



Date: June 2024

National Grid Electricity Transmission by email

**Planning Act 2008 s42: Norwich to Tilbury Nationally Significant Infrastructure Project (NSIP) statutory consultation**

**RESPONSE OF BABERGH AND MID SUFFOLK DISTRICT COUNCILS: OBJECTION**

This is the joint response of Babergh District Council and Mid Suffolk District Council to the statutory public consultation, between 10<sup>th</sup> April and 19<sup>th</sup> June 2024, undertaken by National Grid Electricity Transmission for the proposed Norwich to Tilbury NSIP.

Although they remain two separate sovereign councils, since 2013 Babergh and Mid Suffolk District Councils have been working together to deliver services and they share a Chief Executive, management team and joint workforce who work across both authorities. The comments below are submitted on behalf of both councils except where they are specifically attributed to a single council.

**Introduction**

This response adds to those comments submitted to the previous non-statutory consultations. The councils acknowledge the progress in the proposal detail since the previous consultation, however, given the outstanding issues identified, consider it necessary to maintain their objection to the scheme.

Babergh and Mid Suffolk District Councils consider their role of protecting and promoting the interests of the districts' communities, businesses, heritage, environment and tourism to be of utmost importance and recognise the contribution Babergh and Mid Suffolk make to the unique character and quality of Suffolk and the wider eastern region.

The councils acknowledge the government's net zero commitment and 50 by 30 objectives, and are mindful of related energy security, carbon reduction and energy poverty issues. However, the considerable and potentially devastating impacts of strategic energy development are of significant concern.

The comments in this response are offered in context with how these impacts may affect the districts and, should the Secretary of State accept an application for development consent and grant such consent, sets out the matters the councils identify as needing appropriate assessment, mitigation, compensation and the delivery of community benefits.

Babergh and Mid Suffolk District Councils continue to engage with National Grid to represent the interests of the districts.



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## Principle of development

The councils acknowledge the stated need case for a scheme of electricity transmission network capacity improvement to enable connection of offshore wind generation, required to meet net zero commitments, and to increase capacity of the transmission network to meet this additional demand, as reiterated by the Hiorns report.

The councils further acknowledge the outcome of the Energy System Operator (ESO) East Anglia Study, National Grid Electricity Transmission (NGET)'s response to this, the ongoing Offshore Coordination Support Scheme (OCSS) process and NGET's commitment to have regard to the outcome of the OCSS in the ongoing evolution of the Norwich to Tilbury scheme.

However, Babergh and Mid Suffolk District Councils maintain their in principle objection to the scheme on the basis that it is premature, whilst there is a known and recognized likelihood of alternative technologies and / or infrastructure design arrangements, that a strategic approach to energy infrastructure planning through the responsibilities of the imminent National Energy System Operator (NESO) and Regional Energy Strategic Planner (RESP) functions, and recognizing the findings of the Hiorns report that the need for additional transmission capacity is more likely be closer to 2035 than National Grid's programme delivery date of 2030. The councils further believe that time and cost pressures are afforded undue weight by NGET in influencing justification for and the design of the project.

The councils believe that a pause to the scheme is necessary to enable alternatives to be fully considered and consulted upon and that this rational delay would be more likely to enable delivery of the objectives of this and other projects in the region whilst minimizing the impacts of such developments on the districts' communities and environment. However, in the intervening period, and in response to the statutory consultation, it is valuable to engage with the proposed plans as they are set out, and seek to minimise the impacts of the development on the communities and environments of the districts whilst maximising the opportunities for benefits that the districts and wider eastern region may realise as a result of the development.

Notwithstanding the councils' position of objection in principle, and without prejudice to that position, the following key technical and issue specific comments are offered.

### Key technical issues

The development will have a range of impacts, some of which involve technical matters that fall within the responsibility of either the district or county councils. The following are some of the main issues that the councils wish to highlight in this response. Please refer to full details of the technical officers' advice at Appendix 1.

This list is not exhaustive and does not prejudice the consideration of any other issue at this time or in the future.



