

BT-NG-020621-545-0117

# Bramford to Twinstead Reinforcement

## Volume 7: Other Documents

Document 7.3.3 (D): Statement of Common Ground Environment Agency

Final Issue D  
December 2023

Planning Inspectorate Reference: EN020002

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



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## Version History

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| <b>Date</b>   | <b>Issue</b> | <b>Status</b> | <b>Description / Changes</b>                                    |
|---------------|--------------|---------------|---|
| April 2023    | A            | Draft         | For DCO submission  |
| October 2023  | B            | Draft         | Update on current status of discussed provided at Deadline 3.   |
| December 2023 | C            | Draft         | Update on current status provided at Deadline 5.                |
| December 2023 | D            | Final         | Final version closing out the outstanding matter at Deadline 6. |

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# 1. Introduction

## 1.1 Overview

- 1.1.1 This document supports National Grid Electricity Transmission plc's (here on referred to as National Grid) application for an order granting development consent to reinforce the transmission network between the existing Bramford Substation in Suffolk, and Twinstead Tee in Essex.
- 1.1.2 A Statement of Common Ground (SoCG) is a written statement produced as part of the application for development consent and is prepared jointly between the applicant and another party. It sets out matters of agreement between both parties, as well as matters where there is not an agreement. It also details matters that are under discussion.
- 1.1.3 The aim of a SoCG is to help the Examining Authority manage the examination phase of the application. Understanding the status of the matters at hand will allow the Examining Authority to focus their questioning and provide greater predictability for all participants in examination. A SoCG may be submitted prior to the start of or during examination, and then updated as necessary or as requested during the examination phase.
- 1.1.4 This SoCG is between National Grid and the Environment Agency relating to the application for development consent for the Bramford to Twinstead reinforcement ('the project'). This SoCG has been prepared in accordance with the guidance for the examination of applications for development consent for Nationally Significant Infrastructure Projects (NSIP) (Planning Act 2008) published by the Department of Communities and Local Government (Department for Communities and Local Government, 2015).
- 1.1.5 This SoCG has been prepared to identify matters between National Grid and the Environment Agency in respect to the Bramford to Twinstead reinforcement only. The SoCG will evolve as the application progresses through examination.

## 1.2 Description of the Project

- 1.2.1 This document supports National Grid's application for an order granting development consent to reinforce the transmission network between the existing Bramford Substation in Suffolk, and Twinstead Tee in Essex. This would be achieved by the construction and operation of a new electricity transmission line over a distance of approximately 29km. The project meets the threshold as a NSIP, as defined under Part 3 of the Planning Act 2008, hence National Grid requires a development consent order (DCO).
- 1.2.2 The reinforcement would comprise approximately 18km of overhead line (consisting of approximately 50 new pylons, and conductors) and 11km of underground cable system (with associated joint bays and above ground link pillars).
- 1.2.3 Four cable sealing end (CSE) compounds would be required to facilitate the transition between the overhead and underground cable technology. The CSE would be within a fenced compound, and contain electrical equipment, support structures, control building and a permanent access track.
- 1.2.4 Approximately 27km of existing overhead line and associated pylons would be removed as part of the proposals (25km of existing 132kV overhead line between Burstall Bridge and Twinstead Tee, and 2km of the existing 400kV overhead line to the south of

Twinstead Tee). To facilitate the overhead line removal, a new grid supply point (GSP) substation is required at Butler's Wood, east of Wickham St Paul, in Essex. The GSP substation would include associated works, including replacement pylons, a single circuit sealing end compound and underground cables to tie the substation into the existing 400kV and 132kV networks.

1.2.5 Some aspects of the project, such as the underground cable sections and the GSP substation, constitute 'associated development' under the Planning Act 2008.

1.2.6 Other ancillary activities would be required to facilitate construction and operation of the project, including (but not limited to):

- Modifications to, and realignment of sections of existing overhead lines, including pylons;
- Temporary land to facilitate construction activities including temporary amendments to the public highway, public rights of way, working areas for construction equipment and machinery, site offices, welfare, storage and access;
- Temporary infrastructure to facilitate construction activities such as amendments to the highway, pylons and overhead line diversions, scaffolding to safeguard existing crossings and watercourse crossings;
- Diversion of third-party assets and land drainage from the construction and operational footprint; and
- Land required for mitigation, compensation and enhancement of the environment as a result of the environmental assessment process, and National Grid's commitments to Biodiversity Net Gain.

## 1.3 This Statement of Common Ground

1.3.1 This SoCG has been prepared jointly by National Grid as the 'Applicant' and the Environment Agency as a prescribed consultee.

1.3.2 For the purpose of this SoCG, National Grid and the Environment Agency will jointly be referred to as the 'Parties'. When referencing the Environment Agency alone, they will be referred to as 'the Consultee'.

1.3.3 This SoCG is structured as follows:

- Section 1 provides an introduction to this SoCG and a description of its purpose;
- Section 2 states the role of the Consultee in the application process and details engagement undertaken between the Applicant and the Consultee;
- Section 3 sets out matters agreed between the Applicant and the Consultee;
- Section 4 sets out matters not agreed between the Applicant and the Consultee;
- Section 5 sets out matters where agreement is currently outstanding between the Applicant and the Consultee; and
- Section 6 includes the signing off sheet.

