

# PLANNING POLICY AND LOCAL PLAN COMMITTEE

23 JULY 2024

## REPORT OF THE DIRECTOR OF PLANNING

### A.1 TDC RESPONSE TO NATIONAL GRID STATUTORY CONSULTATION ON NORWICH TO TILBURY ELECTRICITY POWERLINE CONNECTION PROJECT

(Report prepared by Gary Guiver and Eleanor Storey)

#### PART 1 – KEY INFORMATION

##### PURPOSE OF THE REPORT

To invite discussion and seek agreement from the Planning Policy and Local Plan Committee to Tendring District Council's formal response to the statutory consultation being carried out by National Grid on its proposed Norwich to Tilbury electricity powerline connection project. The project is designed to reinforce the high voltage power network in East Anglia between existing substations. It is classed as a 'Nationally Significant Infrastructure Project (NSIP)' for which planning approval will be sought from the government through a 'Development Consent Order' (DCO) - with Tendring District Council being one of many consultees in the process and not the decision maker. The proposals however have very specific implications for Tendring, and it is recommended that the Council, working closely with Essex County Council, continue to maintain strong objections.

##### EXECUTIVE SUMMARY

As part of the global response to tackling climate change, the UK Government has a legislative commitment to reducing greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050. Switching from high polluting fossil fuels to renewable energies has a significant role to play in mitigation of and adaption to the climate emergency in which we are living.

In response to this, National Grid is seeking to upgrade the existing electricity transmission infrastructure between Norwich and Tilbury. This involves installing new overhead pylons and a new substation within Tendring – located between Ardleigh and Little Bromley. This location is intended to provide the main connection point for major off-shore windfarm developments proposed in the North Sea, with their associated on-shore infrastructure expected to make landfall in and pass through Tendring. The proposed substation East Anglian Connection Node (EACN) will receive underground cabling from the north (having travelled under the Dedham Vale National Landscape, previously known as an Area of Outstanding Natural Beauty), the cables will exit via overhead pylons westbound through Ardleigh.

This is National Grid's third and (expected to be) last stage of public and stakeholder consultation for the Norwich to Tilbury proposals before it finalises its plans for submission to the Secretary of State. Due to the nature and size of the proposal, this project, qualifies as a 'Nationally Significant

Infrastructure Project' (NSIP) for which there is a dedicated planning process, the 'Development Consent Order' (DCO) which is administered at national government level by the Planning Inspectorate (PINS). Tendring District Council is not the determining body for proposals of this nature; the Council's role, like all other Local Planning Authorities affected by the proposals, is that of a consultee with a right to make representations for or against the proposals.

To date, all Councils affected by this project, across Norfolk, Suffolk and Essex, have objected to what is proposed, firmly advocating that the upgrading of this infrastructure would better achieved with an offshore rather than an onshore solution. This would prevent the considerable negative impacts on the physical environment (both ecologically and visually) and on the communities who are directly affected by these onshore proposals. At all previous opportunities to engage in non-statutory consultation on the Norwich to Tilbury proposals, this Council has submitted strong objections. Most of the local concerns still remain, and it is therefore recommended that the Council continues to maintain and reinforce its objections.

Whilst this is a standalone proposal, it is linked with the two other NSIPs being brought forward by Five Estuaries and North Falls offshore wind farms. The proposed EACN in Tendring is the connection point for both wind farms to transfer their offshore energy into the National Grid. There is a study currently taking place by the Offshore Coordination Support Scheme looking at the feasibility of both wind farms taking an offshore approach and making landfall at Tilbury. Additionally, the Tarchon interconnector, which would provide a direct power link between Germany and the UK, could also connect with the EACN - although no formal proposals or plans have come forward at this stage.

Work has been carried out with Essex County Council in preparing TDC's consultation response, which outlines extensive concerns held by both councils. In our position as a consultee, the decision to grant or refuse consent for this proposal is not made by the Council. Therefore, in addition to setting out our objections, the response also considers what measures the Council would expect to see to mitigate the impact on the communities of Tendring. Our District could experience a disproportionate level of the negative impacts, and the Council therefore expects a stronger focus on mitigation in Tendring including significant and tangible benefits. The transition to renewable energy should be fair, inclusive, and create positive opportunities for all.