## Biodiversity:

- A potential vegetation clearance impact corridor of 100m width should be reduced wherever possible.
- We seek reassurance that the mitigation hierarchy will be rigorously applied to avoid impacts before needing to consider mitigation and compensation.
- We welcome that soil will not be stored over hedgerows and that hedgerows would be replanted post construction.
- We await the results of further protected species and habitats assessment to inform the mitigation hierarchy and support the Statement of Common Ground.
- Surveys for Priority species likely to be present and affected may also be needed and are necessary for the Local Planning Authority (LPA)s and Secretary of State to demonstrate their strengthened biodiversity duty under s40 Natural Environment and Rural Communities Act (NERC) Act as amended.
- We note that the project is indicating a -6% Biodiversity Net Gain (BNG) for area habitat units. We expect the mandatory 10% BNG to be achieved through off-site measures.
- To meet the aspiration of National Policy Statement (NPS) EN-5, the long-term maintenance and aftercare of mitigation planting will need to be for the appropriate timescales for delivery of the promised BNG condition, and to secure the integrity and benefit of these schemes.
- Details of the 10% Environmental, Net Gain to meet the requirements set by Ofgem is requested.
- We are concerned about the potential for impacts on the Waveney & Little Ouse Valley Fens Special Area of Conservation (SAC) since the Waveney Valley Alternative has not yet been decided.
- As the Stour and Orwell Estuaries Special Protected Area (SPA) and Ramsar site habitats are hydrologically connected to the draft Order Limits, we would like to be involved in discussions on HRA to inform the shadow report to support the Development Consent Order (DCO).
- Inconsistent approach to Sites of Specific Scientific Interest (SSSI)s including Wortham Ling and Middle Wood, Offton.
- Regarding non-statutory designated sites it is important that the alternatives considered, impacts assessments and associated mitigation proposals are detailed in the ES.
- We expect appropriate measures to be taken to protect ancient woodland (irreplaceable habitats).
- Smaller ancient woodland parcels are not included in the Natural England inventory. We expect completed habitat survey work to identify any such parcels in the study area.
- A countersigned Impact Assessment and Conservation Payment Certificate (IACPC) is needed to support the DCO.
- We acknowledge that Great Crested Newts (GCN) are scoped out from further assessment in the Environmental Statement (ES), however, best practice methodology should be used during construction to mitigate for potential impacts on other mobile species.



- Table A8.8.3 refers to Hazel Dormouse as a 'Priority species'. This is incomplete as this species also has a higher designation as a European Protected Species under the Conservation of Habitats and Species Regulations 2017.
- The Essex & Suffolk Dormouse Group should be involved in consultations on survey methodology.
- Table A8.9.2 refers to Otter as a 'Priority species'. This is incomplete as this species has a higher designation as a European Protected Species under the Conservation of Habitats and Species Regulations 2017.
- We await the results of the data collected during the 2023 bat surveys and results of the Ground Level Tree Assessments. Appendix II species (Bern and Bonn Conventions) will need further assessment to avoid severance to foraging and commuting routes within any sustenance zones of a maternity colony.
- We expect that fitting levels of bat investigation and impact assessments will be provided in the ES regarding County Wildlife Sites (CWS)s
- Where hedge crossings or removals are necessary to retain connectivity during construction, an alternative to dead hedging is the use of Heras fencing with camouflage netting attached.
- All non-significant effects on Priority species and habitats will need to be identified in the ES.
- Any use of 'notable species' needs to be clarified in the glossary to avoid being confusing.
- A thorough impact assessment of the veteran oak at Spring Farm, Gislingham should be undertaken, with appropriate application of the mitigation hierarchy. This will be necessary to include in the Statement of Common Ground.

#### Heritage:

- Assessment of rights of way closures to appreciation of setting required.
- Disagree with value assigned to heritage assets.
- Concern that assessment is not based on up to date survey data.
- Scope of assessment is in line with comments at non-statutory consultation.
- We have requested and await further engagement to agree methodology/selection process for viewpoint assessments which are considered insufficient are present.
- It is agreed that the development will not result in direct impacts to listed buildings or locally listed buildings. Scoping should focus on assessing which built heritage assets are likely to experience change to their settings.
- Noise and vibration mitigation for listed assets should form part of the Code of Construction Practice.
- Decisions on scoped out assets should be informed by site visit, not just desk-based assessment.
- The settings survey is unclear as to direction of views and is out of date so should be reviewed with any amended conclusions provided.
- Additional source material for assessment recommended.
- Neither low heritage value nor a low magnitude of impact will negate the requirement for mitigation.
- The commitment to consider any effects on the Historic Environment associated with mitigation proposals for other environmental receptors is welcome.





