the Bramford substation where several overhead powerlines and underground cables connect and where residual adverse impacts are likely.
- 6.4 Proposals to underground the cables where the route crosses the DVAONB and a section of the Stour Valley which provides the setting of the DVAONB will significantly reduce the landscape and visual impacts for the affected sections during the operational phase of the development, although it is acknowledged that replacement planting will take years to become effective and, in some areas, where cables are present, it would not be possible to re-establish trees.
- 6.5 The landscape impact upon the DVAONB can also be reduced by careful design, siting and screening of the sealing end compounds where overhead lines transition to underground cables. Once again it is acknowledged that screen planting will take years to become effective and that, given current and emerging climate change impacts, establishment of planting may be challenging, making it necessary that the design of planting schemes will be climate adaptive.
- 6.6 Further embedded mitigation will be achieved by utilising the route of the existing parallel United Kingdom Power Networks (UKPN) 132 kV for much of the new 400kV overhead lines and also removing other redundant sections of the UKPN 132kV network.

- 6.7 However, there will still be significant residual adverse impacts of the development outside the Stour Valley and the AONB, including on other valleys along the route such as the Brett and Box valleys, the landscape setting and surroundings of key cultural assets such as Hintlesham Hall, impacts on the PRow network, and likely significant residual adverse impacts on key cultural associations of the area (East Anglian School of Painting and Drawing et al.).
- 6.8 Whilst the Councils welcome the positive steps that have been taken to reduce the landscape impacts of the proposal, there remain several outstanding areas of concern and disagreement with the current proposals, as expanded on below.

Route alignment, Micro-siting and Limits of Deviation (LoD)

- 6.9 The Councils have concerns about the proposed Limits of Deviation (LoD). In particular, the lateral and longitudinal LoD for pylons and overhead lines could, in combination and on their own, significantly alter the resulting landscape and visual effects for the worse.
- 6.10 The Councils request that the final alignment, including the micro-siting of towers in sensitive key locations, is agreed with the relevant Local Planning Authority or that the limits of deviation are reduced and/or more tightly controlled in these key locations.
- 6.11 The Councils request that the pylon positions in key locations will be as shown on consented plans (and as previously agreed with Historic England), unless otherwise agreed with the relevant planning authority and Historic England. In particular, around Hintlesham Hall any changes and deviation should only be made in agreement with the relevant local planning authority and Historic England (for example, Viewpoints AB21 and HV01 [PDA-001] Appendix 2, Photomontage Viewpoint Plan, sheet 1 (for location) and [APP-063] Photomontages Appendix 3 Part 1, Photomontages 04 and 05).

Mitigation

- 6.12 The definition and application of the Mitigation Hierarchy has not been agreed and will need to be discussed and agreed with the Applicant.
- 6.13 The Councils consider it reasonable to use the emerging definition of the Mitigation Hierarchy, as included in the draft Overarching National Policy Statement for Energy (EN-1), March 2023, (p.158), which does include compensation as part of the process to protect the environment and biodiversity. On this basis, it is necessary to clearly define, which measures are for Biodiversity and Environmental Net Gain, which are measures are for mitigation and which for compensation, both required to make the scheme acceptable.

- 6.14 The aim for mitigation should be to retain and/or restore the legibility and character of the landscape and to screen or filter the views of the new infrastructure as far as possible.
- 6.15 Where, even with additional mitigation, significant adverse effects remain, compensation in form of landscape restoration and enhancement will be required at a scale commensurate with the level of harm resulting from the construction of the surface infrastructure and of the cable route.
- 6.16 Beyond reinstatement planting, there is very limited mitigation planting proposed and the Councils neither considers the current proposals in this regard to be sufficient nor to be sufficiently secure.
- 6.17 It would be useful if the information and proposals provided with regard to Biodiversity Net Gain, Environmental Gain, vegetation reinstatement, additional screen planting, landscape character enhancements, etc., could be brought together in a Landscape and Environmental Masterplan or Strategy for the project area, that fully integrates the requirements for landscape and visual mitigation/compensation with those of Ecology (Biodiversity/Environmental Gain), Recreation (including PRow) and Cultural Heritage (including Archaeology).
- 6.18 The Councils consider that all prescriptions for implementation, establishment, and management of areas to be seeded, planted, or otherwise managed for Landscape and Ecology, should be brought together comprehensively in the Landscape and Ecology Management Plan (LEMP).

Compensation

- 6.19 It is acknowledged that the proposed scheme will result in impacts and landscape and visual effects that are not capable of mitigation.
- 6.20 In accordance with the Mitigation Hierarchy (recognised in Regulation 14(2)(d) and Schedule 4 (paragraph 7) of the Infrastructure Planning (EIA) Regulations 2017, and supported in draft Overarching National Policy Statement for Energy (EN-1), March 2023, p.158), compensation will be required in these circumstances, to allow for landscape restoration at a scale commensurate with the level of harm resulting from the construction of the surface infrastructure and of the cable route in order to protect the environment and biodiversity and to improve the quality of the landscape within the affected areas and to compensate for the residual the harm, that cannot be mitigated.
- 6.21 The Councils considers that the land within the red line boundary of the scheme as well as a sufficiently large area beyond the red line boundary should be included in a comprehensive and integrated programme of landscape enhancement and improvement.

- 6.22 The Councils would encourage a side agreement (such as a Section 106 agreement) between the Applicant and the relevant planning authorities, to fund landscape restoration projects in this area for a set period of time, including, but not limited to woodland and hedgerow planting, wetland and pond creation, connection of habitats, etc.
- 6.23 For the delivery of such projects, the agreement should provide funding for a dedicated Officer for the agreed period, as well as for enabling works such as relevant studies and community engagement. As the route of the scheme crosses the Dedham Vale AONB and adversely affects not only the AONB, but also its setting, and other sensitive landscapes, the Councils considers that a dedicated AONB Officer may be best placed for project conception, management, and delivery.
- 6.24 The Councils consider that a holistic approach, which includes measures of compensation, as well as wider community benefits, is required for the entire project area to achieve the best outcomes for designated and non-designated landscape areas, communities, specific visual receptors, sequential visual receptors such as PRow and promoted routes, Cultural Heritage assets, and biodiversity as well as wider nature recovery (see Recommendation 13 of the Electricity Networks Commissioner's Principal Areas of Recommendation, by Nick Winsor, June 2023, published 4 August 2023).¹⁷

Document 7.8: Landscape and Ecological Management Plan (LEMP) and Appendices [APP-181 – APP-185]

- 6.25 It appears that the Applicant intends the submitted document to be considered as the overall LEMP, rather than as Outline LEMP (OLEMP), which would normally have been expected at this stage, with a detailed LEMP to be agreed post consent as part of the DCO requirements. This is particularly concerning as the proposals are still in a preliminary stage
- 6.26 The Councils consider the LEMP in its current form not robust and detailed enough and the dDCO requirement wording to be unacceptable in respect of landscape mitigation measures.
- 6.27 The Councils consider that the LEMP should clearly set out what level of control the relevant local planning authority will have over vegetation management within the DCO area, along and under the line.
- 6.28 The LEMP does not quantify vegetation losses, retained and proposed vegetation. There is no clear distinction between measures for mitigation, compensation, and Biodiversity Net Gain.

¹⁷https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1175649/electricity-networks-commissioner-letter-to-desnz-secretary.pdf

Post Construction Aftercare and Monitoring

- 6.29 The Councils considers the proposals for aftercare presented in the LEMP insufficient. Given the emerging changes in weather patterns and the resulting difficulties to establish new planting, the Councils consider that for trees a minimum of 10 years and for woodland planting a minimum of 15 years aftercare is more realistic. For natural woodland regeneration even longer time scales may be required. It is also noted that the proposals for management and aftercare of natural woodland regeneration are not covered by any requirements in dDCO.
- 6.30 Even if this is provided, the Councils advocate that these periods are extended, if mitigation goals are not achieved (dynamic aftercare).
- 6.31 The proposals should allow for the costs of annual inspections by and reports to the LPAs for the duration of the aftercare period.

Table 4: Summary of local impacts – landscape and visual					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation or compensation and how to secure it (change/requirement/obligation)	Policy Context
4a	Impact of surface infrastructure	C	Negative	Requirement governing design and landscape mitigation	NPS/Green Future/NPPF/BMSDC
4b	Impact of surface infrastructure	O	Negative	Requirement governing landscape mitigation, compensation and maintenance	NPS/Green Future/NPPF/BMSDC
4c	Impact of surface infrastructure	D	Negative	Requirement governing reinstatement of the site following decommissioning	NPS/Green Future/NPPF/BMSDC
4d	Impact of underground cables	C	Negative	Requirement governing design and landscape mitigation	NPS/Green Future/NPPF/BMSDC
4e	Impact of underground cables	O	Neutral	Requirement governing landscape compensation and maintenance	NPS/Green Future/NPPF/BMSDC
4f	Impact of underground cables	D	Negative	Requirement governing reinstatement of the site following decommissioning	NPS/Green Future/NPPF/BMSDC

Policy context

National Policy

A Green Future: Our 25 Year Plan to Improve the Environment

6.32 “We will:

- 6.32.a a. Conserve and enhance the natural beauty of our landscapes by reviewing National Parks and Areas of Outstanding Natural Beauty (AONBs) for the 21st century, including assessing whether more may be needed.”

National Policy Statements

Overarching Policy Statement for Energy EN-1

6.33 “Mitigation

6.34 5.10.25 Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the IPC may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.

6.35 5.10.26 Within a defined site, adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials, and landscaping schemes, depending on the size and type of the proposed project. Materials and designs of buildings should always be given careful consideration.

6.36 5.10.27 Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.

National Policy Statement for Electricity Networks Infrastructure (EN-5)

6.37 2.5.2 Proposals for electricity networks infrastructure should demonstrate good design in their approach to mitigating the potential adverse impacts which can be associated with overhead lines, particularly those set out in Sections 2.7 to 2.10 below.

6.38 2.8.2 Government does not believe that development of overhead lines is generally incompatible in principle with developers’ statutory duty under section

9 of the Electricity Act to have regard to amenity and to mitigate impacts (see paragraph 2.2.6 above). In practice new above ground electricity lines, whether supported by lattice steel towers/pylons or wooden poles, can give rise to adverse landscape and visual impacts, dependent upon their scale, siting, degree of screening and the nature of the landscape and local environment through which they are routed. For the most part these impacts can be mitigated, however at particularly sensitive locations the potential adverse landscape and visual impacts of an overhead line proposal may make it unacceptable in planning terms, taking account of the specific local environment and context. New substations, sealing end compounds and other above ground installations that form connection, switching and voltage transformation points on the electricity networks can also give rise to landscape and visual impacts. Cumulative landscape and visual impacts can arise where new overhead lines are required along with other related developments such as substations, wind farms and/or other new sources of power generation.

6.39 2.8.10 In addition to following the principles set out in the Holford Rules and considering undergrounding, the main opportunities for mitigating potential adverse landscape and visual impacts of electricity networks infrastructure are:

6.39.a consideration of network reinforcement options (where alternatives exist) which may allow improvements to an existing line rather than the building of an entirely new line; and

6.39.b selection of the most suitable type and design of support structure (i.e. different lattice tower types, use of wooden poles etc) in order to minimise the overall visual impact on the landscape.

6.40 2.8.11 There are some more specific measures that might be taken, and which the IPC could require through requirements if appropriate, as follows:

6.40.a Landscape schemes, comprising off-site tree and hedgerow planting are sometimes used for larger new overhead line projects to mitigate potential landscape and visual impacts, softening the effect of a new above ground line whilst providing some screening from important visual receptors. These can only be implemented with the agreement of the relevant landowner(s) and advice from the relevant statutory advisor may also be needed; and

6.40.b Screening, comprising localised planting in the immediate vicinity of residential properties and principal viewpoints can also help to screen or soften the effect of the line, reducing the visual impact from a particular receptor.

Draft EN-1 March 2023 – Mitigation Hierarchy

- 6.41 The Draft EN-1, March 2023, includes in its definition of the Mitigation Hierarchy the element of compensation, in addition to avoidance, reduction and mitigation of harm to protect the environment and biodiversity (p.158).

Draft EN-5 March 2023 – Secretary of State’s Decision Making

6.42 Landscape and Visual

- 6.43 2.11.2 The Secretary of State should be satisfied that the development, so far as is reasonably possible, complies with the Holford and Horlock Rules (please see paragraphs 2.9.16 - 2.9.19) or any updates to them.

- 6.44 2.11.3 The Secretary of State should also be satisfied that all feasible options for mitigation – including the rationalisation, reconfiguration, or undergrounding of existing electricity network infrastructure, have been considered and evaluated appropriately.

- 6.45 2.11.4 The Secretary of State should also have special regard to nationally designated landscapes, where the general presumption in favour of overhead lines should be reversed to favour undergrounding.

- 6.46 2.11.5 Away from these protected landscapes, and where there is a high potential for widespread and significant landscape and visual impacts, the Secretary of State should also consider whether undergrounding may be appropriate, now on a case-by-case basis, weighing the considerations outlined above.

- 6.47 The Councils consider that it would be appropriate for the ExA to give significant weight to draft EN-5 in respect of this matter, as the draft policy provides important clarification in relation to landscape and visual issues, in respect of appropriate and reasonable mitigation measures for both protected landscapes, and those landscapes outside them, as follows:

- 6.47.a The Councils are not yet satisfied that, in accordance with paragraph 2.11.3, all feasible options for mitigation including rationalisation and reconfiguration of existing electricity infrastructure have been considered and evaluated appropriately. Specifically, the interactions in the vicinity of the Bramford substation, between the proposed project and the Norwich to Tilbury project (a forthcoming NSIP also promoted by NGET and previously referred to as East Anglia GREEN); also between the proposed project and the existing UK Power Networks distribution infrastructure at the same location.

- 6.47.b Furthermore, the Councils and other relevant consultees had, in 2013, agreed with National Grid on a specific siting solution for transmission towers in the vicinity of Hintlesham Hall, in order to minimise the impact

on this grade one listed building and other historic assets. The Councils are not yet satisfied that these arrangements are appropriately secured to ensure that their mitigative benefits can be properly realised.

- 6.47.c The Councils are satisfied that the proposals generally accord with paragraph 2.11.4, however in terms of details in relation to the Sealing End Compounds, specifically their location, design, orientation and mitigation both further clarification, and effective control at the post-consent stage, is essential.
- 6.47.d SCC and MSDC are satisfied that the proposed undergrounding outside the Dedham Vale Area of Outstanding Natural Beauty, in the Stour Valley, meets the considerations referred to in paragraph 2.11.5.
- 6.47.e BDC will provide separate written evidence in support of additional undergrounding.

National Planning Policy

National Planning Policy Framework, September 2023

- 6.48 “Para 174. Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - 6.48.a (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);
 - 6.48.b (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;”

Local Plan Policy

Babergh District Council Core Strategy Policies

- 6.49 Babergh Core Strategy Policy CS15 titled “Implementing sustainable development in Babergh” refers to landscape, and requires proposals to:
 - 6.49.a “i) respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views”.
- 6.50 Babergh Core Strategy Policy CS14 titled “Green Infrastructure” states that “existing green infrastructure will be protected and enhanced. In new developments green infrastructure will be a key consideration and on the larger sites it will be central to the character and layout of development.”

Babergh District Council Local Plan Policies

- 6.51 Babergh District Council Local Plan Policy EN22 titled “Outdoor lighting – lighting pollution includes reference to the protection of the landscape.
- 6.52 Babergh District Council Local Plan Policy CRO2 titled “Areas of Outstanding Natural Beauty” refers to the need for development proposals to demonstrate overriding national need.
- 6.53 Babergh District Council Local Plan Policy CR03 titled “Areas of Outstanding Natural Beauty” refers to utilities and overhead powerlines being discouraged in the AONB and the need to consider siting, design and landscaping.
- 6.54 Babergh District Council Local Plan Policy CR07 titled “Landscaping schemes” refers to the use of indigenous species and the creation of wildlife corridors and woodland.
- 6.55 Babergh District Council Policy CR08 titled “Hedgerows” makes reference to the retention or replacement of hedgerows affected by development.
- 6.56 Babergh District Council Policy CN01 titled “Design Standards” refers to the need to take account of the surroundings in the design of new development.

Mid Suffolk Core Strategy Policies

- 6.57 Mid Suffolk Core Strategy Policy CS2 titled “Development in the countryside” lists the types of development which might be permitted in the countryside including development undertaken by statutory undertakers and public utility providers.
- 6.58 Mid Suffolk Core Strategy Policy CS5 titled “Mid Suffolk’s Environment” refers to the need for proposals to address landscape and design considerations.

Mid Suffolk Core Strategy Focused Review Policies

- 6.59 None identified.

Mid Suffolk Local Plan Policies

- 6.60 Mid Suffolk Local Plan Policy CL1 titled “Guiding Principle to Development in the Countryside” states that:
 - 6.60.a “The landscape quality and character of the countryside will be protected for its own sake. Proposals for development in the countryside should be sited and designed to have the minimum adverse effect on the appearance of the landscape and should seek to positively contribute to its diverse character through tree planting and the creation of hedgerows, deciduous woodlands and other wildlife habitats.”

- 6.61 Mid Suffolk Local Plan Policy CL3 titled “Major utility installations and powerlines in the countryside” refers to the siting of overhead powerlines to minimise intrusion and that the feasibility of undergrounding is a material consideration.

Babergh & Mid Suffolk Joint Local Plan

- 6.62 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP19 titled “Landscape” seeks to protect and enhance landscape character including the requirement for a Landscape & Visual Impact Assessment for larger developments.
- 6.63 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP20 titled “Area of Outstanding Natural Beauty” supports development in or near the AONBs that conserves and enhances the landscape and scenic beauty.
- 6.64 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP26 titled “Design and Residential Amenity” states that “All new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its context.”
- 6.65 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP27 titled “Energy Sources, Storage and Distribution” states that “Renewable, decentralised and community energy generating proposals will be supported including where:
- 6.65.a “a. The impact on (but not limited to) landscape, highway safety, ecology, heritage, residential amenity, drainage, airfield safeguarding and the local community has been fully taken into consideration and where appropriate, effectively mitigated;
 - 6.65.b c. The impact of on and off-site power generation infrastructure (for example over-head wires, cable runs, invertors, control buildings, security fencing and highway access points), is acceptable to the Local Planning Authority.”

Neighbourhood Plans

- 6.66 Assington Neighbourhood Plan Policy ASSN7 titled “Area of Local Landscape Sensitivity states that development proposals in the “Area of Local Landscape Sensitivity, as identified on the Policies Map, will be permitted only where they:
- 6.66.a i) protect or enhance the special landscape qualities of the area; and
 - 6.66.b ii) are designed and sited so as to harmonise with the landscape setting.”

- 6.67 Assington Neighbourhood Policy ASSN8 titled “Protected Views” states that development proposals must not have a detrimental impact on the key features of the ‘protected views’ identified on the Policies Map.
- 6.68 Assington Neighbourhood Plan Policy ASSN9 titled “Dark Skies” requires security lighting to be motion activated.
- 6.69 Boxford Neighbourhood Plan Policy BOX11: The River Box Area of Local Landscape Sensitivity (ALLS) states that Development within the River Box Area of Local Landscape Sensitivity will only be supported provided that the proposal:
- 6.69.a a) Conserves or enhances the special qualities of the landscape,
 - 6.69.b b) is designed and sited to be sympathetic to the scenic beauty of the landscape setting and
 - 6.69.c c) is in accordance with other relevant policies in this Plan.
- 6.70 Boxford Neighbourhood Plan Policy BOX12: Important Public Scenic Views states that Development proposals within or which would affect an identified public scenic view should take account of the view concerned and that developments which would have an unacceptable adverse impact on the landscape or character of the view concerned, will not be supported.
- 6.71 Elmsett Neighbourhood Plan Policy EMST9 – Protection of Important Views and Landscape Character states that any proposed development should not detract from the key landscape features of these views.
- 6.72 Leavenheath Neighbourhood Plan Policy LEAV3: Landscape and biodiversity retains the former Mid Suffolk and Babergh Special Landscape Area as Area of Local Landscape Sensitivity and states that sensitive features typical of the Ancient Rolling Farmlands character area, such as woodland, species rich hedgerows, and associated ditches, should be retained and incorporated into the design and layout of new development proposals. Further, development proposals within the Area of Local Landscape Sensitivity (as defined on figure 18 and the policies map) will only be permitted where they:
- 6.72.a Maintain or enhance the special landscape qualities of the area; and
 - 6.72.b Are designed and sited so as to harmonize with the landscape setting.
- 6.73 The Little Cornard Neighbourhood Plan identifies Views to be preserved in Policy LCO3: Views. It also has a policy on Dark Skies. Policy LCO2: Access Into The Countryside seeks opportunities to enhance the local PRoW network.

Other Relevant Local Policy

- 6.74 Essex County Council and Braintree District Council are likely to have similar concerns and policies.

Relevant Representation

- 6.75 Landscape and visual amenity; the project creates unmitigated residual landscape and visual amenity impacts that need to be addressed by the promoter. The Council does not consider the currently proposed mitigation to be sufficient.
- 6.76 Cumulative impacts; the Council remains concerned about the cumulative impacts with other development within the area, including the proposals for an additional new powerline between Norwich and Tilbury. This proposal will also connect at the Bramford Substation where only very limited Biodiversity Net Gain focused landscaping is proposed. The Council objects to the lack of strategic landscaping proposals for visual mitigation around Bramford Substation. Vegetation will also need to be removed adjacent to the public highway to provide safe access to the substation site. Details of the scope of this vegetation removal are not made clear in the application. The Council would prefer to see an indicative master planning approach to placemaking in the Bramford substation area as part of a comprehensive mitigation and compensation programme along the entire route, including the detailed design and landscaping of the sealing end compounds. Placemaking such as this should include effective engagement with the local community.
- 6.77 Cable Sealing End Compounds; the Council welcomes the work done to reduce the potential landscape impacts although further detailed mitigation proposals will be required for example in respect of the establishment and management of planting designed for landscape mitigation.
- 6.78 Climate change; in accordance with the Council's Energy and Climate Adaptive Infrastructure Policy (2023), 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.

Babergh and Mid Suffolk District Council's additional Relevant Representation

- 6.79 Undergrounding: The councils express concern regarding the lack of undergrounding between the AONB sections.

Supporting Evidence

Representativeness of Viewpoints, Viewpoint analysis, photomontages and their relationship to the proposed Limits of deviation

- 6.80 The Councils are content that the selection of viewpoints is broadly representative.
- 6.81 The Councils welcome the clear presentation of the viewpoints. It is useful to have the viewpoint analysis next to the viewpoint photographs and wireframe illustrations.
- 6.82 However, the Councils consider that sequential effects and night-time working have not been sufficiently addressed in the viewpoint analysis.
- 6.83 For viewpoints in particularly sensitive locations and/or in close proximity to the route, the potential changes within the proposed Limits of Deviation could result in significant changes in visual effects. These potential changes in effects should have been discussed, or at least highlighted.

Assumptions used in the LVIA in relation to limits of deviation and Order Limit boundary vegetation and Lighting

- 6.84 The assumptions used in the LVIA with regards to Limits of Deviation (LoD) only consider the vertical LoD, but not the proposed lateral and longitudinal LoD in the route alignment, which could result in significant changes in landscape and visual effects.
- 6.85 Vegetation loss assumptions are shown on the Tree and Hedgerows to be Removed or Managed Plans [APP-017] but they do not appear to be quantified, except in the BNG Biometric calculations.
- 6.86 ES Chapter 4: Project Description [APP-072] para. 4.9.13 states that movement of pylons within the LoD would mean the associated vegetation management corridor would also consequently move. This could affect additional vegetation or vegetation that was relied upon to deliver visual mitigation. The LVIA has not sufficiently discussed these scenarios.
- 6.87 The assumption with regards to lighting is limited to task lighting for winter working. This does not reflect the potential need for 24 hour working for certain activities, such as trenchless crossings (see CEMP [APP-177], para 6.4.7).

Local Impact Assessment

Construction Phase impacts

Positive

- 6.88 None identified.

Neutral

6.89 Document 6.3.6.3: ES Appendix 6.3 – Assessment of Effect on Landscape Character [APP-100] predicts neutral effects during construction on the following landscape Character Areas:

- 6.89.a LCA 1a – Gipping Valley
- 6.89.b LCA 3b – Holton St Mary
- 6.89.c LCA 5a – Gipping Valley

Negative

6.90 There would be material impacts upon the DVAONB and other sensitive landscapes, such as the Box, Brett and Stour valleys. Within the DVAONB and Stour Valley, this would include an 80m wide swathe that would be disturbed due to the construction of underground cable sections of the route. In other areas, surface infrastructure construction would represent an intrusive feature in the landscape during construction.

6.91 The Councils request that the final alignment and positioning of towers is agreed with the relevant Local Planning Authority.

