



## **Suffolk County Council (20041323)**

**Response to the Applicant's Comments on  
any other submissions received at Deadline 4**

## **Bramford to Twinstead (EN020002)**

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## Glossary of Acronyms

<i>DCO</i>	<i>Development Consent Orders</i>
<i>DVNLSVP</i>	<i>Dedham Vale National Landscape and Stour Valley Partnership</i>
<i>EIA</i>	<i>Environmental Impact Assessment</i>
<i>ExA</i>	<i>Examining Authority</i>
<i>ExQ</i>	<i>Examining Authority’s Written Questions</i>
<i>ISH</i>	<i>Issue Specific Hearing</i>
<i>LHA</i>	<i>Local Highway Authority</i>
<i>PROW</i>	<i>Public Rights of Way</i>
<i>SuDS</i>	<i>Sustainable Drainage Systems</i>

*“The Council” / “SCC” refers to Suffolk County Council; “The Host Authorities” refers to Suffolk County Council, Babergh and Mid Suffolk District Councils, Essex County Council, and Braintree District Council.*

## Purpose of this Submission

The purpose of this submission is to provide responses to Document 8.7.3 Applicant’s comments on other submissions received at Deadline 4 [REP5-025]. Examination Library references are used throughout to assist readers.

# 1 Response to Applicant’s Comments on other submissions received at Deadline 4

## [REP5-025]

1.1 In this document, SCC has taken the first, second, and fourth columns of Table 2.1 in the Applicants Comments on other submissions received at Deadline 4 [REP5-025] and added a new column in which SCC responds to the Applicant’s comments.

<b>Table 1: SCC Table of Comments on 8.7.3 (A) Applicant’s Comments on the SCC D4 Submission (Table 2.1) [REP5-025]</b>			
<b>Ref</b>	<b>Matter</b>	<b>Applicant’s Comments</b>	<b>SCC’s Response</b>
<b>Comments on Responses to ExA’s First Written Questions [REP4-033]</b>			
1a, 1b, 1c	Socio-economics and other community matters: Employment	<p>The worker numbers in the Socio Economics and Tourism Report [APP-066] have been calculated by one of the Applicant’s Framework Contractors who is experienced in delivering this type of project for the Applicant. The resourcing levels have then been overlaid on the construction schedule to generate the resource histogram used in the Socio Economics and Tourism report [APP-066].</p> <p>The majority of employment activities would require trained specialists who are qualified to work on National Grid infrastructure, and these would be sourced through an appointed Main Works Contractor from an existing pool of approved framework contractors.</p> <p>Experience based on other National Grid projects suggests that it is likely that a minimum of 10% of the workers would be sourced from the local labour market, including apprentices. This level of local employment, based on a peak monthly employment assumption of 350 workers, could</p>	<p>As set out within section 15 of the Local Impact Report [REP1-045] and SCC’s response to date SCC (Skills) does not consider the Applicant has provided a thorough or evidence-based examination of the likelihood of local labour taking up roles within the project and requests that the Applicant does further work to define the skill sets needed within its workforce and compares this to the skills available within the local labour market, providing an evidence-based approach to assessing likelihood of local labour.</p> <p>The Applicant has stated that 65% of the project cost would be spent on civil engineering works (e.g., excavations, foundations, construction and reinstatement) ([APP-066] 5.9 Socio Economics and Tourism Report paragraph 4.3.8), therefore, in absence of any further information SCC (Skills) disputes the statement from the Applicant that the majority of employment activities would require trained specialists who are qualified to work on high voltage electricity lines.</p>

		<p>result in the peak monthly local job demand being up to 35. The Applicant cannot commit to specific numbers, and it would not be appropriate to do so as it is imperative that it appoints the right numbers of suitably qualified staff to deliver this Nationally Significant Infrastructure Project (NSIP) by 2028.</p> <p>See above response to 1a for how the workforce profile has been generated. Given the low numbers of workers anticipated and that the Applicant has not identified any likely significant effects in relation to this matter, the Applicant does not consider there to be a need to submit a more detailed workforce profile into Examination.</p> <p>Previous National Grid project experience indicates that these workers would be split between around 10% from the local area and 90% who would travel into the area from elsewhere (and likely to already be employed by the Main Works Contractor, specialist staff will move from one project to another). Assuming an average of around 180 workers on site at any one time, this would equate to an average of 18 local workers and 162 non-local workers.</p> <p>The Applicant promotes the use of local supply and small/medium enterprises through main contractors by embedded targets within its framework contracts. The Applicant will continue to work with relevant planning authorities and business leaders at a national, regional and local level to identify opportunities to invest in employment networks, including looking for opportunities to work with local businesses.</p> <p>Section 13.8 of ES Chapter 13 Air Quality <b>[APP-081]</b> concludes that there are no likely significant</p>	<p>SCC (Skills) reiterates that it cannot fully determine the sufficiency of the approach to determining socio economic effects ahead of receiving a detailed workforce profile.</p> <p>SCC is committed to working with the applicant outside of the DCO process on community benefit proposals aligned to the Governments consultation process. However, the activity of providing a workforce profile for this project is outside of the community benefit discussions and is pertinent to this consultation as without it we cannot determine or quantify the employment and skills impact on the locality.</p>
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		effects in relation to air quality receptors during construction. Therefore, no mitigation measures have been identified beyond the good practice measures set out in the Code of Construction Practice (CoCP) (Appendix A of the CEMP) [REP3-026] and monitoring is not required.	
<b>Post-Hearing Submission for Third Issue Specific Hearing (ISH3) into Transport and Rights of Way [REP4-021]</b>			
3.1e	Road safety	<p>A response was provided in Applicant's comments on Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3- 049] which provided further detail on the Applicant's methodology.</p> <p>Requirement 11(3) of the dDCO (document 3.1) states that <i>'The undertaker must carry out road safety audits of the highway works authorised by this Order in accordance with Standard GG 119 Road Safety Audit (Revision 2) of the Department for Transport's Design Manual for Roads and Bridges or in accordance with any standard that supersedes that Standard and must, to the reasonable satisfaction of the highway authority, implement any recommendations to mitigate or remove road safety problems and defects identified in any such road safety audits arising out of the authorised development'</i>.</p> <p>A more detailed review of cluster sites would be carried out as part of the Road Safety Audit Brief, secured by Requirement 11(3) above, including reviewing collision data and providing a high-level summary of collisions. The dDCO therefore</p>	It would be unusual for a RSA brief to look at route-based collision data as these audits are usually directed at specific schemes rather than the existing network. (see GG119 definition of 'highway scheme').

		<p>secures both this further review and implement recommendations to the satisfaction of the highway authority.</p> <p>The review of cluster sites above will include a high-level statement of whether the collision types recorded appear relevant to the effect of construction flows related to this project. It should be noted that in many cases, a high level of collisions may not be due to the number of vehicles on the road.</p>	
3.1m	Approach to impacts from pre-commencement operations	<p>The Management Plans all contain a section at the end of the plan which sets out the process for change, for example Section 15.5 in the CEMP <b>[REP3-024]</b>.</p> <p>Requirement 4 in the dDCO (document 3.1 (E)) allows for derogation from the Management Plans where 'agreed with the 'relevant planning authority' or other discharging authority as may be appropriate to the relevant plan concerned, and in the case of the Construction Traffic Management Plan, the relevant highway authority.' The Management Plans themselves provide a procedure for updating the Management Plans, should any update be required. At this stage, the Applicant does not anticipate that any update or change to the Management Plans will necessarily be required. Whilst the Main Works Contractor is not yet appointed, an experienced contractor has fed into the development of the application.</p>	<p>The Applicant states the term temporary accesses within the definition of pre-commencement works includes those for construction of the project i.e., all temporary access. SCC would seek clarification from the Applicant that the vehicle movements associated with construction of these temporary accesses is included within the data presented in <b>[REP4-006]</b> 8.6.6 Transport Assessment Construction Vehicle Profile Data and whether commencement is at month 20.</p>