- It is noted that baseline conditions may not be accurate and are subject to change.
- No information is provided as to how non-designated heritage assets (NDHAs) have been identified.
- Standard mitigation should not be in lieu of mitigation measures that wholly
- eliminate risk or harm. Additional mitigation should be targeted, site-specific and clearly evidenced as such.
- The impact of loss of any vegetation should be carefully assessed. The loss of any vegetation cited as a justification for scoping out heritage assets for further assessment should be wholly avoided.
- The assessment of the contribution of setting to the significance of non-designated heritage assets should be carried out as part of completion of the Environment Statement.
- There is scope for further significant temporary negative effects on non-designated heritage assets to be identified once the contribution of setting to significance and the effects of the construction phase of development have been assessed.
- The level of identified harm to the significance of each designated heritage asset should be expressed in accordance with National Policy Statement for Energy (EN-1).
- Table 4.2, Chapter 4 of Volume 1 makes no explicit reference to mitigation measures which change the impact of the proposal on the setting of heritage assets.
- Standard mitigation in Appendix 4:1, Draft Outline Code of Construction Practice appears to only relate to archaeological assets.
- It is concluded that there will be no additional significant effects if the Waveney Valley Alternative is used. This will include the reinstatement of historic field boundaries, which reduce the effect from significant to neutral. Further information is required to demonstrate how field reinstatement can truly negate the impact of new cable routes.
- For ease of assessment, it is recommended that each section of the Historic Environment Baseline Report (HEBR) relates to a single local planning authority only.
- Non-designated heritage assets described in the HEBR appear to be largely taken from Historic Environment Record data, and non-designated heritage assets identified and described are primarily archaeological sites or find spots. It is unclear if the walkover survey identified any buildings which could be considered non-designated heritage assets; this information must be included as part of the ES chapter.
- Decommissioning effects have been scoped out. This is acceptable subject to the provision of a guarantee within the DCO that decommissioning of the project will require appropriate assessment.
- It is unclear if conservation area appraisals or local lists have been considered as these are not included in the list of consulted sources.
- There will be indirect impacts to numerous designated and non-designated heritage assets through change to their setting. The level of impact is influenced by factors such as proximity to the cable route, visual receptors, noise and/or construction impacts. It is unclear from the documents provided to date what mitigation, if any, will be afforded to the setting of heritage assets.
- At this stage, further comments on individual heritage assets are not considered appropriate, due to the requirement for amendments to the methodology and information provided to date. The councils expect to continue to engage with National Grid on this matter going forward.

#### Landscape:



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- The PEIR acknowledges that the proposals will have a significant negative landscape and visual impact at both construction and operational stages over the length of the Project. This is identified as up to 1Km from the Project line in many situations.
- We judge the spatial extent of the negative significant impacts are underestimated, however, and that significant negative impacts could occur greater than 1Km from the Project, particularly on intangible landscape assets, and particularly at the operational stage.
- Where negative effects are judged not to be significant beyond 1Km from the Project line, the character of the landscape and experience of receptors is still likely to be negatively changed over a wide area, reducing aesthetic enjoyment, the sense of place, history and identity, and inspiration for learning.
- The alternative proposals for the Waveney Valley are to be welcomed, however, further assessment is needed and we judge the undergrounding does not go far enough. Undergrounding should be extended south as far as Brook Farm airstrip and the associated works away from Wortham Ling.
- In order to reduce significant landscape and visual impacts at the operational stage over the length of the Project, more use of undergrounding is required to protect valued local landscapes, long-distant rights of way and rural amenity sites.
- In order to assess where alternative proposals for undergrounding should be put forward, a Valued Landscape Assessment should form part of the Landscape and Visual Impact Assessment along the length of the Project, to be submitted with and inform the future EIA.
- Undergrounding of existing or proposed lines across the Gipping Valley at Badley is recommended to mitigate the cumulative impact of development in this area.
- Should the Project go ahead, a substantial funded landscape compensation scheme, as opposed to community benefits, should be drawn up, to recognise the long-term negative un-mitigatable construction and operational effects on both landscape and visual receptors that this Project will generate.
- We have identified a number of areas where we believe data presentation needs to be corrected and improved in order to aid access and interpretation.
- We note there is no Arboricultural Impact Assessment (AIA) included in the PEIR, although there is reference to an AIA being included in the Environmental Statement. The councils believe that as there is a proposed route an AIA should be carried out now. This would then inform acceptability and the possible need for mitigation and/or design amendments. Without an AIA it is impossible to fully assess the arboricultural and landscape implications of the proposal or provide any informed feedback. The councils therefore reserve the right to comment further on the AIA when available.