Our objections throughout the consultation include but are not limited to:

- an appropriate offshore solution needs to be fully considered – this has not yet been achieved;
- the project is premature in terms of need, working to the required timeframe (2035) not the identified timeframe (2030) would enable alternative routes (offshore and undergrounding) to be considered;
- current environmental analysis by National Grid is insufficient, with ecological, heritage and landscape impacts not being fully scoped and information lacking; and
- unacceptable negative impacts on the environment, highways and the communities closest to the proposals.

## RECOMMENDATION

**That the Planning Policy and Local Plan Committee:**

- a) notes the content of this report;
- b) considers and comments on the draft response to the Norwich to Tilbury Statutory Consultation as attached at Appendix 1;
- c) agrees that, with the approval of the Portfolio Holder for Housing and Planning, the response with any agreed changes be submitted to National Grid before the close of the Statutory Consultation on 26th July 2024; and
- d) agrees that the approved response, as submitted to National Grid, be reported to Full Council to allow further discussion, if necessary and for the outcome of that discussion to be fed back to National Grid.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

In line with our Corporate Plan the package of mitigation that TDC is pursuing seeks education, training and employment within the expanding renewables energy sector, raising aspirations and creating opportunities. This is a multi-agency approach involving collaboration with ECC to improve the quality of life for our residents by securing training and employment. Should consent be granted the proposal, Tendring will be at the forefront of the UKs transition to renewable clean energy, ensuring the national goal of net zero is met, furthering our commitment to acting on the climate emergency declared in 2019.

### RESOURCES AND RISK

**Resources:** The determination of the Development Consent Order (DCO) for this Nationally Significant Infrastructure Project (NSIP) is the responsibility of the Secretary of State, and the examination is conducted by the Planning Inspectorate. This draft response to the statutory consultation has been drafted by TDC Officers in collaboration with ECC Officers.

**Risks:** Should the Council choose not to respond to the consultation by the submission deadline, TDC would have no formal input or ability to influence the current proposals.

### LEGAL

The legislative framework for Nationals Significant Infrastructure Projects is set out in the Planning Act 2008 ([link](#)) as amended by:

- Marine and Coastal Access Act 2009;
- the Localism Act 2011 (which transferred the decision-making powers to the Secretary of State);
- the Growth and Infrastructure Act 2013;
- the Infrastructure Act 2015;
- the Housing and Planning Act 2016;
- the Wales Act 2017; and
- the Levelling-up and Regeneration Act 2023.

Applications for Development Consent Orders (DCOs) are examined by an independent inspector, who then make recommendations to the relevant Secretary of State about whether permission for development should be given. The Secretary of State makes the final decision. There are several stages to this process, which can take around 18 months.

### OTHER IMPLICATIONS

**Area or Ward affected:** Ardleigh & Little Bromley, Lawford, Manningtree & Mistley (however, associated offshore windfarm projects and their onshore infrastructure would affect other wards of the district).

**Consultation/Public Engagement:** Conducted by National Grid.

## PART 3 – SUPPORTING INFORMATION

### Nationally Significant Infrastructure Projects (NSIPs) Overview

‘Norwich to Tilbury’ is a Nationally Significant Infrastructure Project (NSIP). An NSIP is a project considered by the government to be of national importance due to its scale and type. Permission to build them is given at a national level by the relevant Government minister (the Secretary of State).

Those seeking permission - developers – apply for a Development Consent Order (DCO), the application goes directly to the Planning Inspectorate (PINS). This process streamlines the approval of large infrastructure projects such as major roads, railways, airports, power stations, and large scale renewable energy projects. The process of applying for a DCO is set out in the Planning Act 2008 – below is an overview of the procedural stages.