## 2. Record of Engagement

### 2.1 Role of the Consultee in the Process

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

### 2.2 Summary of Pre-application Discussions

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

Table 2.1 – Pre-application Discussions

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

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

## 2.3 Summary of Post-submission Discussions

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

Table 2.2 – Post-submission Discussions

| <b>Date</b>      | <b>Topic</b>   | <b>Discussion points</b>   |
|------------------|----------------|--|
| 8 September 2023 | General update | The Applicant provided a general update since the submission of the DCO and provided relevant signposting to the Application documents. The Applicant reviewed the Relevant Representation submitted by the Consultee. |
| 25 October 2023  | SoCG update    | Discussion on updates the Applicant has made to the commitments based on the Written Representation. Agreement of further matters in the SoCG.   |



## 3. Matters Agreed

Table 3.1 – Matters Agreed

| SoCG ID                | Matter                                 | Agreed position   | Date agreed      |
|------------------------|--|---|------------------|
| <b>3.1 The Project</b> |  |   |                  |
| 3.1.1                  | Consultee engagement                   | The Applicant's approach to engagement and consultation has been proactive and professional.  | 15 November 2022 |
| 3.1.2                  | Need for the project                   | That the need for the project has been identified and understood.   | 15 November 2022 |
| 3.1.3                  | Route selection                        | That chosen Corridor 2 identified in the Project Development Option Report (National Grid, 2022) is a suitable route corridor and that the chosen route alignment has been designed to avoid Main Rivers and areas of Fluvial Flood Risk, where practicable.  | 08 March 2023    |
| 3.1.4                  | Policies and legislation               | That appropriate relevant national policies and legislation have been included and the proposals demonstrate an awareness of the statutory obligations.   | 15 November 2022 |
| 3.1.5                  | Main Rivers                            | The following Main Rivers lie within or adjacent to the Order Limits; the Belstead Brook, the River Brett, the River Box, the River Stour (and unnamed tributary) and the Henny Meadow Fleet.   | 15 November 2022 |
| 3.1.6                  | Main River crossings                   | That the opportunity has been provided to feedback on the proposals for trenchless crossing or other methods in relation to Main Rivers.  | 15 November 2022 |
|                        | Overhead line crossings of Main Rivers | That the project would construct overhead lines at the Belstead Brook and River Brett. Therefore, there would be limited effects on the watercourses during construction.   | 15 November 2022 |
|                        | Temporary access route crossings       | <p>That temporary bridges would be used for the temporary access route crossings of the following Main Rivers during construction:</p> <ul style="list-style-type: none"> <li>• River Brett;</li> <li>• River Box; and</li> <li>• River Stour.</li> </ul> <p>These bridges will be clear span and raised 600mm above flood level. Detailed design drawings will be supplied to the Consultee to confirm the crossings have been designed satisfactorily as part of the Flood Risk Activity Permits (FRAP). Should land raising be required in Flood Zones 2 or 3 to access the temporary crossings, flood risk modelling will be carried out to ensure no increase in flood risk elsewhere. The Applicant will also provide detailed drawings of temporary crossings alongside river levels to ensure a sufficient head clearance for navigation.</p> <p>There is currently no proposed temporary access route crossing of either the Belstead Brook or Henny Meadow Fleet.</p> | 08 December 2023 |
| 3.7                    | Protective Provisions                  | The Applicant has confirmed that it will apply for Flood Risk Activity Permits and Navigation Consent. Therefore, no Protective Provisions are considered necessary on the project.   | 25 October 2023  |