#### Public health:

- Concern regarding lack of background noise levels. This is particularly important for the area surrounding the substation at Bramford. This should be addressed.
- The ABC method in BS:5228 has been used to identify Lowest Observed Adverse Effect level (LOAEL) and Significant Observed Adverse Effect Level (SOAEL) which we are in agreement with.
- Hours of work should be limited to 07.30 – 18.00 Monday – Fridays and 08.00 – 13.00hrs on Saturdays, with no working on Sundays or Bank Holidays.



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- Noise and vibration management plan should be available at least 28 days prior to construction commencing.
- Prior consents are not guaranteed without full acoustic information including details of proposed attenuation as well as justification for the works.
- Overrunning works due to insufficient programming would not justify the need for night time working.
- Whilst prior consent would cover noise, we would also require details of lighting.
- Request further details on how it has been determined at this stage that BPM will be sufficient to prevent an exceedance of SOAEL, and what level of BPM from the gradings set out in 14.7 will be needed for those NSRs identified in figure 14.2 within our districts.
- Welcome that the Code of Construction Practice (CoCP) will be a 'live' document. This should have a fixed and pre-agreed 'broad content', with site specific sections for each worksite, outlining additional BPM/attenuation where necessary. These should be submitted at least 28 days in advance of commencement of work at each site, for approval.
- 325 Noise Sensitive Receptor (NSR)s are at risk of adverse noise from access and road haul construction but discounted due to being exposed for less than 10 days in any 15 day period. Please provide a map showing where these NSRs are.
- Whilst dust control is addressed we recommend the CoCP specifies the means of water suppression to be used and how this supply will be maintained particularly during periods of dry and windy weather. The supply shall be suitable and sufficient having regard to the size of the area under development.
- Please provide further methodology on the construction of the pylons including an approximation of how many lifts and bolting operations and any attenuation, details of any illumination of the pylons during construction, how long each pylon takes to construct and erect and information on the decommissioning and dismantling of existing pylons.
- Please provide details of any proposed additional lighting at Bramford substation.
- EMFs during operation have been scoped out of the environmental statement but a qualitative assessment has been prepared.
- An EMF compliance report will be produced to support the application for development consent. This is an acceptable approach and we await this information/confirmation.
- We are broadly happy with the approach to contamination and concur that the only possible site where risks may be elevated are in the vicinity of the former Raydon airfield.
- It would seem reasonable to progress with the site provided that additional investigation demonstrates that risks can be managed appropriately.

#### Economic Development & Skills:

- There are a number of aspects of the proposal which are not yet satisfactorily addressed, including the impact upon skills and tourism which have not been assessed fully within the most recent documents.
- The Councils expect National Grid to coordinate their projects in Suffolk and actively engage with the Councils to secure benefits for and investment in local businesses and employment networks.



- It is welcomed that the Study Area has been expanded to include Ipswich, Norwich and West Suffolk, but it is unclear whether there has been any direct engagement with these councils to understand their position in relation to the potential impact of this proposal.
- The proposal also doesn't appear to take into account the difference in impact between the areas where pylons would be deployed as opposed to those areas where cables are proposed to be undergrounded.
- We remain concerned that the uniqueness of this project which does not appear to have been tailored to fit the local circumstances.
- A range of the data in the PEIR is not broken down by District. There is a huge variation in this data across the region and it would be preferable if this data wasn't amalgamated in this way.
- The Councils consider that the analysis of impact on economic development, skills and tourism has been underestimated and that there are significant impacts in respect of these issues, especially tourism, that should be more accurately quantified.
- The Councils consider that there may also be positive impacts for economic development and skills that can be achieved through collaboration with the promoter and delivered within the communities that are hosting this project.
- It is not possible to fully determine the sufficiency of the approach to determining socio-economic impact ahead of the levels of expected employment, and the detailed workings supporting it, being provided and assessed by the promoter.
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The councils refer to the comments of Suffolk County Council in respect of technical matters that fall within their function.

Other topic / site specific matters:

Freeport East / Gateway 14 and Stowmarket area connectivity: A strategic approach to project design, in a similar way as has emerged as part of Norwich to Tilbury with the prospective North Falls and Five Estuaries projects, is necessary to coordinate the scheme with other relevant and reasonably foreseeable development projects in the area in order to minimise impacts and maximise potential benefits to be realised from such significant and disruptive works.