Stage 1	Pre- Application	<i>DCO is a front loaded process, this means the application has to be scoped and refined before submission to the Planning Inspectorate. This stage is the responsibility of ‘the developer’ to consult with all statutory bodies, local authorities, local community and affected persons – land &amp; property owners. It is at this stage that interested parties can influence a project by responding to consultation. There is no set time frame for this stage.</i>
Stage 2	Acceptance	<i>Once submitted PINs have 28 days to decide whether the application can proceed to examination. If refused the developer</i>

		<i>has a 6 week window to challenge the decision. If accepted, all documentation is published on the PINs website and the next stage commences.</i>
<i>Stage 3</i>	<i>Pre-Examination</i>	<i>The developer now publicises the accepted application and advises interested parties when and how they can register to become involved. This period is a minimum of 28 days. A panel of Inspectors or a single inspector will then be appointed forming the Examining Authority (ExA). A Preliminary meeting is held, with all interested parties, to discuss the timetable for examination. At the close of this meeting the next stage commences.</i>
<i>Stage 4</i>	<i>Examination</i>	<i>This usually commences the day after the pre-liminary meeting. The Examining Authority have 6 months to complete their examination of the application. This is primarily conducted via written representations, hearings can also be held where interested parties are invited by the ExA to make oral representations.</i>
<i>Stage 5</i>	<i>Decision</i>	<i>The Examining Authority has 3 months to complete the report and make recommendations to the relevant Secretary of State (SoS). The SoS has 3 months to decide whether to grant or refuse consent.</i>
<i>Stage 6</i>	<i>Post-Decision</i>	<i>There is a 6 week window where a legal challenge can be made on the SoS decision.</i>

As a host Local Authority, we are a consultee in the NSIP process. The Planning Inspectorate is the Examining Authority and the decision to grant or refuse consent lies ultimately with the Secretary of State.

## **Renewable Energies**

TDC declared a climate emergency in 2019, acknowledging the challenges to our environment and our communities. The increases in global temperatures are a direct consequence of human activity, specifically the emissions from greenhouse gases. We are experiencing the effects of changing weather patterns which present challenges to us all, specific challenges are faced by our farming communities and extreme weather events will also endanger our most vulnerable communities.

To address this the Climate Change Act 2008 commits the UK government by law to reducing greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050. To achieve this the way that we generate energy is changing rapidly and the transition to cleaner, more secure, renewable energies is underway. Offshore wind has a key role to play in this transition. The importance is reflected with the Government ambition to connect 50GW of offshore wind by 2030. The [Crown Offshore Wind Report 2023](#) states the UK offshore wind supplied the equivalent electricity needs of half UK households in 2023.

## **Norwich to Tilbury - Background**

Norwich to Tilbury is a proposal by National Grid Electricity Transmission also known as National Grid (NG) to reinforce the high voltage power network in East Anglia that runs between Norwich and Tilbury. This involves upgrading overhead lines, pylons, some underground cables and a new 400kV substation. This is the first statutory consultation that NG have held and follows two previous non-statutory consultations. Various alterations have been made to the proposals in response to comments raised in these earlier consultations, including changing the name of the project from *East*