6.92 Document 6.3.6.3: ES Appendix 6.3 – Assessment of Effect on Landscape Character [APP-100] acknowledges significant adverse effects during construction on the following landscape Character Areas:

- 6.92.a LCA 1d – Box Valley (major adverse within 1km of LoD)
- 6.92.b LCA 1e – Stour Valley (major adverse within 1km of LoD)
- 6.92.c LCA 5c – River Box (major adverse within 1km of LoD)
- 6.92.d LCA 5d – River Stour (moderate adverse within 1km of LoD)
- 6.92.e LCA 6a – Polstead Heath (major adverse within 1km of LoD)
- 6.92.f LCA 6b – Leavenheath (major adverse within 1km of LoD)
- 6.92.g LCA 7 – Essex C8 Stour Valley (major adverse within 1km of LoD)
- 6.92.h LCA 8 – Essex B3 Black Water and Stour Farmlands (major adverse within 500m of LoD)

6.93 Document 6.3.6.5 ES Appendix 6.5 – Assessment of Visual Effects on Communities [APP-108] acknowledges significant adverse visual effects during construction on the following communities:

- 6.93.a Alphamstone (moderate adverse)

- 6.93.b Lamarsh (moderate adverse)
- 6.93.c Leavenheath (moderate adverse)
- 6.93.d Polstead (moderate adverse)

Operational phase impacts

Positive

- 6.94 Document 6.3.6.3: ES Appendix 6.3 – Assessment of Effect on Landscape Character [APP-100] acknowledges significant beneficial effects during operation on the following landscape Character Areas:
- 6.94.a LCA 5c - River Box (Year 15)
 - 6.94.b LCA 5d - River Stour (Year 15)
 - 6.94.c LCA 7 - Essex C8 Stour Valley (Year 15)
- 6.95 Document 6.3.6.5 ES Appendix 6.5 – Assessment of Visual Effects on Communities [APP-108] acknowledges significant beneficial visual effects during operation on the following communities:
- 6.95.a Chattisham (moderate beneficial, from Year 1)
 - 6.95.b Lamarsh (moderate beneficial, by Year 15)
 - 6.95.c Polstead (moderate beneficial, from Year 1)

Neutral

- 6.96 Underground cable sections of the route would overtime meld into the landscape.
- 6.97 Document 6.3.6.3: ES Appendix 6.3 – Assessment of Effect on Landscape Character [APP-100] predicts no effects during operation on the following landscape Character Areas:
- 6.97.a LCA 1a – Gipping Valley
 - 6.97.b LCA 3B – Holton St Mary
 - 6.97.c LCA 5a – Gipping Valley

Negative

- 6.98 Surface infrastructure would remain highly visible within the landscape.
- 6.99 Document 6.3.6.3: ES Appendix 6.3 – Assessment of Effect on Landscape Character [APP-100] acknowledges significant adverse effects during operation on the following landscape Character Areas:

- 6.99.a LCA 2b – Hintlesham (moderate adverse within 1km of LoD, including in Year 15 of Operation)
 - 6.99.b LCA 6a – Polstead Heath (moderate adverse within 1km of LoD, in Year 1)
 - 6.99.c LCA 6b – Leavenheath (moderate adverse within 1km of LoD, in Year 1)
 - 6.99.d LCA 8 – Essex B3 Black Water and Stour Farmlands (moderate adverse within 500m of LoD, in Year 1)
- 6.100 Document 6.3.6.5 ES Appendix 6.5 – Assessment of Visual Effects on Communities [APP-108] acknowledges significant adverse visual effects during operation on the following communities:
- 6.100.a Burstall (moderate adverse, long-term, including Year 15)
 - 6.100.b Hintlesham (moderate adverse, long-term, including Year 15)
 - 6.100.c Leavenheath (moderate adverse in Year 1)
- 6.101 Of the remaining affected communities 14 would experience long-term minor adverse visual effects (versus 11 communities, which would experience long-term minor beneficial effects).
- 6.102 Due to their size and industrial character, the pylons and overhead cabling would create residual significant adverse impacts over a wide area, including on residents and recreational users of footpaths, and most of which cannot be mitigated with planting. A comprehensive mitigation plan should be provided that includes off-site mitigation, plus a fully funded compensation plan to offset the permanent adverse effects of the overhead sections.

Decommissioning phase impacts

- 6.103 Decommissioning phase impacts have not been fully assessed in the ES.

Positive

- 6.104 None identified.

Neutral

- 6.105 None identified.

Negative

- 6.106 The Councils anticipate that there would be material impacts upon the DVAONB and other landscape areas. This would include parts of the 80m wide swathe that would be disturbed due to the removal of underground cable sections of the

route. Surface demolition would represent an intrusive feature in the landscape during decommissioning.

Summary

Significant Residual Landscape Effects

- 6.107 The summary section of ES Chapter 6 states '*No significant effects have been identified for key recreational receptors during operation*', and that views are only transient glimpsed through vegetation even when in close proximity and therefore effects would not be significant.
- 6.108 The Councils disagree with this statement, based on several viewpoint photographs taken from the PRoW network demonstrate the opposite, e.g., VP AB21 [APP-063].
- 6.109 There are also localised significant residual visual effects within community areas close to the route and substations/cable sealing end compounds, notably Burstall and Hintlesham.
- 6.110 In this context, the Councils consider that the accumulation of long-term minor adverse effects on landscape and visual amenity experienced by communities along the route should also be considered to be significant (see Natural England's written representation on Navitus Bay Offshore Wind Park Application, 2014, paras. 6.4.3 and 6.4.34).

Conclusion

- 6.111 It is acknowledged in the ES Landscape and Visual Impact Assessment that there are significant adverse visual effects from the proposed 400kV overhead line which cannot be mitigated due to the pylon heights. Only a limited amount of additional mitigation planting is proposed to help reduce the significant effects within community areas, however, and the remaining residual significant landscape and visual effects need to be compensated for in a strategic way.

Required Mitigation

- 6.112 The Councils acknowledge the measures embedded into the design to avoid, reduce and mitigate the adverse impacts on landscape and visual amenity, such as route alignment, and siting of towers and Cable Sealing End Compounds, and welcomes the proposed re-instatement planting, proposed environmental measures, and locations identified for landscape softening.
- 6.113 However, the Councils consider that secured options for further mitigative screen planting, including off-site, need to be achieved and should be fully explored by the Applicant, in particular in, but not limited to, areas, where residual adverse effects remain significant in the long-term, such as around Bramford substation,

Hintlesham, Burstall and others (as listed above). The Councils would welcome discussions with the Applicant regarding locations for additional mitigation.

- 6.114 Limited additional mitigation and landscape softening measures are included in Document 6.3.6.5: ES Appendix 6.5 - Assessment of Visual effects on Communities [APP-108] and shown on the Vegetation Reinstatement Plan [APP-184] with the prefix MM and differentiated by the colours green and blue.
- 6.115 The Councils seek clarification, why several of the proposed additional mitigation measures relate to the avoidance or reduction of significant effects for biodiversity, and why planting relevant for screening is categorised as landscape softening [APP-108].
- 6.116 The Councils consider that measures for biodiversity are not additional mitigation but are integral to the scheme, and measures to screen the development are part of landscape and visual mitigation, required to make the scheme acceptable, rather than voluntary landscape softening. It is currently unclear, where the proposed 'Landscape Softening' measures would sit on the Mitigation Hierarchy.
- 6.117 There remain concerns with regards to the voluntary and therefore non-secure nature not only of landscape softening, but also of the proposed reinstatement planting, the final placement of which would be agreed with the landowner and tenant, but thus far not with the relevant local planning authority. (Document 7.8 LEMP [APP-182], paras. 8.2.6).
- 6.118 The Councils acknowledge that the measures for Biodiversity and Environmental Net Gain have been covered separately in the Environmental Gain Report [APP-176] and understands that the identified Environmental Areas are where Biodiversity Net Gain will be achieved. This is reflected in section 7.3 Management and Monitoring (p.32), which allows a monitoring period of 30 years.
- 6.119 The Councils consider that annual monitoring should be continued until at least the end of year five for some habitats such as grassland and hedgerows, provided these are establishing well, and longer for woodland establishment, in particular for natural woodland regeneration (see comments on LEMP).
- 6.120 The ES provides an Important Hedgerow Assessment [APP-115], which lists the Important Hedgerows, and the Important Hedgerows are shown and referenced on the LEMP Appendix A – Vegetation Retention and Removal Plan [APP-183].
- 6.121 The hedgerow losses are summarised in ES Chapter 7 – Biodiversity [APP-075], Table 7.9. (p.73). There are useful quantifications within the Biodiversity chapter, but it is difficult to gauge how many trees and hedgerows and how much woodland will be lost in each section of the scheme, and to what extent they will be reinstated in each section.

- 6.122 The current Vegetation Reinstatement Plan includes areas that are not part of the landscape and visual mitigation measures, but compensation for lost habitats as part of the Biodiversity calculations (see LEMP [APP-182], paras. 8.2.7 and 8.8.1); the Councils assume that these are the Environmental Areas, identified in the Environmental Gain Report.
- 6.123 The Environmental Areas are shown in grey on the Vegetation Reinstatement Plan, but are not clearly referenced (i.e., their ENV-xx numbers are not shown).
- 6.124 The proposals for the Environmental Areas are high-level and not spatially reflected on the Vegetation Reinstatement Plan. This makes their effectiveness with regards to landscape and visual mitigation difficult to judge.
- 6.125 Further areas of concern include:

The extent and magnitude of residual adverse impacts of above ground infrastructure on the setting of the designated landscape

- 6.126 The summary of landscape and visual effects during construction and operation (see above, where the assessment of impacts is summarised) demonstrates that, even with the proposed mitigation, the project results in a much larger number of long-term significant adverse effects than long-term significant beneficial effects.

The residual impact and adverse effects of the development outside the Stour Valley Project Area and the DVAONB

Bramford substation area

- 6.127 The Councils consider that off-site mitigation needs to be further explored around Bramford substation and towards Burstall.
- 6.128 The Councils acknowledges that, in the vicinity of the substation, even with further mitigation, the accumulation of adverse impacts and effects on landscape and visual amenity are such, that they will not be capable of fully effective mitigation.
- 6.129 Therefore, the Councils consider that the area around Bramford substation and Burstall should be included in landscape scale restoration, as part of the overall compensation required to make the scheme acceptable in landscape terms. A scheme for wider community benefits should also be developed.

Brett Valley

- 6.130 The Brett Valley, although not a designated landscape, shares the characteristics of an intimate valley comparable to the DVAONB and Stour Valley, being highly sensitive to development, including to the proposed scheme. While acknowledging this sensitivity, the ES assessment does neither recognise the

cultural significance of this landscape nor address the residual adverse impacts on the cultural associations of the landscape to artists and writers, including but not limited to, Thomas Gainsborough, John Constable, the East Anglian School of Painting and Drawing, John Northcote Nash, Ronald Blythe and others (see Annex A: Babergh/Mid Suffolk District Councils and Suffolk County Council, Position Statement, Bramford to Twinstead Project - Assessment of effects in the Brett Valley, 2013).

- 6.131 The Councils consider that the Brett Valley should be included in landscape scale restoration and enhancement, as part of the overall compensation required to make the scheme acceptable in landscape terms. A scheme for wider community benefits should also be developed.

Assington

- 6.132 Assington is located just north/north-east to the Stour Valley Project Area and north/north-west to the DVAONB. The ES Appendix 6.5 – Assessment of Visual Effects on Communities (Document 6.3.6.5 [APP-108]) acknowledges the Assington Neighbourhood Plan. It does not, however, reflect on how the scheme and the assessment of landscape and visual amenity relate to the Neighbourhood Plan policies ASSN7 - Area of Local Landscape Sensitivity and ASSN8 - Protected Views. The proposed scheme would have adverse effects on the Area of Local Landscape Sensitivity (ALLS), which it traverses, and potentially on several views that are protected by the Assington Neighbourhood Plan.

Other communities

- 6.133 Several other communities potentially affected by the scheme have made, or are in the process of preparing, Neighbourhood Plans (for example Elmsett, where Important View 7 may be affected by the proposals and Leavenheath, where the scheme may affect indirectly the Area of Local Landscape Sensitivity). The ES does not assess, how the proposals would affect Protected/Important Views and Areas of Local Landscape Sensitivity or of Greater Landscape Value identified and secured by Neighbourhood Plan Policies, or what harm they would suffer.
- 6.134 In its ‘Consultation on operational reforms to the Nationally Significant Infrastructure Project (NSIP) consenting process’ (published 25 July 2023) the government proposes to make a specific amendment to the list of statutory consultees, by adding ‘Neighbourhood Planning or Development Groups’ to ‘The relevant Parish Council or community council’.¹⁸ This indicates that made Neighbourhood Plans and their supporting documents (such as landscape character assessments, landscape sensitivity assessments and key view

¹⁸ <https://www.gov.uk/government/consultations/operational-reforms-to-the-nationally-significant-infrastructure-project-consenting-process/consultation-on-operational-reforms-to-the-nationally-significant-infrastructure-project-consenting-process>

assessments) should be considered, when assessing the impacts and effects of NSIPs on local communities.

The landscape significance of impacts on key cultural assets, including but not limited to Hintlesham Hall

- 6.135 The Councils welcome the assessment of the heritage asset of Hintlesham Hall (Appendix 8.2 – Annex A Hintlesham Hall assessment, ES Document 6.3.8.2.1 [APP-128]).
- 6.136 In contrast, other culturally significant assets are not given the appropriate attention in the ES. This includes Benton End House, Hadleigh, a Grade II* Listed Building, currently undergoing renovation with the aim to open the gardens to the public in 2026.
- 6.137 Overbury Hall, a Grade II Listed Building, of which a pencil drawing by John Constable, from August 1815, is held in the V&A.
- 6.138 Both assets, and the wider landscape they are set in (Brett Valley, see above), are particularly sensitive due to their associations with artists. These associations, and the potential impacts and effects on these, resulting from the scheme, have not been explored or assessed.

Residual adverse impact of the four cable sealing end compounds

Dedham Vale East Cable End Sealing Compound at Polstead Heath

- 6.139 The Councils agree with the location in principle. However, for the detailed design it should be considered placing the compound more centrally between Millwood Road and Heath Road, to reduce the visual effects experienced, when leaving Polstead Heath in a southerly direction (without increasing the adverse effects on the PRoW to the west of site).

Dedham Vale West Cable End Sealing Compound at Leavenheath

- 6.140 The Councils agree with the location, in principle. It is welcome that the existing group of trees is to be retained, as this will aid screening/filtering of the views from the B1068. At the detailed design it will be important to ensure that the indicated access road and compound do not infringe on the rootzones of this tree group.
- 6.141 The proposed screen planting appears insufficient. The eastern hedges shown to flank the access track should both continued to the north-western temporary access track. The Councils consider that, south of the existing tree group, a hedgerow mix that includes trees should be used. The roadside hedge along the north-western side of the B1068 should be reinforced and strengthened.

Stour Valley East Cable Sealing End Compound at Workhouse Green

- 6.142 The Councils agree with the siting of the Stour Valley East Cable Sealing End Compound at Workhouse Green, in principle. The site is largely screened from public viewpoints, in particular from PRoW to the south-east and east, because of landform and intervening vegetation (woodland). It will be essential to retain the currently existing screening vegetation.
- 6.143 There are concerns that the compound is located very close to retained trees. Further, it would appear that an area of woodland/scrub to the west of the compound would be removed instead of circumvented. The vegetation loss here is unclear and should be clarified and minimised. In the detailed design stage, HDD should be considered to retain high quality trees.

Stour Valley West Cable Sealing End Compound at Alphamstone (Essex)

- 6.144 The vegetation reinstatement plan (Sheet 28) does quote EM-G06: the design allows for an area of landscape planting around the CSE compound at Stour Valley West. The embedded planting will be maintained for the life of the CSE compound.
- 6.145 The Photomontage does not show any difference in screening between years 1 and 15; there appears to be no mitigative planting; this is insufficient; the Councils expect appropriate screen planting proposals for the CSE compound to be provided.

The potential impact or significance of emerging proposals for the Butler's Wood Energy Centre (GSP substation at Wickham St Paul), in Essex, on the Suffolk landscape, including mounding

- 6.146 The Councils consider that proposals for the GSP substation would be unlikely to result in significant effects on Suffolk landscapes and on views from Suffolk.
- 6.147 Acknowledging that this is a matter for Essex County Council and Braintree District Council, it is noted that the screening potential for planting along the western side of the A131 should be fully explored (as well as that west of the substation). The exact location and purpose for the proposed mounds (EM-H04, as quoted on Vegetation Reinstatement Plan [APP-184] Sheet 23) requires clarification (are they necessary to aid screening?).

Document 7.8: Landscape and Ecological Management Plan (LEMP) [APP-182]

- 6.148 As previously stated, the Councils do not consider the provided LEMP robust enough in its current form.
- 6.149 The Councils consider that the Applicant should provide detailed information on retained, lost and proposed vegetation within the LEMP (i.e., linear meters of

hedge (identifying important hedgerows), areas of woodlands, numbers of field boundary trees (identifying those, which are veteran or ancient).

- 6.150 It would be useful to provide this information broken up into sections, in order to highlight requirements for further mitigation/compensation measures and aid identification of target areas.
- 6.151 The LEMP does currently not quantify vegetation losses, and it is unclear, if, within the estimated 72m of permanently lost hedgerow (para. 5.3.1, Environmental Gain Report [APP-176]), visibility splays for permanent access points are fully accounted for.
- 6.152 The LEMP lacks in detail with regards to establishment and maintenance prescriptions for various habitats/planting types and provides no programme, for example for the envisaged frequency of inspections, maintenance visits and management measures.

Landscape planting mitigation proposals, including timing, management and maintenance

- 6.153 The Councils consider that the Applicant has not fully explored the potential for off-site mitigation planting to further reduce visual effects of the scheme.
- 6.154 With regards to timing of any planting, this should be carried out as early as possible. Off-site mitigation planting should be implemented in the first planting season after agreements with the relevant landowners are achieved. Negotiations between the Applicant and Landowners should begin as soon as possible.
- 6.155 Reinstatement planting should be implemented in the first planting season following completion of works in each section, rather than delaying planting until this section will become operational.
- 6.156 As weather patterns have been unreliable and hard to predict over the recent years, the Councils consider that all planting should take place in November and December, and no later than late February. This is to give planting the best chance of survival and reduce the need for replacement planting.
- 6.157 Rabbit and deer proof fencing has shown encouraging results and its use should be considered more widely. Where fencing is not appropriate, biodegradable tree and shrub guards should be used.
- 6.158 If difficulties arise with the procurement of agreed planting stock, alternatives will need to be agreed (not only discussed) with the relevant planning authority (see LEMP [APP-182], para. 8.2.5).

- 6.159 Final reinstatement locations on private land will need to be agreed with the relevant local authority as well as the landowner (see LEMP [APP-182], para, 8.2.6).
- 6.160 On completion of the works, after all plant, materials and temporary works/structures have been removed, the subsoil should be de-compacted, where compaction may have occurred, prior to topsoil being reinstated (see LEMP [APP-182], paragraph 8.3.1). These areas should be identified on appropriate plans.

Hedgerow and woodland reinstatement planting proposals, including timing, management and maintenance;

Woodland and Individual Trees

- 6.161 The Councils are concerned about the proposals for natural regeneration of woodland. Although in favour in principle, the Councils consider that this may be only suitable for smaller areas, within or close to existing retained woodland, not, however for larger area as shown on Sheet 06 of the Vegetation Reinstatement Plan [APP-184] or areas that are relied upon for visual mitigation.
- 6.162 The Councils do not consider the proposals for natural woodland generation to be robust. Neither the LEMP nor the dDCO include any specific prescriptions for the management and aftercare of natural regeneration areas to ensure success.
- 6.163 Given the likely impacts caused by deer, rabbits and hares on potential saplings, deer and rabbit proof fencing would be essential to enable success. Badger gates and raptor posts would need to be included within such fences.
- 6.164 The aftercare period for such areas would need to be a minimum of 15 years and contingencies for supportive measures should be included in the LEMP, for the case that the natural regeneration should be unsuccessful.
- 6.165 The Councils query the inclusion of standard trees, as listed in ES document 7.8.3. LEMP Appendix C – Planting Schedules [APP-185] within woodland schedules as well as for Individual tree planting, as these will likely be difficult to establish.

Hedgerows

- 6.166 The species mixes, proposed sizes of planting stock, percentages of trees to be included in hedgerows, as listed in ES document 7.8.3. LEMP Appendix C – Planting Schedules [APP-185], are not considered appropriate and will require detailed discussion with the Applicant. However, the Councils are confident that this issue can be resolved.

6.167 The Councils consider that flexibility should be built into the LEMP to allow detailed planting proposals to be fine-tuned with regards to species selection for different landscape character areas.

Management and Maintenance (Aftercare)

6.168 The Councils do not consider the proposed 5-year aftercare period to be adequate.

6.169 The Councils seek clarification from the Applicant regarding the statement that: In many locations, the land will be handed back to the relevant landowner at the end of reinstatement (LEMP [APP-182] para.9.1.1).

6.170 Further detail is required with regards to the frequency of aftercare visits, who would carry them out and how any remedial measures that may be required would be set into motion (LEMP [APP-182], para.9.1.2 and para.9.1.3).

6.171 The final replacement planting requirement should be carried out as part of the aftercare period and not fall to the landowner (LEMP [APP-182], para.9.1.4).

Construction Environmental Management Plan (CEMP) [APP-177]

6.172 The CEMP sets out (para 6.2.1) in which documents measures relating to landscape and visual are contained:

- 6.172.a Embedded measures in CEMP Appendix B: REAC [APP-179];
- 6.172.b General good practice measures including GG06 and GG08 and topic-specific good practice measures LV01 and LV03 in the Code of Construction Practice (CoCP) [APP-178]; and
- 6.172.c ES additional mitigation measures EIA LV01 and LV02 in ES Chapter 6: Landscape and Visual [APP-074] and in REAC [APP-179].

6.173 However, according to paragraph 6.3.1 of the CEMP all construction phase measures in relation to vegetation retention, loss and reinstatement are set out in the LEMP [APP-182].

6.174 Lighting is dealt with in the CEMP in a subsection that sets out the construction phase measures in relation to construction lighting ([APP-177], section 6.4 page 26f).

6.175 The Councils consider that all these documents contain vague language, which needs to be addressed. Further, the fragmentation of the information relating to the same topic area across several documents appears to be counter-productive and makes accessing the relevant information more difficult. It is noted for example, that lighting is included in CEMP section 6 Landscape and Visual, but nothing is said about lighting in CEMP section 7 Biodiversity.

- 6.176 The additional mitigation measures set out in the REAC [APP-179] are not considered sufficient to address the residual landscape and visual effects identified in the ES.
- 6.177 The Councils consider that Good Practice Measures GG14 to GG16 should also relate to trees (fuels, oils, chemicals, run-off, wash-down, etc.).
- 6.178 The current prescriptions for lighting are too vague. Lux plans should be provided, and for the Cable Sealing End Compounds Lighting Design Strategies.

Draft Development Consent Order (dDCO) [APP-034]

- 6.179 The Councils consider the dDCO requirement wording to be unacceptable in respect of landscape mitigation measures.
- 6.180 It is unclear why some of the works listed in Schedule 1 contain references to landscaping, while others do not. It should be expected even in areas where obsolete powerlines are proposed to be dismantled, that this may result in adverse effects, including vegetation loss, which would require mitigation and making good.
- 6.181 The provisions for management and aftercare of tree and hedgerow planting is not adequately secured in the dDCO.
- 6.182 Although the CEMP [APP-177] does make provisions for Reinstatement, this does not appear to be sufficiently secured in the dDCO. There is also a lack of principles for work compounds and other temporary works. Such principles should include protection measures for rootzones of trees, potential archaeology, hedgerows and other vegetation.
- 6.183 The Councils do not agree with the Applicant that temporary works, such as temporary bridges can be considered so minor, as not to warrant the inclusion of principles in the DCO with the aim of minimising the (temporary) impact and securing reinstatement. In particular, as temporary works are expected to affect highly sensitive areas, for example the temporary bridges and undergrounding within the AONB.

7 Biodiversity

(Lead Authority – BMSDC)

Summary

- 7.1 Significant detrimental ecological impacts are inevitable during the construction and decommissioning of the proposals. However, embedded mitigation designed to avoid, minimise and compensate for adverse impacts and to achieve Biodiversity Net Gain (BNG) are included with the Order Limits.
- 7.2 During the course of the pre-submission consultation, the applicant removed the option of constructing a section of the overhead line through the Hintlesham Woods Site of Special Scientific Interest (SSSI).
- 7.3 A map showing SSSIs is appended in Appendix 18.

Table 5: Summary of local impacts – biodiversity					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation and how to secure it (change/requirement/obligation)	Policy context
5a	Impact of surface infrastructure	C	Negative	Requirement governing design and landscaping	NPS/Green Future/NPPF/BMSDC
5b	Impact of surface infrastructure	O	Positive	Requirement governing landscape maintenance	NPS/Green Future/NPPF/BMSDC
5c	Impact of surface infrastructure	D	Positive	Requirement governing reinstatement of the site following decommissioning	NPS/Green Future/NPPF/BMSDC
5d	Impact of underground cables	C	Negative	Requirement governing design and landscaping	NPS/Green Future/NPPF/BMSDC
5e	Impact of underground cables	O	Positive	Requirement governing landscape maintenance	NPS/Green Future/NPPF/BMSDC
5f	Impact of underground cables	D	Positive	Requirement governing reinstatement of the site following decommissioning	NPS/Green Future/NPPF/BMSDC

Policy Context

National Policy

A Green Future: Our 25 Year Plan to Improve the Environment

7.4 “Actions we will take include:

7.5 Making sure that existing requirements for net gain for biodiversity in national planning policy are strengthened, including consulting on whether they should be mandated alongside any exemptions that may be necessary;”

National Policy Statements

Overarching Policy Statement for Energy EN-1

7.6 “Mitigation

7.7 5.3.18 The applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:

7.7.a during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works;

7.7.b during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements;

7.7.c habitats will, where practicable, be restored after construction works have finished; and

7.7.d opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals.

7.8 5.3.19 Where the applicant cannot demonstrate that appropriate mitigation measures will be put in place the IPC should consider what appropriate requirements should be attached to any consent and/or planning obligations entered into.