<p>3.1p</p>	<p>Any other matters arising from the responses to the ExA's First Written Questions</p>	<p>The assessment in Appendix E of the Transport Assessment <b>[APP-061]</b> considers the potential for junction capacity impacts due to the project, in line with relevant guidance. This assessment concludes that the impact of project traffic on road network capacity during periods of peak construction activity would not be substantial and that no additional mitigation would be required. A high level of contingency is included in the forecast and the level of project traffic assumed in the assessment would only be sustained for a relatively short period of time. Construction traffic generation in the peak month of August 2025 (the basis of the assessment) is forecast to be 7% higher than in any other month in the construction programme, and 13% higher than all but five other months.</p> <p>To further verify these conclusions, the Applicant undertook junction modelling at five locations in July 2023 where project traffic as a proportion of future baseline traffic was expected to be highest. Details of this analysis can be provided at a future deadline. This additional assessment supports the conclusion in the Transport Assessment <b>[APP-061]</b> (as summarised above).</p>	<p>Junction modelling data has not been shared with local authorities so no further comment possible.</p>
<p>4.1</p>	<p>Whether construction traffic associated with the construction of the project is 'extraordinary traffic</p>	<p>Whilst the large Abnormal Indivisible Loads (AIL) vehicles required for the construction of the project are large in size, they are not large in number, with approximately 200 over the construction period. The Applicant also notes that the traffic effects are also temporary (during</p>	<p>SCC (LHA) maintains position that it is preferable to agree process for reclaiming costs due to extraordinary damage to the highway in a highway agreement than have to take a claim to a magistrate's court.</p>

		<p>construction only). Section 5.2 of the CTMP <b>[REP3-030]</b> sets out proposals for pre-construction surveys of affected sections which would identify and record the current condition and states that:</p> <p><i>'The records will be available for comparison following reinstatement and after the works have been completed, to demonstrate that the standard of reinstatement at least meets that recorded in the pre-condition survey.'</i></p> <p>This topic was discussed at ISH3 and is addressed in the Applicant's summaries of oral submissions <b>[REP4-050]</b> at page 10. The Applicant noted that s.59 is an existing statutory provision allowing for such circumstances, and hence the Applicant submitted at the hearing that it is not necessary to replace that provision. The Applicant is happy to share survey data and is of the view that s.59 already provides the mechanism to deal with this issue.</p>	
4.4	Any other matters arising from the response to the ExA's First Written Questions	<p>The use of crew buses is common within the industry and has been used by multiple contractors on National Grid projects. Examples include works on the Norwich-Walpole and Norwich-Bramford transmission circuits.</p> <p>The Applicant notes that a crew bus incorporates built in welfare facilities and tool storage that provides a self-contained unit for a work crew. The inclusion of these welfare and storage facilities limits the number of personnel able to</p>	Regarding ExQ1 question TT1.13.23, SCC (LHA) questions whether the monitoring and reporting of emission controls in the CoCP <b>[REP3-026]</b> would be reported to the Local Planning Authority.



		<p>travel in each crew bus. The capacity of a crew bus is 4-6, with four per crew bus being assumed in the transport analysis as a conservative assumption. It should be noted that the Transport Assessment also assumes 70% of staff travel in crew vans and 30% in their own vehicles. In reality, contractors often don't allow car use so 30% is also a conservative assumption and it is likely that in reality a higher proportion will use crew vans.</p>	
<p>5.3</p>	<p>Reliance on a temporary speed limit to slow vehicles</p>	<p>The Applicant notes the concerns regarding speed limit compliance. Access design is based on assumptions combining existing speed data available for many locations, which has been shared with the Local Highways Authorities, as well as assumptions reflecting route form where natural constraints reduce speeds below the posted limit. Signing alerts drivers to the presence of construction traffic as well as the legal limit being reduced, and both provide beneficial driver information. The designs have not placed reliance on large speed reductions from temporary speed limits alone.</p> <p>The Applicant is working with SCC and ECC to investigate site specific access concerns and, develop further design information where required to provide reassurance. The Applicant thanks SCC/ECC for their patience as this detail is developed and is providing information as it is completed.</p>	<p>SCC (LHA) notes that the applicant has stated that '<i>designs have not placed reliance on large speed reductions from temporary speed limits alone</i>'.</p>

<p>6.3</p>	<p>Any other matters arising from the responses to the ExA's First Written Questions</p>	<p>As noted in the Applicant's Responses to First Written Questions [REP3-052] in relation to Reference TT1.13.52 the Applicant considers that a Combined Stage 1 and 2 RSA is the most appropriate form of design stage RSA. The dDCO was amended at Deadline 4 (document 3.1 (D)) to introduce in Requirement 11 a requirement for a RSA to be carried out and actions to address problems identified.</p>	<p>Regarding ExQ1 question TT1.13.52, whilst welcoming the change to Requirement 11 to include Road Safety Audits (RSA), although this appears to stop short of undertaking RSAs at this stage of the process to identify any significant safety matters that could frustrate delivery of an access, SCC (LHA) would agree that the scope of RSAs should be proportional and not necessary for sparsely used locations provided that no specific safety issues have been identified that can benefit from review.</p>
<p>8</p>		<p>Requirement 11 on the dDCO (document 3.1) states 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'. At Deadline 5 additional clarification was added to Requirement 11 to make it clear that this requirement applies to all accesses, even those constructed as part of pre-construction works.</p> <p>Requirement 11 provides the LHA with reassurance and control over the final access designs and enables this detail to be agreed at a later stage. This is a proportional approach given that many of the accesses are temporary for the construction period and/ or associated with very low usage during operation.</p> <p>The Applicant has nevertheless been working with SCC to provide further information and</p>	<p>Although welcoming the additional details provided by the Applicant, SCC (LHA) is concerned that the burden of checking whether safe, appropriate access can be provided appears to be being passed to the authority and that the Applicant has not undertaken sufficient rigorous review of this data (for example as proposed in 9.1b for AB-AP5) to show that the proposed locations are appropriate and do not create significant impacts such as removal of vegetation. Requirement 11 does not provide full comfort to the authority as it is likely that if problems arise pressure will be applied to accept a substandard layout.</p>

		<p>reassurance that accesses of most concern can be developed safely, within the Order limits and without significant additional vegetation removal compared to the indicative vegetation removal plans. To date this has included:</p> <ul style="list-style-type: none"> <li>• Data on construction traffic numbers per access in pdf [REP4-006] and excel;</li> <li>• Drawing of access at the A131 temporary access route junction including swept path drawings of the access and temporary access route (document 8.7.4);</li> <li>• Data obtained through speed surveys for the project (not submitted to Examination as very large dataset); and</li> <li>• Data on baseline traffic flows (agreed to provide and being compiled, not considered necessary for Examination).</li> </ul> <p>The information above will help SCC to understand the potential constraints and requirements for the access designs.</p> <p>The Applicant has been working with SCC to agree which accesses need further work and has prioritised work on the A131 access (document 8.7.4) and AB-AP5 (Church Hill). An initial draft AB-AP5 access drawing was shared on screen and discussed during the Traffic and Transport Thematic meeting on 29 November 2023, with a view to obtaining early feedback. Feedback was</p>	
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		<p>provided by SCC/ ECC and is being considered, alongside work to carry out a topographic and arboricultural survey to establish the precise location of the trees.</p> <p>It is noted that AB-AP5 is to be used to access a single pylon during construction and very occasional use during operation. An alternative access is available to the north if, following further work, it becomes clear that the access could not be developed without the removal of significant mature trees.</p> <p>Where bellmouths and visibility splays are developed, they will also be submitted into Examination when finalised.</p>	
<p><b>Post-Hearing Submission for the Fourth Issue Specific Hearing (ISH4) on Various Environmental Matters, including Biodiversity, the Historic Environment, Landscape [REP4-039]</b></p>			
<p>4.1</p>	<p>The Suffolk councils' concerns with the proposed route outside and to the west of Hintlesham Woods and its impacts on the setting of listed buildings</p>	<p>See the Applicant's response at Table 7.1 (reference 6.9 and 6.10 to 6.11) in the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049].</p> <p>The Applicant recognises the concerns from the Councils and Historic England in relation to Hintlesham Hall and as a result has revised the commitment EM-AB01 wording to avoid positioning a pylon in the area most visible from the ancillary buildings. Otherwise, the Applicant does not consider it practicable to involve third parties in the detailed designs and</p>	<p>SCC (Landscape) notes that this remains under discussion.</p>