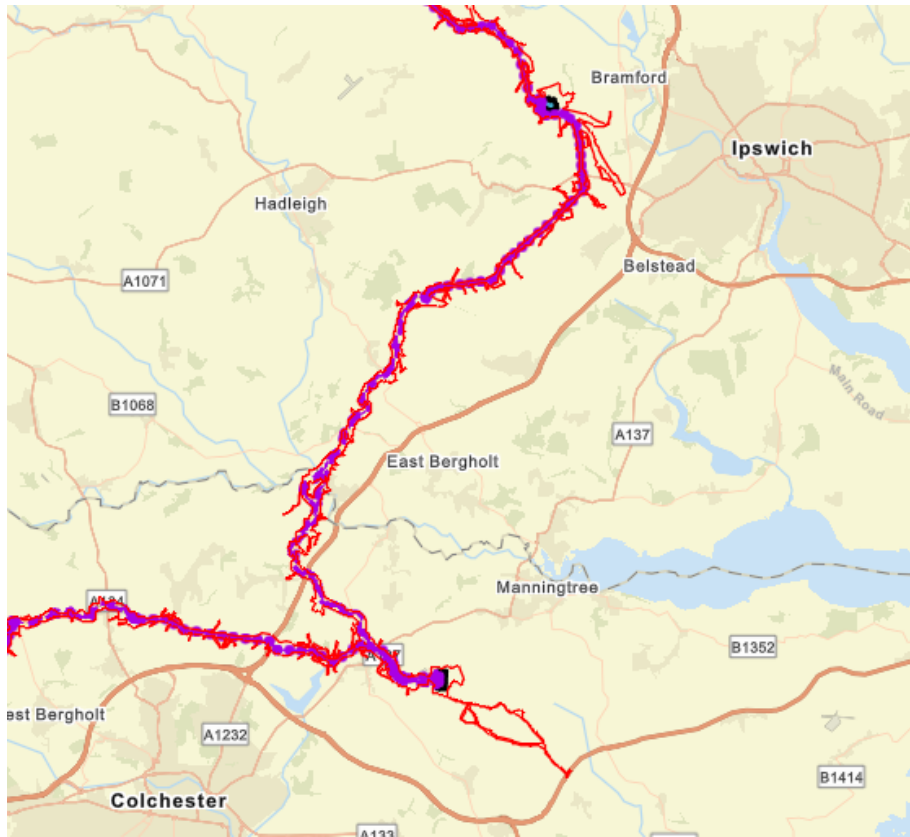
*Anglia Green*, which was deemed to be inaccurate and misleading, and physical alterations such as undergrounding through the Dedham Vale National Landscape (formerly AONB). Consultations have been conducted using postal mail outs, in person events, webinars, social media channels, and printed materials have been available at libraries across the District with freepost envelopes for responses.

The proposal includes the East Anglian Connection Node (EACN) a new 400kV substation in the north of Tendring, located to the east of Ardleigh and northwest of Little Bromley. The cabling will be underground through the Dedham Vale National Landscape to the EACN, overhead pylons will then continue the transmission out of the substation, to the north of Ardleigh and down to Tilbury. Maps 1-4 below provide a visual guide to the proposed routes. An interactive map is available on the National Grid website ([link](#)).

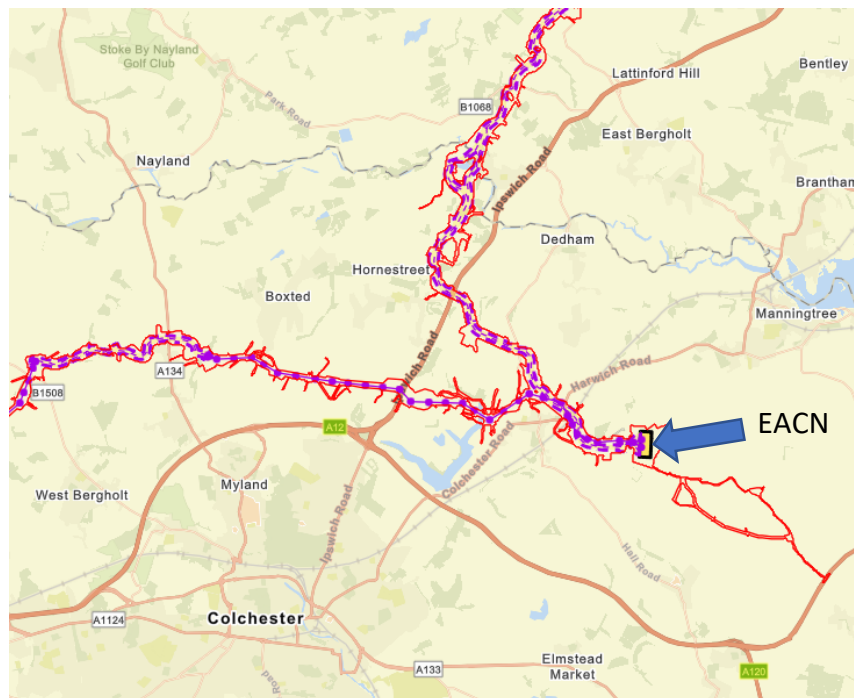
Map 1 Full proposed Norwich to Tilbury route