7.9 5.3.20 The IPC will need to take account of what mitigation measures may have been agreed between the applicant and Natural England (or the Countryside Council for Wales) or the Marine Management Organisation (MMO), and whether Natural England (or the Countryside Council for Wales) or the MMO has granted or refused or intends to grant or refuse, any relevant licences, including protected species mitigation licences.”

National Planning Policy

National Planning Policy Framework, September 2023

- 7.10 "Para 174. Planning policies and decisions should contribute to and enhance the natural and local environment by:
- 7.10.a (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);
 - 7.10.b (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;"
- 7.11 "Para 180. When determining planning applications, local planning authorities should apply the following principles:
- 7.11.a (a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - 7.11.b (b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
 - 7.11.c (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶³ and a suitable compensation strategy exists; and
 - 7.11.d (d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

Local Plan Policy

Babergh District Council Core Strategy Policies

7.12 Babergh Core Strategy Policy CS15 titled “Implementing sustainable development in Babergh” refers to biodiversity, and requires proposals to:

- 7.12.a “vii) protect and enhance biodiversity, prioritise the use of brownfield land for development ensuring any risk of contamination is identified and adequately managed, and make efficient use of greenfield land and scarce resources;”

Babergh District Council Local Plan Policies

7.13 Babergh District Council Local Plan Policy CR07 titled “Landscaping schemes” refers to a high standard of landscaping being required and that this must reflect the characteristics of the locality, use indigenous species, avoid exotic trees or shrubs and where possible, new planting must link with existing features to provide wildlife corridors and may also involve creating woodland in appropriate circumstances.

Mid Suffolk Core Strategy Policies

7.14 Mid Suffolk Core Strategy Policy CS2 titled “Development in the countryside” lists the types of development which might be permitted in the countryside including development undertaken by statutory undertakers and public utility providers.

7.15 Mid Suffolk Core Strategy Policy CS4 titled “Adapting to Climate Change” states that development must seek to adapt for the anticipated. negative impacts from climate change upon Biodiversity by protecting the districts natural capital and applying an ecological network approach - re-enforcing and creating links between core areas of biodiversity.

7.16 Mid Suffolk Core Strategy Policy CS5 titled “Mid Suffolk’s Environment” refers to the need for proposals to protect, manage and enhance Mid Suffolk's biodiversity and geodiversity based on a network of: Designated Sites (international, national, regional and local) Biodiversity Action Plan Species and Habitats, geodiversity interests within the wider environment Wildlife Corridors and Ecological Networks.

Mid Suffolk Core Strategy Focused Review Policies

7.17 None identified.

Mid Suffolk Local Plan Policies

- 7.18 Mid Suffolk Local Plan Policy CL3 titled “Major utility installations and powerlines in the countryside” refers to the siting of overhead powerlines to minimise intrusion and that the feasibility of undergrounding is a material consideration.
- 7.19 Mid Suffolk Local Plan Policy CL5 titled “Protecting existing woodland” states that: “development which would result in the loss of or damage to woodland, particularly ancient woodland, or disruption to commercial forestry will be refused. The felling of commercial conifer woodland will be supported where it does not adversely affect the character and appearance of the landscape.
- 7.20 Mid Suffolk Local Plan Policy CL6 titled “Tree Preservation Orders” states that: “tree preservation orders will be used where the removal of trees and woodlands would be detrimental to the visual amenity of the surrounding area.”
- 7.21 Mid Suffolk Local Plan Policy CL7 titled “Green Lanes” states that: “the district planning authority will, through its responsibility for controlling development and use of land, protect green lanes, tree preservation orders will be used in support of this objective.”
- 7.22 Mid Suffolk Local Plan Policy CL8 “Protecting Wildlife Habitats” and Mid Suffolk Local Plan Policy CL9 titled “Recognised Wildlife Sites” seeks to protect nature conservation interest.

Babergh & Mid Suffolk Joint Local Plan

- 7.23 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP18 titled “Biodiversity & Geodiversity” states that all development should follow a hierarchy of seeking firstly to; enhance habitats, avoid impacts, mitigate against harmful impacts, or as a last resort compensate for losses that cannot be avoided or mitigated for.
- 7.24 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP27 titled “Energy Sources, Storage and Distribution” states that “Renewable, decentralised and community energy generating proposals will be supported including where:
- 7.24.a “a. The impact on (but not limited to) landscape, highway safety, ecology, heritage, residential amenity, drainage, airfield safeguarding and the local community has been fully taken into consideration and where appropriate, effectively mitigated;
- 7.24.b c. The impact of on and off-site power generation infrastructure (for example over-head wires, cable runs, invertors, control buildings, security fencing and highway access points), is acceptable to the Local Planning Authority.”

Neighbourhood Plans

7.25 Assington Neighbourhood Plan Policy ASSN11 titled “Biodiversity” requires development proposals to:

- 7.25.a “avoid the loss of, or material harm to trees, hedgerows and other natural features such as ponds.
- 7.25.b Where such losses or harm are unavoidable, adequate mitigation measures or, as a last resort, compensation measures will be sought. If suitable mitigation or compensation measures cannot be provided, then planning permission should be refused.
- 7.25.c Where new access is created, or an existing access is widened through an existing hedgerow, a new hedgerow of native species shall be planted on the splay returns into the site to maintain the appearance and continuity of hedgerows in the vicinity.
- 7.25.d Otherwise acceptable development proposals will be supported where they provide a net gain in biodiversity through, for example,
- 7.25.e a) the creation of new natural habitats including ponds;
- 7.25.f b) the planting of additional trees and hedgerows (reflecting the character of Assington’s traditional hedgerows), and;
- 7.25.g c) restoring and repairing fragmented biodiversity networks through, for example, including holes in fences which allow access for hedgehogs.”

7.26 Assington Neighbourhood Plan Policy ASSN14 titled “Design Considerations” states that “proposals for new development must reflect the local characteristics in the Neighbourhood Plan area and create and contribute to a high quality, safe and sustainable environment. Planning applications should, as appropriate to the proposal, demonstrate how they satisfy the requirements of the Development Design Checklist in Appendix B of this Plan.” The policy also includes criteria a to l.

Other Relevant Local Policy

7.27 Essex County Council and Braintree District Council are likely to have similar concerns and policies.

Local Impact Assessment

Construction Phase Impacts

Positive

7.28 None identified.

Neutral

7.29 None identified.

Negative

7.30 There would be material impacts upon ecological features (designated sites, protected and Priority species and habitats). This would include a 80m wide swathe that would be disturbed due to the construction of underground cable sections of the route. Surface infrastructure construction would represent an intrusive feature that would impact ecology during construction.

Operational Phase Impacts

Positive

7.31 Ecological enhancements designed to achieve Biodiversity Net Gain (BNG) and other Natural Capital benefits would be in place and would over the operational life of the development increasingly enrich the area. This is a requirement included in the Ofgem RIIO- 2 determination.

Neutral

7.32 None identified.

Negative

7.33 None identified.

Decommissioning Phase Impacts

Positive

7.34 None identified.

Neutral

7.35 None identified.

Negative

7.36 There would be a material impact upon ecology. This would include parts of the 80m wide swathe that would be disturbed due to the removal of underground cable sections of the route. Surface demolition would represent an intrusive feature that would impact ecology during decommissioning.

Required Mitigation

7.37 Ecological mitigation designed to avoid, minimise and compensate for impacts from the surface infrastructure and of the cable route and enhancements to achieve BNG will be required.

Relevant Representation

- 7.38 Routeing of the proposed overhead lines to avoid Hintlesham Woods; the Council acknowledges that this routeing option would avoid potentially unacceptable impacts upon the Hintlesham Woods SSSI.
- 7.39 Biodiversity Net Gain; whilst the principle of Net Gain within the Order Limits is strongly supported, the Council considers more detailed information will be required within the relevant management plans.

Comments from Essex Place Services

- 7.40 Draft documents have been submitted (Construction Environment Management Plan (CEMP) [APP-177] including Appendix A -Code of Construction Practice (CoCP) [APP-178] and Landscape and Ecological Management Plan (LEMP) [APP-182]. These will continue to be updated taking into account consultee feedback and ongoing design refinement and environmental assessment. LPAs will be consulted on all future versions as further details become available for this NSIP which would support discharge of Requirement 5 of the draft DCO if approved.
- 7.41 Statements in section 7 of the CEMP [APP-177] provide details of management measures for biodiversity during the construction phase of this NSIP project. All of the construction phase management measures in relation to biodiversity are contained in the Project Description (embedded design) [APP-072], CoCP (good practice measures) [APP-178] and Environmental Statement mitigation (yet to be finalised). All of these measures in relation to biodiversity are set out in the LEMP.
- 7.42 The structure of the draft LEMP which will enable it to set out project specific measures for embedded design, good practice and mitigation on how ecological features such as watercourses, vegetation (including trees) and habitats will be protected and managed during the construction phase. It will need to also set out how land, vegetation and habitats will be reinstated following construction together with the subsequent aftercare and, where applicable, monitoring arrangements, particularly in relation to any licences issued by Natural England. The LEMP provides a mechanism to deliver all the construction phase measures relating to landscape and ecology which are secured by other documents e.g., CEMP, and does not duplicate the measures set out within European Protected Species licences.
- 7.43 Whilst the applicant is committed to delivery at least 10% Biodiversity Net Gain on this project, this will need to be translated into ensuring that the biodiversity enhancements identified in the Environmental Gain Report. The latter will be delivered through alternative mechanisms outside of the main construction

works. This is why the LEMP does not reference the biodiversity enhancement proposals.

- 7.44 It is considered appropriate that an Advisory Group is set up to help inform decision making throughout the implementation of the LEMP with LPA representatives invited as appropriate.

8 Historic Environment

(Lead Authority – SCC for Archaeology / BMSDC for Built heritage)

Summary

- 8.1 Due to the nature of the proposals, there is considerable potential to have detrimental impacts upon heritage assets.
- 8.2 Significant parts of the route involve the undergrounding of cables carrying alternating current which will require up to an 80m swathe to be cut into the ground as the majority of the route will involve open trench construction. This is likely to include areas of archaeological interest. Construction of the lattice towers will also disturb considerable areas of land due to their footprint and will also include access tracks and laydown areas.
- 8.3 Once constructed the overhead line sections of the route will continue to present a presence in the landscape and potentially within the settings of heritage assets. The underground cable sections will meld into the countryside although it will not be possible to reinstate species that would grow into large trees in areas where the underground cables run.
- 8.4 During decommissioning care will need to be undertaken to venture into areas where archaeological investigation has not been completed, otherwise further work will be required. Works to remove cables and towers would present much less of an impactful operation than during construction, however.
- 8.5 Of particular concern is the impact upon the setting of the Grade 1 listed Hintlesham Hall and adjacent listed buildings. The route to the west of Hintlesham Woods, which is now the preferred route, also impacts upon the setting of a number of listed buildings. Further information is included in Annex B.

Table 6: Summary of local impacts – historic environment					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation and how to secure it (change/requirement/obligation)	Policy context
6a	Impact of surface infrastructure	C	Negative	Requirements governing archaeology, design and landscaping	NPS/NPPF/BMSDC
6b	Impact of surface infrastructure	O	Negative	Requirement governing landscape maintenance	NPS/NPPF/BMSDC
6c	Impact of surface infrastructure	D	Negative	Requirements governing archaeology and reinstatement of the site following decommissioning	NPS/NPPF/BMSDC
6d	Impact of underground cables	C	Negative	Requirements governing archaeology, design and landscaping	NPS/NPPF/BMSDC
6e	Impact of underground cables	O	Neutral	Requirement governing landscape maintenance	NPS/NPPF/BMSDC
6f	Impact of underground cables	D	Negative	Requirements governing archaeology and reinstatement of the site following decommissioning	NPS/NPPF/BMSDC

Policy Context

National Policy

National Policy Statements

Overarching Policy Statement for Energy EN-1

- 8.6 “5.8.1 The construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment.
- 8.7 5.8.2 The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, landscaped and planted or managed flora. Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called “heritage assets”. A heritage asset may be any building, monument, site, place, area or landscape, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its significance.”

National Planning Policy

National Planning Policy Framework, September 2023

- 8.8 “Considering potential impacts
- 8.9 199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.10 200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- 8.10.a a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- 8.10.b b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 8.11 201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total

loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- 8.11.a a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - 8.11.b b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - 8.11.c c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - 8.11.d d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 8.12 202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Local Plan Policy

Babergh District Council Core Strategy Policies

- 8.13 Babergh Core Strategy Policy CS15 titled “Implementing sustainable development in Babergh” refers to landscape, and requires proposals to:
- 8.13.a “i) respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views” Babergh District Council Local Plan Policies.

Babergh District Council Local Plan Policies

- 8.14 CN06 which refers to historic buildings including listed buildings states that proposals should “retain a curtilage area and/or setting which is appropriate to the listed building and the relationship with its surroundings.”
- 8.15 CN08 which refers to development in or near conservation areas states that proposals “should preserve or enhance the character of the conservation area or its setting.”
- 8.16 CN10 which refers to overhead powerlines in conservation areas states that “If planning permission is required for new lines, or the re-routing or upgrading of an existing line, in a conservation area, they will be required to be placed underground. This will apply to low-voltage lines. If overhead lines have an impact on views into or out of a conservation area, or affect the character or

setting of the conservation area, the installers will be encouraged to place their lines underground to minimise any adverse visual impact.”

- 8.17 CN14 which refers to nationally designated historic parks and gardens states that “Development in or adjacent to parks and gardens of historic or landscape significance (listed in the National Register of statutorily protected historic parks and gardens) which would lead to the erosion of their character, appearance or setting will be refused.”
- 8.18 CN15 which refers to locally designated historic parks and gardens states that “Development in or adjacent to an historic park or garden, listed in the Suffolk Register of locally important sites, will be expected to preserve or enhance the character of the area. Proposals that lead to the erosion of their character, appearance or setting will be refused.”

Mid Suffolk Core Strategy Policies

- 8.19 Mid Suffolk Core Strategy Policy CS5 titled “Mid Suffolk’s Environment” refers to the Council’s desire to introduce policies in the other DPDs of the Local Development Framework “to protect, conserve and where possible enhance the natural and built historic environment including the residual archaeological remains. These policies will seek to integrate conservation policies with other planning policies affecting the historic environment.”

Mid Suffolk Core Strategy Focused Review Policies

- 8.20 None identified.

Mid Suffolk Local Plan Policies

- 8.21 Mid Suffolk Local Plan Policy CL3 titled “Major utility installations and powerlines in the countryside” refers to the siting of overhead powerlines to minimise intrusion and that the feasibility of undergrounding is a material consideration.
- 8.22 HB1 titled “Protection of historic buildings” places a high priority on protecting the character and appearance of all buildings of architectural or historic interest. Particular attention will be given to protecting the settings of listed buildings.
- 8.23 HB14 titled “Ensuring archaeological remains are not destroyed” seeks to record and preserve archaeological remains in accordance with established practice.

Babergh & Mid Suffolk Joint Local Plan

- 8.24 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP21 titled “The Historic Environment” states that where an application potentially affects heritage assets, the Councils will “depending on the nature of the works/development proposed, require the applicant to submit a heritage statement.”

- 8.25 In respect of archaeology, Policy LP21 refers to the need to “secure an appropriate programme of archaeological investigation, recording, reporting, archiving, publication, and community involvement; to advance public understanding of the significance of any heritage assets to be lost (wholly or in part); and to make this evidence and any archive generated publicly accessible.”
- 8.26 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP27 titled “Energy Sources, Storage and Distribution” states that “Renewable, decentralised and community energy generating proposals will be supported including where:
- 8.26.a “a. The impact on (but not limited to) landscape, highway safety, ecology, heritage, residential amenity, drainage, airfield safeguarding and the local community has been fully taken into consideration and where appropriate, effectively mitigated;
 - 8.26.b c. The impact of on and off-site power generation infrastructure (for example over-head wires, cable runs, invertors, control buildings, security fencing and highway access points), is acceptable to the Local Planning Authority.”

Neighbourhood Plans

- 8.27 Assington Neighbourhood Plan Policy ASSN12 titled “Heritage Assets” states that:
- 8.27.a “Proposals will not be supported where the harm caused as a result of the impact of a proposed scheme is not justified by the public benefits that would be provided.
 - 8.27.b Where a planning proposal affects a heritage asset, it must be accompanied by a Heritage Statement identifying, as a minimum, the significance of the asset, and an assessment of the impact of the proposal on heritage assets. The level of detail of the Heritage Statement should be proportionate to the importance of the asset, the works proposed and sufficient to understand the potential impact of the proposal on its significance and/or setting.”
- 8.28 Assington Neighbourhood Plan Policy ASSN13 titled “Assington Special Character Area” states “A Special Character Area is identified on the Policies Map. Within this area, proposals will only be supported where they preserve or enhance the distinct characteristics of the existing buildings and their setting.”

Other Relevant Local Policy

- 8.29 Essex County Council and Braintree District Council are likely to have similar concerns and policies.

Local Impact Assessment

Construction Phase Impacts

Positive

8.30 None identified.

Neutral

8.31 None identified.

Negative

8.32 There would be direct and indirect material impacts upon heritage assets. This would include an 80m wide swathe that would be disturbed due to the construction of underground cable sections of the route. Surface infrastructure construction would also have similar impacts during construction.

Operational Phase Impacts

Positive

8.33 None identified.

Neutral

8.34 Underground cable sections of the route would overtime meld into the landscape.

Negative

8.35 Impacts upon the setting of heritage assets from surface infrastructure would remain throughout restoration.

Decommissioning Phase Impacts

Positive

8.36 None identified.

Neutral

8.37 None identified.

Negative

8.38 There would be direct and indirect material impacts upon heritage assets. This would include potentially previously undisturbed areas of land that would be disturbed due to the removal of underground cable sections of the route. Surface infrastructure demolition would also have similar impacts.

Required Mitigation

- 8.39 An archaeological Written Scheme of Investigated will be required which would set out a strategy for as appropriate the recording, preservation, interpretation and display of archaeological remains.
- 8.40 Landscaping of surface infrastructure and the cable route will be required to preserve the setting of heritage assets.
- 8.41 Micrositing of lattice towers will also help mitigate impacts upon heritage assets.
- 8.42 Reinstatement of Parkland associated with Hintlesham Hall would also compensate for the imposition of the additional overhead lines closer to the listed properties.

Relevant Representation

- 8.43 Impacts upon the setting of listed buildings in the vicinity of and including Hintlesham Hall; the Council considers that the micro-siting of towers is essential to minimise the impacts of the adjacent new 400kV overhead line and 50m high pylons in this location. The Council notes that the proposals are based upon the micro-siting of towers agreed with the Applicant prior to the project being put on hold in 2013. However, the limits of deviation proposed would allow towers to move away from the agreed position which might result in significant harm to the setting of the listed buildings at this location. Any repositioning including height would need to be agreed. The Council also considers that more effective mitigation should be provided in relation to addressing/reducing the impacts on the settings of the heritage assets in and around Hintlesham Hall.
- 8.44 Archaeological mitigation requirements: the Council welcomes the work that has been completed to date on the archaeological assessment however there is concern that the mitigation requirements are not appropriately represented within the Register of Environmental Actions and Commitments additional measures (section 3 in 7.5.2). The Council would want to see further requirements to secure the archaeological work appropriately.

Comments of Suffolk County Council Archaeological Service

- 8.45 The archaeological evaluation within the undergrounding area is currently on going, because of this we have not had the report on the trenching submitted for review and decisions on appropriate archaeological mitigation cannot be made. There is also concern from the submitted Outline Written Scheme of Investigation (OWSI) that there is no further evaluation considered for the overhead sections of the proposal, for any new pylon bases that are to be constructed. Recent archaeological evaluation for the Anglian Water B to C scheme has identified Roman archaeology in the vicinity of the B2T overhead line, and of particular

note is a Roman building recorded on the HER (HAD 014) in close proximity to a section of the overhead line, located to the south of Hadleigh.

- 8.46 A draft copy of the OWSI was submitted to Suffolk County Council Archaeological Service (SCCAS) and EPS for review, the document 7.10 submitted with the ES does not appear to have taken onboard our comments, and the OWSI requires amendments prior to being acceptable (Please see attached comments). It is essential that the document provides clarity on the overall process for further archaeological work, including further evaluation in the overhead sections and archaeological mitigation strategies. As the OWSI will be a standalone document that will be directly referenced in the DCO requirements it is paramount that the document is approved early in the examination process.
- 8.47 Currently the DCO wording for archaeology (Schedule 3, requirement 6), does not allow for reporting and archiving of the archaeological works, and so SCCAS would recommend the following wording:
- 8.48 The authorised development must be undertaken in accordance with the Archaeological Framework Strategy and the Outline Written Scheme of Investigation (OWSI).
- 8.49 No stage of the authorised development must commence until either a Preservation in situ management plan, or a Detailed Written Scheme of Investigation of areas of archaeological interest relevant to that stage (if any) as identified within the OWSI or identified through evaluation work as set out in the OWSI has been submitted to and approved by the relevant planning authority.
- 8.50 Any Detailed Written Scheme of Investigations must be in accordance with the OWSI and must identify areas where archaeological works are required and the measures to be taken to protect, record or preserve any significant archaeological remains that may be found. Any Detailed Written Scheme of Investigation must include:
- 8.50.a a) an assessment of significance and research questions
 - 8.50.b b) the programme of methodology of site investigation and recording
 - 8.50.c c) the programme for post-investigation assessment
 - 8.50.d d) provision to be made for analysis of the site investigation and recording
 - 8.50.e e) provision to be made for archive deposition of the analysis and records of the site investigation
 - 8.50.f f) nomination of a competent person or persons/organisation to undertake the works set out within the Detailed Written Scheme of Investigation

8.50.g g) an implementation timetable.

8.51 Any archaeological works must be carried out in accordance with the approved Detailed Written Scheme of Investigation for that stage.

8.52 No later than three years from commencement of the authorised development, post-investigation assessment must be completed for all stages in accordance with the programme set out in the OWSI and the Detailed Written Schemes of Investigation, and provision made for analysis, publication and dissemination of results and archive deposition secured in accordance with a scheme-wide Updated Project Design and timetable that has been submitted to and approved by the relevant planning authority.”

9 Water Environment

(Lead Authority – SCC)

Summary

- 9.1 The proposal would cause disruption to field drains in particularly areas of cable undergrounding and mitigation would be required to restore drainage following construction and decommissioning.
- 9.2 A map showing the extent of surface water flooding is appended in Appendix 19.

Table 7: Summary of local impacts – water environment					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation and how to secure it (change/requirement/obligation)	Policy context
7a	Impact of surface infrastructure	C	Negative	Requirement requiring adequate construction and operational drainage	NPS/Green Future/NPPF/BMSDC
7b	Impact of surface infrastructure	O	Neutral	New drainage arrangements established	NPS/Green Future/NPPF/BMSDC
7c	Impact of surface infrastructure	D	Negative	Requirement requiring adequate decommissioning and post decommissioning drainage	NPS/Green Future/NPPF/BMSDC
7d	Impact of underground cables	C	Negative	Requirement requiring adequate construction and operational drainage	NPS/Green Future/NPPF/BMSDC
7e	Impact of underground cables	O	Neutral	New drainage arrangements established	NPS/Green Future/NPPF/BMSDC
7f	Impact of underground cables	D	Negative	Requirement requiring adequate decommissioning and post operational drainage	NPS/Green Future/NPPF/BMSDC

Policy Context

National Policy

A Green Future: Our 25 Year Plan to Improve the Environment

9.3 “5. Reducing risks from flooding and coastal erosion

9.4 The Environment Agency will use its role in statutory planning consultations to seek to make sure that new developments are flood resilient and do not increase flood risk.”

National Policy Statements

Overarching Policy Statement for Energy EN-1

9.5 “Applicant’s assessment

9.6 5.7.4 Applications for energy projects of 1 hectare or greater in Flood Zone 1 in England or Zone A in Wales and all proposals for energy projects located in Flood Zones 2 and 3 in England or Zones B and C in Wales should be accompanied by a flood risk assessment (FRA).”

National Planning Policy

National Planning Policy Framework, September 2023

9.7 “159. 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.”

9.8 “167. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.¹⁹ Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- 9.8.a a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

¹⁹ A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.

- 9.8.b b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- 9.8.c c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- 9.8.d d) any residual risk can be safely managed; and
- 9.8.e e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”

Local Plan Policy

Babergh District Council Core Strategy Policies

9.9 None identified.

Babergh District Council Local Plan Policies

9.10 None identified.

Mid Suffolk Core Strategy Policies

9.11 None identified.

Mid Suffolk Core Strategy Focused Review Policies

9.12 None identified.

Mid Suffolk Local Plan Policies

9.13 Policy SC4 titled “Protection of groundwater supplies” states that:

- 9.13.a “In considering proposals for new development or changes of use the district planning authority will resist significant damage to water aquifers and seek to minimise the risk of contamination of underground water resources.”

Babergh & Mid Suffolk Joint Local Plan

9.14 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP17 titled “Environmental Protection” seeks to minimise impacts upon the water environment in accordance with the following criteria:

- 9.14.a “a. Development will be required to comply with the relevant SCC Construction Surface Water Management Plan.
- 9.14.b b. Development proposals will need to demonstrate it protects and enhances groundwater, surface water features and must not lead to a

deterioration in the quality of the environment to help achieve the objectives of the Water Framework Directive.”