		<p>micro-siting of pylons as this will be determined by many factors involving engineering and safety requirements, landowner requirements as well as environmental constraints.</p>	
5.5	<p>Location of the Dedham Vale east CSE compound</p>	<p>The Applicant notes that the Councils agree with the location for the Dedham Vale East CSE compound, as stated in the LIR.</p> <p>The location of Dedham Vale East CSE compound balances engineering and environmental aspects. In its current location, residential properties benefit from screening from existing vegetation, and the location is also screened in views from the edge of the AONB as shown in Viewpoint E-10 at ES Appendix 6.4 Viewpoint Assessment [APP-104]. A location more central between Millwood Road and Heath Road would increase the landscape and visual impacts as it would be visible from Viewpoint E-10, would be closer to a PRow and would potentially require vegetation removal to maintain the distance from the existing overhead line being retained.</p> <p>Embedded planting is shown on Sheet 12 of Landscape and Ecological Management Plan (LEMP) Appendix B: Vegetation Reinstatement Plan [REP3-036]. This includes for a hedgerow with trees along Millwood Road and a hedgerow along the northern boundary of the site. The hedgerow is reinforced by two blocks of scrub planting which have been positioned to screen</p>	<p>SCC (Landscape) would note that additional mitigation planting and appropriate management of the mitigation planting is likely to be required. This would include further hedge/scrub planting along the access road to conceal views into the site from the access point. This has been discussed in the thematic meeting on 12 December 2023.</p>

		<p>views for people travelling south on Millwood Road.</p> <p>The proposed planting has had regard to the location of the existing overhead line and the Applicant considers it sufficient to mitigate the visual effects.</p>	
<p>5.6</p>	<p>Whether additional viewpoints and assessment are required, including:</p> <ul style="list-style-type: none"> <li>● From the PRoW network east of the A131;</li> <li>● The temporary haulroad from the A131;</li> <li>● A viewpoint closer to the Stour Valley East CSE compound; and</li> <li>● From the PRoW network on the edge of Wickham St Paul.</li> </ul>	<p>The locations of the 154 representative viewpoints and associated visualisations were agreed with the Councils [REP1-045] through meetings as set out in line 3.4.2 in the Statement of Common Ground Local Authorities [REP1-015]. Representative views are produced to aid the decision-making process and are not required for the landscape assessors to make their judgements on likely significant effects.</p> <ul style="list-style-type: none"> <li>● Temporary Access Route off the A131: Viewpoints are primarily selected to represent long-term operational effects not temporary construction effects, although construction effects are discussed in the assessment for each viewpoint. The assessment of the visual effects of the temporary access route is represented by viewpoints G-07, G-15, and G-22 at ES Appendix 6.4 Viewpoint Assessment Section G Part 6 [APP-106].</li> <li>● The temporary access route passes through Alphamstone, Little Maplestead, Pebmarsh and Twinstead community areas. ES Appendix 6.5: Assessment of</li> </ul>	<p>SCC (Landscape) has no further comments at this stage.</p>

		<p>Visual Effects on Communities [APP-108] presents the assessment of effects on these community areas and cross refers to the relevant representative viewpoints. This concludes that construction effects on Little Maplestead and Pebmarsh community areas would not be significant as the temporary access route would be the only noticeable construction activity. The construction effects on Twinstead community area would not be significant and the temporary access route would be the only noticeable construction activity in the southern part of the community area. The Applicant does not consider that additional viewpoint locations or assessment is required in this location. As stated in Table 6.1 of ES Chapter 6: Landscape and Visual [APP-074], there would be potential for significant adverse effects on the Alphamstone community area during construction, but the temporary access route would be only one component giving rise to these effects.</p> <ul style="list-style-type: none"> <li>• Stour Valley East CSE Compound: There would be very little visibility from the PRoW closest to the Stour Valley East CSE compound (W-171/001/0 and W171/002/0), which is why no viewpoints were identified on these routes. Users of a short section of W-</li> </ul>	
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		<p>171/001/0 near Sawyer's Farm may have views of the top of the gantries which would be some 300m distant. The adverse effects on these views would however be outweighed by the beneficial effects of removing the existing 132kV overheadline which is seen in much closer proximity as it overflies the footpath. Therefore, the Applicant does not consider that additional viewpoint locations or assessment is required in this location.</p>	
5.7	<p>Sufficiency of visual mitigation for the CSE compounds – DedhamVale West CSE compound</p>	<p>Sheet 15 of LEMP Appendix B Vegetation Reinstatement Plan(<b>document 7.8.2(B)</b>) indicates that the described hedgerow would be replanted along the B1068 after construction of the underground cables which cross the road at this location. The rest of the hedgerow is retained along this boundary, no coppicing is proposed in this location. In addition, new hedgerows are proposed along both sides of the permanent access track.</p> <p>As stated in para 9.2.2 of the LEMP [<b>APP-182</b>], hedges that are coppiced will be inspected to check for re-establishment aspart of the aftercare.</p>	<p>SCC (Landscape) notes that this matter was been discussed at the thematic meeting on 12 December 2023. It is expected that additional hedge planting along the B1068 may be provided by the Applicant at D6, but the eastern hedge along the access track may not be extended further. This remains under discussion.</p>
5.7	<p>Sufficiency of visual mitigation for the CSE compounds - General</p>	<p>The Applicant considers that the LEMP [<b>REP3-034</b>] alreadyprotects existing vegetation including root zones and has nofurther comments on this matter.</p>	<p>SCC (Landscape) would note that the LEMP in its current iteration remains under discussion.</p>



5.7	Sufficiency of visual mitigation for the CSE compounds - DedhamVale East CSE Compound	Noted. The hedgerow planting is part of this embedded measure as shown on Sheet 12 of LEMP Appendix B: Vegetation Reinstatement Plan [REP3-036].	SCC (Landscape) is awaiting changes. Matter remains under discussion.
5.8	Sufficiency and security of landscape and visual mitigation and compensation planting generally	<p>The LEMP [REP3-034] contains all the planting required to make the project acceptable, including planting embedded into the design of the project and reinstatement planting, as well as additional mitigation and landscape softening.</p> <p>Locations of proposed planting are shown on LEMP Appendix B Vegetation Reinstatement Plan [REP3-036] and planting schedules at LEMP Appendix C: Planting Schedules [APP-185]. The LEMP is secured through Requirement 4 of the dDCO [REP3-007].</p> <p>The Applicant would welcome sight of the Council's specific concerns regarding the LEMP so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.</p>	SCC (Landscape) retains the comments made on this issue at D4. Additionally, SCC in its Deadline 6 submissions, a further submission document titled <i>Preliminary Ideas for Strategic Planting in Suffolk</i> and <i>Additional Evidence relating to the LEMP</i> to further outline the Council's specific concerns and potential remedies in addition to <i>the Host Authorities LEMP Document Review</i> [REP5-035].
5.8	Sufficiency and security of landscape and visual mitigation and compensation planting generally	In the context of a major infrastructure project, the project is well mitigated and the residual adverse effects are considered to be very limited and should be considered (in accordance with National Policy) in the context of the significant benefits of the project (contributing to energy security, supporting the transition to net zero and other significant beneficial effects, such as those achieved	<p>SCC (Landscape) maintains its position that:</p> <ul style="list-style-type: none"> <li>a) Compensation is an essential part of the process of applying the mitigation hierarchy, and</li> <li>b) An accumulation of non-significant effects can lead to an overall significance, which SCC considers is the case for some elements of the project, for example around Bramford and Burstall.</li> </ul>