Whilst the councils recognise that these offshore wind farms form part of the stated need case for the Norwich to Tilbury project, this is not directly linked to the need to decarbonise industrial users, and enable effective delivery of the Freeport. However, failure to give effective and robust consideration to the opportunities to realise these outcomes from the Norwich to Tilbury project, and not to forcefully seek regulatory flexibility to do so if required, would arguably be negligent on the part of National Grid, as a responsible corporate entity.

Therefore, the councils consider potential benefits, through appropriately coordinated delivery of interrelated energy projects and network infrastructure, could include improved connectivity for Freeport East at Gateway 14 as well as other major commercial operations and other interests in the area, enabling decarbonisation and other green energy objectives for these sites and affected communities.




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In announcing the Freeports Roadmap, Michael Gove MP explained the role Freeports have in the journey to Net Zero stating, “The opportunity here is immense, but seizing it will depend on maximising synergies between different areas of government policy as well as coordinated investment from the private sector.” Part of Freeport East’s purpose is “attracting investment and jobs, and facilitating innovation and decarbonisation...to demonstrate a model of a low carbon regional economy, while protecting and nurturing...biodiversity”.

The councils are calling on NGET to recognise and act upon the value such strategic coordination will add to the Norwich to Tilbury project, the wider Great Grid Upgrade objectives by enabling effectively, appropriate and sustainably planned local generation and storage for focused local distribution and consumption as part of the government’s priorities for a decarbonised economy and to contribute to the challenge of fuel poverty.

**Agricultural land sterilisation:** Both districts are predominantly agricultural in nature with a significant number of food and fuel crop producing operations. Recognising the government’s repeated statement of the need to protect best and most versatile agricultural land, the councils have concerns regarding the potential land sterilisation impacts of the development which must be fully assessed with any impacts clearly demonstrated and appropriately mitigated.

**Bramford sub station:** Given the volume and nature of reasonably foreseeable development at and around the Bramford sub station a strategic approach to the project design, having regard to the cumulative impacts and interactions with other developments in the area, is considered necessary to minimise impacts on the surrounding communities, public safety, landscape, heritage and highway network. In particular, the councils expect NGET to demonstrate steps to protect residents, businesses, the highway network and environment having regard to the need to safeguard access to the sub station in the interest of resilience of the transmission network as critical infrastructure.

**Community Benefits:** The councils recognise the emerging position from government towards a package of recommendations for community benefits from electricity transmission infrastructure development. If the districts’ communities are to host this development NGET should offer a reasonable, proportionate and practicable package of community benefits, outside the scope of the necessary and expected mitigation and compensation measures for the DCO. Community benefits should be in addition to required mitigation. The councils welcome further dialogue on the content and delivery of an appropriate community benefits package.

**Control documents:** It is also imperative that, should the project be consented, delivery and maintenance activities are adequately and appropriately controlled through the prior approval of clear, precise and enforceable control documents in order to protect the amenity and wellbeing of the districts’ communities.

**Cumulative effects:** The sheer number of energy generation, storage, stability and transmission proposals located in the eastern region and within the districts makes the need for a coordinated, strategic approach to energy development critical in order to effectively assess cumulative impacts and to safeguard the interests of host communities and environments.



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The councils are concerned that impact assessments for this project are unreliable in the absence of an adequate assessment of cumulative impacts, especially having regard to the project delivery timing and location of development together with an often constrained highway network and pressured specialist workforce.

In particular, the numerous connections to Bramford substation and the potential cumulation of development around the new East Anglia connection node must be carefully planned. The councils expect to agree long list and short list of projects for cumulative effects.

Additionally, opportunities for the rationalisation of the transmission and distribution networks must be fully explored. For example, the removal of the 132kv line from Copdock to Lawford, through the designated National Landscape, could result in significant benefits.

Furthermore, the order limits make clear that a number of communities across the districts will be affected by construction traffic and access works which have the potential to be significantly disruptive.

Undergrounding: The councils acknowledge the concerns of our communities regarding the impact of overhead line development. The consultation on the Waveney Valley alternative is welcomed and the councils will continue to request extended or additional sections of undergrounding where appropriate.

## Conclusion

The councils maintain a position of objection in principle to the project.

Notwithstanding, these comments are submitted in the spirit of cooperation and National Grid are expected to consider and respond to these and any other comments made by Parish Councils, groups or individuals within the districts and to continue to engage with officers and local communities throughout the pre-submission stage.

Kind regards,



Tom Barker  
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