9.15 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP27 titled “Energy Sources, Storage and Distribution” states that “Renewable, decentralised and community energy generating proposals will be supported including where:

9.15.a “a. The impact on (but not limited to) landscape, highway safety, ecology, heritage, residential amenity, drainage, airfield safeguarding and the local community has been fully taken into consideration and where appropriate, effectively mitigated;

9.15.b c. The impact of on and off-site power generation infrastructure (for example over-head wires, cable runs, invertors, control buildings, security fencing and highway access points), is acceptable to the Local Planning Authority.”

9.16 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP28 titled “Water Resources and Infrastructure” states that development will be supported and includes the following criteria:

9.16.a “6. The proposal will not result in any adverse effect (either through construction and or operation) on the integrity of the Stour and Orwell SPA and Ramsar and the Suffolk Coast and Heath AONB.

9.16.b 7. All proposals must demonstrate Environmental Policies measures and will require a CEMP to be agreed prior commencement.”

9.17 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP29 titled “Flood Risk and Vulnerability” includes the following criteria:

9.17.a 1. The Strategic Flood Risk Assessment, as a starting point, has been used to assess whether the proposal is at risk of flooding and any impact of the proposal on flood risk. Other available flooding evidence should also be considered where it is relevant and/or is more up to date;

9.17.b 2. In areas at medium or high risk from flooding, it has been soundly demonstrated that the new development or intensification of development, can be made safe for its lifetime without increasing flooding elsewhere. This includes the ‘sequential test’; where needed the ‘exception test’ and also a site specific flood risk assessment.

9.17.c 3. Mitigation is provided against existing and potential flood risks throughout the life of the development (including fluvial, surface, coastal and sewer flooding) through application of a sequential approach to

flood risk, the implementation of Sustainable Drainage Systems (SuDS), and risks to ground or surface water quality.

- 9.17.d 4. Above ground, appropriate SuDS are incorporated within new developments wherever possible, and take opportunities to provide multifunctional benefits, including biodiversity, landscape, amenity and water quality enhancement.
- 9.17.e 5. Proposals are submitted appropriate to the scale of development detailing how on-site surface water drainage will be managed so as to not cause, or increase flooding elsewhere. This includes the cumulative impact of minor developments.
- 9.17.f 6. Opportunities to provide betterment of greenfield runoff rates to reduce the overall risk of flooding, have been provided wherever possible.
- 9.17.g 7. In circumstances requiring surface water management measures (including rain water harvesting and greywater recycling), adequate mitigation which avoids any risks and/or detrimental impacts are provided to the Lead Local Flood Authority.
- 9.17.h 8. Further details of maintenance and adoption by an appropriate body are provided at application stage.

Neighbourhood Plans

9.18 None identified.

Other Relevant Local Policy

9.19 Essex County Council and Braintree District Council are likely to have similar concerns and policies.

Local Impact Assessment

Construction Phase Impacts

Positive

9.20 None identified.

Neutral

9.21 None identified.

Negative

9.22 Surface water has the potential to cause flooding during the construction phase.

Operational Phase Impacts

Positive

9.23 None identified.

Neutral

9.24 On the assumption that field drainage is reinstated following construction, no impacts are identified.

Negative

9.25 None identified.

Decommissioning Phase Impacts

Positive

9.26 None identified.

Neutral

9.27 None identified.

Negative

9.28 Surface water has the potential to cause flooding during the decommissioning phase.

Required Mitigation

9.29 During construction and decommissioning temporary drainage arrangements are required. Field drainage systems should be replaced as required after construction and decommissioning.

Relevant Representation

9.30 Impacts of construction; the Council seeks reassurance that adequate catchment is made available for surface water run-off during construction.

10 Geology and Hydrogeology

(Lead Authority – SCC)

Summary

- 10.1 The County Council as minerals and waste planning authority has responsibility for the safeguarding of planned and operational minerals and waste facilities as well as underlying minerals resources.
- 10.2 No planned or operational minerals or waste facilities would be directly negatively affected by the proposed development. In fact, there would be a positive impact upon these facilities arising from the demand for sand and gravel and waste disposal. Temporary use of the Layham Quarry plant site as a construction laydown area, which is currently dormant, would provide a source of income for the quarry operator.
- 10.3 In terms of the underlying sand and gravel resources the majority of the proposed development is not irreversible and although during the operational life time of the proposal, which would likely extend beyond the life time of anybody alive today, extraction within parts of the area occupied by the lattice towers, sealing end compounds and underground cables would not be possible. Where minerals are extracted on site during the course of construction then they should be used in the construction of the proposed development where possible. Removal of the development following cessation of use should be required to restore access to mineral resources.
- 10.4 Waste created during construction, operation and decommissioning should be treated in accordance with the waste hierarchy of: a) prevention; b) preparing for re-use; c) recycling; d) other recovery, and; e) disposal.
- 10.5 A map showing the general distribution of sand and gravel resources (drift geology) is appended in Appendix 20.

Table 8: Summary of local impacts – Geology and hydrogeology					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation and how to secure it (change/requirement/obligation)	Policy context
8a	Impact upon planned or existing minerals development	C	Positive	n/a	NPS/NPPF/SMWLP
8b	Impact upon planned or existing minerals development	O	Neutral	n/a	NPS/NPPF/SMWLP
8c	Impact upon planned or existing minerals development	D	Positive	n/a	NPS/NPPF/SMWLP
8d	Impact upon planned or existing waste development	C	Positive	n/a	NPS/NPPF/SMWLP
8e	Impact upon planned or existing waste development	O	Neutral	n/a	NPS/NPPF/SMWLP
8f	Impact upon planned or existing waste development	D	Positive	n/a	NPS/NPPF/SMWLP
8g	Impact upon underlying minerals resources	C	Negative	n/a	NPS/NPPF/SMWLP
8h	Impact upon underlying minerals resources	O	Negative	n/a	NPS/NPPF/SMWLP
8i	Impact upon underlying minerals resources	D	Neutral	Requirement requiring removal of the development at the end of the consent period	NPS/NPPF/SMWLP

Policy Context

National Policy

National Policy Statements

Overarching Policy Statement for Energy EN-1

- 10.6 Para. 5.10.9 “Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.”
- 10.7 Para. 5.10.22 “Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the IPC should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.”
- 10.8 Para. 5.14.6 “The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a Site Waste Management Plan. The arrangements described and Management Plan should include information on the proposed waste recovery and disposal system for all waste generated by the development and an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.”

National Planning Policy

National Planning Policy Framework, September 2023

- 10.9 “Planning policies should:”
- 10.10 Para. 210 “c) safeguard mineral resources by defining Mineral Safeguarding Areas and Mineral Consultation Areas; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided (whilst not creating a presumption that the resources defined will be worked);”
- 10.11 Para. 210 “d) set out policies to encourage the prior extraction of minerals, where practical and environmentally feasible, if it is necessary for non-mineral development to take place;”
- 10.12 Para. 210 “e) safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material;”

National Planning Policy for Waste, October 2014

- 10.13 Para. “8. When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:
- 10.14 the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- 10.15 the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.”

Local Plan Policy

Babergh District Council Core Strategy Policies

- 10.16 Babergh Core Strategy Policy CS15 titled “Implementing sustainable development in Babergh” refers to drainage and waste, and requires that where appropriate to the scale and nature of the proposal, they should:
- 10.16.a “xiv) minimise waste (including waste water) during construction, and promote and provide for the reduction, re-use and recycling of all types of waste from the completed development;”

Babergh District Council Local Plan Policies

- 10.17 None identified.

Mid Suffolk Core Strategy Policies

- 10.18 None identified.

Mid Suffolk Core Strategy Focused Review Policies

- 10.19 None identified.

Mid Suffolk Local Plan Policies

- 10.20 Mid Suffolk Local Plan Policy CL3 titled “Major utility in the countryside” states that “the feasibility of undergrounding electricity lines will be regarded as a material consideration.”

Babergh & Mid Suffolk Joint Local Plan

- 10.21 None identified.

Neighbourhood Plans

- 10.22 None identified.

Suffolk Minerals & Waste Local Plan

- 10.23 Policy MP9 titled “Safeguarding of port and rail facilities, and facilities for the manufacture of concrete, asphalt and recycled materials” seeks to safeguard:
- 10.24 existing, planned or potential rail heads, wharves or associated storage, handling or processing facilities for the bulk transport by rail or sea of minerals, including recycled, secondary and marine-dredged materials, and;
- 10.25 existing, planned or potential sites for concrete batching, the manufacture of coated materials, other concrete products or the handling, processing and distribution of substitute, recycled and secondary aggregate material.”
- 10.26 Policy MP10 titled “Minerals consultation and safeguarding areas” seeks to safeguard:
- 10.26.a a) those Minerals Safeguarding Areas located within the Minerals Consultation Areas identified on the Proposals Map from proposed development in excess of five Ha, and;
- 10.26.b b) areas falling within 250m of an existing, planned or potential site allocated in the Plan for sand and gravel extraction.
- 10.27 Policy WP18 titled “Safeguarding of waste management sites” seeks to safeguard:
- 10.27.a a) existing sites and sites proposed for waste management use as shown on the Proposals & Safeguarding Maps.
- 10.28 Policy MS5 “Layham” identifies an extension site to the existing Layham Quarry.

Neighbourhood Plans

- 10.29 None identified.

Other Relevant Local Policy

- 10.30 Essex County Council will make comments based on their own minerals and waste local plan policy.

Local Impact Assessment

Construction Phase Impacts

Positive

- 10.31 The proposed development will include the utilisation of locally sourced construction materials namely sand and gravel, asphalt and concrete from existing facilities and require the recycling or disposal of waste items therefore stimulating the local economy.

Neutral

10.32 None identified.

Negative

10.33 None identified.

Operational Phase Impacts

Positive

10.34 None identified.

Neutral

10.35 None identified.

Negative

10.36 The proposed development would prevent underlying sand and gravel resources from being exploited for the foreseeable future. Appended Maps show the extent of underlying sand and gravel resources. It should be noted that although there are extensive spreads of high quality throughout the Stour Valley, the statutory Area of Outstanding Natural Beauty status means that in practice quarrying proposals would be unlikely to be acceptable to the Councils.

Decommissioning Phase Impacts

Positive

10.37 The proposed development will require the recycling or disposal of waste items, therefore, stimulating the local economy. The removal of the proposed development following the cessation of electrical generation and storage will potentially release sand and gravel resources.

Neutral

10.38 None identified.

Negative

10.39 None identified.

Required Mitigation

10.40 Where minerals are extracted on site during the course of construction then they should be used in the construction of the proposed development where possible.

- 10.41 Waste created during construction, operation and decommissioning should be treated in accordance with the waste hierarchy of: a) prevention; b) preparing for re-use; c) recycling; d) other recovery, and; e) disposal.
- 10.42 All structures including buildings, foundations, plants and machinery should be removed within 12 months following the cessation of electrical transmission.

Relevant Representation

- 10.43 Minerals safeguarding; the Council acknowledges that there are no detrimental impacts upon existing minerals and waste facilities. In terms of underlying sand and gravel resources, the national importance of the proposals outweighs the sterilisation of the affected regionally important minerals. Additionally, for much of the route, proposals for sand and gravel extraction would not be acceptable due to the high landscape quality, including within the AONB.

11 Agriculture and Soils

(Lead Authority – SCC)

Summary

- 11.1 Areas of best and most versatile agricultural (BMV) land would become unavailable in areas occupied by surface infrastructure including lattice towers and sealing end compounds and would require remediation to the same standard following decommissioning.
- 11.2 Areas of BMV land would be unavailable during construction and decommissioning in areas of underground cabling and would require remediation to the same standard following construction and decommissioning.
- 11.3 The proposal would cause disruption to field drains in particularly areas of cable undergrounding and mitigation would be required to restore drainage following construction and decommissioning.
- 11.4 A map showing the general distribution of agricultural land classification is appended in Appendix 21.

Table 9: Summary of local impacts – agriculture and soils					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation and how to secure it (change/requirement/obligation)	Policy context
9a	Impact of surface infrastructure	C	Negative	n/a	NPS/Green Future/NPPF/BMSDC
9b	Impact of surface infrastructure	O	Negative	n/a	NPS/Green Future/NPPF/BMSDC
9c	Impact of surface infrastructure	D	Negative	Reinstatement of BMV land	NPS/Green Future/NPPF/BMSDC
9d	Impact of underground cables	C	Negative	n/a	NPS/Green Future/NPPF/BMSDC
9e	Impact of underground cables	O	Neutral	Requirement requiring reinstatement of field drains	NPS/Green Future/NPPF/BMSDC
9f	Impact of underground cables	D	Negative	Requirement requiring reinstatement of BMV land	NPS/Green Future/NPPF/BMSDC
9g	Impact upon drainage	C	Negative	n/a	NPS/Green Future/NPPF/BMSDC
9h	Impact upon drainage	O	Neutral	Requirement requiring reinstatement of field drains	NPS/Green Future/NPPF/BMSDC
9i	Impact upon drainage	D	Negative	Requirement requiring reinstatement of field drains	NPS/Green Future/NPPF/BMSDC

Policy Context

National Policy

A Green Future: Our 25 Year Plan to Improve the Environment

11.5 “Goals and Targets

11.6 5. Using resources from nature more sustainably and efficiently We will ensure that resources from nature, such as food, fish and timber, are used more sustainably and efficiently.

11.7 We will do this by:

11.8 Maximising the value and benefits we get from our resources, doubling resource productivity by 2050.

11.9 Improving our approach to soil management: by 2030 we want all of England’s soils to be managed sustainably, and we will use natural capital thinking to develop appropriate soil metrics and management approaches.”

National Policy Statements

Overarching Policy Statement for Energy EN-1

11.10 Para 5.10.8 “Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations. Applicants should also identify any effects and seek to minimise impacts on soil quality taking into account any mitigation measures proposed.”

National Planning Policy

National Planning Policy Framework, September 2023

11.11 “Para 174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

11.11.a (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);

11.11.b (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;”

Local Plan Policy

Babergh District Council Core Strategy Policies

11.12 Babergh Core Strategy Policy CS15 titled “Implementing sustainable development in Babergh” refers to drainage and waste, and requires that where appropriate to the scale and nature of the proposal, they should:

- 11.12.a “xii) minimise surface water run-off and incorporate sustainable drainage systems (SUDs) where appropriate;”

Babergh District Council Local Plan Policies

11.13 None identified.

Mid Suffolk Core Strategy Policies

11.14 None identified.

Mid Suffolk Core Strategy Focused Review Policies

11.15 None identified.

Mid Suffolk Local Plan Policies

11.16 Mid Suffolk Local Plan Policy CL3 titled “Major utility in the countryside” states that “the feasibility of undergrounding electricity lines will be regarded as a material consideration.”

Babergh & Mid Suffolk Joint Local Plan

11.17 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP17 titled “Environmental Protection” seeks to minimise the loss of the best and most versatile agricultural land under the following criteria:

- 11.17.a “a. Development on previously developed land will be prioritised, where appropriate, to minimise the loss of the best and most versatile agricultural land. where development needs to take place on greenfield land, avoidance of the best and most versatile agriculture land should be prioritised.”

Neighbourhood Plans

11.18 None identified.

Other Relevant Local Policy

11.19 Essex County Council and Braintree District Council are likely to have similar concerns and policies.

Local Impact Assessment

Construction Phase Impacts

Positive

11.20 None identified.

Neutral

11.21 None identified.

Negative

11.22 There would be a reduction in BMV land (see appended plans) available and field drainage would be disrupted.

Operational Phase Impacts

Positive

11.23 None identified.

Neutral

11.24 Assuming field drainage is reinstated following construction.

Negative

11.25 There would be a loss of BMV land available.

Decommissioning Phase Impacts

Positive

11.26 None identified.

Neutral

11.27 None identified.

Negative

11.28 There would be a loss of BMV land available and field drainage would be disrupted.

Required Mitigation

11.29 BMV land would require reinstatement. Field drainage systems should be replaced as required after construction and decommissioning.

Relevant Representation

- 11.30 Best and Most Versatile Agricultural (BMV) Land; the Council acknowledges the limited negative upon BMV land so long as appropriate soil handling techniques are guaranteed.

12 Traffic and Transport (including Public Rights of Way)

(Lead Authority – SCC)

Summary

- 12.1 This section forms the high-level summary of the Councils' comments on traffic and transport, our full response, which includes further explanations around specific technical details on many of the points raised, is included at Annex D.
- 12.2 The Councils expect traffic and transport impacts, including the cumulative ones with other projects, to be fully assessed and mitigated, especially in regard to any potential construction traffic impacts on Suffolk's rural road network and the limited options for suitable HGV and Abnormal Indivisible Loads (AIL) routes including those for Norwich to Tilbury route once the alignment has been chosen.
- 12.3 As a result of construction traffic and delivery and use of the large number of construction accesses, there will be significant disruption to the highway network. The project will result in increased delay for users of the local road network as a result of traffic management associated with the construction and use of numerous accesses on the highway network. This delay will be in combination with other impacts, such as closures of public rights of way reducing access.
- 12.4 We have significant concerns around the assessment method and the absence of relevant controls, monitoring and enforcement to ensure that impacts do not exceed those that have been assessed, as a result it cannot be concluded that the impacts presented in the Transport Assessment [APP-061] and in the Environmental Statement Chapter 12 Traffic and Transport [APP-080] are worst case. The Councils maintain disagreement with the assessment methodology and the measures and processes set out within the Construction Traffic Management Plan, as per the Draft Statement of Common Ground [APP-168].
- 12.5 As a result of additional construction traffic, the proposals will result in increased severance and reduced amenity along the construction corridors, particularly along the A1071 through Hintlesham, on the B1070 through Holton St Mary, Raydon and Upper Layham. and on Duke Street to the west of Hintlesham.
- 12.6 As a result of additional construction traffic, the project will increase congestion at numerous junctions, increasing delay, of particular note are the following junctions that already experience noticeable congestion:
- 12.6.a A1214 / A1071 signal junction
 - 12.6.b A1071 / Hadleigh Road signal junction
 - 12.6.c A1071 / B1113 roundabout junction

12.6.d A134 / A1071 priority junction

- 12.7 Whilst the junction at the A14 / A12 Copdock is the responsibility of National Highways, congestion at this location has significant impacts on the local highway network and so we would raise this as a concern as issues at the junction do have a material impact on the local road network.
- 12.8 The applicant has included assessment of road safety within the application. The Councils are concerned that this assessment has concentrated solely on clusters and not considered the frequency of collisions along routes such as the A1071.
- 12.9 As there are no meaningful controls on construction traffic, there is significant potential for greater traffic impacts on rural locations, which would have significant impacts on severance and amenity in particular.
- 12.10 The County Council will need the applicant to demonstrate that there will be no disruption or delays caused by the project on the A12 or wider strategic road network, which may then have an impact on businesses in Suffolk.
- 12.11 Decommissioning and removal routes also need careful consideration. Whilst we appreciate this is a long time in the future and it is difficult to assess the impacts, we would consider that this could be covered by a Requirement.
- 12.12 The Councils have requested that Public Rights of Way (PROW) be dealt with separately, however NGET confirmed that PROW would be considered as part of the Highways section of the Environmental Impacts Assessment, and hence the Councils have combined its response as well within the LIR.
- 12.13 The Councils have concerns over the timings of closures of the Public Rights of Way and the effect on the wider network. These cannot be assessed in isolation and require details on the sequence of closures for the impact on the routes within the DCO and the connecting network.
- 12.14 Maps showing the extent of Strategic Highways Network are provided at Appendix 22.
- 12.15 It is noted that article 18 and requirement 11 in the draft DCO requires the applicant to gain approval from the highway authority in respect to works on the public highway. Although this is welcome the Councils do not consider that this alone provides sufficient protection for the authority in terms of liability and costs. In common with other recent DCOs, the Councils seek either protective provisions in the DCO or separate side agreements. An example of a highway

agreement can be found in the Outline Access Management Plan for the Scottish Power Renewable EA1(N) NSIP.²⁰

Draft Development Consent Order [APP-034]

Part 1: Preliminary

- 12.16 Pre-commencement: the Councils are concerned the pre-commencement operations defined in article 2(1) are not covered by all relevant management plans, and that their impacts have not been properly assessed. Specifically, the Councils are concerned about the scope of works associated with establishing site construction compounds and temporary accesses which would not be covered by the Construction Traffic Management Plan [APP-180]. Experience with delivering consented DCOs has been that close attention needs to be given to providing a safe access with acceptable visibility whilst not requiring disproportionate vegetation removal.
- 12.17 The definition of “pre-commencement operations” means operations consisting of engineering investigations and surveys, environmental (including archaeological) investigations and monitoring, surveys and monitoring investigations for the purpose of assessing ground conditions, diversion and laying of services, demolition of existing buildings, site clearance, environmental mitigation measures, remediation in respect of any contamination or other adverse ground conditions, set up works associated with the establishment of construction compounds, temporary accesses, erection of any temporary means of enclosure or temporary demarcation fencing marking out site boundaries and the temporary display of site notices or advertisements”.
- 12.18 1: it is unclear what works are required and what transport movements will be generated for these works, for example haulage of aggregate for compound hardstanding.
- 12.19 2: It is unclear if “temporary” means solely for pre-commencement works or if this refers to the temporary access in schedule 8.

Part 3: Streets

Article 11: Street works

- 12.20 The Councils consider that 56 days is a more suitable period for notifying the applicant of any decision in respect to street works. The Councils also consider that this period should be paused if the authority considers that additional information is reasonably required to make a decision.

²⁰ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-005390-8.10%20EA1N%20Outline%20Access%20Management%20Plan.pdf>

Article 13: Application of the 1991 Act (NRSWA)

- 12.21 The Councils cannot agree with removing powers under part 56 (power to give direction regarding timing of street works) by undertaking works without the consent of the local highway authority, as this unacceptably fetters its role co-ordinating street works. The Councils would accept this being managed through the street works permit process.
- 12.22 The Councils would also find disapplication of Part 73C (materials, workmanship and standard of resurfacing) and section 77 (liability for cost of use of alternative route) unacceptable if no alternative protective provisions or highways side agreement is agreed. It is noted that whilst article 13 is similar to the equivalent provision (article 15) of the Sizewell C (Nuclear Generating Station) Order 2022 (S.I.2022/853), the Sizewell applicant entered into a deed of obligation that protected the LHA position with regard to these and other matters.

Article 14: Power to alter street layout (1).

- 12.23 The statement in (1) 'that the undertaker may, without the consent of the street authority, and for the purposes of carrying out the authorised development, permanently or temporarily alter the layout of, or carry out any works in, a street specified in column (1) of Part 1 or 2 of Schedule 6 (streets subject to alteration of layout) in the manner specified in relation to that street in column (2)' appears to contradict requirement 11 that 'no work to construct, alter or temporarily alter any new or existing means of access to a highway to be used by vehicular traffic may commence until written details of design, layout and reinstatement of that means of access has been submitted to and approved by the relevant highway authority'. The Councils would welcome further clarification to avoid any confusion during the delivery of this project (if consented).

Article 15: Temporary Stopping Up of Streets and Rights of Way

- 12.24 The Councils will not accept closure of highways without acceptable diversion routes. For example, the measures in Schedule 7 Part 2 proposing the stopping up of the A1071 (Ipswich Road) between SM-AB-5 and SM-AB-6 without a signed diversion is not considered safe, reasonable or practical. Within Article 15(6) the applicant is not required to provide a higher standard of diversion route than that closed. As mentioned in section 17 (Draft Development Consent Order), the Councils consider the applicant should not provide a lower standard route as a diversion.
- 12.25 The Councils note that in 15(6) the applicant uses 'closed streets' and 'streets of public rights of way to be stopped up' (Schedule 7) as if they are the same. The Councils seek clarification as its understanding is that a 'closed' street or right of way restricts vehicle rights but protects other highway rights whereas a 'stopped up' street is no longer a public highway.

Article 16: Access to Works

- 12.26 The Councils consider that consent for accesses under article 16(1) should be given by the Local Highway Authority.

Article 17: Construction, alteration and maintenance of streets

- 12.27 If the LHA is expected to maintain new altered or diverted streets, it should only be where it is in the position to approve the designs and inspect the construction of such works (see highway side agreement).
- 12.28 In respect of the statutory defence (HA 1980 section 58) the LHA would consider its Highway Maintenance Operational Plan to be a minimum standard.

Article 18: Agreements with street authorities

- 12.29 The Councils welcome the inclusion of this article and would strongly recommend that the applicant begins negotiations now on the form and content of a template agreement to avoid disagreement at a later date. This follows the precedent of EA1(N), EA2 and the application for the Sunnica Energy Farm Development Consent Order, which is currently at the decision stage.
- 12.30 An example of a highway agreement can be found in the Outline Access Management Plan for the Scottish Power Renewable EA1(N) NSIP.²¹

Schedule (General Comments)

- 12.31 The Councils have checked some of the schedules against the street gazetteer for accuracy, and notes that significant errors were identified when checking the location of accesses and their description against the street gazetteer. These errors in the Council's view would invalidate the speed limits, parking restrictions and road closures.

Schedule 3: Requirements

- 12.32 Requirement 4: any departure from the CTMP [APP-180] should be agreed by the local highway authority and not the local planning authority.
- 12.33 Requirement 7 of the draft DCO constrains some working hours to between 0700 and 1900 on weekdays. This informs the assessment of traffic impacts, but vehicle movements are not controlled within those hours to the assessed shift patterns and so those impacts are not agreed. The assessed hours for traffic impacts only includes 12.5% of the construction worker traffic, meaning impacts will exceed those that have been assessed.

²¹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010077/EN010077-005390-8.10%20EA1N%20Outline%20Access%20Management%20Plan.pdf>

- 12.34 Whilst the Councils welcome Requirement 11 (i.e., which provides for the interference with accesses to be approved by the LHA) the authority notes that this does not cover all highway activities and this supports the Council's justification for protective provisions or a highways side agreement.