		<p>through the removal of the 132kV line, the removal of a section of 400kV line and undergrounding the proposed 400kV line).</p> <p>The ES identifies the additional mitigation that is included to reduce the likely significant effects in the assessment. The ES also acknowledges that there would be some residual significant adverse landscape and visual effects around Burstall and to the north of Hintlesham arising from the introduction of the new 400kV overhead line, although the southern part of Hintlesham would benefit from removal of the existing 132kV overhead line. Other areas, including Dedham Vale AONB and the Stour Valley will experience significant beneficial effects from the removal of the existing overhead line. The ES identifies the likely residual significant effects after efforts have been made to avoid, reduce and, if possible, offset those effects. The remaining residual effects are considered to be acceptable without further action on mitigation or compensation.</p> <p>The Applicant disagrees with some of the assumptions in this statement:</p> <p><i>‘SCC considers that the approach ought to be to mitigate where possible and compensate where it is not possible to mitigate, and that only where there are things that cannot be mitigated nor compensated that are then weighing against the benefits of the scheme.’</i></p>	<p>Further comment on the approach to mitigation and compensation is provided below in response to item 6c.</p>
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		<p>The rationale for the Applicant’s approach is provided in the response to 6c below.</p>	
<p>5.8</p>	<p>Sufficiency and security of landscape and visual mitigation and compensation planting generally</p>	<p>The designated National Policy Statement (NPS) EN-1 (2011) states that:</p> <p><i>‘4.2.4 When considering a proposal the IPC should satisfy itself that likely significant effects, including any significant residual effects taking account of any proposed mitigation measures or any adverse effects of those measures, have been adequately assessed.’</i></p> <p><i>‘4.2.11 In this NPS and the technology-specific NPSs, the terms ‘effects’, ‘impacts’ or ‘benefits’ should be understood to mean likely significant effects, impacts or benefits.’</i></p> <p><i>‘4.1.3 In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the IPC should take into account:</i></p> <ul style="list-style-type: none"> <li>● its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and</li> <li>● its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.’</li> </ul>	<p>SCC (Planning) maintains its position that all adverse landscape and visual impacts should be considered in the context of the mitigation hierarchy to see to what extent it is possible to avoid them, reduce them, mitigate them, or compensate for them, in that order. SCC considers that the application of the mitigation hierarchy is capable of being seen as an aspect of good design in that it is not good design to bring forward development which imposes impacts on its receiving environment that are capable of being avoided, reduced, mitigated, or compensated for, but which are left unaddressed. If there are residual adverse impacts remaining for which compensation is not possible, then such residual impacts would feature in the planning balance to be weighed against the benefits of the proposal. It would not be a legitimate balancing exercise under para 4.1.3 of EN-1 to include, on the positive side, all benefits of the proposal, regardless of their nature, extent, or significance, but then, on the negative side, only include residual effects that are significant impacts.</p>

		<p>Hence the NPS is clear in its focus on the identification, avoidance reduction and compensation of likely significant effects, in the decision-making balance. Whilst the Applicant agrees that effects (whether beneficial or adverse) that are not significant <i>can</i> be taken into account and weighed in the planning balance, the weight given to these effects is generally limited given their treatment in policy.</p> <p>The Applicant has set out its position in respect of the planning balance, in its Planning Statement [APP-160] paragraph 10, including in respect of adverse effects at paragraphs 10.4 and 10.5.</p>	
<p>5.9</p>	<p>Inter-project cumulative effects and mitigation at the existing Bramford substation</p>	<p>The Applicant disagrees that further off-site mitigation is required to make the project acceptable and responded to this in line item 6.127 to 6.129 and also 6.12 to 6.16 in the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3- 049]. It is also not considered appropriate for the project to compensate for the additional energy infrastructure developments 'expected' in this area, given the uncertainty about the final design, potential impacts, programme and even whether the developments will be consented.</p> <p>Environmental effects have been avoided and reduced throughout the development of the project and in the context of a major infrastructure project, the residual adverse</p>	<p>SCC (Landscape) maintains its position previously expressed in paragraphs 6.12 – 6.16 and 6.127 – 6.129 of the Suffolk Joint Local Impact Report [REP1-045].</p>

		effects are considered to be very limited and should be considered in the context of the significant benefits of the project. These remaining residual effects are considered to be acceptable without further action on mitigation or compensation.	
7.1b	Action Point 9 Implications of the LandUse and Regeneration Act (LURA)	The Applicant has responded to the implications of the LURA in response to AP9 in the Applicant's Response to the November Hearings Action Points [REP4-042].	SCC (Landscape) has no additional comment.
<b>Responses to Comments on the LIR [REP4-008]</b>			
6a	Route alignment, micro-siting and LoD	The Applicant is unsure which specific assets SCC is referring to other than Hintlesham Hall noted in 6b.	Noting the Applicant's Technical note [REP5-028], SCC (Landscape) considers that such an approach is necessary for Benton End and Overbury Hall. There may be other locations that this Council is not aware of, as Babergh Mid Suffolk District Council and Historic England are taking the lead in this matter.
6b	Micro-siting of pylons	The assessment presented in ES Appendix 8.2 [APP-127] has concluded that there are no significant effects to listed buildings and the Applicant has further compromised by committing to not placing a pylon in the most sensitive location discussed with third parties.  However, as set out in Table 3.1 (line 6.10 to 6.11) of the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049], the Applicant maintains that the micro-siting of pylons is a complex process involving many different engineering and safety factors	SCC (Landscape) refers to its comments on 6a above.

		<p>as well as environmental and therefore should not be determined by third parties.</p> <p>The Applicant is unsure where the 'very small number of locations across the project' are that SCC is referring to and welcome feedback on this matter.</p>	
6c	Mitigation and compensation	<p><b>Nature of Effects Under Discussion</b></p> <p>The Applicant understands that when discussing compensation SCC is particularly considering the potential to compensate for residual significant landscape and visual effects, namely construction effects in the Dedham Vale AONB and operational effects at Hintlesham and Burstall.</p> <p>Significant adverse landscape and visual effects in the Dedham Vale AONB are limited to the construction period and relate largely to the temporary works to remove an existing 132kV overhead line and install the new 400kV underground cables (both of which are embedded measures to reduce the landscape and visual effects of the project and deliver benefits). Following construction there would be significant beneficial landscape and visual effects on the Dedham Vale AONB and no significant adverse landscape and visual effects.</p> <p>Significant beneficial effects are also experienced due to the removal of the 132kV overhead line within the Box and Stour Valley. Chattisham, Lamarsh and Polstead would experience long term significant beneficial</p>	<p>The Applicant acknowledges that there would be significant adverse effects around Hintlesham and Burstall, which are not capable of mitigation. Yet the Applicant does not apply the final element of the Mitigation Hierarchy, which is compensation, which in this case should, in the Council's view, consist of landscape restoration, based on a landscape masterplan for these areas, that would go beyond the bare minimum of reinstatement of vegetation losses.</p> <p>SCC (Landscape) does not agree with the Applicant's view that residual effects can be viewed as relative to the scale of the project. If this was the case, the consequence would be that the larger the project, the less significant the residual effects.</p> <p>SCC disagrees with the applicant that offsetting/compensation should be seen as in a different position to other elements of the mitigation hierarchy. The term 'if possible' is introduced simply because offsetting/compensation is at the bottom tier of the hierarchy and not all residual effects will be capable of being offset or compensated for. An example would be the complete loss of an irreplaceable resource (such as Ancient Woodland or a designated heritage asset). Where compensation is possible, SCC sees no reason why it should not be provided so as to minimise overall impacts of the development on the receiving environment.</p>