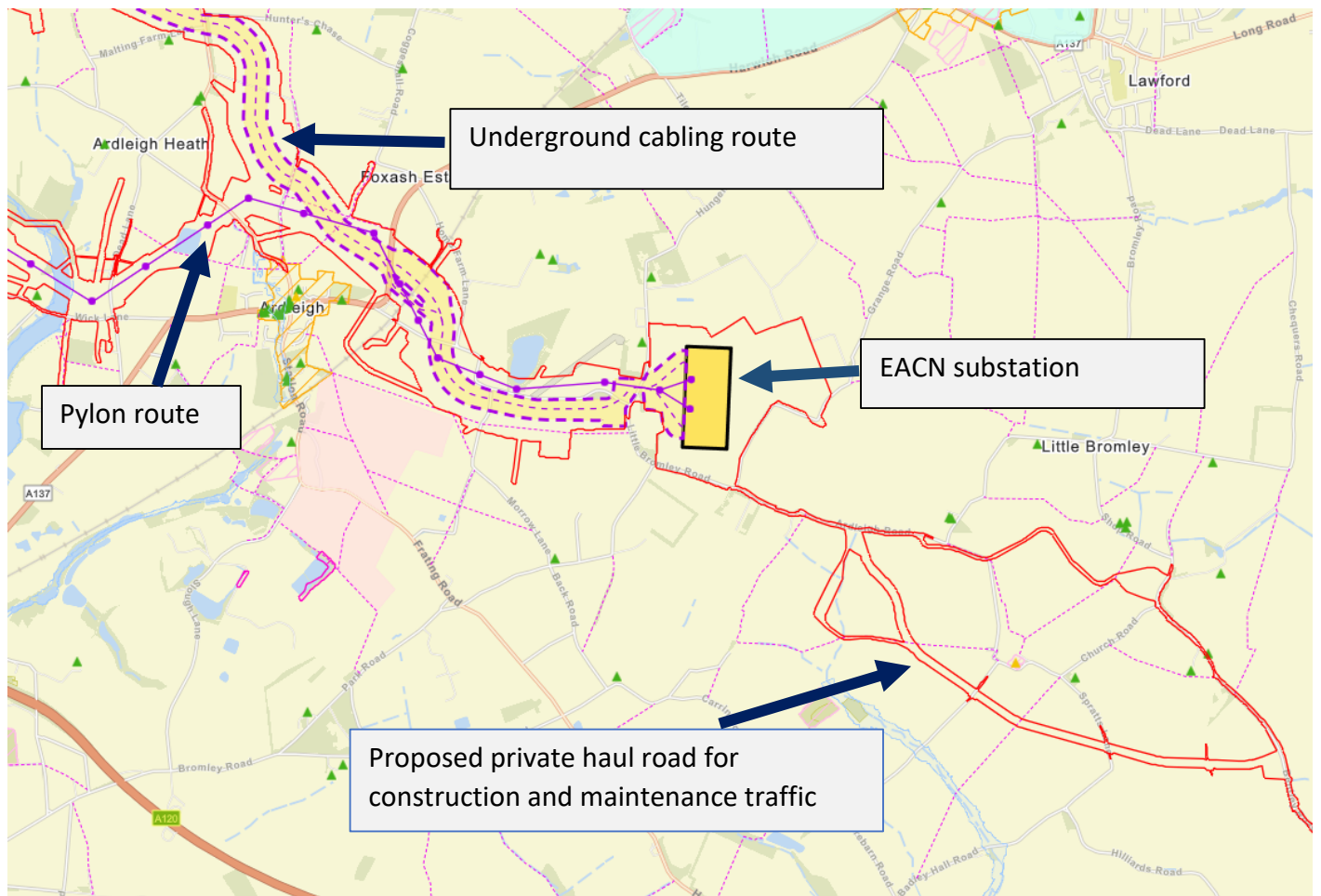
Map 2 South Suffolk to North Essex section