Schedule 12: Traffic Regulation Orders

- 12.35 Part 1: The proposed parking restrictions are between 7am to 7pm which aligns with the shift patterns but potentially not with AIL movements. Note these will be single yellow lines with signs or traffic cones. The Councils would question why these are required. In the case of obstruction this is a criminal act that can be enforced whereas a parking offence is now decriminalised and enforced by the district councils on behalf of the county council. If parking restrictions are implemented, the Councils would recommend that where these start or end at a junction a distance of 10m from the junction in all directions is covered by the restrictions to ensure compliance with the Highway Code. It is unclear if these restrictions include loading or unloading.
- 12.36 Part 3: Temporary Restriction of Movement. One-way movements on the A0171, B1070, B1068, A134, B1508, A131 would be unacceptable to the local highway authority unless implemented overnight with an acceptable diversion.

Schedule 14: Protective Provisions

- 12.37 The Councils are seeking either protective provisions or suitable side agreements to ensure that its role as the highway authority is not compromised. Side agreements are an accepted part of recent DCOs (e.g., Sizewell C, EA1(N), EA2, Sunnica).
- 12.38 These measures would protect the authority's interest, for example allowing continued access to the highway within the order limits and recover costs incurred for extraordinary damage to the highway, monitoring of management plans and works associated with AIL movements.

2.11.12 Design and Layout Plans: Temporary Bellmouth for Access [APP-030]:

- 12.39 The Councils note that the drawing is very generic and makes no allowance for the nature of the existing highway. The plan in isolation does not show that the accesses proposed by the applicant are feasible or deliverable nor what impacts there will be in terms of vegetation clearance to provide safe visibility.
- 12.40 No swept path analysis to show that the junction is suitable for the largest anticipated vehicle has been provided noting this is also dependant on the width of the existing road. Nor have the junctions on the access routes been assessed for suitability for construction vehicles, if any improvements are required and if these can be delivered within the highway boundary.

2.11.1 Design and Layout Plans: Grid Supply Point Substation Layout [APP-019]

- 12.41 Shows an outline of an access at large scale but no details such as width, visibility, or construction materials are provided. Therefore, the LHA cannot comment on the feasibility, deliverability or acceptability of these proposals.

5.7 Transport Assessment [APP-061]

- 12.42 Paragraph 2.3.1 references the core working hours for construction and Requirement 7 of the draft DCO. The assessment of impacts on the basis of these shift patterns is not agreed.
- 12.43 Paragraph 2.5.1 sets out that the Transport Assessment is based on the construction schedule at ES Appendix 4.2 [APP-091]. This schedule affects the conclusions around the impacts of construction traffic, and as the details provided are exceptionally limited, this cannot be checked.
- 12.44 Section 3.2 includes the policy review, whilst understandably not referenced due to the timing of its release; there is currently an ongoing consultation on the National Policy Statements. Within the EN-1 Consultation documents is enhanced consideration that needs to be given towards sustainable transport, as set out at paragraphs 5.14.7 and 5.14.21. Within EN-5, paragraph 2.5.1 is considered to be important in outlining the projects potential to improve the connection between people and the environment.
- 12.45 “When planning and evaluating the proposed development’s contribution to environmental and biodiversity net gain, it will be important – for both the applicant and the Secretary of State – to supplement the generic guidance set out in EN-1 (Section 4.5) with recognition that the linear nature of electricity networks infrastructure can allow for excellent opportunities to:
- 12.46 reconnect important habitats via green corridors, biodiversity stepping zones, and reestablishment of appropriate hedgerows; and/or
- 12.47 connect people to the environment, for instance via footpaths and cycleways constructed in tandem with environmental enhancements”
- 12.48 The Councils note the Applicant does not refer to NPS EN-1 5.13.10: ‘Waterborne or rail transport is preferred over road transport at all stages of the project, where cost-effective’
- 12.49 Paragraph 6.2.5 identifies the staff requirements. These assumptions are not accepted.
- 12.50 Paragraph 6.2.8 sets out the assumptions on construction vehicle forecasts. There are concerns with how these assumptions may have impacted the assessment, and they are not accepted.

- 12.51 Paragraph 6.2.9 provides a summary on the assumptions within the assessment on staff construction vehicles. There are strong concerns with how these assumptions may have impacted the assessment and the conclusions on this basis are not accepted. There are two important points here:
- 12.52 No evidence has been submitted that supports this breakdown nor any controls proposed that would limit these impacts.
- 12.53 However, if there are only 32 vehicles in the network peak hours but the adjacent hour has 50% of vehicles, then this is the hour that should have been assessed.
- 12.54 The assessment is built on a large number of assumptions without evidence or controls that support those assumptions, and so it is impossible to agree with the conclusions reached. This means that the impacts presented may be exceeded.

6.2.12 Environmental Statement Chapter 12 Traffic and Transport [APP-080]

- 12.55 Paragraph 12.4.11 and paragraph 12.4.12 reference traffic count surveys that have been undertaken. No outputs from these surveys have been provided.
- 12.56 Paragraph 12.4.20 refers to the ES Appendix 4.2: Construction Schedule [APP-091]. This schedule impacts on the conclusions regarding the impacts of construction traffic, and the details provided are exceptionally limited.
- 12.57 Paragraph 12.4.26 refers to a peak staff number of 350 and an average of 180. There are no controls on this assumption, and so it is not agreed.
- 12.58 Paragraph 12.4.29 sets out that the sensitivity of the receptors is based on DRMB LA112. The Councils have previously raised concerns regarding the use of DMRB LA 112 and do not fully agree with the methodology.
- 12.59 Paragraph 12.4.43 provides a summary on the assumptions within the assessment on construction vehicles. There are concerns with how these assumptions may have impacted the assessment.
- 12.60 Paragraph 12.4.44 provides a summary on the assumptions within the assessment on staff construction vehicles. There are concerns with how these assumptions may have impacted the assessment.
- 12.61 The assessment undertaken is purely based on daily traffic and not on the hour of greatest change. The Councils do not agree with this approach.
- 12.62 The applicant has examined the collision history of the local road network focussing on clusters, but as shown at Transport Assessment Appendix A [APP-061] paragraph 1.3.1, this is one of a number of assessment tools. In the Council's opinion it would be more relevant to assess the routes to see if collisions exceed national averages for similar roads or show specific groups are

more vulnerable. Methodology similar to the Road Safety Engineering Manual (2007 4.1.4) may be more appropriate.

- 12.63 In summary, the Councils have the following concerns with the environmental assessment of road traffic:
- 12.63.a The traffic survey data has not been provided.
 - 12.63.b No evidence is provided that supports the construction traffic figures assessed.
 - 12.63.c No agreement has been reached on the sensitivity of receptors assessed.
 - 12.63.d There are no controls on HGV movements to assessed figures.
 - 12.63.e There are no controls on staff vehicle movements to assessed figures.
 - 12.63.f There is no commitment to achieve the assessed modal split.
 - 12.63.g The assessment does not include an assessment of the hour of greatest change.
 - 12.63.h The assessment does not consider the impact of repeated traffic management on the highway network in terms of severance and driver delay.
 - 12.63.i Road safety has not been fully assessed.

6.2.12 Environmental Statement Chapter 15 Cumulative Effects Assessment [APP-083]

- 12.64 Paragraph 15.4.14 references the consideration that a cumulative effect is only considered *where both a spatial and temporal overlap exists*. On this basis repeated staggered impacts on the transport network as a result of traffic management, closures to PRow, and road closures would not be considered a cumulative impact in spite of their repeated impact on users.
- 12.65 Paragraph 15.6.9 concludes for traffic and transport that there would not be a significant inter project cumulative effect on amenity. As the Councils do not agree with the assessment method, we disagree with the conclusion. There are particular concerns around the frequency and scale of closures.

6.3.4.2 Environmental Statement Appendix 4.2 Construction Schedule [APP-091]

- 12.66 Whilst helpful in showing which elements of the project would potentially be delivered commensurately, no details are provided within the schedule that link construction works to construction vehicle or staff numbers, which would have

allowed the quoted figures to be at least partially reviewed. There is also some concern that, as the assessment is based on quarterly activities, there is significant scope for variation on the assessed impacts.

6.3.4.2 Environmental Statement Appendix 5.4 Assessment Criteria [APP-096]

- 12.67 The Councils do not agree with the method for determining receptor sensitivity. That being said all locations need to be considered at a local level on a case-by-case basis, and so the Councils will look to identify those locations where we disagree with the Applicant and where it materially impacts on outcomes rather than cause delay by debating the idiosyncrasies of methodology.

6.3.4.2 Environmental Statement Appendix 12.1 Significance of Effects Tables [APP-134]

- 12.68 Section 3 provides details on the assessment of severance. As previously requested, a plan would have made reviewing the sensitivity of links much simpler, and would be beneficial. Limited detail is provided on why certain changes in traffic flows are categorised with the magnitude of impact identified; and further information on this would be beneficial to understanding the professional judgment used.
- 12.69 Section 4 provides details on the impacts on amenity and fear and intimidation; given the majority of impacts are minor or neutral as a result of traffic changes, agreement on sensitivity is of limited value; however, as the Tables do not include an assessment of the hour of greatest change; this might affect any conclusions reached.

6.3.15.5 Environmental Statement Appendix 15.5 Inter Project Cumulative Effects Assessment [APP-140]

- 12.70 When considering traffic and transport cumulative effects with the East Anglia Three, the A120 Widening scheme and the East Anglia Green projects, the Applicant has reached the conclusion that any impacts are limited due to the Applicant's assessed impacts in the peak hours. As the assessment method is not agreed this conclusion cannot be agreed. There is some potential for increases at Strategic Road Network junctions in particular as a result of the numerous projects in the area.
- 12.71 The potential for a cumulative effect as a result of the East Anglia Green project is dismissed due to the project's peak being two years prior to the anticipated start date for East Anglia Green. Dismissal on this basis is not agreed, as it does not take into account any slippage in the project's programme, nor has any evidence been submitted that associated the programme with construction traffic, which might give some indication of potential overlap.

7.6.1 Draft Statement of Common Ground [APP-168]

- 12.72 As Per ID 3.8.3, the Councils do not agree with the methodology used for assessing the impacts, which has been set out in detail within this response and in Annex D.
- 12.73 As per ID 3.13.11, the Councils do not agree with the methodology, commitment and measures set out in the Construction Traffic Management Plan.

7.5.1 CEMP Appendix A Code of Construction Practice [APP-178]

- 12.74 Good Practice Measure TT02 sets out that the contractor would be required to install GPS tracking on the Heavy Goods Vehicles to check for compliance with the authorised construction routes. It appears that those authorised construction routes would be agreed between the Applicant and the contractor without input, scrutiny or approval by any other stakeholder such as the LHA. This is not considered to be acceptable.

7.6 Construction Traffic Management Plan [APP-180]

- 12.75 The activities covered by the Construction Traffic Management Plan apply to pre-commencement activities but the Councils are concerned about the time at which this plan will be finalised so that I can be assured that the measures in the CTMP are applied to all pre-commencement activities.
- 12.76 It is stated that contractor will be responsible for implementing measures in CTMP (1.3.1 and 3.1.1). The Councils consider this does not remove the ultimate responsibility for the applicant to ensure compliance of all measures in the CTMP and this is not made clear in the document.
- 12.77 If pre DCO commencement works take place under other planning regimes there must be a clear boundary between measures applicable to such works to those permitted in the DCO
- 12.78 Table 4.1 provides a response to comments raised on the draft CTMP, in their response the Applicant has set out that they are not expecting significant numbers of HGVs during construction and that they will not commit to any structural surveys and repairs. This will form an area of disagreement between the parties. For clarity the project has estimated 10,352 HGVs across the peak year alone as well as numerous AILs the number of which is not defined, which will have a detrimental impact on the structure of the highway. The Councils note that National Grid were prepared to undertake structural condition surveys as part of the Yorkshire Green project.
- 12.79 With regards to the Council's request for controls on routeing and numbers of HGVs, the Applicant has not committed to any controls as the preferred contractor is unknown. The Councils further note that there are still uncertainties

regarding the volume, timing and routing of construction traffic which will only be resolved following appointment of a contractor. The Councils have been involved with numerous DCOs where this issue has not restricted other applicants from committing to these controls, which are a critical requirement.

- 12.80 At Table 4.1, the Applicant considers it impractical and unnecessary to provide details on workers attending the site. However, the applicant does not consider it impractical and unnecessary to record details of the workers and visitors attending site on a daily basis as set out at Paragraph 7.3.5. The Councils note that other NSIP projects do provide the number of workers on a daily basis. Without attendance data it will be impossible to show that the workforce remains within that assessed in the EA and TA and that key embedded mitigation such as adherence to agreed shift times is realised.
- 12.81 The Councils maintain that it should be discharging authority for the Construction Traffic Management Plan as per other recent DCOs.
- 12.82 Paragraph 5.2.1 sets out that preconstruction structural surveys have been undertaken for the AIL routes. Whilst there has been discussion with our structures team neither the scope of the surveys nor appropriate routes yet agreed.
- 12.83 Section 5.3 includes reference to the Special Types General Orders that will be required for the project, and it is noted that the shunt reactors and Super Grid Transformers will require police escorts. The Councils would recommend reaching agreement with the constabulary on resourcing given that numerous local NSIPs that will require police escorts. Of concern is the construction of this project is likely to be at or close to the peak construction for SZC (2028 to 2030).
- 12.84 Paragraph 5.4.3 sets out that the construction routes will be agreed with the contractor. Whilst the Applicant can agree potential routes with contractors, the construction routes should be approved by the relevant highway authorities.
- 12.85 Paragraph 5.4.7 makes reference to the booking system, including recording and timing of all HGVs and LGVs. It is reasonable to assume that these movements on this basis can be controlled and that there should be a requirement to report these movements.
- 12.86 Paragraph 5.5.4 sets out that it is expected that construction of accesses will take less than two weeks, and in some cases will result in road closures. There are clearly numerous accesses across the project resulting in disruption for many local road users either in the form of delay or rerouting, in particular if constructed at the same time. The Councils consider that due to the limited road widths road closures will be needed for construction of accesses and the trench crossings for the cables.

- 12.87 Paragraph 7.2.2 identifies that it is “*anticipated. that the mobile gangs will travel together to and from their accommodation each working day in a minibus*” and on this basis the minibus is an assumption rather than a commitment and so the assessment cannot be considered to be worst case.
- 12.88 Paragraph 7.2.4 makes reference to inspections and site visits; the Councils would query whether these movements between the site areas are included in the assessment.
- 12.89 Paragraph 7.3.1 sets out that “it is anticipated. that the contractor will undertake a staff travel survey” and that it is “anticipated. that the results of the staff travel survey will inform the setting of project specific requirements”. Clearly this does not form a commitment to undertake a travel survey, nor does it form a commitment to set targets.
- 12.90 The commitment to promoting car sharing is welcome; however, the Councils expects vehicle car share figures to match those use in the assessment.
- 12.91 Paragraph 7.4.1 sets out that “it is anticipated. that a baseline travel survey will be undertaken whilst paragraph 7.4.2 sets out that “it is anticipated. that the contractor will undertake quarterly reviews following the three-month audit period”. There is no commitment to achieve sustainable travel patterns, nor any control over changes made to the Construction Traffic Management Plan to reflect new targets.
- 12.92 Paragraph 8.2.5 sets out that HGVs will be tracked for the construction routes using GPS data. It appears that those authorised construction routes would be agreed between the Applicant and the contractor. This is not considered to be acceptable. The routes should be agreed through any updates to the Construction Traffic Management Plan, which should be discharged by the relevant highway authorities.
- 12.93 Nowhere within the CTMP are any measures included to report or share compliance data with any organisation outside of National Grid and their contractors. Without a robust monitoring regime with the data made available at regular defined intervals to an agreed format will it be possible to have oversight over the applicant’s mitigation measures. The Council’s view is the Construction Traffic Management Plan should be expanded to include the process of monitoring, reporting (including on a publicly accessible platform) and enforcement with the local highway authority or local planning authority engaged throughout. This would be consistent with the approach taken by consented NSIPs in Suffolk.
- 12.94 The monitoring, reporting and enforcement measures across all management plans are considered by the Councils to be unacceptable.

Specific Comments on Abnormal Indivisible Loads

- 12.95 The application should prove that they have a feasible route from a port of origin and the relevant site access. This includes proving that highway structures are capable of bearing the anticipated loads. This may require surveys or investigation of structures where such information is dated or not available and, if necessary, repairs or temporary works to these structures. The applicant is expected to agree the scope of any such investigations or works and cover the SCC's reasonable costs in approving these. Contrary to the applicants comments the LHA is not under any obligation to maintain structures for loads greater than those legally permitted (i.e., 44 tonnes).
- 12.96 The Councils are concerned that the lack of detail, such as routing of cable drums, does not make it possible for the authority to assess the potential impacts of the AIL movements.
- 12.97 The Councils are concerned that the Applicant has not requested highway boundary details of the relevant junctions so that it can be confirmed that AILs movements, or works to facilitate them, do not extend beyond the public highway except where already identified. In many cases, it will be necessary to commission surveys to establish boundaries. The use of Ordnance Survey baseline map data also constitutes a risk particularly where tolerances between loads and structures are small.
- 12.98 The applicant claims in the CTMP [APP-180] (paragraph 5.2.1) that pre-construction surveys have been undertaken on routes that are anticipated to be used by AILs. Discussions are ongoing but the high-level survey have indicated that some structures have restrictions that would limit or prevent AIL movements. The Councils consider that further structural investigations are necessary together with swept path analysis at junctions or pinch points to show that there are feasible routes to the site accesses.

Specific Comments on Temporary Accesses

- 12.99 The Councils' position is that the Applicant must provide sufficient unambiguous information to enable the ExA to judge if the proposals are feasible, safe and deliverable for the purpose of the examination and for the Councils to assess if they are acceptable within the local highway network. The Councils acknowledge that such information should be proportionate but also that the dDCO grants significant powers to the Applicant. Experience with other DCOs and planning applications has shown that not considering this matter in sufficient detail can result in significant problems with delivery. Experience with NSIPs in the delivery phase has shown that a lack of detail at examination can result in compromises having to be made during construction e.g., disruptive traffic management, reduced visibility splays or additional vegetation removal.

- 12.100 The Councils expect the applicant to enter into an agreement with the authority for any works within the highway. This is in part to ensure that it is clear what standard of inspection is required by the contractor (Construction Traffic Management Plan [APP-180] paragraph 5.5.7) and clarify who is liable for the site at any time. An agreement also provides a framework for approval of each access to satisfy Requirement 11, inspection of the materials and workmanship together with recovery of the authority's reasonable costs.
- 12.101 The Councils have undertaken a review of the accesses, and this is included as Annex F.

Specific Comments on Permanent Accesses

- 12.102 The Councils are concerned that the Landscape and Ecological Management Plan Appendix A - Vegetation and Retention Removal Plan [APP-183] does not clearly show vegetation that has to be permanently removed for these accesses. Nor has information been provided to the local highway authority regarding what, if any, areas of the accesses are intended to become highway maintainable at public expense. It is presumed that beyond the access points to the existing public highway the access roads will be privately maintained. No plans showing the general arrangement, drainage, kerbing or construction details have been shared with the authority in an accessible format.

Specific Comments on Construction Routes

- 12.103 The Councils note the applicant's view that the highway authority is responsible for maintaining the highway. However, that duty is only for the usual traffic that can be expected to use the network. Under section 59 of the Highway Act 1980, a Highway Authority can recover expenses due to extraordinary traffic. Rather than engage in wasteful legal processes, the Councils would prefer to enter into an agreement with the applicant to survey appropriate roads on a regular basis to determine if structural deterioration results from the projects construction traffic and if so, obtain appropriate mitigation.
- 12.104 The applicant's view is that signing for the project should be included in the permit system. The Councils would consider that the permits are issued for specific locations and a more holistic project wide signing strategy, perhaps secured through the CTMP is more appropriate.

Specific Comments on Management of Street Works

Permit Scheme

- 12.105 The Councils welcome the applicant's intention to use the authority's street works permit scheme, particularly the commitment to co-ordinate such works with others. Recovery of costs for permits should be included in the protective provisions or highways side agreement.

Traffic Regulation Orders

- 12.106 The Councils note that the applicant has included permanent and temporary traffic regulation orders within the dDCO. Experience as other NSIPs are delivered shows that additional or revised orders are required. Whilst the authority would work with the applicant to do so it would expect to recover any costs incurred.
- 12.107 The applicant is requesting parking restrictions on many roads in Schedule 12 of the dDCO. The Councils question the need for these.
- 12.108 The Councils note that many of the streets are incorrectly referenced. The applicant should refer to the national street gazetteer, which is a web-based resource which the applicant can access via its website "findmystreet.co.uk". Failure to use the correct street name can invalidate traffic regulation orders.

Road Crossings

- 12.109 The applicant in CTMP 5.7.2 states that where roads are wide enough open cut trenches can be undertaken in two halves. The Councils wish to draw the ExA's attention to the fact that even with a 30mph speed limit this is impractical on road less than 7.4m wide if used by HGVs (i.e., min 3.2m running lane and min 0.5m safety zone). Almost all roads in Suffolk are narrower than this, hence most will require closure for the trenching works.

Traffic Management

- 12.110 Although not stated, the temporary access design appears to rely on temporary speed limits of 30mph to reduce visibility and other design criteria. It is unclear how these speed limits will be enforced and if not the likelihood that drivers will comply with the temporary limits. The Councils are concerned that to rely solely on a temporary speed limit to slow vehicles to provide safe working conditions could at many locations be unsafe.

Local Road Network

- 12.111 With Annex E, the Councils have included a brief description of the local road network. It is not intended to be exhaustive and local communities will be able to identify their specific transport concerns. The Councils are happy to provide greater detail if requested by the Examining Authority.

Table 10: Summary of local impacts – traffic and transport					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation and how to secure it (change/requirement/obligation)	Policy context
10a	Impact of surface infrastructure (including construction traffic)	C	Negative	Requirement requiring a Detailed Construction Traffic Management Plan and Detailed Port Traffic Management Plan and Detailed Abnormal Indivisible Loads Management Plan. A PROW strategy will be required.	NPS/Green Future/NPPF/BMSDC
10b	Impact of surface infrastructure (including construction traffic)	C	Negative	Further assessment work required on the impacts of traffic and transport. Commitments required for monitoring and controls within the Construction Traffic Management Plan to limit impacts and achieve sustainable travel patterns.	NPS /NPPF
10c	Impact of surface infrastructure	O	Neutral	Minimal traffic Impacts	NPS/Green Future/NPPF/BMSDC
10d	Impact of surface infrastructure (including decommissioning traffic)	D	Negative	Requirement requiring a Detailed Decommissioning Traffic Management Plan and Detailed Port Traffic Management Plan and Detailed Abnormal Indivisible Loads Management Plan. A PROW strategy will be required.	NPS/Green Future/NPPF/BMSDC
10e	Impact of underground cables (including construction traffic)	C	Negative	Requirement requiring a Detailed Construction Traffic Management Plan and Detailed Port Traffic Management Plan and Detailed Abnormal Indivisible Loads Management Plan. A PROW strategy will be required.	NPS/Green Future/NPPF/BMSDC
10f	Impact of surface infrastructure (including construction traffic)	C	Negative	Further assessment work required on the impacts of traffic	NPS /NPPF

				and transport. Commitments required for monitoring and controls within the Construction Traffic Management Plan to limit impacts and achieve sustainable travel patterns.	
10g	Impact of underground cables	O	Neutral	Minimal traffic impacts	NPS/Green Future/NPPF/BMSDC
10h	Impact of underground cables (including decommissioning traffic)	D	Negative	Requirement requiring a Detailed Decommissioning Traffic Management Plan and Detailed Port Traffic Management Plan and Detailed Abnormal Indivisible Loads Management Plan. A PROW strategy will be required.	NPS/Green Future/NPPF/BMSDC

Policy Context

National Policy

A Green Future: Our 25 Year Plan to Improve the Environment

12.112 N/A.

National Policy Statements

Overarching Policy Statement for Energy EN-1

12.113 “IPC decision making

12.114 5.13.6 “A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the IPC should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the IPC should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below. Applicants may also be willing to enter into planning obligations for funding infrastructure and otherwise mitigating adverse impacts.”

National Planning Policy

National Planning Policy Framework, September 2023

12.115 113. “All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.”

Local Plan Policy

Babergh District Council Core Strategy Policies

12.116 None identified.

Babergh District Council Local Plan Policies

12.117 Policy TP15 titled “New development” states that:

12.117.a “Proposals for all types of new development will be required to provide parking in accordance with parking standards adopted as Supplementary Planning Guidance.”

12.118 Policy TP16 titled “Green Travel Plans” requires travel plans to be included in proposals that employ over 25 employees.

Mid Suffolk Core Strategy Policies

12.119 None identified.

Mid Suffolk Core Strategy Focused Review Policies

12.120 None identified.

Mid Suffolk Local Plan Policies

12.121 Mid Suffolk Local Plan Policies T2 titled “Minor Highway Improvements”, T9 titled “Parking Standards” and T11 titled “Facilities for pedestrians and cyclists” are all relevant to the proposed development.

12.122 Policy T4 titled “Planning obligations and highways infrastructure” states that:

12.122.a “Where development cannot be permitted unless highway improvements are undertaken, developers may enter into a planning obligation under section 106 of the town and country planning act 1990 (as amended) or an agreement under section 278 of the highways act 1980 or other relevant statute, to fund, or make a contribution towards, the cost of such highway improvements.