		<p>effects from the removal of pylons within views from those communities.</p> <p>With regards to the Hintlesham community area, paragraph 2.16.16 of ES Appendix 6.5 [APP-108] notes that views across the southern part of this community area would benefit from the dismantling and removal of the existing 132kV overhead line. There would be moderate adverse effects (significant) to the central and northern part of the community area during operation, where the new 400kV overhead line would result in a medium size/scale of change to views. However, this would diminish with distance and the geographical area affected would be small.</p> <p>At the Burstall community area, the new 400kV overhead line would be located in the open farmland to the south of the existing 400kV overhead line. The new pylons would be prominent on the skyline and would increase the presence and influence of high voltage electricity infrastructure on the northern edge of Burstall. The effect of the project on the visual amenity of the central part of the Burstall community area would be moderate adverse (significant).</p> <p>The significant adverse effects to the central and northern parts of Hintlesham community area and to the central part of Burstall community area have been reduced and mitigated as far as possible in the development of the project. Further mitigation would not</p>	<p>SCC would agree that not all adverse effects are capable of being addressed by the mitigation hierarchy (including by means of compensation) and in such cases the residual effects will feature in the overall planning balance.</p>
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		<p>remove the effect due to the size of the infrastructure and the separation distance.</p> <p>The residual landscape and visual effects are considered to be very limited given the large scale nature of the project and demonstrate the success of the design process in embedding environmental considerations into the project.</p> <p><b>Compensation as an Element of the Mitigation Hierarchy</b></p> <p>The term ‘mitigation hierarchy’ is not used in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regs).</p> <p>However, the EIA Regs state in Article 14(2)(c) that an ES must include: <i>‘a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment’</i>.</p> <p>The important points here being that: the ES must include a description of measures envisaged, but not that this must result in all significant effects being mitigated or offset; and</p> <p>The words ‘if possible’ are inserted before the word ‘offset’. The EIA Regs therefore do not treat offsetting (or the similar word ‘compensation’) in the same way as prevention or reduction.</p> <p>The ES is fully compliant with the EIA Regs; it clearly sets out measures incorporated to</p>	
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		<p>avoid, prevent, reduce and, if possible, offset likely significant effects.</p> <p>The ‘mitigation hierarchy’ is also not mentioned in the designated NPSs EN-1 or EN-5 (2011), which remain the primary documents used for determining the project. However, NPS EN-1 does state in paragraph 4.1.3 that [emphasis added]:</p> <p><i>‘In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the IPC should take into account:</i></p> <ul style="list-style-type: none"> <li>● its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and</li> <li>● its potential adverse impacts, including any long-term and cumulative adverse impacts, <b>as well as any measures to avoid, reduce or compensate</b> for any adverse impacts.’</li> </ul> <p>Therefore, the requirement for the Applicant to describe compensation measures considered and for the decision-maker to take compensation measures into account were already features of the legislative and policy context before publication of the latest suite of energy NPSs in November 2023.</p> <p>The final version of NPS EN-1 was published in November 2023 (although it has not yet been</p>	
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		<p>designated). Therefore, the response below references paragraphs in the November 2023 document rather than the March 2023 draft referenced in SCC's comments.</p> <p>NPS EN-1 (November 2023) classifies transmission projects such as Bramford to Twinstead as 'Critical National Priority' (CNP) projects. This further reinforces the urgent need for the project. Paragraph 4.2.4 states that:</p> <p><i>'4.2.4 Government has therefore concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure.'</i></p> <p>NPS EN-1 (November 2023) includes fifteen references to the mitigation hierarchy and the definition remains as in the previous draft. Whilst the EIA Regs do not use the term 'mitigation hierarchy', they do require that the Applicant describes actions taken to address significant adverse effects and uses very similar terminology to that in NPS EN-1, albeit using the word 'offset' rather than 'compensation' and introducing 'where possible' before offset. The concept that the Applicant must describe any measures taken to compensate effects is therefore not new or introduced by NPS EN-1 (November 2023). The approach taken in the EIA Regs and the current designated NPSs (2011) has <u>not</u> been interpreted to mean that all effects must be addressed by stages of the hierarchy.</p>	
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		<p>In the Applicant's view, the mitigation hierarchy is intended to act as a tool for investigating how significant effects can be addressed in the development of a project through the iterative EIA process. Once significant effects have been identified, the Applicant moves through the mitigation hierarchy to consider whether they can be avoided, reduced, mitigated or compensated for, resulting in a project that has a lesser effect on the environment and potentially delivering benefits. This delivers better projects.</p> <p>The EIA Regs already require that measures undertaken are described in applications and both the 2011 and 2023 NPSs emphasise that these measures can be taken into account in decision making. Describing the measures considered can help consultees and decision makers understand the extent to which effects are unavoidable (e.g. as in the case of the residual landscape and visual effects described above) or lead others to suggest further approaches that could address effects (as local planning authorities have suggested with their additional compensation suggestion).</p> <p>However, the mitigation hierarchy does not require that all effects are removed through this process. This is clear from the wording in policy explored in the section below, even if it could be clearer in, for example, 3.3.63 of NPS EN-1 (November 2023). This view is reinforced by NPS EN-1 paragraph 4.2.11 (November 2023), which states that: '4.2.11 Applicants</p>	
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		<p><i>must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated'. It is noted that in this paragraph, compensation is missing from the last sentence.</i></p> <p>Indeed, an interpretation that all effects must be compensated for may lead to the conclusion that the temporary effects in Dedham Vale AONB that are partially being undertaken to secure long term benefits to the AONB, must in themselves be compensated. This would not be proportional and in the context of the representations made the Applicant does not consider that this is a correct interpretation of policy.</p> <p><b>Expectation that Significant Residual Effects will Occur After Application of the Mitigation Hierarchy</b></p> <p>NPS EN-1 (November 2023) clearly envisages that there will be significant residual effects <u>after</u> the mitigation hierarchy has been applied. For example [emphasis added]:</p> <p><i>'3.1.2 ... it will not be possible to develop the necessary amounts of such infrastructure <b>without some significant residual adverse impacts</b>. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS.'</i></p>	
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		<p><i>‘3.3.63 Subject to any legal requirements, the urgent need for CNP [Critical National Priority] Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, <b>will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy.</b>’</i></p> <p><i>‘4.1.5. In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account... <b>its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy.</b>’</i></p> <p><i>‘4.2.15 <b>Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts.</b>’</i></p> <p>On landscape and visual effects specifically, NPS EN-1 (November 2023), like its predecessor, is clear that significant effects are likely [emphasis added].</p>	
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		<p><i>‘5.10.5 <b>Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.</b>’</i></p> <p><i>‘5.10.13 <b>All proposed energy infrastructure is likely to have visual effects</b> for many receptors around proposed sites. 5.10.14 The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.’</i></p> <p><i>‘5.10.35 The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.’</i></p> <p>The above emphasises that effects should be minimised but it is the Applicant’s submission that it is not expected that the mitigation hierarchy will remove all residual effects. The policy does not state that all residual effects must be compensated for or that any compensation measure proposed must be accepted if there are residual effects.</p> <p>NPS EN-5 (November 2023) is also explicit that mitigation is not expected to result in the</p>	
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		<p>removal of landscape and visual effects for overhead lines:</p> <p><i>‘2.9.11 – Landscape and visual benefits may arise through thereconfiguration, rationalisation, or undergrounding of existing electricity network infrastructure. Though mitigation of the landscape and visual impacts arising from overhead lines andtheir associated infrastructure is usually possible, it may not always be so, and the impossibility of full mitigation in these cases does not countermand the need for overhead lines.’</i></p> <p>It is noteworthy that none of the policies above on landscape and visual effects in EN-1 or EN-5 (November 2023 versions)mention compensation. This is in contrast to text on biodiversity in particular and offshore wind, for example the following paragraphs in EN-1:</p> <p><i>‘5.4.6 The British Energy Security Strategy<sup>182</sup> committed to establishing strategic compensation for offshore renewablesNSIPs, to offset environmental effects but also to reduce delays for individual projects. See paragraphs 2.8.266 – 2.8.273 of EN-3 for further information.’</i></p> <p>Or, for example, under the heading of Biodiversity and Geological Conservation, NPS EN-1 (November 2023) states:</p> <p><i>‘5.4.35 Applicants should include appropriate avoidance, mitigation, compensation and</i></p>	
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		<p><i>enhancement measures as an integral part of the proposed development...'</i></p> <p><i>'5.4.42 As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.3 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought.</i></p> <p><i>If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm.</i></p> <p><i>5.4.44 The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.'</i></p>	
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		<p>There are national targets to reverse the decline of biodiversity and compensatory planting for biodiversity. In the biodiversity topic, the topic of compensation is important to the concept of Biodiversity Net Gain. A project cannot claim true net gain unless it has first compensated for residual impacts (as otherwise it is not net gain). The same context is not present in the same way for landscape and visual impacts and nor is the policy. None of the policies above on landscape and visual effects in EN-1 or EN-5 (November 2023 versions) state that residual impacts are required to be compensated if they cannot be mitigated in the way they do for biodiversity.</p> <p><b>How is Compensation Considered in the Planning Balance</b></p> <p>In terms of how the mitigation hierarchy is considered, the Applicant agrees that consideration of residual effects will occur after the mitigation hierarchy has been applied. How this is done is clear for measures to avoid, reduce or mitigate effects because these measures prevent significant effects from being realised. Therefore, those effects would not be residual effects and do not need to be weighed in the planning balance.</p> <p>However, compensation does not remove a significant effect so the Applicant disagrees with SCC's statement that: <i>'where adverse impacts can be addressed or offset</i></p>	
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		<p><i>by the provision of compensatory measures (which would be a part of the mitigation hierarchy), those impacts would not need to be treated as residual impacts for the purpose of being weighed against benefits.</i> It would be incorrect for the ExA to ignore an adverse landscape effect on Hintlesham in the planning balance, for example, just because planting is implemented elsewhere, even if it is argued that it is delivered as compensation for the residual effect. The compensation would be considered in decision making and the planning balance axis clear in NPS EN-1 (e.g. paragraph 4.1.5 above) and in some cases may have significant weight. However, this compensation would not remove the residual effect.</p> <p>Whilst not a key consideration for this project, the principle that residual effects are considered in the planning balance even if compensated for elsewhere is well established, for example, in the case of ancient woodland. Removal of ancient woodland cannot be mitigated because new planting cannot provide replacement habitat for woodlands over 400 years old.</p> <p>Therefore, compensation measures are delivered as part of projects and are taken into account in decision making.</p>	
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		<p>However, this compensation does not remove the impact on ancient woodland or mean it should not be considered in the planning balance.</p> <p><b>Conclusion</b></p> <p>Overall, NPS EN-1 (November 2023), like its predecessor recognises that virtually all large infrastructure projects will have significant adverse landscape and visual effects. In this context, the project performs very well in landscape and visual terms; providing 29km of high capacity transmission network reinforcement and ancillary infrastructure with very limited landscape and visual effects and delivering significant beneficial effects on the most sensitive landscape in the area, the Dedham Vale AONB. The mitigation hierarchy has been applied and the project includes measures that have led to this positive outcome. In this context, the Applicant does not consider that any further compensation is required and is of the view that the project complies with policies on the mitigation hierarchy as presented in NPS EN-1 (November 2023).</p>	
6c	Mitigation and compensation	<p>The LEMP does not include the implementation of BNG as this is considered an enhancement rather than mitigation or compensation. Paragraph 7.2 of the Environmental Gain Report [APP-176] which details BNG, states that it is anticipated that site specific Management Plans would be developed for the environmental areas during the detailed</p>	SCC (Landscape) noted.