Map 3 Tendring section overview



Map 4 Tending section detail

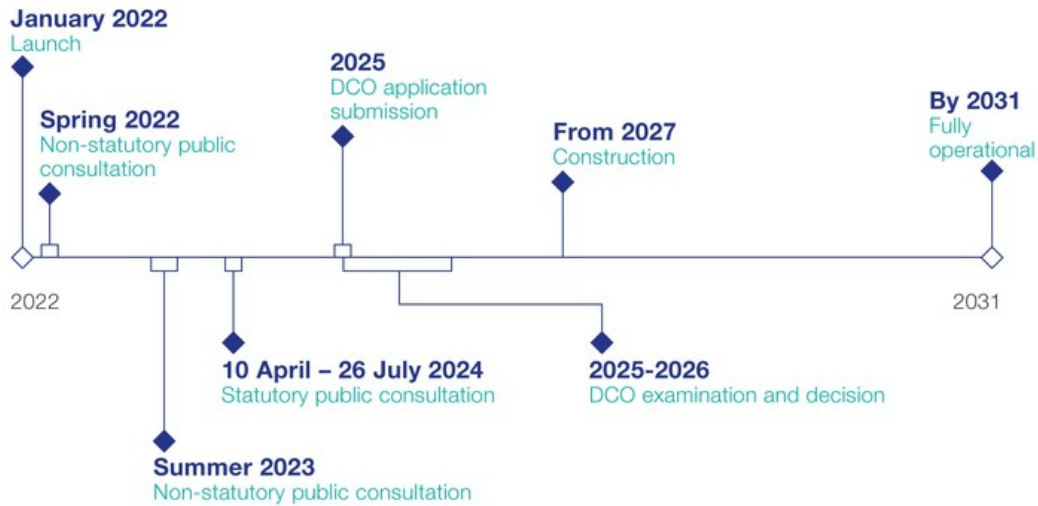


This Statutory Consultation is the final round of stakeholder engagement before NG finalise their application and submit it to the Planning Inspectorate for examination. Their timeline reflects this in Figure 1 below. As a result of the General Election being called this consultation has been extended until Friday 26<sup>th</sup> July 2024, this is unlikely to have a significant impact on the DCO application which should be expected in Q1 / Q2 2025.



Figure 1 © National Grid

## NT Project timeline



### Council response – Overview

The nature and scale of this project mean that Tendring District Council (TDC) and Essex County Council (ECC) are submitting individual representations. Both councils are statutory consultees and have different areas of responsibility, but Officers from both Councils have been in continual discussion.

Essex have responsibility for strategic matters such as Highways and Transport they are also the lead flood authority. ECC have commissioned Place Services to provide comments on the Ecology, Landscape, Built Heritage, Historic Environment aspects of the proposal within the Preliminary Environmental Impact Report (PEIR) on behalf of all Essex authorities. The TDC response is submitted in conjunction with the technical elements of the ECC submission, and covers Tendring specific issues such as socioeconomic, social value and community benefit elements of the proposal.

Both Councils are clear in their support for the governments net zero targets, and Tendring acknowledges that Harwich has a key role to play in the expansion of green and renewable energy along the east coast. However, both TDC and ECC are also clear that the Norwich to Tilbury proposal should be delivered offshore, overcoming the need for the onshore landscape harm and permanent environmental damage. The offshore solution would also negate the need for the East Anglian Connection Node (EACN).

### TDC Core Objections:

As with all previous representations submitted throughout the process, TDC object in the strongest of terms to the proposed powerline and the EACN substation. This proposal should be for offshore electricity transmission, not outdated and intrusive industrial pylons across our cherished landscape. The impacts on our local communities, environment and landscape are unacceptable, particularly given the lack of serious consideration given to the offshore route. Previous consultations have produced some positive outcomes, such as suggestions to underground the cables through the

Dedham Vale National Landscape being taken on board. However, this does not reduce the impact on surrounding communities, Ardleigh, Little Bromley and Lawford, nor does it reduce any of the environmental impacts.

There has been a clear failure to properly consider both the immediate need for the proposal and all alternative options. This is underlined in both the [Hiorns Smart Energy Network Report](#) and [Electricity System Operator East Anglia Network Study](#) which both conclude that Norwich to Tilbury will not be required until 2035 (later than the current target of 2030). This additional time would provide the opportunity to explore other routes, such as offshore, and other forms of transmission, such as underground High Voltage Direct Current (HVDC). The Offshore Coordination Support Scheme (OCSS) is currently exploring how offshore transmission is connected and delivered ensuring an appropriate balance between environmental, social and economic costs. The two wind farms that will connect to EACN (Five Estuaries and North Falls) are exploring offshore transmission with Sealink. It is therefore considered premature to continue with this proposal in its current form until the OCSS conclusions are published.