12.122.b In no circumstances will the district planning authority view the offer of infrastructure improvements or other benefits as reasons to permit a planning application for development which is clearly contrary to planning policy or otherwise unacceptable for land use or environmental reasons.”

12.123 Policy T10 titled “Highway considerations in development” states that:

12.123.a “When considering planning applications for development, the district planning authority will have regard to the following highway matters:

12.123.b the provision of safe access to and egress from the site

12.123.c the suitability of existing roads giving access to the development, in terms of the safe and free flow of traffic and pedestrian safety;

12.123.d whether the amount and type of traffic generated by the proposal will be acceptable in relation to the capacity of the road network in the locality of the site;

12.123.e the provision of adequate space for the parking and turning of cars and service vehicles within the curtilage of the site;

12.123.f whether the needs of pedestrians and cyclists have been met, particularly in the design and layout of new housing and industrial areas.

cycle routes and cycle priority measures will be encouraged in new development.”

Babergh & Mid Suffolk Joint Local Plan

- 12.124 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP27 titled “Energy Sources, Storage and Distribution” states that “Renewable, decentralised and community energy generating proposals will be supported including where:
- 12.124.a “a. The impact on (but not limited to) landscape, highway safety, ecology, heritage, residential amenity, drainage, airfield safeguarding and the local community has been fully taken into consideration and where appropriate, effectively mitigated;
 - 12.124.b c. The impact of on and off-site power generation infrastructure (for example over-head wires, cable runs, invertors, control buildings, security fencing and highway access points), is acceptable to the Local Planning Authority.”
- 12.125 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP32 titled “Safe, Sustainable and Active Transport” refers to development proposals that are expected to, or likely to cause a significant increase in transport movements and sets out the following requirements:
- 12.125.a a. Will be required to provide a travel plan in accordance with the County / National Guidance to mitigate the highway impact of development and help maximise sustainable transport;
 - 12.125.b b. Should also be supported by a transport statement or transport assessment.
 - 12.125.c All developments are to maximise the uptake in sustainable and active transport in accordance with the transport hierarchy. This will prioritise the following modes of transport in order – walking, cycling, public transport and car sharing. Where possible, active travel to be tied in with the green infrastructure network thereby providing additional positive effects for access to green spaces and wildlife habitats.
 - 12.125.d Proposals for all development shall, where relevant, incorporate:
 - 12.125.e Pedestrian routes suitable for disabled persons and those with impaired mobility;
 - 12.125.f Cyclists facilities, including routes, secure and covered cycle parking, showers and changing facilities;

- 12.125.g Public transport, such as new or revised services, and physical measures such as bus stops, improvements to bus and railway stations, and access to bus and railway stations to reduce dependency on private vehicles;
- 12.125.h Incentives to use sustainable modes of transport;
- 12.125.i Linkages to existing pedestrian and cycle networks;
- 12.125.j Enhancement to the Public Rights of Way network and protection of the existing network;
- 12.125.k Facilities to allow for multi-modal interchanges;
- 12.125.l Access to car park facilities in accordance with the relevant parking guidance;
- 12.125.m Electric vehicle charging in line with current parking guidance;
- 12.125.n Servicing and emergency vehicles; and
- 12.125.o Sustainable modes of transport for freight.
- 12.125.p Development will be expected to contribute to the delivery of sustainable transport strategies for managing the cumulative impacts of growth.
- 12.125.q Where necessary development will be expected to provide home to school transport contributions.”

Neighbourhood Plans

12.126 None identified.

Other Relevant Local Policy

12.127 Essex County Council and Braintree District Council are likely to have similar concerns and policies.

Local Impact Assessment

Construction Phase Impacts

Positive

12.128 None identified.

Neutral

12.129 None identified.

Negative

- 12.130 There are potential impacts from construction traffic, port traffic, abnormal indivisible loads and upon PROW.
- 12.131 Working hours covering 7 days a week could have a detrimental effect on the Public Rights of Way network, with peak usage at weekends, including bank holidays. In addition, heavier usage outside of core work hours of 9am to 5pm. The Transport Assessment [APP-061], table 4.3 provides survey details during 2021. This covered only five public rights of way over two days, providing a limited assessment of network usage. Consideration should be given to impact on tourism for the area, particularly regarding working hours during peak periods of weekends and bank holidays.
- 12.132 In transport terms, the Councils are not content with the inclusion of Sundays and Bank Holidays as working days with justification that this is essential to delivery of the project ([APP-177] cl 2.3 and dDCO Requirement 7). Such working practices would mean that communities would not have relief from construction traffic for the full duration of the project.

Operational Phase Impacts

Positive

- 12.133 None identified.

Neutral

- 12.134 On the assumption that no major replacement works are required, no impacts are identified.

Negative

- 12.135 None identified.

Decommissioning Phase Impacts

Positive

- 12.136 None identified.

Neutral

- 12.137 None identified.

Negative

- 12.138 There are potential impacts from decommissioning traffic, port traffic, abnormal indivisible loads and upon PROW.

Required Mitigation

- 12.139 Where not included in the submitted proposals, requirements should be added requiring a Detailed Construction Traffic Management Plan, Detailed Port Traffic Management Plan, Detailed Abnormal Indivisible Loads Management Plan and temporary or permanent PROW diversion orders.

Relevant Representation

- 12.140 Construction traffic; considering the potential for significant adverse environmental impacts, including cumulative impacts, the Traffic and Transport section should include a statement around requiring more extensive monitoring, controls and enforcement for construction traffic, as it is 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. Accesses and haul routes should minimise impacts on ecological and landscape features and minimise impacts on the efficient and effective operation of agricultural land and businesses.
- 12.141 Public Rights of Way; (PRoW) given the significance of PRoW for access to the countryside, for wellbeing and within national planning policy, the Council is disappointed that Public Rights of Way 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. Effective mitigation is needed for the impacts on recreational users of the PROW network, especially during the construction period.

13 Air Quality

(Lead Authority – BMSDC)

Summary

13.1 Due to the increased levels of traffic associated with construction and decommissioning, there is potential to exceed air quality standards at the Sudbury Air Quality Management Area. Fugitive dust emissions also have potential air quality implications.

13.2 Details of the Sudbury AQMA are appended in Appendix 23.

Table 11: Summary of local impacts – air quality					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation and how to secure it (change/requirement/obligation)	Policy context
11a	Impact of surface infrastructure	C	Negative	Requirement requiring detailed Construction Traffic Management Plan & Construction Environmental Management Plan	NPS/Green Future/NPPF/BMSDC
11b	Impact of surface infrastructure	O	Neutral	Minimal air quality impacts	NPS/Green Future/NPPF/BMSDC
11c	Impact of surface infrastructure	D	Negative	Requirement requiring detailed Decommissioning Traffic Management Plan & Decommissioning Environmental Management Plan	NPS/Green Future/NPPF/BMSDC
11d	Impact of underground cables	C	Negative	Requirement requiring detailed Construction Traffic Management Plan & Construction Environmental Management Plan	NPS/Green Future/NPPF/BMSDC
11e	Impact of underground cables	O	Neutral	Minimal air quality impacts	NPS/Green Future/NPPF/BMSDC
11f	Impact of underground cables	D	Negative	Requirement requiring detailed Decommissioning Traffic Management Plan & Decommissioning Environmental Management Plan	NPS/Green Future/NPPF/BMSDC

Policy Context

National Policy

A Green Future: Our 25 Year Plan to Improve the Environment

13.3 2. Reducing pollution

13.4 “The transport sector is responsible for around 40% of the UK's final energy use, and contributes to local air quality issues.”

National Policy Statements

Overarching Policy Statement for Energy EN-1

13.5 Introduction

13.6 “5.2.1 Infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside and species.”

National Planning Policy

National Planning Policy Framework, September 2023

13.7 “174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- 13.7.a e) 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;”

Local Plan Policy

Babergh District Council Core Strategy Policies

13.8 Babergh Core Strategy Policy CS13 titled “Renewable / Low Carbon Energy” states that:

- 13.8.a “All new development will be required to minimise dependence on fossil fuels and make the fullest contribution to the mitigation of climate change through adopting a sustainable approach to energy use.”

Babergh District Council Local Plan Policies

13.9 None identified.

Mid Suffolk Core Strategy Policies

13.10 Policy CS 4 titled “Adapting to Climate Change” states that:

- 13.10.a “Pollution: To protect people and the environment from unsafe or unhealthy pollutants. Development that harms the quality of soil or air and/or causes noise, dust, odour or light pollution will be avoided wherever possible. Development proposals will have no adverse effect on water quality.”

Mid Suffolk Core Strategy Focused Review Policies

13.11 None identified.

Mid Suffolk Local Plan Policies

13.12 None identified.

Babergh & Mid Suffolk Joint Local Plan

13.13 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP17 titled “Environmental Protection” seeks to minimise impacts upon air quality by reference to the following criteria:

- 13.13.a “a. Prevent, or where not practicable, reduce all forms of possible pollution including, but not limited to; air, land, ground and surface water, odour, noise, light and any other general amenity, including public amenity and visual amenity impacts. This must be demonstrated to the satisfaction of the LPA by the impact assessments where appropriate.
- 13.13.b b. Amenity impacts are avoided where it is located adjacent to or close to existing uses with the potential to have amenity impacts. This would include an assessment of any identified amenity impacts and how the continued operation of existing use(s) would not be prejudiced.”

13.14 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP17 titled “Environmental Protection” includes the following criteria:

- 13.14.a “1. All new development is required to minimise its dependence on fossil fuels and to make the fullest contribution to the mitigation of climate change through adopting a sustainable approach to energy use.
- 13.14.b 2. Where construction may cause potential adverse impacts, measures proposed must include Construction Environment Management Plans (CEMPs).”

Neighbourhood Plans

13.15 None identified.

Other Relevant Local Policy

13.16 Essex County Council and Braintree District Council are likely to have similar concerns and policies.

Local Impact Assessment

Construction Phase Impacts

Positive

13.17 None identified.

Neutral

13.18 None identified.

Negative

13.19 Construction traffic has the potential to cause exceedances at the Sudbury AQMA. A detailed Construction Traffic Management Plan detailing lorry routing is required.

13.20 Soil stripping and the construction traffic on haul roads have the potential to cause fugitive dust emissions. A detailed Construction Environmental Management Plan detailing dust mitigation measures is required.

Operational Phase Impacts

Positive

13.21 None identified.

Neutral

13.22 Assuming no major works are required.

Negative

13.23 None identified.

Decommissioning Phase Impacts

Positive

13.24 None identified.

Neutral

13.25 None identified.

Negative

13.26 Decommissioning traffic has the potential to cause exceedances at the Sudbury AQMA. A detailed Decommissioning Traffic Management Plan detailing lorry routing is required.

13.27 Soil stripping and decommissioning traffic on haul roads have the potential to cause fugitive dust emissions. A detailed Decommissioning Environmental Management Plan detailing dust mitigation measures is required.

Required Mitigation

13.28 During construction and decommissioning detailed Construction Traffic Management Plan and Decommissioning Traffic Management Plan arrangements are required.

Relevant Representation

13.29 Sudbury Air Quality Management Area (AQMA); the Council supports proposals to avoid construction traffic routing via Sudbury AQMA.

13.30 Fugitive dust emissions; the Council supports proposals to use best practice measures to avoid fugitive dust emissions so long as the appropriate methodology can be guaranteed.

14 Noise and Vibration

(Lead Authority – BMSDC)

Summary

- 14.1 Due to the increased levels of traffic and construction and decommissioning activity, there is the potential to exceed noise and vibration standards at sensitive locations.

Table 12: Summary of local impacts – noise and vibration					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation and how to secure it (change/requirement/obligation)	Policy context
12a	Impact of surface infrastructure	C	Negative	Requirement requiring detailed Construction Traffic Management Plan & Construction Environmental Management Plan	NPS/Green Future/NPPF/BMSDC
12b	Impact of surface infrastructure	O	Neutral	Minimal noise and vibration impacts	NPS/Green Future/NPPF/BMSDC
12c	Impact of surface infrastructure	D	Negative	Requirement requiring detailed Decommissioning Traffic Management Plan & Decommissioning Environmental Management Plan	NPS/Green Future/NPPF/BMSDC
12d	Impact of underground cables	C	Negative	Requirement requiring detailed Construction Traffic Management Plan & Construction Environmental Management Plan	NPS/Green Future/NPPF/BMSDC
12e	Impact of underground cables	O	Neutral	Minimal noise and vibration impacts	NPS/Green Future/NPPF/BMSDC
12f	Impact of underground cables	D	Negative	Requirement requiring detailed Decommissioning Traffic Management Plan & Decommissioning Environmental Management Plan	NPS/Green Future/NPPF/BMSDC

Policy Context

National Policy

A Green Future: Our 25 Year Plan to Improve the Environment

14.2 None identified.

National Policy Statements

Overarching Policy Statement for Energy EN-1

14.3 IPC decision making

14.4 “5.11.8 The project should demonstrate good design through selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission.”

National Policy Statement for Electricity Networks Infrastructure EN-5

14.5 Noise and Vibration

14.6 2.9.26 All high voltage transmission lines have the potential to generate noise under certain conditions.

14.7 2.9.27 Line noise is generated when the conductor surface electric stress exceeds the inception level for corona discharge¹⁶ activity which is released as acoustic energy and radiates into the air as sound. Transmission line conductors are designed to operate below this threshold.

14.8 2.9.28 Surface contamination on a conductor or accidental damage during transport or installation can cause local enhancement of electric stress and initiate discharge activity leading to the generation of noise.

14.9 2.9.29 The highest noise levels generated by a line generally occur during rain.

14.10 2.9.30 Water droplets may collect on the surface of the conductor and initiate corona discharges with noise levels being dependent on the level of rainfall. Fog may also give rise to increased noise levels, although these levels are lower than those during rain.

14.11 2.9.31 After a prolonged spell of dry weather without rain to wash the conductors, contamination may accumulate at sufficient levels to result in increased noise. After heavy rain, these discharge sources are washed away and the line will be quiet again.

14.12 2.9.32 Surface grease on conductors can also give rise to audible noise effects as grease is able to move slowly under the influence of an electric field, tending

to form points which then initiate discharge activity. Surface grease is likely to occur along the entire length of a conductor. Hence there may be many potential discharge sources and, consequently, a high noise level.

- 14.13 2.9.33 This will only occur if substandard grease has been used during manufacture or if the conductor has been overheated by carrying excessive electrical load. This can be mitigated through good design, or by conductor cleaning or replacement. Corona discharge is an electrical discharge brought on by the ionization of a fluid surrounding a conductor, which occurs when the strength of the electric field exceeds a certain value, but conditions are insufficient to cause complete electrical breakdown or arcing. National Policy Statement for Electricity Networks Infrastructure (EN-5)
- 14.14 2.9.34 Transmission line audible noise is generally categorised as ‘crackle’ or ‘hum’, according to its tonal content.
- 14.15 2.9.35 Crackle may occur alone, but hum will usually occur only in conjunction with crackle. Crackle is a sound containing a random mixture of frequencies over a wide range, typically 1kHz to 10kHz. No individual pure tone can be identified for any significant duration. Crackle has a generally similar spectral content to the sound of rainfall. Hum is only likely to occur during rain when rates of rainfall exceed 1mm/hr. Crackle is a sound containing a random mixture of frequencies over a wide range, typically 1kHz to 10kHz. Crackle has a generally similar spectral content to the sound of rainfall. Hum is a sound consisting of a single pure tone or tones.
- 14.16 2.9.36 Noise may also arise from discharges on overhead line fittings such as spacers, insulators and clamps. Such noise should be mitigated through good design.
- 14.17 2.9.37 Audible noise effects can also arise from substation equipment such as transformers, quadrature boosters and mechanically switched capacitors.
- 14.18 2.9.38 Transformers are installed at many substations, and generate low frequency hum. Whether the noise can be heard outside a substation depends on a number of factors, including transformer type and the level of noise attenuation present (either engineered intentionally or provided by other structures).
- 14.19 2.9.39 For the assessment of noise from substations, standard methods of assessment and interpretation using the principles of the relevant British Standards¹⁷ are satisfactory.
- 14.20 2.9.40 For the assessment of noise from overhead lines, the applicant must use an appropriate method to determine the sound level produced by the line in both dry and wet weather conditions, in addition to assessing the impact on noise-sensitive receptors.

- 14.21 2.9.41 For instance, the applicant may use an appropriate noise modelling tool or tools for the prediction of overhead line noise and its propagation over distance.
- 14.22 2.9.42 When assessing the impact of noise generated by overhead lines in wet weather relative to existing background sound levels, the applicant should consider the effect of varying background sound levels due to rainfall.
- 14.23 2.9.43 The Secretary of State is likely to regard it as acceptable for the applicant to use a methodology that demonstrably addresses these criteria.

National Planning Policy

National Planning Policy Framework, September 2023

- 14.24 “174. Planning policies and decisions should contribute to and enhance the natural and local environment by:
- 14.24.a e) 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;”

Local Plan Policy

Babergh District Council Core Strategy Policies

- 14.25 None identified.

Babergh District Council Local Plan Policies

- 14.26 None identified.

Mid Suffolk Core Strategy Policies

- 14.27 Policy CS 4 titled “Adapting to Climate Change” states that:

- 14.27.a “Pollution: To protect people and the environment from unsafe or unhealthy pollutants. Development that harms the quality of soil or air and/or causes noise, dust, odour or light pollution will be avoided wherever possible. Development proposals will have no adverse effect on water quality.”

Mid Suffolk Core Strategy Focused Review Policies

- 14.28 None identified.

Mid Suffolk Local Plan Policies

14.29 None identified.

Babergh & Mid Suffolk Joint Local Plan

14.30 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP17 titled “Environmental Protection” seeks to minimise noise impacts by reference to the following criteria:

14.30.a “a. Prevent, or where not practicable, reduce all forms of possible pollution including, but not limited to; air, land, ground and surface water, odour, noise, light and any other general amenity, including public amenity and visual amenity impacts. This must be demonstrated to the satisfaction of the LPA by the impact assessments where appropriate.

14.30.b b. Amenity impacts are avoided where it is located adjacent to or close to existing uses with the potential to have amenity impacts. This would include an assessment of any identified amenity impacts and how the continued operation of existing use(s) would not be prejudiced.”

14.31 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP17 titled “Environmental Protection” includes the following criteria:

14.31.a “1. All new development is required to minimise its dependence on fossil fuels and to make the fullest contribution to the mitigation of climate change through adopting a sustainable approach to energy use.

14.31.b 2. Where construction may cause potential adverse impacts, measures proposed must include Construction Environment Management Plans (CEMPs).”

Neighbourhood Plans

14.32 None identified.

Other Relevant Local Policy

14.33 Essex County Council and Braintree District Council are likely to have similar concerns and policies.

Local Impact Assessment

Construction Phase Impacts

Positive

14.34 None identified.

Neutral

14.35 None identified.

Negative

14.36 Construction operations have the potential to give rise to noise exceedances.

Operational Phase Impacts

Positive

14.37 None identified.

Neutral

14.38 On the assumption that no significant works required, there are no impacts identified.

Negative

14.39 None identified.

Decommissioning Phase Impacts

Positive

14.40 None identified.

Neutral

14.41 None identified.

Negative

14.42 Decommissioning operations have the potential to give rise to noise exceedances.

Required Mitigation

14.43 During construction and decommissioning noise mitigation measures will be required.

Relevant Representation

14.44 Proposed working hours; the Council objects to proposals set out in the Draft Development Consent Order (dDCO) Requirement 7 to allow any construction on Saturday afternoons, Sundays and Bank Holidays and outside of core construction times.

15 Economic Development, Skills and Tourism

(Joint Lead Authorities – SCC / BMSDC)

Summary

15.1 The Councils consider that the scoping out of economic development, skills and tourism was incorrect and that there are significant impacts in respect of these issues, especially tourism, that should be quantified. The Councils consider that there may also be positive impacts for economic development and skills that can be achieved through collaboration with the promoter and delivered within the communities that are hosting this project.

Supply Chain and Economic Development

15.2 The Councils welcome the opportunity to strengthen and support the growth of local businesses through their involvement in a project such as this. However, to achieve any growth the promoter must be willing to engage collaboratively, as early as possible, with the economic development agencies within Suffolk. This is especially pertinent when it is known that this project is one of a series of projects being brought forward by National Grid in the locality and therefore will provide a far greater opportunity than a single project would.

Employment, Skills and Education

15.3 There is an absence of reference to several key documents and sources of data that will enhance the provided socio-economic assessment. These include the Economic Strategy for Norfolk and Suffolk, the Technical Legacy Report for Norfolk and Suffolk along with the Suffolk County Council's Energy Infrastructure Policy and the Council's Energy and Climate Adaptive Infrastructure Policy.

15.4 The Councils cannot fully determine the sufficiency of the approach to determining socio-economic impact ahead of the levels of expected employment, and the detailed workings supporting it, being provided and assessed by the promoter.

15.5 We consider further work to be required by the promoter, including clearly setting out the expected number and nature of employment opportunities during each phase of the project. These employment opportunities need to be related to the expected availability of labour in the area.

15.6 The promoter's commitment to prepare and implement an Employment, Skills and Education Strategy is welcomed and the Councils are willing to work with the promoter to ensure that there is alignment between the strategy and ongoing local activity supporting education, skills and employment to ensure that the strategy can have as great an impact as possible. This would be in line with the Council's energy infrastructure policies which requires promoters to undertake

comprehensive and effective engagement with the Councils and supply chain partners to maximise the local business opportunity, skills inspiration and employment benefits.

Tourism

- 15.7 The Councils anticipate that the project, given its location close to the Suffolk Coast & Heaths AONB, Dedham Vale AONB and other rural areas of Suffolk of importance to the tourism economy, could have impacts upon visitor perception, and visitor numbers, both during construction and during operation, which, in particular in combination with other projects happening simultaneously in the area, could be significant.
- 15.8 Due to the current absence of controls on vehicle movements, the impacts on traffic remain unclear. Whilst it is not envisaged that the scale of the project will relate in severe congestion as a result of development traffic, the development is proposing a large number of road closures, PRow closures and associated traffic management to deliver the project, which will result in users of the network experiencing delay, particularly if the closures are not well planned. Users may have to experience repeated closures of the routes that they use reducing their attractiveness. Repeated closures of PRow is likely to make the area less attractive to tourists, potentially reducing investment, with impacts likely to be greater if closures occur in the Summer. With potential cumulative impacts with other projects resulting in repeated closures over 3 to 5 years. The closures may result in a less reliable transport network, resulting in reduced investment in the area.

Community Benefit and Project Legacy

- 15.9 Community benefits should be additional to the required mitigation and compensation for the development, including those based on any emerging requirements from the recent consultation on Community Benefits for Electricity Transmission Network Infrastructure foreshadowed in the British Energy Security Strategy.

Table 13: Summary of local impacts – economic development, skills and tourism					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation and how to secure it (change/requirement/obligation)	Policy context
Supply Chain and Economic Development					
13a	Investments in local economy as part of the construction programme, and associated local/regional supply chain opportunities	C/D	Neutral	<p>Neutral, however if suitable strategies delivered with local partners that engage local SME's within the supply chain this could be a positive impact.</p> <p>Applicant should form suitable governance involving Council and local economic development organisations to maximise opportunities.</p> <p>The Councils expect to have comprehensive and effective engagement with developers and their supply chain partners to maximise the local business opportunity, skills inspiration, and employment benefits.</p> <p>Wherever appropriate, the Councils and developers should promote synergies between projects that enhance these benefits, deliver growth, and attract inward investment.</p>	Suffolk County Council's Energy and Climate Adaptive Infrastructure Policy
13b	Potential of minor positive impacts as a result of additional spend from a non-homebased workforce.	C/D	Positive	The scheme could provide some benefit in terms of additional spend of non-home-based workers.	