		design stage of the project. Requirement 13 of the draft DCO secures the BNG.	
6d	Compensation to allowfor landscape restoration	The Applicant recognises that planting proposed by SCC may improve the landscape in the area of the planting. However, the Applicant disagrees that this means this planting is necessary or that any further compensation is necessary for the limited residual effects. The rationale for this view is provided in the response to 6c above.	SCC (Landscape) maintains its position. The provision of additional mitigation, that is neither reinstatement nor for BNG for this project is minimal.
6e	BNG and Monitoring	As stated in Section 7.3 of the Environmental Gain Report [ <b>APP-176</b> ], it is anticipated that the Applicant would own or lease the environmental enhancement areas and therefore would be responsible for maintaining the habitats on-site for aperiod of up to 30 years.  Circumstances when the Applicant may be responsible for maintaining for less than 30 years, may occur if the required habitat targets have been met and in such cases the Applicantmay handover the remaining maintenance to the landowner oranother third party through separate agreements.	SCC (Landscape) noted.
6f	Hedgerows	The Applicant refers to its response reference 6.120 to 6.121in the Applicant's Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [ <b>REP3-049</b> ].	SCC (Landscape) considers that the summary of hedgerow and tree line losses in Table 7.9 in ES Chapter 7: Biodiversity [ <b>APP-075</b> ] is not sufficient. The Defra metric has the specific purpose to quantify habitat units. This does not replace accurate quantification of vegetation losses (numbers of trees and lengths of hedgerows) which SCC considers to be essential information for the purposes of clarity and transparency.

6g	Environmental Areas	The Applicant disagrees with this statement, as the planting around CSE compounds is shown on LEMP Appendix B: Vegetation Reinstatement Plans <b>[REP3-036]</b> and the plantingschedules are provided in LEMP Appendix C <b>[APP-185]</b> .	SCC (Landscape) noted. Planting around CSE compound was discussed in Thematic meeting on 12 December 23. Level of planting provision around CSE compounds remains under discussion.
6g	Environmental Areas	The enhancements set out in the Environmental Gain Report <b>[APP-176]</b> do not contribute to the visual mitigation (set out within the ES) required to make the project acceptable.  Paragraph 7.2 of the Environmental Gain Report <b>[APP-176]</b> states that it is anticipated that site specific Management Plans would be developed for the environmental areas during the detailed design stage of the project.	SCC (Landscape) are concerned that Requirement 13, concerning BNG, of the dDCO <b>[REP5-006]</b> does not secure an individual and stand-alone implementation and 30-year management plan (separate from the LEMP).
6h	Residual Impacts	The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination.	SCC has provided detailed comments on the LEMP at D5, Deadline 5 Submission – Landscape and Ecological Management Plan Document Review <b>[REP5-035]</b> .  SCC (Landscape) will provide a document titled <i>Additional Evidence relating to the LEMP</i> with examples detailing its concerns regarding management plans and intended control documents at Deadline 6.
6i	Residual impacts CSE compound Alphamstone	As the CSE compound is set slightly down into the landscape, a hedgerow on the boundary would not change the assessment of magnitude provided in the viewpoint assessment <b>[APP-106]</b> which acknowledged the open views. Planting within the field to the	SCC (Landscape) would note that this matter was discussed at the thematic meeting on 12 December 2023. There may be some progress to come, however, at current the topic remains under discussion.