| SoCG ID  | Matter                                 | Agreed position   | Date agreed      |
|--|--|---|------------------|
| <b>3.2 Assessment Approach and Methodology</b> |  |   |                  |
| 3.2.1  | Otter and water vole                   | Water vole and otter surveys have been completed for watercourses within the Order limits and up to 250m either side. Draft European Protected Species licences will be prepared and submitted to Natural England if required.  | 15 November 2022 |
| 3.2.2  | Surface water assessment               | The scope of the surface water assessment presented in the ES is appropriate.   | 25 October 2023  |
| 3.2.3  | Sensitivity of receptors               | That the sensitivity of surface water and groundwater receptors presented in the ES is appropriate and the relevant receptors have been identified within the study area. The River Stour has been amended so that it is high sensitivity in the ES.  | 25 October 2023  |
| 3.2.4  | Environmental Impact Assessment        | The Consultee has no outstanding comments on the Environmental Impact Assessment.   | 25 October 2023  |
| 3.2.5  | Fish and aquatic species               | The Applicant has updated the wording of B13 in the CoCP and the Consultee has no outstanding comments in relation to this matter.  | 30 November 2023 |
| <b>3.3 Water Framework Directive</b>           |  |   |                  |
| 3.3.1  | Water Framework Directive (WFD)        | That the updated WFD Assessment at Deadline 1 [REP1007/008] has been reviewed and that the Consultee has no further matters outstanding in relation to WFD matters.   | 25 October 2023  |
| <b>3.4 Flood risk</b>                          |  |   |                  |
| 3.4.1  | Flood Risk Assessment (General)        | That the draft FRA (November 2022) has been reviewed and that the conclusions are acceptable.   | 15 November 2022 |
|  |  | This includes confirmation that the project would not need to undertake flood risk modelling due to the limited effects during construction and no anticipated operational effects.   | 08 March 2023    |
| 3.4.2  | Flood Risk Assessment (Climate change) | That the approach to be taken to considering the effects of climate change on flood risk is appropriate, agreeing that peak river flow climate change allowances are not relevant to the project given that all permanent above ground infrastructure would be located in Flood Zone 1 and that current climate change allowances (Environment Agency, October 2021) for rainfall will be adopted within the operational drainage design. There are no permanent access routes proposed across Main Rivers. | 15 November 2022 |
| 3.4.3  | Flood risk activity permits (FRAP)     | That the Applicant would complete FRAPs for the temporary works affecting the Main Rivers after the application for development consent. This would include any works (if required) to the flood defence along the River Stour.   | 25 October 2023  |
| <b>3.5 Management and Monitoring</b>           |  |   |                  |
| 3.5.1  | Water resources (dewatering)           | In the event that any dewatering at rates greater than 20 m <sup>3</sup> /d for a period longer than six months, it is anticipated an abstraction licence will be required; early consultation with the Consultee is essential. The Water Abstraction and Impounding (Exemptions) Regulations 2017 Regulation 5 also applies.   | 25 October 2023  |

| SoCG ID | Matter   | Agreed position   | Date agreed      |
|---------|--|---|------------------|
|         | Water resources (abstractions and discharges)              | That no abstractions or discharges are currently planned on the project but if these were required in the future, that consent would be sought in accordance with good practice measure GG01 in the CoCP.   | 8 March 2023     |
| 3.5.2   | Environmental Permit (quarry)                              | The project will be required to comply with all legislation, consents and permits (GG01), which would include permits and consents at Layham Quarry. If the proposals are likely to impact or require changes to the landfill then this may require a variation to the permit and associated agreed operating techniques.   | 8 March 2023     |
| 3.5.3   | Landscape and Ecological Management Plan (LEMP)            | That the LEMP outlines suitable methods for protecting watercourse habitats and suitable approaches for managing reinstatement. Watercourses will need to be reinstated to a condition which is an improvement compared with the pre-works condition, which is in line with Biodiversity Net Gain principles and which takes account of the wider WFD objectives of the affected watercourses.  | 8 March 2023     |
| 3.5.4   | Groundwater and hydrogeology and contaminated land         | <p>The Applicant has updated good practice measure GH07 in the CoCP (<b>document 7.5.1 (B)</b>) at Deadline 3 to say the following:</p> <p><i>A hydrogeological risk assessment will be undertaken once the trenchless crossing method has been confirmed. This will assess the risks on groundwater or surface water quality associated with the construction method including considering the potential for breakout during drilling and the use of bentonite or other agents proposed. Where the assessment identifies an unacceptable risk to groundwater or surface water quality, then alternative methods and/or additives shall be proposed, assessed and used. The hydrogeological risk assessment will be submitted to the Environment Agency for approval prior to construction. The Environment Agency will have up to 21 working days to respond on the hydrogeological risk assessment and their comments will be considered as part of finalising the risk assessment. This can be supported by a pre-submission draft to reduce the risk of any delays.</i></p> <p>The Consultee has no further matters in relation to groundwater and hydrogeology and contaminated land</p> | 25 October 2023  |
| 5.3.1   | Construction Environmental Management Plan (CEMP) and CoCP | <p>That the CEMP and CoCP have been reviewed by the Consultee and that the Consultee provided feedback on this document to the Applicant on 30 December 2022.</p> <p>The Applicant has updated the wording in the CEMP with additional wording which states that National Grid will notify the Environment Agency at least one month prior to activities that affect the 'Navigation Envelope' of the River Stour and that the notification will contain sufficient information to enable the Environment Agency to understand the necessity of the closure and will include details regarding the nature of the works, duration and positioning of equipment structures within the river channel such as safety boats and buoys.</p>   | 08 December 2023 |

## 4. Matters Not Agreed

4.1.1 There are no matters that are not agreed between the Parties.

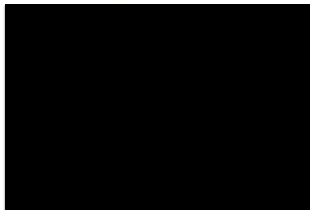
## 5. Matters Outstanding

5.1.1 There are no matters that are outstanding or still under discussion between the Parties.

## 6. Approvals

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Signed



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**On Behalf of** National Grid

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**Name** Sally Rotherham

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**Position** Consents Officer

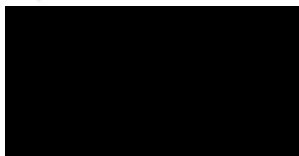
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**Date** 18/12/2023

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Signed



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**On Behalf of** Environment Agency

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**Name** Jo Firth

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**Position** Team Leader

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**Date** 18/12/2023

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# Reference List

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

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