				Once the size of workforce is known and particularly those non-homebased, the applicant should work with the Councils on schemes/strategies encouraging non-home-based workers to spend locally	
13c	Impact on businesses and supply chain to other construction projects in the local area and region due to workforce displacement and churn	C/D	Negative	<p>Given that there is a substantial number of nationally significant energy projects in the region that require similar skilled workers during the same time period the Councils expect the applicant to quantify and mitigate the negative impact of displacement.</p> <p>The applicant will need to work with the Councils to produce plans and strategies to help control the rate of workforce displacement.</p>	NPS EN-EN1 identifies large-scale development projects are likely to have socio-economic impacts at local levels, e.g., on small businesses.
Employment, Skills and Education					
13d	Local employment opportunities from the construction; opportunity for local employment creation	C/D	Neutral	<p>With the correct agreement, strategies and collaboration with the promoter this could be a positive impact.</p> <p>The applicant is expected to work collaboratively with the Councils to set clear, ambitious and SMART employment targets – delivered through a Memorandum of Understanding.</p> <p>Provide an employment outreach fund – secured through an</p>	<p>NPS EN-1 Socioeconomics: socio-economic impacts may include the creation of jobs and training.</p> <p>Suffolk County Council's Energy and Climate Adaptive Infrastructure Policy: To seek to maximise the benefits of economic growth, skills, and STEM (Science Technology Engineering and Maths) educational inspiration, from</p>

				<p>obligation, to support increased activity.</p> <p>Support activity to increase the size and diversity of the labour market pool.</p> <p>Develop a suitable governance model, involving the Councils, to maximise opportunities throughout the entire construction programme.</p> <p>Deliver an apprenticeship strategy as part of the Memorandum of Understanding.</p> <p>Monitor and report on employment outcomes and social impact.</p>	<p>energy generation and connection projects, are fully realised for the communities of Suffolk, to support the long-term economic growth of the area.</p> <p>The expansion of renewable and low carbon energy offers significant opportunities to drive the Council's priority to Strengthen the Local Economy, which it recognises priority as a key to unlock potential and improve people's quality of life. The active delivery of net zero by the Councils will support opportunities for employment and training, providing more highly skilled jobs with increased wage and productivity levels for our communities, whilst safeguarding Suffolk's natural and historic environment by contributing to climate change adaptation.</p>
13e	<p>Opportunity to support and enhance Suffolks low carbon energy infrastructure skills and training offer. Also leaving a legacy post construction.</p>	C/O/D	Neutral	<p>With the correct agreement, strategies and collaboration with the promoter this could be a positive impact.</p> <p>Provide a funding contribution to the established regional skills coordination function – secured through an obligation.</p> <p>Provide capital and revenue funding for local skills infrastructure and adapting local training offers where relevant – secured through an obligation.</p> <p>Deliver a suitable governance model, involving the Councils, to</p>	<p>The Councils recognises the requirement to develop the skills needed for future growth as a signatory to the New Anglia Local Economic Partnership Youth Pledge. We will support employers to train people in the skills their sectors</p>

				<p>maximise opportunities – secured through an obligation.</p> <p>Deliver an apprenticeship strategy as part of the Memorandum of Understanding.</p>	<p>need, continue our ambitious Apprenticeships Suffolk programme, and work with employers to create more start-up businesses.</p>
13f	<p>Opportunities for unemployed and under-employed.</p>	C/D	Neutral	<p>With the correct agreement, strategies and collaboration with the promoter this could be a positive impact.</p> <p>The applicant is expected to work collaboratively with the Councils to set clear, ambitious and SMART targets – delivered through a Memorandum of Understanding.</p> <p>Deliver activity to increase the size and diversity of the labour market pool.</p> <p>Provide an employment outreach fund – secured through an obligation.</p> <p>Fund a bursary scheme to remove barriers to training and employment – secured through an obligation</p> <p>Deliver a suitable governance model involving the Councils to maximise opportunities throughout the entire construction programme.</p>	<p>Promoters should be seeking to deliver inclusive growth through working with Council, partners, such as Suffolk County to identify and deliver additional social value. National toolkits, frameworks, and individual case studies, such as those available through the Social Value Portal, could assist with this process and the measurement of outcomes. A skills programme for example, could be achieving a reduction in long-distance commuting, supporting other businesses, as well as reducing health inequalities.</p> <p>The Councils will continue working actively with the energy and water sectors, (developers, owners or operators and associated supply chains), Government, Local Enterprise Partnerships, and regulators, to facilitate the delivery of the policy, that seeks to ensure the use of best available techniques, to maximise the</p>

				Monitor and report on employment outcomes and social impact.	development of skills, employment, and educational inspiration in Suffolk. The objective being to create a relevantly skilled talent pool, that can take advantage of the opportunities presented by a succession of energy generation, connection, and climate adaptive projects.
13g	Indirect and induced employment opportunities	C/D	Neutral	The Councils anticipates only negligible positive impacts as a result of indirect and induced employment opportunities	
13h	Local employment opportunities during operation	O	Neutral	There are no identified opportunities for local employment during operation	
Tourism					
13i	Impact on Suffolk as a tourism destination, where pylons in the landscape detract from the environmental quality for recreational activity more broadly and the perception and propensity of people to visit the area.	C/O/D	Negative	The area is home to some of Suffolk's most distinctive and recognisable features and landscape. While the eventual removal of the pylons may have an ultimately positive impact, there are concerns that, in the short-medium term, there will be a negative effect on tourism during the implementation phase.	
13j	Displacement of tourists from accommodation as a result of demand from workforce		Negative	The accommodation sector would be unlikely to be able to accommodate workforce and tourists. This could result in potential visitors choosing another area of Suffolk or the UK instead. This would not just have an impact on accommodation though. The spending patterns of a transitory labour force would be quite different to those of tourists and this might jeopardise trade	

				for other related tourist businesses, such as restaurants and visitor attractions.	
13k	Business benefits of workforce taking up tourism accommodation		Neutral	Whilst workforce business will be good for accommodation providers in the short-medium term, it is finite. See below	
13l	Potential “boom and bust” effect on tourism accommodation if becoming reliant on workforce bookings		Negative	<p>The definition of a “visitor” is a broad one. And a successful thriving tourism economy is one which can accommodate a mix of visitors, be they holidaymakers, day-trippers, workers etc. The area is a popular tourism destination. We do not want the legacy of the work period to be that the area is known as one where visitor accommodation is in short supply. We need to ensure that tourists are still able to stay in the area and that an appropriate mix of workforce and visitors can be maintained.</p> <p>If an area becomes reliant on one particular sub-sector for an extended period of time then there is a danger that this mix will be adversely affected, which will ultimately not be good for an all-year round visitor economy.</p> <p>This area of Suffolk is not reliant on good weather (unlike, say, a coastal resort) and has the ability and potential to be a draw for short breaks during the off-</p>	

				season shoulder months of the year. It is important, therefore, that visitors of all types are able to access accommodation	
13m	Perception of area by potential visitors	C/O/D	Negative	There are a number of large scale energy/ construction initiatives proposed for Suffolk over the coming years. Potential visitors may be deterred by the view that the county will be full of diversions, traffic jams and construction traffic and consideration needs to be given as to how this can be combated/ mitigated.	

Policy Context

National Policy

A Green Future: Our 25 Year Plan to Improve the Environment

15.10 Actions we will take include:

- 15.10.a “Working with National Park Authorities and AONB Partnerships and Conservation Boards to deliver environmental enhancement, including through demonstrator projects, and engaging with communities through their statutory management plans.”

National Policy Statements

Overarching Policy Statement for Energy EN-1

- 15.11 Generic socio-economic impacts of energy NSIPs are covered in Section 5.12 of Overarching National Policy Statement for Energy (EN-1).
- 15.12 EN-1 sets out that the construction, operation and decommissioning of energy infrastructure may have socio-economic impacts at local and regional levels.
- 15.13 Paragraph 5.12.3 notes socio-economic impacts may include the creation of jobs and training opportunities, the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities, and effects on tourism. There may be impacts from a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development.
- 15.14 Paragraph 5.12.3 also covers potential cumulative impacts of development: if development consent were to be granted for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.
- 15.15 Paragraph 5.12.5 states socio-economic impacts may occur in isolation or be linked to other impacts, for example the visual impact of a development is considered in under landscape and visual impact assessment but may also have an impact on tourism and local businesses.
- 15.16 Paragraph 5.12.8 notes decision-makers should consider any relevant positive provisions the developer has made or is proposing to make to mitigate impacts

(for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts.

National Planning Policy

National Planning Policy Framework, September 2023

- 15.17 177 “When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- 15.17.a a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - 15.17.b b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - 15.17.c c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”

Local Plan Policy

Suffolk County Council Energy and Climate Adaptive Infrastructure Policy

- 15.18 Skills and growth - The Councils will continue working actively with the energy and water sectors, (developers, owners or operators and associated supply chains), Government, Local Enterprise Partnerships, and regulators, to facilitate the delivery of the policy, that seeks to ensure the use of best available techniques, to maximise the development of skills, employment, and educational inspiration in Suffolk. The objective being to create a relevantly skilled talent pool, that can take advantage of the opportunities presented by a succession of energy generation, connection, and climate adaptive projects.
- 15.19 The Councils expect that individual promoters will contribute to the delivery of these goals in Suffolk, looking to align the achievement of local priorities with their own, going beyond the minimum measures necessary to mitigate the clearly defined impacts of their project. This process should result in measurable outcomes that, for example, deliver social value.
- 15.20 The Councils expect to have comprehensive and effective engagement with developers and their supply chain partners, to maximise the local business opportunity, skills inspiration, and employment benefits. Wherever appropriate,

the Councils and developers should promote synergies between projects that enhance these benefits, deliver growth, and attract inward investment.

Babergh District Council Core Strategy Policies

15.21 Policy CS17 The economy in the rural area will be supported through a number of measures including:

15.21.a “a) through the encouragement of:

15.21.b iii) sustainable tourism and leisure based businesses (including those offering a diverse range of visitor accommodation, activities or experiences).”

Babergh District Council Local Plan Policies

15.22 None identified.

Mid Suffolk Core Strategy Policies

15.23 None identified.

Mid Suffolk Core Strategy Focused Review Policies

15.24 None identified.

Mid Suffolk Local Plan Policies

15.25 None identified.

Babergh & Mid Suffolk Joint Local Plan

15.26 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP20 titled “Area of Outstanding Natural Beauty” supports tourism development in the AONBs “where it reflects the intrinsic quality and respects the character of the AONB and demonstrates the proposal has been informed by all relevant local guidance and the relevant AONB Management Plan which includes the AONB and identified Project Area.”

Neighbourhood Plans

15.27 None identified.

Other Relevant Local Policy

15.28 Essex County Council and Braintree District Council are likely to have similar concerns and policies.

Local Impact Assessment

Context

- 15.29 Suffolk has specific natural and geographic advantages which make it very attractive for locating low carbon energy generation and the subsequent connection projects. Suffolk has established industries, nuclear, offshore gas logistics and agri-tech, as well as climatic conditions, which make it attractive for specific low carbon technologies, especially new nuclear, solar power, hydrogen production and anaerobic digestion. The delivery of Net Zero in the UK by 2050 is expected to require a pipeline of generation and connection projects in Suffolk. Therefore, significant changes for the economy, environment and communities of Suffolk can be expected as a result. Suffolk and the wider East of England has a unique blend of infrastructure, expertise, skills and innovation. At the same time, hosting so many low carbon generation and connection projects presents a number of challenges, in terms of impacts on the tourism economy, local businesses and the labour market.

Construction Phase Impacts

Supply Chain and Economic Development

Positive

- 15.30 While the overall impact of the proposal on supply chain and economic development is considered by the Councils as neutral, the Councils accept that the construction of the Bramford to Twinstead Grid Network Reinforcement project could have some minor positive impacts on the local supply chain through investment in local businesses to support delivery of the installation of the project. However, given the relatively short construction period of the project, the benefits on the local supply chain are not expected to have a long-term impact unless consideration is given to the wider network projects and how local supply chain can support all of these. There are, in addition to Bramford to Twinstead, further grid reinforcement and inter connector projects in planning that are expected to be constructed prior to 2030. Therefore, a developed local supply chain with experience in the construction of these installations can expand to take advantage of these projects and be in a position to export their expertise to similar largescale project opportunities nationally. To maximise these opportunities, the Councils expect the Applicant to work with local stakeholders to develop programmes that will support local businesses to grow and offer their services to supply the promoters project and other related projects within and outside the region.
- 15.31 Although the Councils consider that there could be a minor positive impact caused by additional spend by a non-homebased workforce, no data has been supplied to ascertain the numbers and types of workers. Therefore, the exact

value of this additional spend cannot be determined until the Applicant has assessed the expected number of home-based workers compared to non-homebased workers.

Neutral

15.32 The overall impact of the project during construction is considered neutral.

Negative

15.33 The Councils consider there is a likely negative impact on workforce availability to regional businesses and supply chain due to workforce displacement and churn. Within the region, there are numerous energy infrastructure projects planned and expected to be in construction around the same period as the Applicant's development. These projects would likely require some of the skills and workforce needed for the construction of this project. In its impact assessment of this project, the Applicant has not considered the implications of these other projects and the cumulative impact of the projects on the local and regional workforce availability for businesses in the area.

15.34 To mitigate this impact, the Applicant should work collaboratively with the Councils to ensure a strategic approach in order to help control the rate of workforce displacement. Labour required should also include members of the local workforce who might not have the necessary skills without some investment in training locally.

15.35 There would be material impacts upon the DVAONB and other sensitive landscape. This would include an 80m wide swathe that would be disturbed due to the construction of underground cable sections of the route. Surface infrastructure construction would represent an intrusive feature in the landscape during construction. There would be a consequential impact upon the perception of visitors in the area which is covered in the Tourism paragraphs.

Employment, Skills and Education

Positive

15.36 The Councils anticipate potential positive employment, skills and education impacts through collaboration with the applicant.

15.37 We welcome the applicant's plans to produce an employment, skills and education strategy which will support maximising positive impacts of the project.

15.38 There are opportunities for some positive employment, skills and education impacts, in terms of employment levels and reducing inequalities by creating opportunities for those furthest from the workforce and for vulnerable groups. To achieve such positive impacts, the applicant would need to identify the different skills required across their total workforce, and then the propensity and flexibility

of the labour market within the 45 minute travel study area to fill these identified roles. In parallel, the applicant would also need to identify local supply chain companies that can become involved in the project.

- 15.39 To achieve this positive impact, the Applicant needs to work collaboratively with local stakeholders, share detailed skills and job information in advance and provide funding for several interventions that will ensure a pipeline of local people can be trained and enter the labour market at the right time with the right skills to take up opportunities that the scheme will provide.
- 15.40 The Councils consider that the Applicant needs to work with their associated supply chains, contractors and local partners to recruit and train local people ahead of the construction period which will ensure that they develop their skills and are enabled to move between roles and different types of contracts as we see a range of energy infrastructure projects in the region. The project, as part of the wider energy infrastructure construction projects, is an opportunity to generate skills and employment outcomes and subsequently contribute to the achievement of both national and local policy objectives. This includes:
- 15.40.a Providing new, additional employment opportunities for all, but especially those who are currently unemployed or underemployed, thereby reducing in-work poverty and inequality which has risen sharply in the region;
 - 15.40.b Increasing skills attainment levels for school leavers and those in work through using net zero/clean growth as a catalyst to motivate the workforce to seek, and take advantage of, opportunities for professional development;
 - 15.40.c Build on the regions existing net-zero/clean growth taskforces aligning with the Green Jobs Taskforce, creating new green jobs and delivering on our net zero ambitions as we meet our climate targets, thus building back better; and
 - 15.40.d Levelling up - by boosting productivity, pay, jobs and living standards by growing the local supply chain in sustainable industries.
- 15.41 In order to achieve these outcomes, the Councils expect the applicant to work with local partners to:
- 15.41.a Embed social value in their associated supply chain, delivering change for local people around jobs, sustainability, health and well-being, inclusivity and equity.
 - 15.41.b Raise career aspiration through the creation of sustainable and progressive employment opportunities and contribute to a further enhanced integrated careers and advice system which connects and

inspires young people into training for the careers available locally utilising local initiatives

15.41.c Be an advocate for a diverse, dynamic, and inclusive workforce

15.41.d Wherever possible, align, utilise and actively promote existing and integrated skills resources available in both counties, enhancing and enriching the local offer for all.

15.42 The benefits of apprenticeships for both an employer and apprentice are widely publicised. The project will provide many opportunities for local apprenticeship recruitment supporting regional growth sectors of construction and engineering and play an important part in mitigating any negative employment churn impacts in wider regional employment sectors.

Neutral

15.43 The Councils consider that there will be only negligible positive impacts because of indirect and induced employment opportunities, particularly due to the linear nature of the project. However, there is the potential for a positive impact to be created if there is sufficient and early supply chain engagement.

Negative

15.44 The Councils consider there is a likely negative impact on workforce availability to regional businesses due to workforce displacement and churn.

15.45 Labour market churn occurs as workers move between jobs. While the Councils welcome, in principle, opportunities for individuals to access jobs with better pay and enhanced career paths, in this case the Councils consider labour market churn will have a damaging negative impact on the local economy. Given the relatively short construction period of this proposal combined with the fact there are no long term operational roles, any employment churn, where skilled labour prematurely leaves their current local employment to work on the project, will have a damaging negative impact on the local economy.

Tourism

Positive

15.46 None identified.

Neutral

15.47 None identified.

Negative

15.48 Construction of this project is likely to have an impact on tourism business within 500 meters of the red line boundary and up to 2km of the red line boundary.

Particularly but not solely in the underground sections of the project, within the AONB and Stour Valley. Furthermore, indirect impacts of construction on perception of these areas and consequent perception to visit them is likely to occur. Businesses, services, and attractions based on day visitors are likely to be the most sensitive. This is recognised in principle by the applicant in Document 6.3.6.2: ES Appendix 6.2 –Assessment of Effects on Designated Landscapes [APP-098], Chapter 4, paragraph 4.1.1:

- 15.49 “Significant adverse landscape effects during construction are predicted for the AONB and Stour Valley SLA, however only a localised part of the designation within approximately 1km of the LoD would be affected. These significant effects would mainly be associated with the large scale of the construction activities associated with the 400kV underground cables compared to the smaller scale works to remove or construct pylons.”
- 15.50 Therefore, in collaboration with the relevant local authorities, including the Councils, the applicant should identify and characterise the tourism businesses within 2km of the red line boundary of the project. Likely impacts on these businesses should be identified and a package of mitigation measures developed.

Operational Phase Impacts

Supply Chain and Economic Development

Positive

- 15.51 None identified.

Neutral

- 15.52 None identified.

Negative

- 15.53 None identified.

Employment, Skills and Education

Positive

- 15.54 None identified.

Neutral

- 15.55 None identified.

Negative

- 15.56 None identified.

Tourism

Positive

- 15.57 The removal of the existing 132kV overhead line in association with the 400kV underground cables in the AONB and Stour Valley is a significant benefit. These underground cable sections of the route would over time meld into the landscape.

Neutral

- 15.58 None identified or anticipated.

Negative

- 15.59 Surface infrastructure would remain highly visible within the landscape. There would be a consequential impact upon the perception of visitors to the area. This is recognised in principle by the applicant in Document 6.3.6.2: ES Appendix 6.2 –Assessment of Effects on Designated Landscapes [APP-098], Chapter 4, paragraph 4.1.2:
- 15.60 “During operation, the only adverse significant effect would be at Year 1 within the Gipping Valley SLA due to the introduction of the section of new 400kV overhead line to the north-west of Ramsey Wood, which is an area that is currently unaffected by high voltage electricity infrastructure. By Year 15 of operation, the effects would reduce to not significant due to the maturing woodland around the south-western side of Bramford Substation.”
- 15.61 Therefore, in collaboration with the relevant local authorities, including the Councils, the applicant should identify and characterise the tourism businesses within 2km of the red line boundary of the project. Likely impacts on these businesses should be identified and a package of mitigation measures developed.

Decommissioning Phase Impacts

Supply Chain and Economic Development

Positive

- 15.62 None identified.

Neutral

- 15.63 None identified.

Negative

- 15.64 None identified.

Employment, Skills and Education

Positive

15.65 None identified.

Neutral

15.66 None identified.

Negative

15.67 None identified.

Tourism

Positive

15.68 Decommissioning of this project, once completed, will have appositive impact due to the removal of any and all visual impact to the designated landscapes.

Neutral

15.69 None identified.

Negative

15.70 Decommissioning of this project is likely to have an impact on tourism business within 500 metres of the red line boundary and up to 2km of the red line boundary. Particularly but not solely in the underground sections of the project, within the AONB and Stour Valley. Furthermore, indirect impacts of construction on perception of these areas and consequent perception to visit them is likely to occur. Businesses, services, and attractions based on day visitors are likely to be the most sensitive.

15.71 Therefore, in collaboration with the relevant local authorities, including the Councils, the applicant should identify and characterise the tourism businesses within 2km of the red line boundary of the project. Likely impacts on these businesses should be identified and a package of mitigation measures developed.

Required Mitigation

15.72 While the positive benefit to local supply chains and businesses from this project on its own may be limited and transient, the significant number of large-scale grid projects in planning within the local area and region, opens some opportunity for investing in local supply chain and businesses that can support the development of these projects. Therefore, the Councils expect the applicant to provide a positive strategy, with key targets for financial investment contribution towards the growth of local supply chains and businesses, enabling these businesses to play key roles in supporting this and other scale grid developments, regionally and nationally. The applicant would be expected to work with the Councils on the

structure on how the financial investment would be used in terms of local business targets and schemes to develop local supply chain.

15.73 The project will have an impact on local labour markets and workforce availability, further exacerbated by the currently extremely low unemployment rate locally and nationally. Whilst the Councils question the home-based worker numbers that have been presented (see above), it is still expected that a number of workers will prematurely leave their current employment and this level of churn within the workforce will have a major significant negative impact. To mitigate this effect, the applicant is expected, through the project, to create employment for those currently economically inactive, as well as to train, attract and employ those entering work and those that are under employed and therefore not impacting upon existing employment numbers. The applicant should also support those that are transferring from other sectors for better employment. The applicant is expected to ensure it is an exemplar for inclusion and diversity within its workforce to again ensure it is attracting labour from as many sources as possible beyond the currently employed labour market. The Councils expect the applicant to:

- 15.73.a Deliver and fund, in collaboration with the Councils and local partners, activities that develop both local talent pools and local people so that they are enabled to take up opportunities of recruitment into skilled roles across the project;
- 15.73.b Work collaboratively with the Councils to ensure that where possible skills training, aimed at creating wider and deeper local talent pools from which to draw from, also has a long term demand within the region thus ensuring a greater opportunity for sustainable employment;
- 15.73.c Set an ambition for 5% of the roles required by the project to be filled through 'earn and learn' positions (the majority of which will be apprenticeships but may also include graduates on formalised training schemes and sponsored students as per the definition of the '5% club') including a commitment to a minimum number of apprenticeship opportunities to be provided to local people;
- 15.73.d Create tangible mechanisms for ensuring that the skills base developed for the construction of the project is as transferable as possible to other key construction project being delivered regionally;
- 15.73.e Deliver activities with the Applicant to liaise with local tourism organisations and accommodation providers to understand demand and availability;
- 15.73.f Applicant to ensure that all local accommodation providers are aware of this potential opportunity, liaise through existing networks;

- 15.73.g Aim to increase the size and diversity of the labour market pool;
 - 15.73.h Put into place clear plans (e.g., commitments within contracts) to drive the behaviours of their associated supply chain(s) to achieve skills and employment outcomes; and
 - 15.73.i Incorporate social value measures within all activity and use as a tool to quantify the success of any and all interventions and to drive commitment and delivery of the associated supply chain to recruit locally and provide apprenticeship opportunities where feasible.
- 15.74 Clearly set out via a Skills Plan, incorporating, supply chain skills plans, a strategic approach to developing and supporting the project's workforce requirements. The strategic approach should take into account each distinct phase of the project, feedback from employment monitoring measures and be reflective of the Council's local economics, in particular local opportunity that meets skills legacy for the region.
- 15.75 A s111 legal agreement should be entered into that would provide workforce skills training.
- 15.76 Due to the potential displacement of visitors from the area and the effect on the visitor economy sector and in order to mitigate impacts and maximise opportunities the Councils are seeking to secure the following:
- 15.76.a Funding to support local visitor economy initiatives to mitigate impact.
 - 15.76.b Fund to support local visitor economy initiatives to mitigate impact.
- 15.77 A s106 legal agreement should be entered into that would provide compensatory funding to address the negative impacts upon the perception of visitors to the area.

Relevant Representation

- 15.78 Economic Development and Skills (Socio-economics); the Council agree with the conclusion of NGET in relation to socio-economics. However, the Council consider that there are significant positive opportunities that the project alone will bring to the county and the wider region, and where there is synergy alongside further transmission, distribution and generation projects. We expect National Grid to coordinate their projects in Suffolk and actively engage with the Council via a Memorandum of Understanding, with regard to East Anglia Green, Sealink and Bramford to Twinstead, to secure benefits for and investment in local businesses and employment networks.
- 15.79 Critical national infrastructure must not only deliver the Government's energy objectives but also deliver sustainable societal and economic impacts in the regions that are hosting them and as set out in Suffolk County Council's Energy

and Climate Adaptive Infrastructure Policy. National Grid as a responsible corporate entity should actively engage with the Council and its partners to identify and deliver inclusive growth, social value and additional wider benefits.

- 15.80 Scoping out of tourism; NGET has not included full consideration of tourism in the Environmental Statement (ES). The Council strongly objects to this as a serious omission, and that an assessment of the impacts upon Tourism should have been undertaken. The County Council anticipates that the proposed development, given its location across the Dedham Vale AONB and the Stour Valley project area, could have significant impacts upon visitor perception and ultimately visitor numbers, hence it is not acceptable for this impact to remain unassessed. The Council expects NGET to develop initiatives to counteract the negative impacts upon tourism.

16 Public Health

(Lead Authority – SCC)

Summary

- 16.1 The proposals involve the construction of substantial electrical infrastructure with associated Electrical and Magnetic forces. Explanatory material is included within the application.
- 16.2 The parameters to which the proposals are designed are precautionary in approach based upon research. No detrimental impacts are expected.

Table 14: Summary of local impacts – Electric & Magnetic Fields					
Ref No.	Description of Impact	Construction (C) / Operation (O) / Decommissioning (D)	Negative/ Neutral/ Positive	Required mitigation and how to secure it (change/requirement/obligation)	Policy context
14a	Impact of surface infrastructure	C	Neutral	n/a	NPS EN-5/ ICNIRP Guidelines 2020/ HSE The Control of Electromagnetic Fields at Work Regulations 2016
14b	Impact of surface infrastructure	O	Neutral	n/a	NPS EN-5/ ICNIRP Guidelines 2020/ HSE The Control of Electromagnetic Fields at Work Regulations 2016
14c	Impact of surface infrastructure	D	Neutral	n/a	NPS EN-5/ ICNIRP Guidelines 2020/ HSE The Control of Electromagnetic Fields at Work Regulations 2016
14d	Impact of underground cables	C	Neutral	n/a	NPS EN-5/ICNIRP Guidelines 2020/ HSE The Control of Electromagnetic Fields at Work Regulations 2016
14e	Impact of underground cables	O	Neutral	n/a	NPS EN-5/ ICNIRP Guidelines 2020/ HSE The Control of Electromagnetic Fields at Work Regulations 2016
14f	Impact of underground cables	D	Neutral	n/a	NPS EN-5/ ICNIRP Guidelines 2020/ HSE The Control of Electromagnetic Fields at Work Regulations 2016

Policy Context

National Policy

A Green Future: Our 25 Year Plan to Improve the Environment

16.3 None identified.

The Control of Electromagnetic Fields at Work Regulations 2016

16.4 UK organisations with five or more employees need to complete an EMF risk assessment. This is a statutory requirement and in line with the Management of Health and Safety at Work Regulations 1999.