		<p>south of the CSE compound is constrained by the presence of the underground cables. The property to the south already benefits from mature tree planting on its boundary.</p> <p>As the PRow crosses the middle of the open field and not along the boundary it was considered inappropriate to include planting close to the footpath (which would also affect agricultural operations), instead favouring the retention of openviews which would benefit from the removal of the 400kV overhead line to the north of the CSE compound.</p>	
6j	Landscape planting mitigation proposals, including timing, management and maintenance	<p>The ES presents the cumulative effects on receptors, considering where non-significant effects become significant when combined. This is evidenced in Table 7.13 of ES Chapter 7 Biodiversity [APP-075], where the combined habitatloss and modification/degradation of lowland mixed deciduouswoodland HPI across the project results in a significant effect. The Applicant does not consider there are other non- significant effects that require mitigation or compensation.</p>	<p>SCC (Landscape) would note that this does not address the accumulation of residual landscape and visual effects (including perceptual effects) along the route.</p>
6k	Timing of reinstatement planting	<p>The Applicant is unclear what is meant by this comment. Planting is usually undertaken over the autumn and winter when plants are dormant and prior to the growing season. The planting season can differ year to year, plants only being released by nurseries when appropriate to the root condition required. This is normal practice in the landscape industry.</p>	<p>SCC (Landscape) notes that this was discussed in the thematic meeting on 12 December 2023 and SCC acknowledges that a longer planting window (until the end of March) may be required on occasions. SCC still strongly recommends to plant as early in the season as possibly to minimise losses in new plantings. This should be stressed to the relevant contractor, so that this is planned for early.</p>

6l	Management and Maintenance	As stated in paragraph 9.1.2 of the LEMP [REP3-034], the Applicant has committed to maintaining MM09 for 30 years. The Applicant has proposed planting areas that provide suitable mitigation in terms of value (based on area and planting type).	<p>SCC (Landscape) welcomes the Applicant’s commitment at paragraph 9.1.2 of the LEMP [REP3-034] that MM09 will be maintained for 30 years.</p> <p>SCC would ask the applicant to provide detailed figures with regards to the value of replacement planting for mature trees.</p>
8f	OWSI	The Applicant is happy to engage with SCC to discuss the amendments to the OWSI ( <b>document 7.10 (B)</b> ) following their review of the updated OWSI submitted for Deadline 5.	SCC (Archaeology) and ECC will provide a joint submission at Deadline 7 to raise the outstanding issues with the OWSI.
12a	SCC proposed control measures	<p>The Applicant understands this text to mean the authority is seeking to secure the assumptions used in Transport Assessment [APP-061]. The Applicant agrees that some mechanisms can be secured but disagrees on others.</p> <p>The Applicant considers that it is not practicable to control daily precise worker numbers, arrival and departures split by time periods or exact numbers on individual days.</p> <p>As discussed in the response to 3.1a the Applicant does not consider it necessary or reasonable to restrict the number of workers on site or their arrival times. The number of workers per se does not have any adverse effect and so is not appropriate to control. The staff arrival times are based on a reasonable worst case scenario but it is considered overly</p>	<p>Whilst happy to discuss details, SCC (LHA) still maintains that controls are required to ensure that the construction traffic remains within the parameters assessed. Without any control nothing prevents the Applicant exceeding these limits and potentially leading to unforeseen impacts. The Applicant has reassured the SCC that the worst case has been assumed with appropriate factors of safety and SCC has accepted this. Consequently, SCC cannot see why the Applicant has to argue that additional ‘flexibility’ of construction traffic is required.</p>

		<p>onerous and unnecessary for these times to be restricted.</p> <p>NPS EN-1 (2011) states that:</p> <p><i>'5.13.11 The IPC may attach requirements to a consent where there is likely to be substantial HGV traffic that:</i></p> <ul style="list-style-type: none"> <li><i>• control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements.'</i></li> </ul> <p>This policy is very similar in NPS EN-1 2023, which states that: <i>'5.14.14 The Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic that:</i></p> <ul style="list-style-type: none"> <li><i>• control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements'</i></li> </ul> <p>The assessment in Appendix E of the Transport Assessment <b>[APP-061]</b> considers the potential for junction capacity impacts due to the project, in line with relevant guidance. This assessment concludes that the impact of project traffic on road network capacity during periods of peak construction activity would not be substantial and that no additional mitigation would be required. A high level of contingency is included in the forecast and the level of</p>	
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		<p>project traffic assumed in the assessment would only be sustained for a relatively short period of time. Given that there is not a substantial amount of HGV traffic, even with this contingency, it is not considered necessary to restrict HGV traffic.</p> <p>Estimates of traffic numbers comprising LGVs and cars are also precautionary, assuming 30% of staff travel to site by car when in reality it is likely to be far lower. Again, with the numbers predicted the Applicant does not accept there is a need to limit vehicles.</p> <p>The Applicant has not been able to identify similar projects where vehicle numbers are capped in the manner proposed. For example, although assumptions are made about the number of vehicles required in construction in the Transport Assessments for the below projects, no projects have capped construction vehicle numbers in the CTMP:</p> <ul style="list-style-type: none"> <li>• Richborough Connection: 20km overhead transmission line between Richborough and Canterbury consented in 2017. Vehicle numbers were not capped in the CTMP;</li> <li>• Hinkley Point C Connection: 57km transmission line between Bridgewater and Seabank consented in 2016. Vehicle numbers were not capped in the CTMP;</li> </ul>	
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		<ul style="list-style-type: none"> <li>• Yorkshire GREEN: 7km transmission line with decision expected in December 2023. At the end of the DCO examination vehicle numbers were not capped and National Grid is not expecting them to be;</li> <li>• Hornsea Project Three Offshore Wind Farm: Vehicle numbers not secured, consented in 2020; and</li> <li>• A428 Black Cat to Caxton Gibbet: 16km new dual carriageway consented in 2022. Vehicle numbers not secured.</li> </ul> <p>In contrast, the Applicant is happy to secure the commitments below: Monitoring of staff travel and reporting proposals are set out in Section 6.4 of the CTMP <b>[REP3-030]</b>.</p> <p>The HGV routeing is included in Appendix A of the CTMP <b>[REP3-030]</b> and therefore is already secured. Paragraph 7.2.5 of the CTMP <b>[REP3-030]</b> sets out how compliance would be monitored.</p> <p>Regarding air quality requirements, the CTMP <b>[REP3-030]</b> states that ‘plant and vehicles will conform to relevant standards for the vehicle type’ so this is secured.</p> <p>GG12 in the Code of Construction Practice (Appendix A of the CEMP) states that: Plant and</p>	
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		<p>vehicles will conform to relevant standards for the vehicle or plant type as follows:</p> <ul style="list-style-type: none"> <li>• Euro 4 (nitrogen oxides (NOx)) for petrol cars, vans and minibuses;</li> <li>• Euro 6 (NOx and particulate matter (PM)) for diesel cars, vans and minibuses;</li> <li>• Euro VI (NOx and PM) for lorries, buses, coaches and Heavy Goods Vehicles (excluding specialist abnormal indivisible loads); and</li> <li>• Stage V (NOx, PM, hydrocarbons, carbon monoxide (CO) and sulphur dioxide (SO2)) for non-road engines (static plant and non-road mobile machinery).</li> </ul> <p>Vehicles will be correctly maintained and operated in accordance with manufacturer’s recommendations and in a responsible manner. All plant and vehicles will be required to switch off their engines when not in use and when it is safe to do so.</p> <p>The Applicant considers these controls to be appropriate and consistent with those used for comparable projects.</p>	
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15a	Employment, Skills and Education Strategy	<p>The worker numbers in the Socio Economics and Tourism Report [APP-066] have been calculated by one of the Applicant’s Framework Contractors who is experienced in delivering this type of project for the Applicant. The resourcing levels have then been overlaid on the construction schedule to generate the resource histogram used in the Socio Economics and Tourism report <b>[APP-066]</b>.</p> <p>A Main Works Contractor will be appointed who has suitable and sufficient experience in delivering this type and scale of project. They will have existing framework agreements in place with subcontractors and suppliers, who operate nationwide, to deliver all elements of the work, and will let this work on a competitive basis. This will include groundworks, civils works and material supply, which will be packages of considerable size and value.</p> <p>However, the Socio Economics and Tourism Report <b>[APP-066]</b> Paragraph 4.3.12 identifies opportunities for the local economy to benefit from the construction works through construction supplies such as skip hire, fencing, and planting for landscaping.</p>	<p>SCC (Skills) refer to above comments on 1a, 1b, and 1c of the <i>Comments on Responses to the ExA’s First Written Questions</i> <b>[REP4-033]</b>.</p>
15b	Employment, Skills and Education Strategy	<p>The Applicant does not consider that an Employment, Skills and Education Strategy is needed on this project given the low number of jobs that would be created and that many will require trained specialists who are qualified to work on high voltage electricity lines sourced from the Applicant’s existing pool of approved</p>	<p>SCC (Skills) refer to above comments on 1a, 1b, and 1c of the <i>Comments on Responses to the ExA’s First Written Questions</i> <b>[REP4-033]</b>.</p> <p>SCC (Planning) notes that an Employment, Skills and Education Strategy would benefit the scheme, especially where there is an understanding of the wider synergies that could be</p>