Local impacts for our communities are extensive, the potential cumulative impacts of Norwich to Tilbury and the two offshore wind farms will overwhelm those communities who will be most affected. There are health concerns associated with the proposals. The physical health impacts of living near large scale electrical infrastructure will require further exploration and evidence collection to ensure the safety of those residents most affected. The farming community have also raised concerns about the legacy impacts on soil quality as a result of the proposal.

The Biodiversity Net Gain proposals associated with the project are supported by TDC, but clarity is required on how this will be achieved. The Council also has specific concerns about the information presented in the Preliminary Environmental Impact Report (PEIR), and Place Services have highlighted, through their response on behalf of the Essex authorities, several areas where information is inaccurate, patchy or simply missing.

Future potential infrastructure, crucially the Tarchon Interconnector (which would provide a direct power link between Germany and the UK), whilst not yet a live NSIP is also causing significant concerns locally around the scale and the associated impacts on residents and the environment.

### **Proposed Mitigations**

Should this proposal be granted consent, against the Council's recommendations, a robust set of mitigations will need to be in place across the entirety of the proposals. It is the Council's view that impacts of climate change and efforts to mitigate it are unevenly distributed. A just transition, which aims to maximise the benefits of climate action and minimise negative impacts on those most affected, is required. The transition to renewable energy should be fair, inclusive, and create positive opportunities for all. This requirement resonates strongly in Tendring where there are existing areas of deprivation. In order to address this, the project must deliver social value across our communities. The Council will seek to engage with National Grid on a without prejudice basis as to how they can support our communities in the transition to renewable energies.

Currently, Tendring, as a host authority, is experiencing a disproportionate level of the negative impacts and thus the Council should expect a stronger focus on mitigation than might be expected in other locations along the proposal's route, along with some significant and tangible benefits.

The cumulative impacts of all major infrastructure projects (current and potential NSIPs) are not being addressed by any single agency or stakeholder in a properly coordinated manner. Mitigation packages will need to be substantial and designed comprehensively to avoid years of uncoordinated disturbance and a damaging patchwork of landscaping schemes.

At the appropriate time there must be consideration given to the strict control of traffic routes, volumes and vehicular size both during construction and in operation.

TDC expect to see legacy funding for the lifetime of the project to ensure current and future generations of Tendring residents can access the benefits of employment in the green energy sector.

The DCO must insist on the use of local providers wherever possible, supporting our ambition to enable our workforce to access the highly skilled jobs within the renewables sector. As such the Council will want to explore the role of Harwich and the A120 corridor at the heart of Freeport East with National Grid. TDC will also put forward a case to secure funding for the acquisition and/or remediation of property in the Freeport area to maximise investment opportunities in the green energy sector and future local employment.

We expect to see community benefits that are tangible and genuinely impact the lives of those who will be negatively affected by these proposals should consent be granted. In line with the Council's own forthcoming planning policies to promote active travel and improve people's health and social outcomes, the Council will want to explore investment in the district's strategic cycle infrastructure particularly along the coast to increase leisure and commuter routes.

#### **Next steps:**

Both Tendring District Council and Essex County Council must submit responses to this statutory consultation by the deadline of Friday 26<sup>th</sup> July. Both Councils will continue to work collaboratively together to ensure discussions with National Grid remain positive and ongoing throughout the process. As stated earlier we are anticipating the Development Consent Order being submitted either Q1 or Q2 2025. We await the publication of findings from the OCSS report.

## **APPENDICES**

**Appendix 1 – Draft TDC response to the Norwich to Tilbury Consultation**

## **BACKGROUND PAPERS**

[Planning Inspectorate NSIP Overview Advice Note 8](#)

[UK Offshore Wind Report 2023 \(ctfassets.net\)](#)

[Hiorns Smart Energy Network Report November 2023](#)

[ESO East Anglia Network Study March 2024](#)

[IPCC Sixth Assessment Report: Climate Change 2021 The Physical Science Basis](#)

[United Nations Climate Action : Renewable Energy](#)

[Climate Change Committee : UK action on climate change](#)