International Commission on Non-Ionizing Radiation Protection Guidelines

16.5 For public exposure, the UK policy complies with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) 1998 guidelines.

National Policy Statements

National Policy Statement for Electricity Networks Infrastructure EN-5

16.6 EN-5 provides a clear framework for planning inspectors to determine the potential impacts of the project. It includes exposure limits to protect against established effects and precaution for uncertainty.

National Planning Policy

National Planning Policy Framework, September 2023

16.7 “5. The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework).”

Local Plan Policy

Babergh District Council Core Strategy Policies

16.8 None identified.

Babergh District Council Local Plan Policies

16.9 None identified.

Mid Suffolk Core Strategy Policies

16.10 None identified.

Mid Suffolk Core Strategy Focused Review Policies

16.11 None identified.

Mid Suffolk Local Plan Policies

16.12 None identified.

Babergh & Mid Suffolk Joint Local Plan

16.13 Babergh & Mid Suffolk Joint Local Plan Submission Draft Policy LP17 titled “Environmental Protection” requires developments to:

- 16.13.a “a. Prevent, or where not practicable, reduce all forms of possible pollution including, but not limited to; air, land, ground and surface water, odour, noise, light and any other general amenity, including public amenity and visual amenity impacts. This must be demonstrated to the satisfaction of the LPA by the impact assessments where appropriate.”

Neighbourhood Plans

16.14 None identified.

Other Relevant Local Policy

16.15 Essex County Council and Braintree District Council are likely to have similar concerns.

Local Impact Assessment

Construction Phase Impacts

Positive

16.16 None identified.

Neutral

16.17 None identified.

Negative

16.18 None identified.

Operational Phase Impacts

Positive

16.19 None identified.

Neutral

16.20 None identified.

Negative

16.21 None identified.

Decommissioning Phase Impacts

Positive

16.22 None identified.

Neutral

16.23 None identified.

Negative

16.24 None identified.

Required Mitigation

16.25 None identified.

Relevant Representation

16.26 Electric and Magnetic Forces: the Council have been reassured that all recognised standards in respect of Electric and Magnetic Forces will be adhered to.

17 Draft Development Consent Order

(Lead Authority – SCC)

Summary

17.1 It will be noted that references to certain DCO provisions are included in the sub-section headed “Comments of Suffolk County Council Archaeological Service” of section 8 “Historic Environment”, the sub-section headed “Landscape and Ecological Management Plan (LEMP)” of section 6 “Landscape” and the sub-section headed “Draft Development Consent Order [APP-034]” of section 12 “Traffic and Transport (including Public Rights of Way)”. The Councils will also comment in due course on issues relating to the draft DCO which arise from ISH1. The Councils note that at ISH1 the ExA posed a number of questions to the Applicant about the contents of the draft DCO, several of which the Applicant indicated that it would respond to in writing, which will presumably be at Deadline 1. The Councils have also not completed their own detailed reviews of the draft DCO wording and so the comments which follow are not intended to be comprehensive. They do, however, identify key issues of concern to the Councils at the present time. The Councils expect to be in a position to provide further comments at Deadline 2, having regard to any further explanations provided by the Applicant.

Article 2 (interpretation)

- 17.2 The definition of “commence” includes several carve-outs, which are included in the definition of “pre-commencement operations”, which is defined as
- 17.3 “operations consisting of engineering investigations and surveys, environmental (including archaeological) investigations and monitoring, surveys and monitoring investigations for the purpose of assessing ground conditions, diversion and laying of services, demolition of existing buildings, site clearance, environmental mitigation measures, remediation in respect of any contamination or other adverse ground conditions, set up works associated with the establishment of construction compounds, temporary accesses, erection of any temporary means of enclosure or temporary demarcation fencing marking out site boundaries and the temporary display of site notices or advertisements;”
- 17.4 Several of the carve-outs would seem capable of giving rise to significant environmental effects including: the demolition of existing buildings, site clearance, the provision of temporary accesses and, the erection of any temporary means of enclosure.
- 17.5 Paragraph 3.6.15 of the Explanatory Memorandum [APP-035] states –

- 17.6 "... The works and operations within the definition of "pre-commencement operations" are either *de minimis* or have minimal potential for adverse impacts ..."
- 17.7 The Councils would welcome further explanation as to which of the carve-outs are *de minimus* and which have minimal potential for adverse impacts. The Councils would also welcome an explanation of where each has been assessed.
- 17.8 Article 2(10) [This is just a place-holder in the event that SCC has concerns about the breadth of this exclusion from 'materially new or materially different environmental effects'- see my separate comments]

Article 5(1) (Limits of Deviation)

- 17.9 As set out in their detailed landscape comments, the Councils are concerned that the Limits of Deviation in relation to pylons and overhead lines in sensitive locations are too broad. Whilst the LEMP [APP-182] envisages (in section 2.4) a process of micro-siting of the final alignment as part of detailed design, no role is provided for local authority oversight or approval in the process. Even consultation is only to be undertaken with landowners. The Councils consider that, as a minimum, the Limits of Deviation for Work No.2 (which will affect the Hintlesham area) need to be refined so that the pylon siting remains in the locations previously agreed with SCC and Historic England, and further that the LEMP is revised to incorporate a need to prepare more detailed proposals which are then the subject of consultation with relevant bodies, including the local authorities, and approval by the relevant planning authority.

Article 11(2) (street works)

- 17.10 Under several of the draft DCO's articles (including article 11(2)), SCC is required to grant approval for certain street works, and provision is made to say that approval must not be "unreasonably withheld or delayed" and there is also a provision that it is deemed to be given after a short period. In several cases this appears to be unprecedented in DCOs or not well preceded.
- 17.11 The Councils will be receiving considerable numbers of requests for approval and will ensure that they are dealt with as quickly as possible. With the deeming provisions included there is no need to say that the approvals must not be "unreasonably withheld or delayed". Moreover, by section 161(1)(b) (breach of terms of order granting development consent) of the Planning Act 2008, it is an offence for a person to fail to comply with the terms of a DCO. The Councils consider it excessive for it to potentially face criminal liability in these circumstances.
- 17.12 The Councils note from paragraph 3.15.1(c) of the Explanatory Memorandum [APP-035] that the cited precedent is article 11 of the Thames Tideway Tunnel

DCO 2014 (S.I. 2014/2384), however the relevant provision in that Order (article 11(3)(b)) does not refer to consent not being delayed.

- 17.13 In the light of the deeming provision in article 11(3), which makes the words “unreasonably withheld or delayed” unnecessary, the Councils request that article 11(2) is amended as follows –
- 17.14 “Without limiting the scope of the powers conferred by paragraph (1) but subject to the consent of the street authority, ~~which consent shall not be unreasonably withheld or delayed~~, the undertaker may, for the purposes of the authorised development, or for purposes ancillary to it, enter on so much of any other street whether or not within the Order limits, for the purposes set out at sub-paragraph (1)(a) to (i) and paragraph (3) of article 8 (application of the 1990 Act) shall apply”.
- 17.15 The Councils request that similar amendments are made to the following provisions: articles 14(4) (power to alter layout, etc. of streets), 15(5)(b) (temporary stopping up of streets and public rights of way), 16(1)(b) (access to works), 19(3) (discharge of water), and 47(2) (traffic regulation).

Article 11(3) (street works)

- 17.16 By article 11(3), an application for consent under article 11(2) must be determined within 28 days of the application or consent is deemed to be granted. While SCC will ensure that any application for consent will be dealt with as quickly as possible, it will be remembered that SCC will be receiving a considerable number of requests for approval across several nationally significant infrastructure projects. A 28-day decision-making period in this context is unrealistic and potentially detrimental to the effective consideration of applications.
- 17.17 Given the volume of work which will arise from the number of NSIPs being delivered in Suffolk, SCC considers 28 days is too short and requests that it is replaced with 56 days. SCC also considers that this period should be paused if the highway authority considers that additional information is reasonably required to make a decision.
- 17.18 SCC requests that 28 days is replaced with 56 days in the following provisions: 14(5) (power to alter layout, etc. of streets); 15(9) (temporary stopping up of streets and public rights of way); 16(2) (access to works); 19(9) (discharge of water); 21(8) (authority to survey and investigate land), 47(8) (traffic regulation) and 48(5) (felling or lopping) a deemed consenting regime.
- 17.19 A similar point applies in respect of Schedule 4 (discharge of requirements), which is mentioned below.

Article 15 (temporary stopping up of streets and public rights of way)

- 17.20 By article 15(1), the undertaker may, “for a reasonable time” divert traffic from the street or public right of way; and prevent all persons from passing along the street or PROW.
- 17.21 SCC would welcome more information as to what “a reasonable time” might be.
- 17.22 In addition, SCC considers that article 15 should provide that any temporary diversion specified in column (4) of Part 1 of Schedule 7 must be open for use, and in the case of a street, must be completed to the reasonable satisfaction of the street authority, before the corresponding street or public right of way in temporarily stopped up, altered or diverted.
- 17.23 Moreover, paragraph 3.19.5 of the Explanatory Memorandum [APP-035] states that any alternative route under this article should be provided on a like-for-like basis. Owing to this, SCC would suggest that article 15(6) be amended as follows –
- 17.24 “(6) Where the undertaker provides a temporary diversion under paragraph (4), the temporary alternative route is not required to be of a higher standard **and must be of no lower standard** than the temporarily closed street or public right of way in columns (1) and (2) of Parts 1 and 2 of Schedule 7 (streets or public rights of way to be temporarily stopped up)”.
- 17.25 It would also be helpful to know how National Grid proposes (i) to inform SCC of any stopping up etc. and (ii) how it proposes to keep temporary working sites under paragraph (2) to a minimum in terms of time and area.

Article 16 (access to works)

- 17.26 The Councils consider the works authorised by article 16(1)(a) should be subject to the consent of the relevant highway authority.

Article 17 (construction, alteration and maintenance of streets)

- 17.27 The Councils request that paragraphs (1) and (2) are amended as follows –
- 17.28 “(1) Any street (other than any private streets) to be constructed under this Order must be completed to the reasonable satisfaction of the street authority and must, unless otherwise agreed with the street authority, be maintained (including any culverts or other structures laid under that part of the highway) by **and at the expense of the undertaker for a period of 12 months from its completion and at the expiry of that period by and at the expense of** the street authority.
- 17.29 (2) Where a street is altered or diverted under this Order, the altered or diverted part of the street must be completed to the reasonable satisfaction of the street authority and must, unless otherwise agreed with the street authority, be

maintained (including any culverts or other structures laid under that part of the highway) by **and at the expense of the undertaker for a period of 12 months from its completion and at the expiry of that period by and at the expense of** the street authority”.

- 17.30 The Councils note that the bold and underlined words are included in the cited precedent, article 12 of the Thames Tideway Tunnel DCO 2014 (S.I. 2014/2384).
- 17.31 The Councils consider that commuted sums for future maintenance might also be required.

Article 46 (defence to proceedings in respect of statutory nuisance)

- 17.32 Article 46(1)(a)(ii) and (3) refers to the Construction Environmental Management Plan “approved under Schedule 3”; however, the requirements do not provide a mechanism for approving that document. The Councils request that the Applicant re-considers these provisions.

Article 47 (traffic regulation)

- 17.33 The Councils request that article 47(1) is amended as follows –
- 17.34 “Subject to the provisions of this article, **and the consent of the traffic authority in whose area the road is situated**, the undertaker may, for the purposes of the construction of the authorised development ...”
- 17.35 The precedent cited in paragraph 3.51.2 of the Explanatory Memorandum [APP-035], (article 40 of the National Grid (Hinkley Point C Connection Project) Order 2016 (S.I.2016/49)), includes the bold and underlined words, as does the Network Rail (Norton Bridge Area Improvements) Order 2014 (S.I.2014/909; see article 38), which is cited in a footnote to paragraph 3.51.2. (The words are included in the corresponding provisions of other DCOs which are not cited in the Explanatory Memorandum).
- 17.36 SCC requested that the same amendment be made to the final draft version of the Sizewell C (Nuclear Generating Station) Order 2022 (S.I.2022/853)) and, following the Examining Authority’s recommendation to include the words, they were included in the Order made by the Secretary of State.
- 17.37 The Councils are concerned that the consultation requirements under this article are insufficient and considers they should better reflect the consultation regime set out in regulation 6 of the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 which SCC would have to follow when making a TRO. The Councils would welcome the Applicant’s explanation as to why this article departs so far from the 1996 Regulations. The Councils would also like to know how any objections would be dealt with.

- 17.38 For TROs in Schedule 12 which are modified or where new orders are required, SCC considers that, as a minimum, the consultation regime under regulation 6 of the 1996 Regulations should apply. SCC also requests that its costs for the associated are recoverable.
- 17.39 In addition, the Councils would encourage the Applicant to follow SCC's Consultation and Engagement Charter (which enshrines good practice) and would welcome discussions with the Applicant on this point.

Article 48 (felling or lopping)

- 17.40 The Councils request that the words "or near" are removed from article 48(1) as they are too vague.
- 17.41 The Councils would also like to see a plan showing the location of all trees and hedgerows that will be affected by the works, along with timings of the proposed removal. There needs to be an assessment procedure in place ahead of any tree or shrub works with respect to bats and nesting birds, and possibly dormice in relation to hedgerows.
- 17.42 Furthermore, a detailed compensation planting plan is required, showing how any tree and hedgerow lost will be compensated, either within, or close to, the Order limits.

Article 53 (safeguarding)

- 17.43 The Councils are unconvinced this provision is necessary and would welcome further justification for its inclusion in the DCO.

Schedule 1 (authorised development)

- 17.44 The Councils look forward to the Applicant's response to Action Point 21 ("AP21") of the ExA's record of Action Points from ISH1, held on Thursday 14 September 2023. (AP21 says: "In relation to the Works Plan and Schedule 1 of the draft Development Consent Order, reflect on the approach taken to the identification and labelling of non-linear Works and any Limits of Deviation on the Works Plan"). In particular, the Councils would expect to see the main construction compounds included in the Works Plans, potentially with their own Limits of Deviation if that is considered necessary to allow reasonable flexibility to the contractor.
- 17.45 The Councils are concerned at the breadth of Associated Development that would be authorised within the Order limits, and the lack of any mechanism for scrutiny of the siting, nature, or extent of that development, which could include substantial engineering works, including street works, bridges, changes to watercourses, and attenuation ponds. Only item (r) is subject to a check in relation to environmental effects (and the Councils have separate comments on

that aspect). Given that these works are not limited by anything shown on any of the Works Plans, the Councils consider that they should be subject to an approval process by the local authority or authorities. The identity of the same would depend on the works in question (for example those with highways or flood risk issues would need consent from SCC). Whether that approval process was established in a requirement or within one or more of the control documents is a matter on which the Councils would welcome discussion with the Applicant.

- 17.46 Paragraph (r) of Associated Development ends with the following words –
- 17.47 “... and which do not give rise to any materially different environmental effects from those assessed in the Environmental Statement”.
- 17.48 The Councils assume it should end as follows –
- 17.49 “... and which do not give rise to any **materially new or** materially different environmental effects from those assessed in the Environmental Statement”.
- 17.50 If the Applicant does not consider the bold and underlined words should be included in paragraph (r), the Councils request that the Applicant explains how paragraph (r) relates to article 2(10).

Schedule 3 (requirements)

Paragraph 1

- 17.51 Paragraph 1(2) states –
- 17.52 “Where under any of the Requirements the approval or agreement of the relevant planning authority is required, that approval or agreement must be given in writing”.
- 17.53 Shouldn’t there be an equivalent provision for an approval or agreement given by the relevant highway authority?
- 17.54 Paragraph 1(4) states –
- 17.55 “Where an approval or agreement is required under the terms of any Requirement or a document referred to in a Requirement, or any Requirement specifies “unless otherwise approved” or “unless otherwise agreed” by the relevant highway authority or the relevant planning authority, such approval or agreement may only be given in relation to minor or immaterial changes and where it has been demonstrated to the satisfaction of the relevant highway authority or the relevant planning authority that the subject matter of the approval or agreement sought **is unlikely to** give rise to any materially new or materially different environmental effects from those assessed in the Environmental Statement”.

- 17.56 No explanation for this provision is given in the Explanatory Memorandum [APP-035]. While it is precedented, the precedents usually include “does not” instead of “is unlikely to”. (See, for example, paragraph 1(3) of Schedule 2 (requirements) of the Sizewell C (Nuclear Generating Station) Order 2022 (S.I.2022/853)). The Councils consider “does not” should be included in paragraph 1(4) and, if the Applicant disagrees, the Councils request the Applicant provides an explanation.

Requirement 4 (management plans)

- 17.57 Requirement 4(1) requires compliance with the specified management plans. The Councils would support such a provision, in principle, provided that the content of the management plans was either (a) sufficiently detailed and precise at this stage so that they could be satisfied during the Examination process that the management plans would ensure that a satisfactory form of development would come forward (and that unsatisfactory ways of achieving the development were precluded) or (b) that the content of the management plans included explicit provision for the preparation of more detailed plans, which would be subject to a further approval process. However, as matters stand, the Applicant has structured the draft DCO so that there are ‘high level’ management plans that are to be certified documents but which are light on detail and leave too many matters at large and yet the draft DCO does not require any further approval process in relation to matters which are not satisfactorily specified in the management plans. The Councils do not see this as acceptable and would ask the Applicant to review its approach in this regard.

- 17.58 In any event, Requirement 4(3) should be amended to provide that any departure from the Construction Traffic Management Plan should be agreed with the relevant highway authority.

Requirement 6 (archaeology)

- 17.59 Please see the Councils’ proposed amendments to this requirement, as set out in the section headed “Comments of Suffolk County Council Archaeological Service”.

Requirement 7 (construction hours)

Paragraph 1: the core hours

- 17.60 Paragraph (1) of Requirement 7 states –
- 17.61 “Subject to sub-paragraphs (2) and (3), work may only take place between 0700 and 1900 Monday to Friday and between 0800 and 1700 on Saturdays, Sundays and Bank Holidays (the core working hours), unless otherwise approved by the relevant planning authority”.
- 17.62 While these core hours are included in other National Grid DCOs (for instance, Requirement 7 of both the National Grid (Richborough Connection Project)

Development Consent Order 2017 (S.I.2017/817) and the National Grid (Hinkley Point C Connection Project) Order 2016 (S.I.2017/49)) no justification for their duration is provided in the Explanatory Memorandum [APP-035], which simply states: “Core construction hours are included at sub-paragraph (1)”.

- 17.63 This approach is inconsistent with that required in Advice Note 15, which states –
- 17.64 “If a draft DCO includes wording derived from other made DCOs, this should be explained in the Explanatory Memorandum. The Explanatory Memorandum should explain why that particular wording is relevant to the proposed draft DCO ... the ExA and Secretary of State will need to understand why [the wording] is appropriate for the scheme applied for”. [Paragraph 1.5].
- 17.65 Owing to the lack of information in the Explanatory Memorandum, it is difficult for the Councils to understand why these core hours have been chosen for this project.
- 17.66 Whilst the Councils would prefer the weekday core hours to end at 1800 rather than 1900 (it will be remembered that, by Requirement 7(3), the core hours exclude start up and close down activities up to 1 hour either side of the core working hours, meaning activities could end at 2000), The Councils are particularly concerned by the duration of core hours for weekends and Bank Holidays and their impact on public amenity and tourism. For instance, there are numerous residential and tourist facilities along the project route, including Polstead Heath village near to the Sealing End compound and Hintlesham Hall, which is a well-known wedding venue.
- 17.67 In the light of its concerns, the Councils consider Saturday hours should be between 0800 and 1300 and there should be no working on Sundays and Bank Holidays. The Secretary of State considered a similar approach appropriate in the East Anglia ONE North Offshore Wind Farm Order 2022 (S.I.2022/432). Requirement 24 of that Order states the core hours are “between 0700 hours and 1900 hours Monday to Friday and 0700 hours and 1300 hours on Saturdays, with no activity on Sundays or bank holidays”, subject to certain exceptions listed in sub-paragraph (2).
- 17.68 Absent justification from the Applicant – which takes account of the Council’s concerns – for (i) the need for Sunday and Bank Holiday working on this project and (ii) for weekend working to end at 1700, rather than at 1300, the Councils consider paragraph (1) should be amended as follows –
- 17.69 “Subject to sub-paragraphs (2) and (3), work may only take place between 0700 and 1900 Monday to Friday and between 0800 and ~~1700~~ **1300** on Saturdays, **with no activity on** Sundays ~~and~~ **or** Bank Holidays (the core working hours), unless otherwise approved by the relevant planning authority”.

17.70 [Deletions shown struck-through; amendments in bold].

17.71 While the hours are shorter than sought by the Applicant, amended paragraph (1) would still allow the Councils to approve departures from the core hours, providing flexibility in the event it is required.

Paragraph 2: exceptions to the core hours

17.72 Paragraph (2) of Requirement 7 lists 10 operations which may take place outside the core working hours referred to in paragraph (1). While paragraph 4.3.22 of the Explanatory Memorandum states "...sub-paragraph (2) lists a number of activities which are not subject to the core working hours", it does not explain why each operation should be able to take place outside of core hours for this project.

17.73 It is noted the list of operations is longer than in the equivalent provision of the Richborough and Hinkley Point C Connection Project Orders mentioned above.

17.74 The Councils would again welcome an explanation of why the operations should be able to take place outside the already extensive core hours. (the Councils do not consider an explanation is required in respect of exception (h): "activity necessary in the instance of an emergency where there is a risk to persons or property").

Requirement 10 (implementation and maintenance of reinstatement planting scheme)

17.75 Paragraph (3) states –

17.76 "Any trees or hedgerows planted as part of an approved reinstatement planting scheme that, within a period of 5 years after planting, are removed, die or become in the opinion of the relevant planning authority seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless otherwise approved by the relevant planning authority".

17.77 The reference to "5 years" should be changed to "10 years", which would provide greater ecological improvements.

Requirement 11 (highway works)

17.78 The Councils consider requirement 11 should be amended to cover all highway works.

Schedule 4 (discharge of requirements)

Timescales

17.79 The timescales in Schedule 4 are too short and should be changed so that they are, at the very least, no shorter than those set out in Advice Note 15. The

Explanatory Memorandum [APP-035] justifies the shorter timescales as follows

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- 17.80 “Whilst it is acknowledged that the time limits included in Schedule 4 (in relation to the determination of applications made pursuant to the Requirements and any requests made by the relevant discharging authority for further information) do differ from those recommended in Advice Note 15, National Grid considers that shorter time limits are necessary and proportionate in light of the immediate and pressing national need which the project is intended to address” (paragraph 4.4.2).
- 17.81 This is an unconvincing argument: the 28 day decision-making period in paragraph 1(1) of Schedule 4 (compared to the 42-day period in paragraph 1(2) of Appendix 1 to Advice Note 15) is unlikely to affect “the immediate and pressing national need which the project is intended to address”.
- 17.82 While the Councils will ensure that any request for approval will be dealt with as quickly as possible, it will be remembered that SCC will be receiving a considerable number of requests for approval across several nationally significant infrastructure projects. A 42-day decision-making period would be challenging in this context; the reduction of the time-frame to 28 days is unrealistic and potentially detrimental to the effective consideration of requests.
- 17.83 Owing to the circumstances summarised in the preceding paragraph, the Councils consider a 56-day decision-making period would be reasonable.

Fees

- 17.84 The fees proposed in paragraph 3(1) are unreasonably low and need to be increased.
- 17.85 Moreover, paragraph 3(2) is unreasonable and should be deleted. (Paragraph 3(2) provides for the refund of fees in certain circumstances).

Schedules 7 (streets or public rights of way to be temporarily stopped up), 8 (access to works), and 12 (traffic regulation orders)

- 17.86 The Councils request the Applicant confirms that the streets and PROW referred to in these schedules have been described in accordance with the street gazetteer and the definitive map.

Relevant Representation

- 17.87 In November 2022, Suffolk County Council commented on an early draft of the dDCO and while NGET has made several of the changes suggested, Suffolk County Council remains concerned about numerous matters, including the following;

- 17.87.a the definition of “commencement” and, in particular, the implications arising from certain works which are drafted as falling outside that definition;
- 17.87.b the limits of deviation;
- 17.87.c the way in which street works are controlled under article 11 (and under the corresponding requirement, Requirement 11);
- 17.87.d the proposals for stopping up streets and public rights of way under article 15;
- 17.87.e the proposals for constructing, altering and maintaining streets under article 17;
- 17.87.f the proposals for regulating traffic under article 47;
- 17.87.g the drafting of article 48, which concerns the felling or lopping of trees;
- 17.87.h the identification of the discharging bod(ies) for Requirements;
- 17.87.i the drafting of certain requirements (including Requirement 7 (regarding archaeology), Requirement 8 (construction hours), Requirement 10 (planting schemes), and Requirement 11 (highway works)); and
- 17.87.j in Schedule 4, the timeframes for determining applications by SCC after consent is granted need to be extended and the fees proposed for determining application are woefully low and need to be increased.