		<p>contractors. However, the Applicant is committed to continuing discussions with the Councils and other key stakeholders regarding their aspirations in respect of community benefits. These discussions would be outside of the DCO process whilst we await the outcome of the Government’s consultation on community benefits.</p>	<p>achieved as a result of the significant co-location of national infrastructure in the East of England. SCC therefore considers that could be a significant positive impact, of this project, in terms of socio-economics where a regional high voltage electricity workforce could be established.</p> <p>Further, SCC would emphasise that socio-economics are a planning consideration, relevant to the planning balance and thus sit within the DCO process. As such, socio-economics matters are capable of mitigation and compensation in line with the mitigation hierarchy and should not diminish the value of community benefits to the local host communities.</p> <p>Whilst SCC (Planning) recognises that community benefits are outside of the DCO process, the Council considers that these should be provided in recognition of the vital play that the local communities play in hosting the national infrastructure.</p> <p>On 22 November 2023, the Department for Energy Security &amp; Net Zero published “<i>Community Benefits for Electricity Transmission Network Infrastructure, Government Response</i>”. This document outlined the outcome of the Government’s consultation on community benefits and detailed the Government’s “minded to” approach, consisting of:</p> <ul style="list-style-type: none"> <li>• direct benefits of £10,000 over 10 years (£1,000pa) for households near the proposed developments (to be defined in later Government guidance expected in 2024); and</li> <li>• wider benefits of £200,000 per kilometre of overhead line, £40,000 per kilometre of underground cabling, and £200,000 per substation.</li> </ul>
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			<p>On a meeting between the Host Authorities and the Applicant on 4 December 2023, the Applicant noted that they anticipate the final Government guidance (originally expected end of 2023) to be provided in early 2024. SCC (Planning) notes that the Government response specified 2024, however, it did not qualify publication as soon as early 2024.</p> <p>SCC (Planning) does not consider that the Government guidance for community benefits for electricity transmission network infrastructure will be published in early 2024 and therefore urges the Applicant to continue negotiations with the host authorities on the basis that the Government guidance will not be available prior to determination of this project.</p> <p>The Host Authorities would seek to agree community benefits for this project prior to the close the examination, or prior to determination at least, to provide the local community with certainty. This would enable the Applicant to engage with community to understand their priorities, the key opportunity to maximise benefits in the localities, and begin provision of wider community benefits by or prior to commencement.</p>
<b>Comments On Any Other Submissions Received at Deadline 3 [REP4-046]</b>			
3a-3c, 3e,3g, 3h, 3i, 3j, 3k	Public Rights of Way Management Plan	Noted.	SCC (PROW) noted.
3d	Article 15, Temporary stopping up of streets and public rights of way	The Applicant’s position remains as set out in the Applicant’s Comments on Suffolk County Council and Babergh and Mid Suffolk District Council Local Impact Report [REP3-049], namely that whilst the Applicant would intend	SCC (PROW) noted

		<p>to provide a temporary diversion on a like-for-like basis, this may not always be practicable.</p> <p>Given the extremely temporary nature of certain diversions, it may not in certain instances be feasible nor practicable to provide a temporary replacement on an equivalent basis, taking into account the Applicant's duties to act economically and efficiently.</p> <p>Therefore, and noting the effect of section 161(1)(b) (breach of terms of order granting development consent) of the Planning Act 2008, the Applicant cannot agree to include the additional wording in Article 15(6).</p>	
3f	Sub-paragraph (2) of Requirement 4 (Management Plans) has been updated to include reference to the PRowMP	The Applicant would welcome sight of the Council's specific concerns regarding the Management Plans so that the Applicant can (to the extent practicable) consider these during the remainder of the Examination	SCC (PROW) submitted comments for the PRowMP at Deadline 4 within SCC's <i>Comments on any other submissions received at Deadline 3 [REP4-046]</i> .
4a	PRowMP – Community engagement and public information	CTMP provides over-arching requirements for those issues in section 8.4. The Applicant requests the authority to identify user groups that should be advised in order that arrangements can be made.	<p>SCC (PROW) requests that the relevant Parish and County Councillor are included alongside the following user groups, depending on the status of the route:</p> <ul style="list-style-type: none"> <li>• Footpath – Ramblers Association, Open Spaces Society</li> <li>• Bridleway – as above, British Horse Society, Cycling and Touring Club and Sustrans.</li> <li>• Restricted byway – as above, Carriage Driving</li> </ul>

			<p>Association.</p> <ul style="list-style-type: none"> <li>• Byway Open to All Traffic – as above, Trail Riders Federation, Green Lane Association (GLASS), relevant county Land Rover user group.</li> </ul> <p>In addition, for any routes that sit within the Dedham Vale National Landscape and Stour Valley Project Area, the overarching National Landscape team should also be notified.</p>
4b	PRoWMP - Routes with public access affected by the project	The Applicant has responded to this matter in line item 7.1-7.2 in Table 2.1 of this document.	SCC (PROW) noted and await further submission in future deadline.
4c	PRoWMP – ProW Management Signage	<p>The Applicant supports the proposal with regards advanced notices/signage being displayed on site prior to closures.</p> <p>Furthermore, the Applicant would seek to meet the minimum one week recommended period of advance notice.</p> <p>The Applicant will update the PRoWMP [REP3-056] at a suitable deadline to say that <i>'where PRoWs are to be closed, a map of the diversion route will be provided on a sign at the point of closure so users know how to find the diversion route.'</i></p>	SCC (PROW) welcomes the commitment to providing an updated PRoWMP at a future deadline.
4d	PRoWMP - Active Management Plan for 'Shared Routes'	<p>The Applicant has noted the defined minimum widths of routes to be maintained in the PRoWMP [REP3-056].</p> <p>The Applicant notes the request and will provide additional detail as to the meaning of</p>	SCC (PROW) welcomes the additional detail that will be added at a future deadline.



		active measures. This will be made available with the updated PRowMP [REP3-056] which will be resubmitted at an appropriate deadline.	
4e	PRowMP – Reinstatement of PRow	Agreed.	SCC (PROW) welcomes that addition.
4f	PRowMP – Change process	<p>The PRowMP [REP3-056] is one of the plans listed in sub- paragraph (2) of Requirement 4(1) in the draft DCO (<b>document 3.1(E)</b>) which states: <i>‘All construction works forming part of the authorised development must be carried out in accordance with the plans listed in sub-paragraph (2) below, unless otherwise agreed with the ‘relevant planning authority’ or other discharging authority as may be appropriate to the relevant plan concerned.’</i></p> <p>Further details on the change process are set out in Section 6.5 of the PRowMP [REP3-056].</p>	SCC (PROW) noted.
4g	PRowMP - Routes with public access affected by the project	The Applicant has responded to this matter in line item 7.1-7.2 in Table 2.1 of this document.	SCC (PROW) await the further submission in a future deadline.
4h	PRowMP - General	The Applicant thanks SCC for the examples and has no further comments to make on this matter.	SCC (PROW) noted.